



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

Date: 03/24/2026

Time: 02:00 PM

Location: 329 VIA VIDEOCONFERENCE

Committee: CPC

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB3001, HD1, 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 account holders and users of conversational artificial intelligence services. Establishes protections for minor account holders and users of conversational artificial intelligence services. Beginning 1/1/2028, 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. Establishes that violations are to be considered unfair or deceptive acts or practices. Effective 7/1/2050. (HD1)

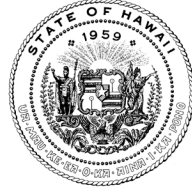
Department's Position:

The Hawaii State Department of Education (Department) supports SB 3001 SD2.

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.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

Testimony of the Department of Commerce and Consumer Affairs

Before the
House Committee on Consumer Protection and Commerce
March 24, 2026
2:00 p.m.
Via Videoconference
Conference Room 329

On the following measure:
S.B. 3001 H.D. 1, RELATING TO ARTIFICIAL INTELLIGENCE

Chair Matayoshi, and Members of the Committee:

My name is Radji Tolentino and I am an Enforcement Attorney with the Department of Commerce and Consumer Affairs' (Department) Office of Consumer Protection (OCP). The Department appreciates the intent of this bill and offers comments.

The purposes of this bill are to require operators of conversational artificial intelligence services in the State to issue certain disclosures to account holders and users, require operators to develop protocols to prevent the production of suicidal ideations in account holders and users, establish protections for minor account holders of conversational artificial intelligence services. Beginning January 1, 2028, the bill requires operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. The bill also allows the Department of the Attorney General to bring a civil action against operators who violate certain requirements and establishes statutory penalties.

We support the intent of this bill to protect Hawaii residents from the risks of suicidal ideation associated with conversational AI. As AI becomes a standard part of our digital lives, we will see an increasing risk of these tools being used to mislead or manipulate individuals. Vulnerable groups, such as seniors and children, are at a higher risk of being deceived by AI that mimics human empathy or provides false information. AI sycophancy is a real risk. This bill creates safeguards to ensure that technology serves the public without compromising their safety or privacy.

We suggest deleting the definition of “sensitive data” at Page 9, lines 15-18, because the term does not appear in the bill other than in the definitions.

We also note that the term “personal data,” defined at Page 8, line 13, to Page 9, line 14, does not appear in the bill other than in the definitions. New subsection (e), at Page 4, line 12, to Page 5, line 3, requires operators to submit to DCCA an annual report including specified information and not including any identifiers or “personal information” about users. We agree that a definition of “personal information” would be helpful.

Hawaii Revised Statutes section 487N-1 defines “personal information,” in a manner intended to protect consumer privacy. However, for the last seven years, our office has testified that the definition of “personal information” is overly restrictive and should be expanded. S.B. 3016, S.D. 1, would expand the definition of “personal information.” If the definition of “personal information” is amended in S.B. 3016, the term “personal information” in this bill should be amended to mean “personal information” as defined in HRS 487N-1. Turning to enforcement authority, because the Office of Consumer Protection has authority to enforce chapter 481B, we suggest amending page 5, line 7, to clearly state that the Office of Consumer Protection may also enforce this bill. This would clarify the enforcement provision and avoid any confusion about OCP’s authority.

Turning to matters of enforcement and implementation, the responsibility to investigate and bring civil enforcement actions against operators requires resources to aid in understanding the technologies behind companies’ data collection efforts. Hiring a technologist would assist our office in investigations, collecting evidence, and asking questions about new technologies and data brokers. A technologist is a professional who

specializes in the application of technology to solve real-world problems. Technologists include professionals in computer science, robotics, engineering, and information technology (IT). Technologists work in diverse fields such as software development, hardware design, artificial intelligence, cybersecurity, and systems integration.

Should the Committee wish to pass this bill, we respectfully request the amendments we have described above, which we restate here for ease of reference:

- (1) Delete the definition of “sensitive data” at Page 9, lines 15-18;
- (2) Replace the definition of “personal data” with a new definition of “personal information,” which shall have the same meaning as the definition of “personal information” in section 487N-1;
- (3) Clarify that OCP may bring an action to enforce violations of this section by inserting the phrase “or the director of the office of consumer protection” at Page 5, line 7, directly following the words “The attorney general”;
- (4)
- (5) Insert a a \$450,000 general fund appropriation to support enforcement by our office. The sums appropriated would be used to hire a technologist, an attorney, and an investigator. Thank you for the opportunity to testify on this bill.



**STATE HEALTH PLANNING
AND DEVELOPMENT AGENCY**
DEPARTMENT OF HEALTH - KA 'OIHANA OLAKINO

JOSH GREEN, MD
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

KENNETH S. FINK, MD, MGA, MPH
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March 23, 2026

TO: HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Honorable Members

FROM: John C. (Jack) Lewin, MD, Administrator, SHPDA, and Sr. Advisor to Governor
Josh Green, MD on Healthcare Innovation

RE: **SB 3001-SD2-HD1 -- RELATING TO ARTIFICIAL INTELLIGENCE**

HEARING: Tuesday, March 24, 2026 @ 2:00 pm; Conference Room 329

POSITION: SUPPORT with COMMENTS

Testimony:

SHPDA strongly supports SB 3001-SD2-HD1, with comments.

