

STAND. COM. REP. NO. 2113

Honolulu, Hawaii

FEB 06 2026

RE: S.B. No. 2076  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred  
S.B. No. 2076 entitled:

"A BILL FOR AN ACT RELATING TO PUBLICITY RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to protect a  
person's right to publicity from artificial intelligence deepfakes  
by including "artificial intelligence deepfake" in the definition  
of "likeness" that is protected under state law governing  
publicity rights.

Your Committee received testimony in support of this measure  
from SAG-AFTRA Hawaii Local and two individuals.

Your Committee received comments on this measure from the  
Recording Industry Association of America.

Your Committee finds that generative artificial intelligence  
can replicate a person's voice and appearance with considerable  
accuracy. Your Committee further finds that artificial  
intelligence possessing this capacity may be used to impersonate  
or deceive a reasonable person. Your Committee also finds that  
without any legal protections prohibiting the usage of artificial  
intelligence to replicate a person's appearance or voice, members  
of the public are vulnerable to identity theft and digital  
exploitation. Your Committee additionally finds that generative



artificial intelligence capable of accurately replicating a person's voice and appearance poses a threat to the State's film and media industry as screen actors, voice actors, radio artists, and other performers face the possibility of being replaced by a digital replica or having their reputations tarnished by unauthorized content generated by artificial intelligence. This measure protects a person's right to publicity from artificial intelligence deepfakes.

Your Committee has amended this measure by:

- (1) Replacing the term "artificial intelligence deepfake" that would have been included in the definition of "likeness" with "digital replica", which is a term used in other state laws protecting publicity rights and the federal Nurture Originals, Foster Art, and Keep Entertainment Safe (NO FAKES) Act;
- (2) Inserting a definition of "digital replica" that captures harmful, unauthorized, highly realistic deep fakes without inadvertently affecting common music remixing and mastering techniques;
- (3) Inserting a definition of "voice" that is used in the definition of "digital replica" to ensure that voice protections match those for visual likeness;
- (4) Deleting the definition of "artificial intelligence", as the term is no longer used in the measure;
- (5) Inserting an effective date of January 1, 2077, to encourage further discussion; and
- (6) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2076, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2076, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Labor and  
Technology,



---

BRANDON J.C. ELEFANTE, Chair



The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Labor and Technology**  
**LBT**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2076	LBT, CPN/JDC	1-30-26		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ELEFANTE, Brandon J.C. (C)	✓			
LAMOSAO, Rachele (VC)	✓			
IHARA, Jr., Les	✓			
MORIWAKI, Sharon Y.	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	4	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

\*Only one measure per Record of Votes