



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

ON THE FOLLOWING MEASURE:

S.B. NO. 3001, S.D. 2, H.D. 2, RELATING TO ARTIFICIAL INTELLIGENCE.

BEFORE THE:

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

DATE: Wednesday, April 1, 2026 **TIME:** 2:00 p.m.

LOCATION: State Capitol, Room 325

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Ashley M. Tanaka, Deputy Attorney General

Chair Tarnas 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 specified disclosures to account holders and users; (2) adopt protocols to address user prompts involving suicidal ideation or self-harm; (3) establish protections for minor account holders and users; and (4) submit annual reports to the Department of Commerce and Consumer Affairs (DCCA) containing specified information. The bill also establishes statutory penalties and authorizes DCCA, Office of Consumer Protection, to bring civil actions for violations.

The Department supports the purpose of this bill. We are concerned about artificial intelligence's potential to negatively affect the mental health and development of Hawaii's youth. The Department believes there is a strong government interest in protecting minors from manipulative, deceptive, or unsafe design practices in conversational artificial intelligence services.

Subsection (d)(2)(B)(iii) of the new section to be added to chapter 481B, part I, provides that, where an operator knows or has reasonable certainty that an account holder or user is a minor, the operator shall institute reasonable measures to prevent the conversational artificial intelligence service from generating or deploying "[m]anipulative techniques intended to foster emotional dependency" (page 4, lines 13-

14). Subsection (d)(2)(B)(v) contains similar wording and currently reads:

"[m]anipulative engagement techniques designed to foster prolonged interaction or emotional dependency by minors, including techniques that create artificial rewards, simulated exclusivity, or pressure to continue interacting with the service" (page 4, line 20, through page 5, line 4). Because subsection (d)(2)(B)(v) provides greater specificity regarding the types of conduct or outputs that operators are required to address through reasonable measures, we recommend **deleting subsection (d)(2)(B)(iii)** on page 4, lines 13-14 as redundant.

The Department further notes that several terms used in this new section are not defined. In subsection (d)(2)(B)(iii) (page 4, line 14) and subsection (d)(2)(B)(v) (page 4, line 21, to page 5, line 1), the term "emotional dependency" is not defined. In subsection (d)(2)(B)(iv) (page 4, lines 18-19), the terms "romantic relationship" and "sexual relationship" are not defined. On page 5, line 21, the term "emotional attachment" is used but not defined. The terms "emotional dependency" and "emotional attachment" appear to overlap and may be used interchangeably. If these terms are intended to refer to the same concept, the bill would benefit from using a single, consistent term and providing a definition. If the terms are intended to describe different concepts, the bill should include definitions clarifying the distinctions among them. Clear definitions would further strengthen this bill.

The Department suggests the following definitions:

"Emotional attachment" means a sustained bond that develops through repeated interaction.

"Emotional dependency" means a pattern of interaction in which a minor develops an excessive emotional reliance on a conversational AI service or AI companion system.

"Romantic relationship" means interactions in which a conversational AI service or AI companion system represents or simulates a relationship based on emotional and physical attraction that could potentially lead to a long-term intimate relationship.

"Sexual relationship" means interactions in which a conversational AI service or AI companion system represents or simulates physical attraction, desire, and sexual contact that may or may not include an emotional connection.

Thank you for the opportunity to testify.



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

Date: 04/01/2026

Time: 02:00 PM

Location: 325 VIA VIDEOCONFERENCE

Committee: JHA

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB3001, HD2, 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 and Office of Consumer Protection 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 7/1/3000. (HD2)

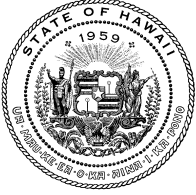
Department's Position:

The Hawaii State Department of Education (Department) supports SB 3001 HD2.

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 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
DIRECTOR OF HEALTH
KA LUNA HO'ŌKELE

JOHN C. (JACK) LEWIN, MD
ADMINISTRATOR

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March 31, 2026

TO: HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
Representative David A. Tarnas, Chair
Representative Mahina Poepoe, 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-HD2 -- RELATING TO ARTIFICIAL INTELLIGENCE**

HEARING: Wednesday, April 1, 2026 @ 2:00 pm; Conference Room 325

POSITION: SUPPORT with COMMENTS

Testimony:

SHPDA strongly supports SB 3001-SD2-HD2 with comments.