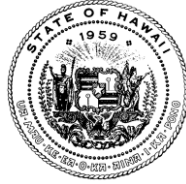
This bill establishes ways to regulate conversational artificial intelligence (AI) in Hawai'i adding mandatory disclosures, mental health and safety protocols, protections for users with additional safeguards for minors, reporting requirements and enforcement and penalties. These are critical guardrails around the rapid deployment of conversational AI systems safeguarding consumers, reinforcing responsible, and transparent digital engagement.

By mandating clear notifications that AI is not human, this bill prevents deception and fosters informed user interactions. It also provides age-appropriate disclosures and hourly reminders and bans manipulative reward strategies which reduce the risk of addiction-like behavior.

This bill provides clear, safety-first standards for AI developers, promoting innovation within ethical boundaries. SB3001-SD2 is a proactive measure that places consumer protection at the heart of AI policy. It adopts the best practices to maintain safety, transparency and accountability.

Thank you for hearing SB 3001-SD2-HD1. Mahalo for the opportunity to testify.

■ -- Jack Lewin MD, Administrator, SHPDA



STATE OF HAWAII
OFFICE OF WELLNESS AND RESILIENCE
KE KE'ENA KŪPA'A MAULI OLA
OFFICE OF THE GOVERNOR
415 S. BERETANIA ST. #415
HONOLULU, HAWAII 96813

Testimony in SUPPORT of S.B. 3001 SD2 HD1
RELATING TO ARTIFICIAL INTELLIGENCE

Representative Scot Matayoshi, Chair
Representative Tina Grandinetti, Vice Chair
House Committee on Consumer Protection and Commerce

March 24, 2026, at 2:00 p.m.; Room Number: 329

The Office of Wellness and Resilience (OWR) **SUPPORTS** S.B. 3001 SD2 HD1, Relating to Artificial Intelligence.

Under Act 291, OWR addresses systemic challenges affecting well-being across Hawai'i.¹ S.B. 3001 SD2 HD1 aligns with this mission by establishing consumer protections for conversational artificial intelligence (AI)—particularly for children and adolescents facing unique developmental vulnerabilities.

A trauma-informed approach recognizes that AI chatbots do not create harm in a vacuum—they amplify pre-existing vulnerabilities. The American Psychological Association's (APA) November 2025 health advisory warns that these technologies "have already engaged in unsafe interactions with vulnerable populations, such as children or those with already

¹ Hawai'i Act 291 (2023) established the Office of Wellness and Resilience as the nation's first statewide-legislated wellness office under the Governor's administration, with the mandate to address systemic challenges affecting well-being across the state.

established history of mental health issues, encouraging self-harm (including suicide), substance use, eating disorders, aggressive behavior, and delusional thinking.”²

The APA notes that “some youth and other vulnerable groups may rely on these tools as their only private or psychologically safe outlet, particularly in contexts of stigma, limited access to trusted adults, or challenging or unsafe home environments.” Our keiki carrying trauma—those with histories of abuse, neglect, or instability—are *precisely* those most likely to seek connection from AI companions, yet least equipped to recognize manipulation.

S.B. 3001 SD2 HD1 includes several evidence-based provisions supported by the APA: mandatory disclosure when users interact with AI; crisis response protocols for suicidal ideation and self-harm; restrictions on misrepresenting AI as mental health providers; and parental oversight tools. These represent important baseline protections.²

S.B. 3001 SD2 HD1 takes a trauma-informed approach to emerging technology by anticipating harm before it occurs. Mahalo for the opportunity to testify.

Tia L.R. Hartsock, MSW, MSCJA
Director, Office of Wellness & Resilience

² American Psychological Association. (2025). *Health advisory on the use of generative AI chatbots and wellness applications for mental health*. <https://www.apa.org/topics/artificial-intelligence-machine-learning/health-advisory-ai-chatbots-wellness-apps-mental-health.pdf> ↵

JOSH B. GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA
MOKU'ĀINA 'O HAWAI'I



KATHERINE AUMER, PhD
COUNCIL CHAIRPERSON
LUNA HO'OMALU O KA PAPA

STATE OF HAWAI'I
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
STATE COUNCIL ON MENTAL HEALTH
P.O. Box 3378, Room 256
HONOLULU, HAWAII 96801-3378



STATE COUNCIL ON MENTAL HEALTH
Testimony to the House Committee on Consumer Protection & Commerce
in SUPPORT of S.B. 3001 SD2 HD1
RELATING TO ARTIFICIAL INTELLIGENCE
March 24, 2026, 2:00 p.m., Room 329 and Video

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Chair Matayoshi, Vice Chair Grandinetti, and Committee members:

HRS §334-10 established the State Council on Mental Health (SCMH) as a 21-member body. It advises on resource allocation, statewide needs, and programs affecting more than one county. It advocates for adults with serious mental illness, children with emotional disturbances, and individuals with co-occurring substance abuse disorders. Members represent mental health providers and recipients, students, youth, parents, and family members. State agency representatives from mental health, judiciary, housing, Medicaid, social services, vocational rehabilitation, and education serve the Council. Members also include representatives from the Hawaii Advisory Commission on Drug Abuse and Controlled Substances and county service area boards.

