



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/06/2026

Time: 08:30 AM

Location: 423 VIA VIDEOCONFERENCE

Committee: ECD

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB2502, RELATING TO ARTIFICIAL INTELLIGENCE.

Purpose of Bill: Requires operators of conversational artificial intelligence services in the State to issue certain disclosures to account holders and users. Requires operators to develop protocols to prevent the production of suicidal ideations in account holders and users. Establishes protections for minor account holders of conversational artificial intelligence services. Beginning January 1, 2027, requires operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. Allows the Department of the Attorney General to bring a civil action against operators who violate certain requirements and establishes statutory penalties.

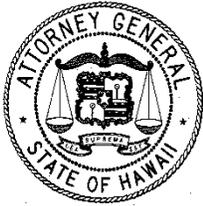
Department's Position:

The Hawaii State Department of Education (Department) supports HB 2502.

The Department appreciates the intent of this measure to protect minors from the potential risks associated with artificial intelligence systems designed to simulate human emotions and companionship. As we integrate technology into our learning environments, safeguarding the emotional and social development of our students remains a primary priority.

Specifically, the Department strongly supports legislation that prevents the use of relational chatbots and companion-style AI systems by students under the age of 18. We recognize that AI systems designed to foster emotional dependency or simulate personal relationships can pose unique risks to the psychological well-being of minors, who may not yet possess the maturity to distinguish between simulated empathy and genuine human interaction.

Thank you for the opportunity to provide testimony on this measure.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2026**

ON THE FOLLOWING MEASURE:

H.B. NO. 2502, RELATING TO ARTIFICIAL INTELLIGENCE.

BEFORE THE:

HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT & TECHNOLOGY

DATE: Friday, February 6, 2026

TIME: 8:30 a.m.

LOCATION: State Capitol, Room 423

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Ashley M. Tanaka, or Christopher J.I. Leong, Deputy Attorneys
General

Chair Ilagan and Members of the Committee:

The Department of the Attorney General (Department) provides the following comments.

This bill requires operators of conversational artificial intelligence services in the State to: (1) provide certain disclosures to account holders and users; (2) develop protocols to prevent the production of suicidal ideations in account holders and users; (3) establish protections for minor account holders and users; and (4) submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. The bill also establishes statutory penalties and allows the Department to bring civil actions for violations.

This bill may be subject to legal challenge under the First Amendment of the United States Constitution, as subsection (d)(3)(A) of the new section to be added to chapter 481B, Hawaii Revised Statutes, seeks to regulate the content of conversational artificial intelligence services' outputs. Content-based laws are presumptively unconstitutional and may be justified only if they satisfy strict scrutiny. See *Free Speech Coal., Inc. v. Paxton*, 606 U.S. 461 (2025). Trying to prevent a conversational artificial intelligence service from making "explicit claims that the service is sentient or human" (page 4, lines 15-16) may trigger strict scrutiny. To mitigate this issue, we recommend removing subsection (d)(3)(A). Subsection (b) (page 1, line 13, to page 2,

line 8) already provides similar and sufficient safeguards against conversational artificial intelligence services leading a minor account holder or user from being misled into believing they are interacting with a human, as it requires conversational artificial intelligence services to clearly and conspicuously disclose to minors that they are interacting with artificial intelligence.

Thank you for the opportunity to provide comments.



February 6, 2026

The Honorable Greggor Ilagan
Chair
Economic Development and Technology
Room 419, State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: Oppose HB 2502 - Chatbots

Dear Chair Ilagan,

On behalf of Chamber of Progress, a tech industry association supporting public policies to build a society in which all people benefit from technological advances, **I respectfully urge you to oppose HB 2502**, which risks restricting access to educational AI tools and encouraging age-verification practices that undermine user privacy.

HB 2502's definitions risk capturing some low-risk educational AI tools

HB 2502 defines covered conversational artificial intelligence services based on whether a system is accessible to the general public and primarily simulates human conversation. Although the bill excludes narrow, discrete-topic tools, the distinction between a prohibited conversational system and a permitted educational tool is not always clear in practice. Some educational AI products that rely on open-ended dialogue, adaptive responses, and sustained interaction may fall near this boundary, creating uncertainty about coverage despite posing minimal risk.