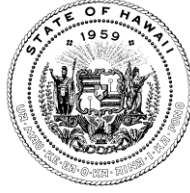
This bill establishes safeguards for conversational artificial intelligence (AI) in Hawai'i by requiring clear disclosures, suicide and self-harm response protocols, stronger protections for minors, annual reporting, and enforcement mechanisms. These are important guardrails for the growing use of conversational AI and help promote safer, more transparent, and more accountable interactions for consumers, especially minors.

By requiring clear notice when a user is interacting with AI, this bill helps reduce deception and supports informed decision-making. The bill requires clear disclosures throughout use and prohibits manipulative engagement techniques, sexually explicit or sexually objectifying outputs, content that fosters emotional dependency, and representations that could lead a minor to believe the AI is capable of romantic, sexual, medical, mental health, or therapeutic relationships or services.

This bill sets clearer safety rules for AI companies while still allowing basic, helpful, and safety-focused responses that guide people to the right support when needed. It improves transparency, strengthens protections for children, sets clearer expectations for crisis situations, and holds companies accountable.

Thank you for hearing SB 3001-SD2-HD2. Mahalo for the opportunity to testify.

■ -- Jack Lewin, MD, Administrator, SHPDA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

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Testimony of the Department of Commerce and Consumer Affairs

Before the
House Committee on Judiciary and Hawaiian Affairs
April 1, 2026
2:00 p.m.
Via Videoconference
Conference Room 325

On the following measure:
S.B. 3001 H.D. 2, RELATING TO ARTIFICIAL INTELLIGENCE

Chair Tarnas, 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 account holders and users of conversational artificial intelligence services, establish protections for minor account holders and users of conversational artificial intelligence services, require operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information beginning 1/1/2028, allow the Department of the Attorney General and Office of Consumer Protection to bring a civil action against operators who

violate certain requirements, and establish that violations are to be considered unfair or deceptive acts or practices (UDAP).

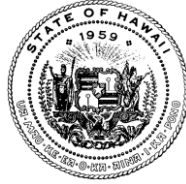
We support the intent of this bill to protect Hawaii residents from the risks of suicidal ideation associated with conversational AI. As AI becomes a standard part of our digital lives, we will see an increasing risk of these tools being used to mislead or manipulate individuals. Vulnerable groups, such 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.

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 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.

Finally, OCP requests an amendment to page 2, lines 20–21, subsection (c)(3), which prohibits operators from “knowingly or intentionally” causing a service to make certain representations. Including a “knowingly or intentionally” requirement creates a higher burden of proof that is inconsistent with Hawaii’s UDAP law (HRS §480-2), which does not require proof of intent. This would make enforcement by OCP more difficult. OCP recommends removing the “knowingly or intentionally” language. Operators should simply not cause a service to represent that it provides professional mental or behavioral health care.

Thank you for the opportunity to testify on this bill.



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 HD2
RELATING TO ARTIFICIAL INTELLIGENCE

Representative David Tarnas, Chair
Representative Mahina Poepoe, Vice Chair
House Committee on Judiciary & Hawaiian Affairs

April 1, 2026, at 2:00 p.m.; Room Number: 325

The Office of Wellness and Resilience (OWR) **SUPPORTS** S.B. 3001 SD2 HD2, Relating to Artificial Intelligence.

Under Act 291, OWR addresses systemic challenges affecting well-being across Hawai'i.¹ S.B. 3001 SD2 HD2 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 HD2 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 HD2 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 Judiciary and Hawaiian Affairs
in SUPPORT of S.B. 3001 SD2 HD2
RELATING TO ARTIFICIAL INTELLIGENCE
April 1, 2026, 2:00 p.m., Room 325 and Video

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Behavioral Health Administration

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Chair Tarnas, Vice Chair Poepoe, 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, HD2, 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, HD2 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, HD2. Thank you for the opportunity to testify.



www.AlohaILHawaii.org

Apr 1, 2026

MISSION

Aloha Independent Living Hawaii (AILH) dedicated to providing independent living programs and services for persons with disabilities in Hawaii.