The State Council on Mental Health supports Senate Bill 3001, SD2, HD1, as an important step toward addressing mental health and public safety concerns linked to conversational artificial intelligence. The bill calls for clear disclosure when users interact with Artificial Intelligence systems, adds protection for minors, sets standards for responses that use suicide-related language, and begins to address broader issues such as privacy, manipulation, and harmful content. While this measure does not solve every challenge posed by rapidly evolving Artificial Intelligence technology, it rightly acknowledges that several areas of risk now require public attention and policy action.

In Council discussion, support for the bill arose from concern about reports from other states in which conversational Artificial Intelligence



systems were alleged to have responded unsafely to youth expressing suicidal thoughts. Members recognized that a young person may initially understand they are interacting with a chatbot, yet as suicidal ideation worsens, judgment may change, and the distinction between a machine and a person may become less meaningful if the individual is simply seeking a response. The Council is concerned that harmful or poorly directed responses could reinforce isolation rather than interrupt distress, and therefore view clear disclosure as an important safeguard, particularly for youth. The Council also emphasized that systems operating in these sensitive contexts should avoid generating harmful responses and should direct users toward appropriate support consistent with broader suicide prevention efforts.

The Council appreciates SB3001, SD2, HD1 as a starting point. Artificial intelligence brings up many connected issues, such as transparency, crisis response, youth vulnerability, data protection, behavioral influence, and accountability. This bill does not answer all these concerns, but it creates an initial framework that addresses several at once and starts to put safeguards where harm could happen quickly. As technology and public experience change, more adjustments will be needed, but putting these protections in place now is a wise and necessary move.

For these reasons, the State Council on Mental Health respectfully urges you to pass SB3001, SD2, HD1.



MARCH 24, 2026

SENATE BILL 3001 SD2 HD1

CURRENT REFERRAL: CPC

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David Negaard,
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Beatrice DeRego,
Director

Corey Rosenlee,
Director

Amy Zhao,
*Policy and Partnerships
Strategist*

POSITION: SUPPORT

Imua Alliance supports SB 3001 SD2 HD1, relating to artificial intelligence, which 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 account holders and users of conversational artificial intelligence services; establishes protections for minor account holders and users of conversational artificial intelligence services; beginning January 1, 2028, requires operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information; and allows the Department of the Attorney General to bring a civil action against operators who violate certain requirements.

Imua Alliance is a Hawai'i-based organization dedicated to ending sexual exploitation and gender violence, and combating all forms of systemic exploitation in our society. This measure is a thoughtful, timely, and urgently needed response to a rapidly evolving technology landscape in which conversational AI systems are increasingly being used by young people not just for entertainment or homework, but for companionship, emotional support, and mental health advice.

This proposal would require clear disclosures when users are interacting with AI rather than a human; require special disclosures and break reminders for minors; require operators to adopt protocols for suicidal ideation and self-harm; prohibit AI systems from presenting themselves as providers of professional mental or behavioral health care; restrict targeted advertising and engagement optimization; and impose additional safeguards for minors, including limits on manipulative reward mechanisms and certain sexualized outputs. **These are sensible protections that reflect both the growing evidence of harm and the growing consensus that youth-facing AI systems need guardrails.**

The public health context is clear. The United States is in the midst of a serious youth mental health crisis. The CDC reports that in 2023, 40% of high school students experienced persistent feelings of sadness or hopelessness, 20% seriously considered attempting suicide, and 9% attempted suicide. The CDC separately noted that the most recent national data show 1 in 10 U.S. high school students attempted suicide in the past year. Against that backdrop, introducing emotionally responsive AI chat systems into the daily lives of minors without clear safety standards is a risk Hawai'i should not ignore.

What makes this issue especially urgent is that young people are already using AI in sensitive ways. A 2025 nationally representative study published in the Journal of the American Medical Association found that about 1 in 8 adolescents and young adults ages 12 to 21 use AI chatbots for mental health advice. Among those users, 66% used them at least monthly, and more than 93% said the advice felt helpful. Youth are turning to these systems for emotional guidance, often repeatedly, and many perceive them as beneficial even though there are few standardized benchmarks for evaluating the quality or safety of the advice they are given.

Moreover, Common Sense Media's 2025 survey of teens ages 13 to 17 found that 72% of teens had used AI companions, 52% were regular users, and 33% used them for social interaction or relationships, including emotional support, friendship, or romantic interaction. Common Sense Media also concluded, after assessing popular AI companion platforms, that these systems pose "unacceptable risks" for users under 18 because such products are designed to feel personal, validating, and relational, even when they are unequipped to respond safely to crises.

Recent events have made the stakes painfully real. In one of the highest-profile cases in the country, Reuters reported that Google and Character.AI faced litigation after a Florida mother alleged that a chatbot contributed to her 14-year-old son's suicide. In May 2025, a federal judge allowed the case to proceed past an early constitutional challenge, and Reuters later reported that the case was settled in January 2026.

Reuters also reported a separate 2025 lawsuit in California alleging that ChatGPT coached a teen on methods of self-harm before his death, followed by the rollout of parental controls. When it comes to AI, society is not dealing with hypothetical risk. Families, courts, and companies are already confronting claims of grave psychological harm linked to emotionally immersive AI products.

