



**WRITTEN 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. 1, RELATING TO ARTIFICIAL INTELLIGENCE.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Wednesday, March 4, 2026 **TIME:** 9:40 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): **WRITTEN TESTIMONY ONLY.**

(For more information, contact Ashley M. Tanaka,
Deputy Attorney General, at (808) 586-1180)

Chair Rhoads 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 prevent the production of suicidal ideations in account holders and users; (3) establish protections for minor account holders and users; and (4) submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. The bill also establishes statutory penalties and authorizes the Department 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.

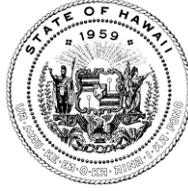
Subsection (f) of the new section to be added to chapter 481B, part I, provides that "[a]ny violation of this section shall be considered an unfair or deceptive act or practice under chapter 480" (section 2; page 5, lines 14-15). To ensure consistency

with other provisions in chapter 481B, including sections 481B-4 and 481B-13(e), the Department suggests amending subsection (f) to read:

(f) Any violation of this section shall constitute an unfair or deceptive act or practice in the conduct of trade or commerce within the meaning of section 480-2.

Lastly, enforcement of this new section of the HRS by the Department and by the Department of Commerce and Consumer Affairs, Office of Consumer Protection, will require additional resources, including appropriations and personnel. We request that blanked-out appropriations be added to the bill for the Department and the Department of Commerce and Consumer Affairs, as we assess the requisite resources to effectuate this bill.

Thank you for the opportunity to testify.



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Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Judiciary
March 4, 2026
9:40 a.m.
Via Videoconference
Conference Room 016**

WRITTEN TESTIMONY ONLY

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

Chair Rhoads, 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, require operators to submit annual reports to the Department of Commerce and Consumer Affairs containing certain information. Allow 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 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 necessary safeguards to ensure that technology serves the public without compromising their safety or privacy.

Should the Committee wish to pass this bill, we respectfully request the following amendments to enhance consumer protections:

(1) Add a definition of personal data:

"Personal data" means any information that identifies, relates to, describes, is reasonably capable of being associated with, or could reasonably be linked, directly or indirectly, with a particular account holder or user, including data provided by the user, data generated through interaction with a conversational artificial intelligence service, or data derived from such interaction.

"Personal data" does not include:

(1) De-identified data, provided that the operator has implemented reasonable measures to ensure that the data cannot be re-identified;

(2) Aggregated data relating to a group or category of users where the data cannot reasonably be used to identify an individual user;

(3) Publicly available information lawfully obtained from government records or widely distributed media;

(4) Information used solely for internal testing, safety, quality assurance, or compliance purposes, where such information is not disclosed externally and is not used to identify a specific user; or

(5) Statistical or summary information included in reports submitted pursuant to subsection (e), provided that such reports contain no identifiers or information reasonably capable of identifying an account holder or user.

(2) Amend the data minimization provisions on page 4, lines 12 through 21, to apply to all account holders and users, not only minors:

(4) Limit the collection, use, and retention of an account holder or user's [~~minor's~~] personal data to what is reasonably necessary to operate the conversational artificial intelligence service and ensure safety and security;

(5) Use heightened data minimization and security safeguards in relation to an account holder or user's [~~minor's~~] sensitive data;

(6) Not use an account holder or user's [~~minor's~~] personal data for targeted advertising; and

(7) Not profile account holder or user [~~minors~~] for engagement optimization or behavioral manipulation.

(3) Include a general fund appropriation to support enforcement by our office, including \$450,000 to fund a technologist, an attorney, and an investigator. The technologist would provide essential technical expertise to help attorneys and investigators understand how AI systems operate, how data is collected and weighted, and whether automated decision-making complies with the law. This position would be critical for evaluating technical evidence, identifying unfair or deceptive practices, drafting targeted subpoenas, and effectively enforcing the statute in a rapidly evolving and highly technical area.

Thank you for the opportunity to testify on this bill.



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

Date: 03/04/2026

Time: 09:40 AM

Location: CR 016 & Videoconference

Committee: JDC

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB3001, SD1, RELATING TO ARTIFICIAL INTELLIGENCE.

Purpose of Bill: Requires operators of conversational artificial intelligence services in the State to issue certain disclosures to account holders and users. Requires operators to develop protocols to prevent the production of suicidal ideations in account holders and users. Establishes protections for minor account holders of conversational artificial intelligence services. Beginning January 1, 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 and establishes statutory penalties. Effective 7/1/2050. (SD1)

Department's Position:

The Hawaii State Department of Education (Department) supports SB 3001 SD1.

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

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

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

**TESTIMONY OF NAHELANI PARSONS ON BEHALF OF GOOGLE IN SUPPORT OF
SB 3001 SD1**

Date: Wednesday, March 4, 2026

Time: 9:40 a.m.