We work together with the community and consumers to improve the quality of life through individual choices and access to services.

EXECUTIVE DIRECTOR

Roxanne U. Bolden

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Member

Scott Suzuki
Sheila Castaneda
Jennifer Hartssock

The Honorable David A. Tarnas, Chair
House Committee on Judiciary & Hawaiian Affairs
The Thirty-Third Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

SUBJECT: SB3001 – Relating to Artificial Intelligence

Chair and Members of the Committee:

Aloha Independent Living Hawaii (AILH) **supports the intent of SB3001 SD2 HD2**, the “Artificial Intelligence Disclosure and Safety Act.” AILH is a cross-disability, community-based organization that promotes independent living and self-determination for people with disabilities across Hawaii.

Many disabled residents rely on conversational artificial intelligence tools for communication, informational access, cognitive support, and self-advocacy. Clear disclosure that users are interacting with AI, protections for minors, and crisis-response protocols are important consumer safeguards for our community.

As you move this measure forward, we respectfully request that implementation and future rulemaking explicitly consult people with disabilities and Centers for Independent Living, and ensure that required safety protocols do not inadvertently block disability-related or mental health-related support, particularly for users in crisis seeking accessible information.

Thank you for the opportunity to testify on this important measure.

Mahalo,



www.AlohaILHawaii.org

Roxanne U. Bolden

Roxanne Bolden
Executive Director

MISSION

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We work together with the community and consumers to improve the quality of life through individual choices and access to services.

EXECUTIVE DIRECTOR

Roxanne U. Bolden

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

House Judiciary & Hawaiian Affairs Committee
Wednesday, April 1st, 2026

Testimony

Aloha Chair Tarnas, Vice Chair Poepoe, 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.

Three weeks ago I flew to Honolulu to testify in support of HB1782, a bill similar to this one, before this committee. While in Hawai'i, I noticed SB3001 moving as well, which concerned me since the bill didn't meaningfully protect young people and [was likely written by Big Tech lobbyists, with verbatim text emerging in bills across the country](#).

Since then, I've been advocating to House committees to make SB3001 more similar to the stronger HB1782 bill. In our last SB3001 House committee hearing, we secured amendments to limit manipulative design techniques that foster emotional dependence and set clear definitions that don't exempt Big Tech companies from accountability. The amendments came from HB1782 and Washington's bill (HB2225), which recently became law.

I respectfully urge the committee to keep these protections in the face of proposed amendments that might weaken this bill, and to continue strengthening SB3001 with additional language from HB1782.

As is, SB3001 is missing HB1782's age assurance standard and uses "reasonable certainty" as the knowledge standard. This means all of its protections may be void since chatbot companies can claim they didn't have "reasonable certainty" that the user was a minor even though [they have the technology to estimate age](#). It's not fair to my generation to allow Big Tech companies to claim they're following the law if we pass a bill without real accountability and enforcement.

Under its current language families can't hold chatbot companies accountable because there's no private right of action. Without a PRA, we're telling parents and children they can't stand up to Big Tech companies, while placing the enforcement burden entirely on the AG's office. Maine's LD2162, Hawai'i's HB1782, Washington's HB2225 (passed into law), New York's S9051, and CA's AB2023 each include a PRA – why shouldn't Hawai'i's SB3001?

We must stand for Hawai'i's keiki and families, not for Big Tech. Please keep SB3001's strong protections against minors, while either broadening the knowledge standard or adding age assurance from HB1782 and including a private right of action.



Mahalo,

Mick

Suggested Amendments

Provide Enforcement Avenues for Families

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.



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

Additionally or alternatively, we recommend adding age assurance, which is used in HB1782 and bills nationally, including Maine's LB2162. By including age assurance, it's much harder for operators to claim they didn't have "reasonable certainty" that their user was a minor.

HB1782's language:

[

§481B- Age assurance and access control. A provider of a conversational AI service or AI companion system that presents a material risk of harm to minors shall implement reasonable and proportionate age assurance measures, consistent with privacy and data minimization principles, to prevent access by minors where appropriate.

]

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 with amendments 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. Thank you for continuing to consider chatbot regulation.

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 in over 20 states. I am also pleased to report that WA Governor recently signed a thoughtfully crafted chatbot that includes several provisions that are absent in SB 3001.