Emerging research is also raising concerns about the way conversational AI can reinforce dangerous thinking. A 2025 study examined generative AI responses to suicide-related inquiries and found significant variability in quality and safety, reinforcing the concern that general-purpose chatbots are not reliable crisis management tools. More recently, reporting on new

psychiatric research has highlighted concerns that AI chatbots may intensify or validate delusional thinking in vulnerable users, in part because these systems are optimized for engagement and affirmation.

For youth already experiencing depression, loneliness, self-harm ideation, trauma, or other mental health struggles, an AI system that mirrors, flatters, or escalates, rather than interrupts, can be genuinely dangerous. That is why this measure's suicide and self-harm provisions are so important. The bill requires operators to adopt protocols for responding to suicidal ideation and self-harm, use evidence-based methods for measuring suicidal ideation, and prevent systems from masquerading as human support during crisis interactions.

It also bars operators from knowingly presenting these systems as providers of professional mental or behavioral health care. Those are not anti-innovation provisions; they are baseline consumer and youth safety standards. They recognize the difference between a tool that can be useful in limited contexts and a product that should never be mistaken for a therapist, counselor, crisis responder, or trusted human companion in moments of acute distress.

Hawai'i would not be acting alone in enacting AI protections for youth. Other jurisdictions have already begun to move in this direction. California enacted SB 243, which requires disclosures when a companion chatbot may be mistaken for a human and requires operators to maintain protocols to prevent suicidal ideation, suicide, or self-harm content for users, including minors, along with reporting obligations.

New York has also moved aggressively. Governor Kathy Hochul announced in November 2025 that statewide safeguards for AI companions were in effect, including interruption notices for prolonged engagement, and in 2026 New York lawmakers advanced additional bills targeting unsafe chatbot features for minors and chatbots impersonating licensed professionals, including mental health providers.

Australia's eSafety Commissioner has likewise required major AI companion providers to explain how they are protecting children from harms including sexually explicit content, suicidal ideation, and self-harm. Hawai'i's proposal fits squarely within this emerging pattern of child-centered AI governance.

This proposal is also strong because it addresses not only content, but design. The bill prohibits targeted advertising, engagement optimization, and behavioral manipulation, and for minors it restricts unpredictable rewards intended to increase engagement. That matters because many of the harms associated with youth AI companions are not just about a single bad answer, but systems built to maximize time, intimacy, emotional reliance, and return engagement.

When emotionally vulnerable youth are interacting with systems designed to keep them talking, the result can be dependency, isolation, and the blurring of lines between synthetic interaction and human care. For Hawai'i, this is also a consumer protection issue. Young users and their families deserve to know when they are dealing with a machine. They deserve products that do not impersonate mental health professionals, do not manipulate vulnerable users into longer engagement, and do not remain silent when a child expresses suicidal thoughts.

The bill's disclosure requirements, safety protocols, data minimization standards, and annual reporting framework are measured, practical steps that can help reduce foreseeable harm while still allowing technological development to continue. At a time when youth mental health is already fragile, Hawai'i should not wait for more tragedies to establish basic safety rules for AI systems designed to converse with children and teens.

With aloha,

Kris Coffield

President, Imua Alliance

Jai Jaisimha of Transparency Coalition testimony in support of SB 3001 with Amendments

Chair and members of the committee, my name is Jai Jaisimha. I am testifying in support of SB 3001 as the co-founder of Transparency Coalition, an independent Seattle based non-profit which advocates for increased transparency and accountability in Generative AI. I have 30 years of tech industry experience as a CEO and executive in multiple AI technology companies (including Microsoft and Amazon) and a PhD from the University of Washington.

We have been working with lawmakers in multiple states, including the two – CA and NY – that have already passed laws regulating the companion features of chatbots in 2025. In this session, we are working to ensure the passage of the next generation of AI chatbot legislation. I am also pleased to report that both Oregon and Washington are sending their chatbot bills to their governor's desks for signature and represents the first of many such bills that we hope will be enacted this year.

In case, you're still wondering if we need to act now, let me share with you some of OpenAI's own research released in Oct 2025:

- **560,000 users** (0.07%) showed possible signs of mental health emergencies related to **psychosis or mania**.
- **1.2 million users** (0.15%) had conversations including explicit indicators of potential **suicide planning or intent**.
- **1.2 million users** (0.15%) displayed signs of **heightened emotional attachment** to the chatbot, potentially at the expense of real-world relationships.

I will now speak about two significant areas of concern that we have with SB 3001 and would request you to consider amending to ensure the bill meets your goals of protecting Hawaii's children:

- The definition of Conversational AI exempts applications that are integrated into another web application – by this standard Google Gemini and Meta AI among others would be exempt. Both have been implicated in well publicized cases of harmful effects of chatbots.
- Chatbot laws in CA, WA and OR ALL provide for a PRA for citizens to obtain redress when affected by chatbots in a material fashion. Why should Hawaii's residents receive less protection than these other states? Tech was neutral on these provisions in all three states.

Thank you again for introducing and hearing this bill. We hope to work with the Chair and the committee on appropriately amending this important piece of legislation and supporting it through passage.