For example, an AI tutor that asks follow-up questions to help a student solve a math problem, or a language-learning chatbot that practices conversational skills, could fall within the scope of the bill simply because it engages in dialogue. This is particularly concerning given a 2025 peer-reviewed academic analysis of 62 studies, which found that chatbots generally have a positive effect on learning performance, especially in STEM subjects, at lower educational levels, and when used over longer durations.¹ Overinclusive definitions risk curtailing tools that independent research shows are supporting student learning outcomes.

¹ Martin Laun and Fabian Wolff. *Chatbots in education Hype or help? A meta-analysis*. ScienceDirect, Apr. 2025. <https://www.sciencedirect.com/science/article/pii/S1041608025000226>

HB 2502 effectively pushes AI services toward age verification and increased data collection

HB 2502 effectively conditions how AI services operate on whether a provider knows or reasonably believes a user is a minor. Although the bill does not explicitly require age verification, it conditions who may use these systems on whether a user is a child, placing age determination at the center of access decisions. In practice, that means more age gates, age screening, or identity checks for all users, even though the bill does not explicitly mandate age verification.

There are a number of other concerns with mandating age verification. For example, strict age verification, which would require confirming a user's age without collecting additional personally identifiable information, is not technically feasible while still respecting users' rights, privacy, and security.² This approach threatens online privacy for everyone. To avoid legal risk, companies would be incentivized to collect age or identity information from all users, increasing data collection rather than reducing it.

As a result, providers are likely to collect additional personal information to distinguish minors from adults, including behavioral profiling or identity-based checks. This shifts AI services away from privacy-preserving, data-minimizing design and toward systems that retain more user data than would otherwise be necessary.

For these reasons, I respectfully urge you to **oppose HB 2502**.

Sincerely,



Robert Singleton
Senior Director of Policy and Public Affairs, California and US West

² Sarah Forland et al. *Age Verification: The Complicated Effort to Protect Youth Online*. Open Technology Institute, New America, Apr. 22, 2024.
<https://www.newamerica.org/oti/reports/age-verification-the-complicated-effort-to-protect-youth-online/>

HB-2502

Submitted on: 2/5/2026 4:47:10 PM

Testimony for ECD on 2/6/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Nahelani Parsons	Google	Support	Remotely Via Zoom

Comments:

Available if the committee has any questions.

TESTIMONY OF NAHELANI PARSONS ON BEHALF OF GOOGLE IN SUPPORT OF HB 2502

Date: Friday, February 6, 2026

Time: 8:30 a.m.

Aloha, Chair Ilagan and members of the Committee. Thank you for the opportunity to discuss the critical intersection of generative AI and youth safety.

My name is Nahelani Parsons, on behalf of Google's Government Affairs and Public Policy team, testifying in **support** of **HB 2502** Relating to Artificial Intelligence. Recommended amendments shared below.

Google has a long history of investing in Hawai'i, and our commitment extends to the safety and well-being of its children and youth.

We believe that generative AI, like Gemini, can be a powerful tool for learning, creativity, and preparing young people for an AI-driven future. However, we recognize that **minors have unique developmental needs** that require unique protections.

That is why we have taken a deliberate, "safety-by-design" approach to Gemini for users under 18 (U18). Our protections, developed in consultation with internal and external child development experts, include:

- **Persona Safeguards:** We developed Gemini to help prevent claims of sentience or the simulation of human-like relationships. This helps prevent minors from developing emotional dependencies on AI.
- **Suicide and Self-Harm Protocols:** We have a longstanding protocol for communications that appear to reflect suicidal ideation or self-harm expressed by a user, regardless of age. We immediately refer these users to crisis service providers, such as suicide hotlines.
- **Age-Appropriate Content Safeguards:** We implement robust guardrails to help prevent sexually explicit content, harassment, and instructions for dangerous activities.
- **Privacy-First Defaults:** For users under the age of consent (13 in the US), Gemini Apps Activity is off and cannot be enabled, meaning we do not train on their data or "remember" conversations from session to session.