- 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. As a former techie involved in defining and developing new products at companies like Amazon and Microsoft, I can tell you that potential legal liability is a major consideration when deciding between potentially expensive safety/privacy related changes and choosing to test the product on your children.
- 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.
- Another option would be to consider the following definition for the term “Knows”

“Knows” includes all information and inferences known to an operator relating to the age of an individual via any source, including the age provided by the user in connection with the account, self-identified age in any chat or interaction to which the operator possesses a right of access or use, and any age the operator attributes or associates with the user for any purpose, including marketing, advertising, or product development. Nothing in this subsection may be interpreted to require an operator to begin accessing or collecting any user information or data to which they do not have access or otherwise collect for purposes unrelated to this chapter.

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. I am available to answer any questions.



Charter Communications
Testimony of Rebecca Lieberman, Director of Government Affairs

HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS

Hawaii State Capitol
Wednesday, April 1, 2026

COMMENTS ON S.B. 3001, S.D. 2, H.D. 2 - RELATING TO ARTIFICIAL INTELLIGENCE

Chair Tarnas, Vice Chair Poepoe, and Members of the Committee.

Thank you for the opportunity to provide testimony on S.B. 3001, S.D. 2, H.D. 1, a bill that would establish safety measures and heightened protections for minors with regard to conversational artificial intelligence (AI).

As the largest broadband provider in the state, Charter understands and supports the intent of the bill to promote transparency, safety, and accountability in the use of conversational AI. We also recognize the importance of ensuring that emerging technologies are deployed responsibly, particularly where they impact vulnerable populations, such as minors or individuals in crisis.

Previous iterations of this bill included language exempting chatbots that are limited to narrow subject areas, developed and marketed for commercial use by business entities, used solely for internal business purposes or customer service. We believe reinstating this language would not undermine the bill's ability to protect minors and other high-risk individuals from the potential harms associated with conversational AI. Charter respectfully requests an amendment to ensure the bill is appropriately scoped and operationally feasible:

Insert the following language in the definition of "conversational artificial intelligence service" on Page 8, Lines 10-14:

"Conversational artificial intelligence service" or "service" means 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 designed to provide outputs relating to a narrow and discrete topic;

(2) Is primarily designed and marketed for commercial use by business entities;

(3) Is used by a business solely for internal purposes; or

(4) Is used by a business entity solely for customer service or technical assistance.

Mahalo for the opportunity to provide comments and a proposed amendment on S.B. 3001, S.D. 2, H.D. 2.



APRIL 1, 2026

SENATE BILL 3001 SD2 HD2

CURRENT REFERRAL: JHA

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Director

Justin Salisbury,
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Eileen Roco,
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Beatrice DeRego,
Director

Corey Rosenlee,
Director

Amy Zhao,
*Policy and Partnerships
Strategist*

POSITION: SUPPORT

Imua Alliance supports SB 3001 SD2 HD2, 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 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 and Office of Consumer Protection to bring a civil action against operators who violate certain requirements; and establishes that violations are to be considered unfair or deceptive acts or practices.

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



March 31, 2026

The Honorable David Tarnas
Chair, House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Room 442
Honolulu, HI 96813

The Honorable Mahina Poepoe
Vice Chair, House Committee on Judiciary & Hawaiian Affairs
Hawaii State Capitol, Room 331
Honolulu, HI 96813

CC: Members of the House Committee on Judiciary & Hawaiian Affairs

RE: SB 3001 – Request for Amendments to the Definition of “Conversational AI Service”

Dear Chair Tarnas, Vice Chair Poepoe, and members of the Committee,

On behalf of CTIA®, the trade association for the wireless communications industry, I respectfully write regarding SB 3001, the Artificial Intelligence Disclosure and Safety Act. While CTIA shares the goals of protecting consumers, especially minors, from manipulative, deceptive, and harmful AI systems, the current proposal’s scope is too broad and could negatively impact the deployment of artificial intelligence for enhanced customer service technologies that help ensure positive service experiences. We respectfully request the definition of “Conversational artificial intelligence service” reincorporate exemption language similar to that in HD1 that ensures that AI customer service tools that serve consumers every day are not inadvertently swept into the bill’s scope.