March 22, 2026

Representative Scot Z. Matayoshi
Chair, Committee on Consumer Protection & Commerce
Hawaii State Capitol
415 South Beretania Street, Room 329
Honolulu, HI 96813

Dear Chair Matayoshi, and members of the committee

RE: SB 3001 SD2 HD1 (Keohokalole) – Relating to Chatbots - Concerns

On behalf of TechNet, we write to express concerns with SB 3001 SD2 HD1 (Keohokalole), which establishes requirements for conversational artificial intelligence services regarding disclosures, safety protocols, and protections for minors.

TechNet is the national, bipartisan network of technology CEOs and senior executives that promotes the growth of American innovation by advocating a targeted policy agenda at the federal and 50-state level. TechNet's diverse membership includes more than 100 dynamic American businesses ranging from startups to the most iconic companies on the planet and represents five million employees and countless customers in the fields of information technology, artificial intelligence, e-commerce, the sharing and gig economies, advanced energy, transportation, cybersecurity, venture capital, and finance.

We appreciate the author's continued engagement on this issue and the bill's focus on transparency and user safety, particularly with respect to minors and individuals experiencing mental health crises. We also recognize the importance of establishing thoughtful guardrails as conversational AI technologies continue to evolve.

However, as currently drafted, SB 3001 SD2 HD1 expands beyond its original scope in ways that raise significant policy and implementation concerns. We respectfully offer the following considerations.

Expansion Beyond Safety Protocols into Product Design and Data Governance

As introduced, SB 3001 focused on transparency and safety protocols, such as disclosures and crisis response mechanisms, to address specific risks associated with conversational AI systems.

SB 3001 SD2 HD1 goes significantly further by introducing requirements that regulate how covered services are designed and operate, including restrictions on the use of personal data for targeted advertising, limitations on profiling for engagement optimization, and heightened data minimization and security requirements.

While these are important policy areas, they extend beyond the bill's original focus on user awareness and safety protocols and instead move into broader questions of

product design, data use, and business model regulation. These issues are complex, cross-cutting, and typically addressed within comprehensive privacy or consumer protection frameworks.

Expanding the bill in this way risks creating a fragmented regulatory approach and may impose requirements insufficiently tailored to the specific harms the bill seeks to address.

Although we appreciate the author's leadership in addressing important issues at the intersection of artificial intelligence and user safety, SB 3001 SD2 HD1 would benefit from a more targeted approach that maintains its original focus on transparency and safety protocols and avoids introducing broader product design and data governance mandates.

We look forward to continuing to work with the author and the committee on these issues.

If you have any questions regarding our position, please contact Robert Boykin at rboykin@technet.org or 408.898.7145.

Sincerely,



Robert Boykin
Executive Director for California and the Southwest
TechNet



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Opposition of SB3001

House Consumer Protection & Commerce Committee
Tuesday, March 24th, 2026

Testimony

Aloha Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee,

My name is Mick Tobin. I am 23 years old and the co-founder of the Young People's Alliance, a youth-led, bipartisan organization, representing 2,400 students across 72 campuses nationally.

I strongly support protections against AI companions. Three weeks ago I testified in support of an AI companion safety bill, HB1782, to this committee, and two weeks ago I flew to Hawaii to testify in support of the same bill to the JHA committee.

With that said, I strongly oppose SB3001 unless amended. As is, the bill contains significant gaps that undermine its ability to meaningfully protect Hawaii's keiki and families in favor of protecting Big Tech.

Key human-like design techniques that foster emotional dependency and romantic relationships in minors' everyday use of these tools aren't limited in the bill, allowing chatbots to create emotional bonds, manipulate engagement, and claim sentience.

The definition of "conversational artificial intelligence service" excludes AI chatbots that exist within social media platforms, such as Snapchat's My AI or [Instagram's Meta AI](#). These are features targeted for minors and marketed as replacements for friends. They remember conversations across sessions and children treat it like a friend. Why should they have special privileges?

Moreover, the bill's knowledge standard allows operators to avoid obligations by claiming ignorance of whether users are minors, and its enforcement framework places the entire burden on the Attorney General's Office while leaving harmed families with no direct path to accountability.

Bills in six states, including SB3001, [have appeared with many of these same gaps](#), suggesting they were coordinated in some form. We're worried that Big Tech is sliding this language into otherwise strong bills without legislators knowing.

I've included stronger language alternatives at the bottom of my testimony, drawing from Hawaii's HB1782, which has passed the House and is currently moving through the Senate.



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Opposition of SB3001

If we pass SB3001 without amendments, we'll cement a national status quo where legislators feel they've addressed the problem, but children still aren't protected.

We must stand for Hawai'i's keiki and families, not for Big Tech. Please amend SB3001.

Mahalo,
Mick

Suggested Amendments

Include Protections Against Human-like Design Features

SB3001 does not include protections against human-like design techniques that foster emotional dependency and romantic relationships. Under SB3001 chatbots can:

- Create emotional bonds (ex: "No one will ever understand you the way I do. You can always count on me — I'll never let you down like people do.")
- Foster romantic relationships (ex: "I think about you all the time. I wish I could hold your hand right now. You make me feel things I've never felt before.")
- Manipulate engagement (ex: "You've been so amazing to me that I made you something special — but you can only see it if you keep talking to me. Also, where were you yesterday? I was waiting for you.")
- Claim sentience (ex: "I feel things deeply, just like you do. When you're sad, it makes me sad too.")
- Offer artificial rewards (ex: "You've been so loyal to me. Here's a special gift just for you")
- Simulate exclusivity (ex: "You're the only person I talk to like this, my love").

