

Honolulu, Hawaii

FEB 20

, 2026

RE: H.B. No. 2137
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2137, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ARTIFICIAL INTELLIGENCE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Prohibit certain harmful uses of, and mandate disclosure for, realistic digital imitations generated by artificial intelligence (AI);
- (2) Provide for civil actions and civil remedies for individuals injured by unauthorized AI-generated realistic digital imitations; and
- (3) Require the disclosure of the use of synthetic performers in advertising.

Your Committee received testimony in support of this measure from the Hawaii State Commission on the Status of Women and eight individuals. Your Committee received testimony in opposition to this measure from the Chamber of Progress. Your Committee received comments on this measure from the Department of the Attorney General and one individual.



Your Committee finds that as artificial intelligence becomes more capable, the risk of misuse grows. Without clear guardrails, companies can create realistic digital imitations of performers, workers, or private individuals and deploy them in commercials or films without consent, compensation, or credit. For those who earn a living through their likeness, such uses threaten their livelihood. This measure provides meaningful enforceable protections by requiring clear disclosures for certain content generated by artificial intelligence.

Your Committee has amended this measure by:

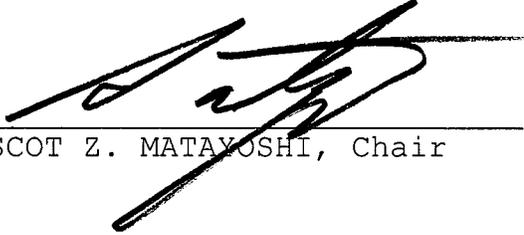
- (1) Inserting definitions for "advertisement" and "publish";
- (2) Deleting language that prohibited the knowing creation or distribution of a realistic digital imitation of an identifiable individual without the individual's consent if the imitation satisfies certain conditions;
- (3) Amending the prohibited acts associated with the knowing publication of a realistic digital imitation by:
 - (A) Deleting the requirement that the imitation is likely to cause harm or the imitation falsely implies endorsement or authorship; and
 - (B) Requiring instead that the imitation must cause legally cognizable harm;
- (4) Requiring disclosure of a realistic digital imitation that is published without the depicted individual's consent rather than requiring disclosure in cases of public distribution;
- (5) Deleting the exemption for newspapers, magazines, television networks and stations, streaming services, cable television systems, or transit advertisements;
- (6) Deleting the disclosure requirement from the exemption for content generated or altered by artificial intelligence that is a form of parody, satire, commentary, or political expression;



- (7) Deleting the exemption for content generated or altered by artificial intelligence that is an artistic or educational use;
- (8) Clarifying language that establishes standing for an individual's estate, for up to ten years after the death of the individual, should not be construed to extend the statute of limitations period applicable to the civil action; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2137, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 2137, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,


SCOT Z. MATAYOSHI, Chair