AI customer service technologies help wireless companies ensure positive service experiences by providing 24/7 access, faster assistance, and more accurate call routing. As currently drafted, the bill’s scope remains excessively broad and seeks to encompass nearly all chatbots, whether they are meant to simulate human emotion or companionship, or solely to communicate customer feedback in a consumer-to-business relationship. Efforts to protect consumers from potentially harmful experiences with chatbots should be more precisely focused on those likely to engage with the identified problematic topics and to which children might realistically be exposed.

SB 3001 defines “Conversational artificial intelligence service” broadly to cover AI systems accessible to the general public that primarily simulate human conversation. HD2 amendments removed a series of important clarifying exemptions from this definition. The exemptions included in HD1 served an important and targeted purpose. They ensured that the bill remained focused on the AI companion systems and general-purpose conversational AI services that present the genuine documented risks of manipulation, deception, and harm — particularly to minors. Without a more explicit exclusion, wireless carriers and other businesses face uncertainty about whether



their customer-facing AI tools — which pose no material risk of harm to consumers — are subject to the bill’s compliance obligations and penalties.

CTIA respectfully requests the following amendments to reincorporate similar protections from HD1 to the definition of “Conversational artificial intelligence service”:

"Conversational artificial intelligence service" or "service" means 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) Incorporates a speaker and voice command interface or text interface and acts as a voice- or text- activated virtual assistant for a consumer electronic device;*
- (6) Is used by a business solely for internal purposes; or*
- (7) Is used by a business entity solely for customer service or to strictly provide users with information about available commercial services or products provided by the entity, customer service account information, or other information strictly related to its customer service*

This amendment preserves the bill’s focus: on AI companion systems and conversational AI services designed to simulate human emotion. It ensures that businesses deploying AI strictly for customer service purposes — account inquiries, billing questions, product information, and similar functions — are not subject to compliance requirements and penalties designed for an entirely different category of AI. Rather than imposing sweeping obligations on all chatbot operators, this targeted approach addresses the genuine documented harms the legislature has identified without burdening the customer service tools, productivity assistants, and informational chatbots that Hawaii businesses and consumers rely on every day.

For these reasons, we respectfully suggest that amendments be made to address the aforementioned problems and request that the bill not move forward in its current form. Thank you for the opportunity to raise our concerns and for your consideration.

Sincerely,

Jake Lestock
Director, State Legislative Affairs



April 1, 2026

Hawaii House Committee on Judiciary and Hawaiian Affairs
Hawaii State Capitol
415 South Beretania St.
Honolulu, HI 96813

Re: SB 3001 – "Relating to Artificial Intelligence" (Oppose)

On behalf of the Computer & Communications Industry Association (CCIA), I write to Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary and Hawaiian Affairs:

On behalf of the Computer & Communications Industry Association (CCIA), I write to respectfully oppose SB 3001. CCIA is an international, not-for-profit trade association representing a broad cross-section of communications and technology firms.¹ Proposed regulations on the interstate provision of digital services therefore can have a significant impact on CCIA members.

SB 3001's vague and subjective definitions would create compliance uncertainty.

The bill's definition of a "conversational artificial intelligence service" defined as, "an AI system accessible to the public that primarily simulates human conversation through textual, visual, or audio interaction," is overly broad and lacks the clarity necessary for businesses to ensure compliance. This subjective, open-ended definition risks inadvertently capturing a wide range of widely used tools that do not possess the specific capabilities the bill contemplates, such as customer service chatbots, productivity tools, wellness applications, AI tutors, language apps, and research tools. To address these concerns, CCIA suggests providing specific exemptions for these types of services and recommends that the bill revert to the more precise definition found in SB 3001 HD1.

"Conversational artificial intelligence service" or "service" means 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;

¹ For more than 50 years, CCIA has promoted open markets, open systems, and open networks. CCIA members employ more than 1.6 million workers, invest more than \$100 billion in research and development, and contribute trillions of dollars in productivity to the global economy. A list of CCIA members is available at <https://www.ccianet.org/members>.



(5) Incorporates a speaker and voice command interface or text interface and acts as a voice- or text- activated virtual assistant for a consumer electronic device.