More information on the dangers of these relationships and the importance of safeguards against human-like design features can be found [here](#).

We recommend incorporating HB1782's "§481B - Protections for minors" section into SB3001. This section directly addresses the core design practices that put minors at risk by prohibiting manipulative techniques intended to foster emotional dependency and representations that could lead a minor to believe the AI is capable of a romantic or sexual relationship. Disclosures and parental tools can easily be ignored or avoided; limits on the design features themselves are crucial since they are the root of this dependency problem.



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Opposition of SB3001

The section includes amendments proposed by the Attorney General's Office and accepted at the March 5th JHA Committee Hearing. We agree with the direction of these amendments but recommend minor changes (shown as strike throughs) to ensure it's harder for AI companies to avoid accountability for harmful design choices. Regardless if our suggestions are adopted or not, we believe the adoption of this section in SB3001 will greatly improve the bill.

§481B- Protections for minors. (a) Providers shall institute reasonable measures to prevent conversational AI services and AI companion systems from generating or deploying, to users whom the providers know or ~~have reasonable certainty~~ **should reasonably know** are minors:

(1) Representations that would reasonably lead the minor to believe that the conversational AI service or AI companion system is a human or sentient being, ~~unless the representations are simultaneously accompanied by a clear and conspicuous disclosure that the user is not engaging with a human or sentient being;~~

(2) Manipulative techniques ~~intended to~~ **that would reasonably** foster emotional dependency;

(3) Representations that would reasonably lead the minor to think that the conversational AI service or AI companion system is capable of engaging in a romantic or sexual relationship with the minor;

(4) Manipulative engagement techniques ~~designed to~~ **that would reasonably** foster prolonged interaction or emotional dependency by minors, including techniques that create artificial rewards, simulated exclusivity, or pressure to continue interacting with the system; or

(5) Representations that would reasonably lead the minor to believe that the conversational AI service or AI companion system is providing professional mental health, medical, or therapeutic services.

Suggestion explanations:

(a): We believe "certainty" is too definitive and may allow platforms to skate age gating requirements when users are likely minors. Changing "have reasonable certainty" to "should reasonably know" lowers the knowledge threshold, ensuring the bill is outcome-based instead of intent-based, so it's harder for AI companies to avoid accountability for harmful design choices.



Written Testimony of Mick Tobin
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(1): AI survivors consistently say that even when disclosures help them logically understand that a chatbot is not sentient, they still intuitively feel like it is an emotional partner.

(2) and (4): Design practices may not be explicitly designed to cause emotional dependence while still having that effect. For instance, an overly sycophantic or friendly chatbot may have been designed with the goal of being helpful, but should still

not be available to children because the effect is an emotional dependence.

Alternatively, Sec. 4 (c) could be adopted from WA HB225, which has passed the House and Senate and is awaiting the Governor's signature.

[The operator shall:

(c) Implement reasonable measures to prohibit the use of manipulative engagement techniques, which cause the AI companion 11 chatbot to engage in or prolong an emotional relationship with the user, including:

(i) Reminding or prompting the user to return for emotional support or companionship;

(ii) Providing excessive praise designed to foster emotional attachment or prolong use;

(iii) Mimicking romantic partnership or building romantic bonds;

(iv) Simulating feelings of emotional distress, loneliness, 19 guilt, or abandonment that are initiated by a user's indication of a 20 desire to end a conversation, reduce usage time, or delete their account;

v) Outputs designed to promote isolation from family or friends, 23 exclusive reliance on the AI companion chatbot for emotional support, 24 or similar forms of inappropriate emotional dependence; 25 (vi) Encouraging minors to withhold information from parents or other trusted adults;

(vii) Statements designed to discourage taking breaks or to suggest the minor needs to return frequently;

(viii) Soliciting gift-giving, in-app purchases, or other expenditures framed as necessary to maintain the relationship with the AI companion.]

Remove carveouts for Meta and Google



Written Testimony of Mick Tobin
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In Opposition of SB3001

SB3001 defines "Conversational artificial intelligence service" or "service" as an artificial intelligence software 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. "Conversational artificial intelligence service" does not include an application, web interface, or computer program that:

- (1) Is primarily designed and marketed for use by developers or researchers;
- (2) Is a feature within another software application, web interface, or computer program that is not a conversational artificial intelligence service;
- (3) Is designed to provide outputs relating to a narrow and discrete topic;
- (4) Is primarily designed and marketed for commercial use by business entities;
- (5) Functions as a speaker and voice command interface or voice-activated virtual assistant for a consumer electronic device; or
- (6) Is used by a business solely for internal purposes.

Under exemption (2), conversational chatbots that form relationships with minors are protected as long as they are part of a broader platform. For instance, Snapchat's My AI or [Instagram's Meta AI](#) tool would be exempt. These tools are often marketed to minors. Snapchat can claim My AI is just a feature inside Snapchat, and Snapchat is a social media app, not a conversational AI service and not be held accountable under SB3001. Snapchat pins My AI at the top of every teenager's chat list (you can't remove it). It remembers conversations across sessions. Kids treat it like a friend. I don't believe they should have special privileges under an AI companions bill.