While Google has proactively implemented these safeguards, we believe that **well-crafted legislation can play a meaningful role** to establish a consistent "responsibility floor" across

the entire industry. We are here today to support HB 2502, a thoughtful and effective bill that reflects a risk-based approach to safety.

We support this legislation because it:

1. **Codifies Safety Guardrails:** It requires all operators to implement reasonable measures against sexually explicit content and the simulation of romantic or sentient personas for minors.
2. **Mandates Transparency:** It requires clear disclosures so that minors know they are interacting with an AI, not a human.
3. **Bans “gamification”:** It bans "gamification" techniques where chatbots provide points or similar rewards to encourage increased engagement.
4. **Empowers Parents:** It ensures that parents of children under 13 have tools to manage their child's access and settings, while offering appropriate supervision options for teens.

Conclusion

Legislation should focus on **protecting kids in the online world, not keeping them from it.** This is especially true as generative AI tools play a greater role in our lives. This measure provides the "rules of the road" necessary to hold companies accountable while preserving the ability for Hawai'i's youth to benefit from this transformative technology.

Thank you again for the opportunity to testify. I look forward to answering your questions and working together to ensure a safer digital future for Hawai'i's youth.

Recommended amendments:

- Amend Page 2, line 4, from “every hour” to “every three hours.”
This recommendation is consistent with existing laws in California and New York so as to avoid an unworkable patchwork of laws across the 50 states
- Delete section (2), page 2 line 18 through to page 3, line 2.
This is duplicative of subsection (1) and not technically feasible. If we identify a violative prompt or output, products will not provide a response.
- Delete sections (5) and (6), page 3, lines 10-14.
These sections are unclear.
- Amend section (4) page 5, lines 1-11 to read as follows:

(4) Offer tools to manage the minor account holder's or user's privacy and account settings, to:

(A) The minor account holder or user; and

(B) The parent or guardian of the minor account holder or user if the minor account holder or user is under sixteen years of age;

provided that the operator shall also make the tools required by this paragraph available to the parent or 95 guardian of a minor account holder or user sixteen years of age and above as appropriate based on relevant risks."

Legislation should require that online services offer a range of privacy-preserving settings that help parents address the unique needs and preferences of their family.

- Delete section (f) on page 6, lines 4-5.
Inclusion of this provision constitutes a Private Right of Action.

Amend section (k) on page 7, lines 10-14.

(k) For the purposes of this section:

"Account holder" or "user" means a person who:

(1) Hhas, or generates, an account or profile to use a conversational artificial intelligence service; or

(2) Uses a conversational artificial intelligence service as a guest or through a temporary account without creating an account or profile.

This isn't workable as the requirements in the bill can only be met if the user is logged into their account or profile.

- Amend definition of, "Conversational artificial intelligence service," on page 7, to read as follows:

"Conversational artificial intelligence service" or "service" means an artificial intelligence software application, web interface, or computer program, including any system that is integrated into or operates in conjunction with another social media platform, application, web interface, or computer program, that is accessible to the general public that primarily simulates human conversation and interaction through textual, visual, or aural communications."

There are a range of systems integrated into other platforms or applications that wouldn't be appropriately covered by this bill. To name a couple of examples, Google Maps incorporates generative AI to help users discover new places, and people can use Gemini in Google Docs to summarize the main points of a lengthy document.

- Amend the effective date to allow for one year after enactment into law to allow platforms to prepare and implement relevant requirements.

HB-2502

Submitted on: 2/4/2026 12:41:44 PM

Testimony for ECD on 2/6/2026 8:30:00 AM

Submitted By	Organization	Testifier Position	Testify
Genaro Hale Gualdarama	Hawaii Teamsters Local 996	Support	Written Testimony Only

Comments:

In support of bill HB2502.