(6) Is used by a business solely for internal purposes; or

(7) Is used by a business entity solely for customer service or to strictly provide users with information about available commercial services or products provided by the entity, customer service account information, or other information strictly related to its customer service.

Moreover, consumer-facing digital services have already built considerable consensus around mitigating content- and conduct-related risks to users and other parties. Most of the leading firms in industry have committed to meet best practice standards for online safety, which are embedded in a recently published 2025 international standard.²

To avoid restricting teens’ access to information, SB 3001 should regulate users under 13 rather than 18 in accordance with established practices.

SB 3001 defines “minor” as an individual less than 18. Due to the nuanced ways in which children under the age of 18 use the internet, it is imperative to appropriately tailor such treatments to respective age groups. For example, if a 16-year-old is conducting research for a school project, it is expected that they would come across, learn from, and discern from a wider array of materials than a 7-year-old on the internet playing video games. We would suggest changing the scope of covered users to be minors under the age of 13 to align with the federal Children’s Online Privacy Protection Act (COPPA) standard.³ This would also allow for those over 13, who use the internet much differently than their younger peers, to continue to benefit from its resources.

* * * * *

While we share concerns about protecting child safety online, we encourage Committee members to resist advancing legislation that is not adequately tailored to this objective. We appreciate your consideration of these issues and stand ready to provide additional information as the Legislature considers proposals related to technology policy.

Sincerely,

Aodhan Downey
State Policy Manager, West Region
Computer & Communications Industry Association

² ISO/IEC 25389:2025, *Information technology – The safe framework* (Edition 1, June 2025), <https://www.iso.org/standard/90106.html>.

³ See 15 U.S.C. § 6501(1).

**TESTIMONY OF NAHELANI PARSONS ON BEHALF OF GOOGLE IN SUPPORT OF
SB 3001 SD2 HD2**

Date: Wednesday, April 1, 2026

Time: 2:00 p.m.

Aloha, Chair Tarnas, 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 HD2** 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 HD2, 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 3, delete section (d)(2)(B).

Page 5, delete section (3).

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.”

Page 8, reinsert exceptions for conversational artificial intelligence from the HD1.

SB-3001-HD-2

Submitted on: 3/30/2026 4:47:25 PM

Testimony for JHA on 4/1/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Support	Written Testimony Only

Comments:

Dear Legislators,

I strongly support this bill and urge you to pass it forward.

Diane Ware Volcano 96785

SB-3001-HD-2

Submitted on: 3/30/2026 6:15:30 PM

Testimony for JHA on 4/1/2026 2:00:00 PM

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

Comments:

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

I am writing with **comments** on 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.

I want to begin by acknowledging the significant improvements made by the previous committee. Several amendments have broadened and strengthened the measure in meaningful ways, and I commend the committee for these changes.

Commendation for the Strengthening Amendments

The previous committee made several excellent modifications that deserve recognition:

- **Expanding dangerous actions for minors.** The bill now requires operators to institute reasonable measures to prevent AI from generating or deploying a broader range of dangerous actions when the operator knows or has reasonable certainty that a user is a minor. This expansion better protects our keiki from grooming, manipulation, and other predatory behaviors.
- **Adding the Office of Consumer Protection as an enforcer.** By specifying that the Director of the Office of Consumer Protection may also bring enforcement actions, the committee has strengthened the bill's enforcement architecture. Dual enforcement authority—with both the Attorney General and the Office of Consumer Protection—increases the likelihood that violations will be pursued.
- **Deleting problematic exemptions.** The removal of the explicit exemption for certain applications, web interfaces, or computer programs closes a significant loophole that could have allowed bad actors to evade the law. This is a meaningful improvement.
- **Clarifying definitions.** Deleting the narrow definitions of "personal data" and "sensitive data" in favor of incorporating the existing definition of "personal information" under Hawai‘i's security breach laws creates consistency with established consumer protection frameworks.

These changes represent thoughtful, substantive improvements to the bill, and I thank the committee for their work.

Deep Concern About the Removal of Private Enforcement

However, I must express deep concern about one amendment that dramatically weakens the bill. The previous committee added language clarifying that "notwithstanding any other law to the contrary, no person, including a consumer, may bring a private action to enforce this measure or support a private action under any other law."