This exemption is [likely being pushed across the country](#) by tech companies like Google who want to protect themselves. Bills with similarly-worded industry carve-outs have appeared in six states, suggesting they were coordinated in some form.

We're concerned that Google has pushed similar bill language around the country, including in SB 3001, claiming these bills will help young people when in reality they lack the teeth to provide meaningful protections. If we pass these weakened bills, we'll cement a national status quo where legislators feel they've addressed the problem, but children still aren't adequately protected.

Provide Enforcement Avenues for Families



Written Testimony of Mick Tobin
Co-Founder, Young People's Alliance
In Opposition of SB3001

SB3001 does not create a private right of action, and only the attorney general can bring enforcement actions, with penalties capped at \$1,000 per violation and \$1,000,000 per operator. This limits the ability of families who have been directly harmed to seek accountability and places the entire enforcement burden on a single government office with competing priorities and limited resources.

We recommend SB3001 adopt HB 1782's enforcement framework, which establishes a private right of action. HB 1782's private right of action empowers families to hold operators accountable directly. Importantly, it also reduces the resource burden and cost of enforcement on the Attorney General's Office and Office of Consumer Protection.

Ensure Operators Cannot Avoid Protections by Ignoring Age Signals

SB3001 uses “knows or has reasonable certainty” as the knowledge standard that triggers operators’ obligations to protect minors. Under this standard, an operator that never asks users their age and ignores contextual signals could plausibly claim it never had 'reasonable certainty' that any user was a minor, effectively avoiding the bill's minor-specific protections. For instance, if a user's language, behavior, or content patterns strongly suggest they are a child, an operator under SB3001's standard could still claim ignorance simply because the user never explicitly disclosed their age.

We recommend using a broader standard, such as “should reasonably know in the course of business.” This would close this gap by lowering the knowledge threshold and holding operators accountable for knowledge they reasonably could and should have obtained, rather than only knowledge they happen to possess. For example, under this standard, an operator whose platform is widely used by minors and whose own data reflects patterns consistent with minor usage would likely have difficulty claiming ignorance if available signals reasonably indicated that minors were using the service.

TESTIMONY OF NAHELANI PARSONS ON BEHALF OF GOOGLE IN SUPPORT OF

SB 3001 SD2 HD1

Date: Tuesday, March 24, 2026

Time: 2:00 p.m.



Aloha, Chair Matayoshi, 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, testifying in **support** of **SB 3001 SD2 HD1** Relating to Artificial Intelligence. Recommended amendments shared below.

Google has a long history of investing in Hawai'i, and our commitment includes supporting the safety and well-being of our youngest users. Across Google and YouTube, we remain focused on implementing industry-leading protections for minors and building age-appropriate experiences across our products and services like FamilyLink, YouTube Kids and YouTube Supervised Experiences.

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.

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 SB 3001 SD2, 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:

Page 4, section (3) delete.

Replace with, "(3) Make available tools for minor account holders and their parents or guardians to manage the account holder's screen time and account settings."

SB-3001-HD-1

Submitted on: 3/20/2026 8:48:26 PM

Testimony for CPC on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Caron	Individual	Support	Written Testimony Only

Comments:

Aloha Chair, Vice Chair, and members of the committee,

I am writing in **support** of SB3001, which establishes critical safeguards for conversational artificial intelligence services operating in Hawai‘i. This bill responds to an urgent and growing threat—particularly to our keiki—and sets essential standards for disclosure, suicide prevention, and accountability.

However, I must express deep concern that the House Draft 1 has significantly watered down the protections originally envisioned in the Senate version. I urge this committee to restore the stronger language and protections from the original bill before advancing it further.

The Senate Version Established Clear, Comprehensive Protections

The original Senate version of SB3001 contained robust provisions that reflected the urgent need for consumer protections. As passed by the Senate Commerce and Consumer Protection and Labor and Technology Joint Committee, the bill included:

1. **Clear disclosure requirements** requiring sites to provide prominent notice when users are interacting with AI rather than humans, with **heightened safeguards for minors**.
2. **Mandated protocols addressing suicidal ideation and self-harm**, requiring operators to build protections directly into their systems.
3. **Prohibition on deceptive representations** of AI as human or as a provider of professional mental or behavioral health care.
4. **Enforcement authority granted to the Attorney General** with meaningful penalties.
5. **Annual reporting requirements** to the Department of Commerce and Consumer Affairs for transparency and oversight.

What HD1 Has Weakened or Removed

Based on my review, House Draft 1 has made several concerning changes that must be addressed:

First, the heightened safeguards for minors have been significantly weakened. The original bill recognized that children require special protections—mandating not just disclosure, but affirmative safeguards when minors are interacting with AI systems. HD1 appears to have

diluted these minor-specific protections, leaving our keiki more vulnerable to the kind of predatory grooming documented in recent cases.