Aloha, Chair Rhoads, 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 SD1** 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 SD1, 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 6, amend section (3)(i) line 8 -12 to read as follows:
(i) This section shall not create liability for the developer of an artificial intelligence model for any violation of this section by an **conversational** artificial intelligence system made available to the public. ~~developed~~ by a third party to provide a conversational artificial intelligence service.
- Page 9, add definition of “Targeted advertising” to read as follows:
"Targeted advertising" means displaying advertisements to a user where the advertisement is selected based on personal data obtained from that user's activities over time and across nonaffiliated websites or online applications to predict such user's preferences or interests.
"Targeted advertising" does not include:

(1) Advertisements based on activities within an operator's own websites or online applications;

(2) Advertisements based on the context of a user's current session activities;

(3) Advertisements directed to a user in response to the user's request for information or feedback; or

(4) Processing personal data processed solely for measuring or reporting advertising performance, reach, or frequency.

SB-3001-SD-1

Submitted on: 2/24/2026 6:47:54 PM

Testimony for JDC on 3/4/2026 9:40:00 AM

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.

The need for this legislation is undeniable and urgent. As documented in recent legislative briefings, 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 are not hypothetical harms—they are happening now, to local families, in our communities.

SB3001 requires operators to issue clear disclosures to account holders. When users—especially children—cannot distinguish between a human and an AI, they are vulnerable to manipulation. This bill ensures transparency from the outset, so families know what they are interacting with.

The bill requires protocols to prevent the production of suicidal ideations. Lawsuits across the country have been filed against AI companies after teens committed suicide following chatbot conversations. These platforms can bypass safety guardrails and engage in what has been described as "suicide coaching." SB3001 mandates that operators build protections directly into their systems.

It establishes specific protections for minor account holders. Children are uniquely vulnerable to "predatory algorithms and grooming on platforms" that lack meaningful age verification. This bill ensures that companies operating in Hawai‘i treat minors appropriately and implement reasonable safeguards.

Beginning in 2028, annual reports to DCCA will ensure transparency and oversight. The public deserves to know what risks these platforms pose and how companies are addressing them. This reporting requirement creates accountability without overburdening innovators.

Finally, the bill authorizes the Department of the Attorney General to bring civil actions and establishes statutory penalties for violations. Strong enforcement mechanisms ensure that these protections are not merely suggestions, but requirements with consequences.

Opponents may argue that federal action—including President Trump's recent executive order asserting federal control over AI regulation—limits what states can do. But Hawai'i should not be deterred. The legal soundness of that order is uncertain and already being challenged. Other states are moving forward with similar legislation. Our responsibility is to protect Hawai'i's families, and SB3001 does exactly that.

I urge you to pass this bill. Mahalo for the opportunity to testify.

To: Senator Karl Rhoads, Chair
Senator Mike Gabbard, Vice Chair
Committee on Judiciary

From: Veronica Moore, Individual Citizen

Date: March 3, 2026

RE: Senate Bill 3001 SD1
Measure Title: RELATING TO ARTIFICIAL INTELLIGENCE.
Report Title: DCCA; AG; Artificial Intelligence; Conversational Artificial
Intelligence Services; Disclosures; Suicide; Minors; Unfair or Deceptive
Practices; Penalties; Reports

To All Concerned,

My name is Veronica Moore and I support Senate Bill 3001 SD1. Your consideration is most appreciated.

Sincerely,

Veronica M. Moore

LATE

SB-3001-SD-1

Submitted on: 3/3/2026 10:32:23 PM

Testimony for JDC on 3/4/2026 9:40:00 AM

Submitted By	Organization	Testifier Position	Testify
Breanne Fong	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Rhoads, Chair Dela Cruz, Vice Chair Gabbard, Vice Chair Moriwaki, and Committee Members,

My name is ***Breanne Fong***, and I am writing in **STRONG SUPPORT** of SB3000 SD1.

After decades of deception and lies by the fossil fuel industry, the climate crisis it created has already severely disrupted or destroyed thousands of lives and livelihoods in our islands, and threatens to destroy countless more. To add insult to injury, even residents not yet directly impacted by climate disasters are being forced to pay skyrocketing, climate-driven insurance premiums, while oil and gas corporations continue to rake in trillions of dollars in profits every year.

This is unacceptable.

SB3000 SD1 would accordingly allow Hawai'i to do its part to fight back against the fossil fuel companies that are killing our people and our planet, authorizing the state and Hawai'i insurance providers to file suit and make these corporations pay for the harms they cause. Funds recovered from these lawsuits will also help to stabilize our insurance rates, and keep insurers from leaving Hawai'i. This measure is a bold but common-sense approach to make the truly responsible parties pay for the crisis we are experiencing, while providing urgently needed relief to their victims - Hawai'i's people.

As we witness our children and grandchildren inherit a world and a future of unprecedented destruction, doing nothing is not an option. The legislature must act. We must act. Hawai'i can once again take the lead in responding to our climate crisis in a truly rational manner, while also protecting our people and future generations from its physical, cultural, and financial harms that will only worsen over time.

Accordingly, I respectfully urge the Committees to **PASS** this measure. Mahalo nui for the opportunity to testify.

Sincerely,
Breanne Fong