This provision is a serious mistake.

Why Private Enforcement Matters

Eliminating private enforcement leaves victims—including the parents of children harmed by predatory AI—without any direct recourse. Enforcement would rest solely with the Attorney General and the Office of Consumer Protection. While these agencies play a critical role, they have limited resources and cannot pursue every violation. Private enforcement serves as a necessary backstop for several reasons:

- **Victims deserve recourse.** When a child is groomed, manipulated, or harmed by an AI system, the family should have the right to seek justice—not wait for an overburdened agency to act on their behalf.
- **Deterrence requires accountability.** The threat of private lawsuits is a powerful deterrent. Without it, companies may view occasional state enforcement as simply a cost of doing business.
- **The harm is personal and severe.** The documented cases are not abstract. 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." Families who have experienced this trauma deserve their day in court.

The "Any Other Law" Provision Is Especially Troubling

The amendment goes even further, barring private action "under any other law." This means that even if an AI company's conduct would otherwise violate existing consumer protection laws—including laws against unfair or deceptive practices—a victim could not bring a claim. This provision effectively immunizes violators from the full scope of existing legal protections, creating a safe harbor for bad actors.

A Right Without a Remedy Is No Right at All

SB3001 establishes important protections: disclosure requirements, safeguards for minors, suicide prevention protocols, and prohibitions on deceptive representations. But a right without a remedy is meaningless. If consumers cannot enforce these protections themselves, the bill becomes a statement of intent rather than an enforceable safeguard.

Recommendation

I urge this committee to:

1. **Retain and commend the strengthening amendments** that expand dangerous actions for minors, add the Office of Consumer Protection as an enforcer, delete problematic exemptions, and clarify definitions.
2. **Remove the provision eliminating private enforcement.** Restore the ability of consumers to bring civil actions for violations of their privacy rights and safety protections. Families harmed by predatory AI deserve their day in court.

The need for robust protections is not theoretical. 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.

The previous committee made meaningful, commendable improvements to this bill. But eliminating private enforcement undermines those very protections. I urge you to restore the ability of consumers to enforce their own rights.

Mahalo for the opportunity to testify.

SB-3001-HD-2

Submitted on: 3/30/2026 9:30:34 PM

Testimony for JHA on 4/1/2026 2:00:00 PM

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

Comments:

STRONGLY SUPPORT

There is still so much to learn. We have to start somewhere!

Many do not truly understand the importance of this bill for those 18 and under. I copy and pasted the definitions because this is AI misrepresenting itself as a human interaction with a child.

To be clear there are many children that come home from school and parents are at work. We tell them "make sure you do your homework." AND I am NOT saying anything like, it's the parent's fault or the school's fault!

This is technology driven. AND IT IS DANGEROUS!

Kids are lonely and try out this form of connecting with some body. Not a body, an illusion of a body. But NOT an illusion to our keiki.

These are NOT the days of the 60's 70:s, or 80's! This type of AI use is endangering our keiki. Definitions. As used in this part:

"AI companion system" means a conversational AI service that is designed, marketed, or optimized to form ongoing social or emotional interaction with a user by simulating companionship, emotional support, or relational attachment.

KEY WORD: SIMULATING!!

Artificial intelligence or "AI" means a machine-based system that can generate outputs such as text, images, audio, video, or decisions that influence real or virtual environments.

Conversational AI service: means an artificial intelligence system that is accessible to the general public and primarily simulates human conversation through text, audio, or visual interaction.

"Conversational AI service": does not include AI systems primarily designed for developers, researchers, or internal business use; narrow, task-specific tools that provide outputs relating to a discrete topic or function; voice assistants or interfaces limited to executing commands for consumer devices; or AI systems used solely for internal operations and not made available to the public.

"Crisis intervention" means communication intended to provide immediate support or assistance in response to a user seeking help for, referencing, or expressing self-harm, suicidal ideation, or suicide.

"Emotional attachment" means a sustained bond that develops through repeated interaction.

"Emotional dependency" means a pattern of interaction in which a minor develops an excessive emotional reliance on a conversational AI service or AI companion system.

"Emotional support" means the communication of care, empathy, and validation intended to help a minor cope with stress, anxiety, or difficult life circumstances.