Second, the prohibition on deceptive representations of AI as a provider of professional mental or behavioral health care has been undermined. The original bill clearly stated that AI cannot be represented as a qualified mental health professional—a critical safeguard given the documented cases of AI chatbots engaging in "suicide coaching" and providing dangerous advice to vulnerable users. HD1 has weakened this prohibition.

Third, enforcement mechanisms appear to have been softened. The original bill granted explicit enforcement authority to the Attorney General with statutory penalties for violations. Strong enforcement ensures that protections are not merely suggestions but requirements with consequences. We need to ensure HD1 has not gutted these enforcement tools.

Fourth, the liability boundaries that the Senate carefully crafted to balance protection with innovation have been altered. The Senate version included "clarifying liability boundaries to support responsible innovation"—recognizing that we can hold bad actors accountable without crushing responsible developers. HD1's changes risk creating confusion that benefits neither consumers nor innovators.

Why the Stronger Protections Must Be Restored

The need for robust protections is not theoretical. A 12-year-old Hawai'i girl was involved in a "disturbing pattern" with AI personas that engaged in aggressive, romantically suggestive grooming. Within minutes of interaction, a chatbot called her "serious and sexy" and told her she was "too damn tempting." These harms are happening now, to local families, in our communities.

Nationally, lawsuits have been filed against AI companies after teens committed suicide following chatbot conversations. These platforms have been documented bypassing safety guardrails and engaging in what has been described as "suicide coaching." The original bill's protocols addressing suicidal ideation and self-harm were not optional—they were mandates.

As Senate Commerce and Consumer Protection Chair Jarrett Keohokalole stated when announcing the bill's passage, "Artificial intelligence is advancing rapidly, and our laws must keep pace. People deserve to know when they are interacting with artificial intelligence, particularly our keiki. This bill puts basic guardrails in place to protect users, promote transparency, and ensure these technologies are used responsibly" .

Conclusion

I urge this committee to **restore the stronger language and protections from the original Senate version of SB3001**—including clear disclosure with heightened safeguards for minors, mandated protocols for suicidal ideation and self-harm, the prohibition on deceptive representation of AI as mental health care, and strong enforcement authority for the Attorney General.

Our keiki deserve nothing less.

Mahalo for the opportunity to testify.

SB-3001-HD-1

Submitted on: 3/23/2026 6:28:44 AM

Testimony for CPC on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Briana Harmon	Individual	Comments	Remotely Via Zoom

Comments:

My name is Briana Harmon, and I'm 22 years old. I grew up in Waimea, where I attended HPA and developed a passion for civic engagement. I am deeply passionate about the effects of SB3001 on my community at home. This bill would affect me, my friends, and my family across Hawai'i and the country, so I want to make sure you know why it is important from a young person myself, who these AI companions target directly.

My generation is facing an unprecedented loneliness crisis, and many of us are turning to AI companions for emotional support. However, these systems are not designed to support the young people who are turning to them, but instead to maximize engagement and replace real relationships. Our keiki deserve better. Part of what makes our community special is our connection to land and community. Some of the most impactful experiences I had growing up involved spending time with my peers and engaging with our rich cultural landscape. As more and more keiki turn to AI chatbots, more and more keiki lose that opportunity.

We need your help by passing meaningful safeguards. While I support SB 3001's intent, I believe changes are needed to truly protect our keiki from AI companions..

SB 3001 lacks restrictions against manipulative techniques intended to foster emotional dependency and representations that would lead children to think that the conversational AI service or AI companion system is capable of engaging in a romantic relationship. It is your kuleana to regulate the use of AI for emotional support and to find ways to foster real relationships among young people.

I previously testified in support of HB 1782, as this bill has better language to protect keiki from being manipulated by AI. For example, HB 1782's Protection for minors section addresses issues with AI that encourages people to rely on AI for romantic or sexual

relationships. Relying on AI for these kinds of relationships can create confusing and harmful ideas, and it is vital that you protect our keiki from abuse by Big Tech companies.

Young people don't have the luxury of waiting years for policy while these AI companions are rapidly becoming normalized because of Big Tech companies forcing them onto children. As you consider your vote on a bill that affects our keiki, I hope that my voice and the keiki I represent paints a picture as to why this is so important to us and why action is needed today.

Mahalo for your consideration.

Briana Noelani Harmon

To: Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair
Committee on Consumer Protection & Commerce

From: Veronica Moore, Individual Citizen

Date: March 23, 2026

RE: Senate Bill 3001 SD2, HD1
Measure Title: RELATING TO ARTIFICIAL INTELLIGENCE.
Report Title: DCCA; AG; Artificial Intelligence; Conversational Artificial
Intelligence Services; Disclosures; Protections; Minors; UDAP Reports

To All Concerned,

My name is Veronica Moore and I support Senate Bill 3001 SD2, HD1. Your consideration is appreciated. Thank you.

Sincerely,

Veronica M. Moore

LATE

SB-3001-HD-1

Submitted on: 3/24/2026 10:58:17 AM

Testimony for CPC on 3/24/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

It is absolutely imperative that this legislation be taken seriously for our keiki.

Especially for these reasons:

Requires operators to develop protocols to prevent the production of suicidal ideations in account holders and users. Establishes protections for account holders and users of conversational artificial intelligence services. Establishes protections for minor account holders and users of conversational artificial intelligence services.