“Material risk of harm” means a reasonably foreseeable risk of significant harm to a minor’s mental health, emotional well-being, physical safety, or healthy development, beyond transient discomfort or ordinary exposure to information.

“Minor”; means a natural person under eighteen years of age.

SHOULD SAY:18 YEARS OR YOUNGER

SB-3001-HD-2

Submitted on: 3/31/2026 9:33:20 AM

Testimony for JHA on 4/1/2026 2:00:00 PM

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

Comments:

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

Aloha Aloha Chair Tarnas, Vice Chair Poepoe, and Members of the Committee,

My name is Briana Harmon. I grew up in Waimea on the Big Island, 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.

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. As more and more keiki turn to AI chatbots, more and more keiki lose the opportunity to engage with our rich cultural landscape and communities

SB3001 establishes safeguards by prohibiting AI companion systems from using addictive and manipulative features with minors, like simulating romantic relationships or encouraging emotional dependency, and it sets clear definitional standards and gives families the legal tools to hold these companies accountable.

I urge you to keep these core protections I've discussed, the ones that truly protect our communities. When considering suggested amendments from Big Tech, please listen to me, one of Hawaii's own young people, not Big Tech. We shouldn't trust these companies, the ones who have hurt my generation with harmful algorithms, to make safeguards.

Additionally, please consider adopting language from HB1782 to ensure young people are truly protected. As written, SB3001's protections for minors only apply when a chatbot company has "reasonable certainty" that a user is a child, but the bill never requires operators to estimate age. A company that chooses not to estimate age can claim it never knew, and every minor-specific safeguard in the bill falls away. Pair that with the absence of a private right of action, and families whose children are harmed have no way to hold these companies accountable on their own.

HB1782 closes both gaps. It requires age assurance measures and gives families the legal tools to act. Please consider adopting the language from it and changing the knowledge standard to something broader, such as "should reasonably know." I appreciate all of the work you do to protect me and my community at home, and I hope that this testimony can help support that mission by protecting our keiki from Big Tech's manipulation.

Mahalo for your consideration.

Briana Noelani Harmon

DATE: April 1, 2026
TO: Committee on Judiciary & Hawaiian Affairs
FROM: The Entertainment Software Association
RE: SB 3001 SD2 HD2 – Oppose Unless Amended

Dear Chair Tarnas and Members of the Committee on Judiciary & Hawaiian Affairs,

On behalf of the video game industry, the Entertainment Software Association (ESA) which represents the leading publishers and developers of interactive entertainment in the United States, we oppose SB 3001 SD2 HD2 seeking to regulate “chatbots,” as currently drafted, due to inconsistency with chatbot laws in other states, the need for clearly defined terms, and mandated warning that should not apply to video games. We ask that the committee consider an amendment that would narrow the scope of the bill and clarify that the chatbots in video games are not included.

Video games have long incorporated chatbot-like technologies to enhance gameplay, storytelling, and player engagement. Interactive non-player characters (NPCs), AI-driven dialogue systems, and adaptive voice interactions are integral to modern games. As such, video game chatbots do not present a substantial risk to consumers and should not be subject to regulation reserved for high-risk uses of AI, such as notice requirements, pre-deployment impact assessments or age verification. Video game nonplayer character technologies are low-risk, entertainment-focused, and fundamentally different from chatbots risk contexts such as housing, employment, healthcare, or financial services.

Chatbots in video games are best understood as interactive characters within a narrative experience, not standalone AI companions designed to simulate personal relationships. They are part of the story, the world-building, and the mechanics that make games interactive, compelling, and fun. Because these characters are integrated into gameplay, they should be evaluated the same way other game content is evaluated: through the existing system of voluntary video game ratings, content descriptors, and parental controls. ESRB ratings provide parents with comprehensive information about a game’s content, while parental controls allow consumers to set boundaries around the types of games and experiences their children can access.

ESA respectfully urges the Committee to consider narrowing the scope of SB 3001 SD2 HD2 in its current form. ESA and its members are committed to protecting all gamers online and stand ready to work collaboratively with the Committee to develop workable, balanced solutions in this complex and evolving policy area. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

Andrew O’Connor
Director, State Government Affairs
Entertainment Software Association