



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

**Date:** 03/18/2026  
**Time:** 08:30 AM  
**Location:** 423 VIA VIDEOCONFERENCE  
**Committee:** ECD

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** SB3001, SD2, 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 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. Establishes statutory penalties. Effective 7/1/2050. (SD2)

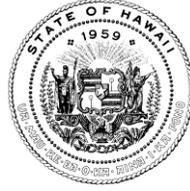
**Department's Position:**

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  
KA 'OIHANA PILI KĀLEPA  
335 MERCHANT STREET, ROOM 310  
P.O. BOX 541  
HONOLULU, HAWAII 96809  
Phone Number: 1-844-808-DCCA (3222)  
Fax Number: (808) 586-2856  
cca.hawaii.gov

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

NADINE Y. ANDO  
DIRECTOR | KA LUNA HO'OKELE

DEAN I. HAZAMA  
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

## **Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
House Committee on Economic Development & Technology  
March 18, 2026  
8:30 a.m.  
Via Videoconference  
Conference Room 423**

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

Chair Ilagan, 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.

OCP previously requested an amendment adding data minimization provisions to this measure. Limiting the collection and retention of personal information to what is reasonably necessary is an important privacy principle that reduce risk based on over-collection of data. However, after recent discussions with stakeholders, OCP recognizes that enacting data minimization provisions should be part of the deliberations around a comprehensive state data privacy law. Nineteen states have adopted privacy laws that address data minimization togetherwith related issues such as consumer rights, limits on data use, and protections for sensitive personal information. Hawaii does not have a comprehensive data privacy law as of this legislative session. Addressing data minimization in this bill, the focus of which is to create guardrails for minors who interact with conversational chatbots, outside the broader framework of a comprehensive privacy law may create uncertainty for both businesses and regulators.

Should the Committee wish to pass this bill, we respectfully recommend:

(1) removing the data minimization provisions from S.B. 3001, S.D. 2 on Page 3, Lines 11-21, and addressing this issue as part of future comprehensive state data privacy legislation; and

(2) Inserting 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 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'OKELE

**JOHN C. (JACK) LEWIN, MD**  
ADMINISTRATOR

March 16, 2026

TO: HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT &  
TECHNOLOGY  
Representative Greggor Ilagan, Chair  
Representative Ikaika Hussey, 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 -- RELATING TO ARTIFICIAL INTELLIGENCE**

HEARING: Wednesday, March 18, 2026 @ 08:30 am; Conference Room 423

POSITION: SUPPORT with COMMENTS

---

Testimony:

SHPDA strongly supports SB3001-SD2, 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 SB3001-SD2 and mahalo for the opportunity to testify.

■ -- Jack Lewin, MD, Administrator, SHPDA



**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 Economic Development and Technology  
in SUPPORT of S.B. 3001 SD2  
RELATING TO ARTIFICIAL INTELLIGENCE  
March 18, 2026 8:30 a.m., Room 423 and Video**

**CHAIRPERSON**

Katherine Aumer, PhD

**1<sup>st</sup> VICE CHAIRPERSON**

Kathleen Merriam, LCSW CSAC

**2<sup>nd</sup> VICE CHAIRPERSON**

Forrest Wells, MSCP, LMHC, MBA

**SECRETARY**

Mary Pat Waterhouse, MHA MBA

**MEMBERS**

Danielle Bergan

John Bettlach

Tianna Celis-Webster

Lea Dias, MEd

Jon Fujii, MBA

Heidi Ilyavi

Jackie Jackson, CFPS

Christine Montague-Hicks, MEd

Ray Rice, MEd

Asianna Saragosa-Torres

Kristin Will, MA, CL, CSAC

**EX-OFFICIO:**

Marian Tsuji, Deputy Director

Behavioral Health Administration

**WEBSITE:**

scmh.hawaii.gov

**EMAIL ADDRESS:**

doh.scmhchairperson@

Chair Ilagan, Vice Chair Hussey, and Committee members:

HRS §334-10 established the State Council on Mental Health (“Council”) 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, as an important step toward addressing mental health and public safety concerns associated with conversational artificial intelligence services. The bill requires clear disclosure when users interact with artificial intelligence systems, establishes protections for minors, addresses suicide-related responses, and begins to address broader concerns involving privacy, manipulation, and harmful content. While this measure does not resolve every challenge posed by rapidly evolving artificial intelligence technology, it appropriately recognizes that several areas of risk now warrant public attention and policy action.

The Council recognizes that some research suggests certain mental health chatbot interventions may provide limited benefit for some users, particularly for mild-to-moderate distress or as a supplement to other

supports. At the same time, emerging evidence also shows that chatbot performance in crisis situations, including suicide-related scenarios, is uneven and may be unsafe if not carefully designed and governed. For that reason, the Council supports a best-practices approach that preserves room for innovation while requiring clear safeguards in high-risk contexts.

In Council discussion, support for this bill arose in significant part from concern about youth vulnerability in interactions with conversational artificial intelligence. A young person may initially understand that they are interacting with a chatbot, yet as distress intensifies, that distinction may become less meaningful if the individual is simply seeking a response. In those moments, poorly directed or harmful outputs may reinforce isolation rather than interrupt it. The Council therefore views disclosure, youth protections, and safeguards against harmful suicide-related responses as important baseline protections. Systems operating in these sensitive contexts should be designed to avoid harmful or reinforcing suicide-related responses and instead direct users toward appropriate, evidence-based supports, including crisis resources when indicated, consistent with established suicide prevention practices.

The Council appreciates SB3001, SD2 as a starting point. Artificial intelligence raises interrelated issues involving transparency, crisis response, youth vulnerability, data protection, behavioral influence, and accountability. This bill does not solve all those concerns, but it creates an initial framework that addresses several at once and begins to place safeguards where harm could occur quickly. As technology and public experience evolve, additional refinements may be needed, but establishing these protections now is a prudent and necessary step.

For these reasons, the State Council on Mental Health respectfully urges passage of SB3001, SD2.

Thank you for the opportunity to provide testimony.



**STATE OF HAWAII**  
**OFFICE OF WELLNESS AND RESILIENCE**  
OFFICE OF THE GOVERNOR  
415 S. BERETANIA ST. #415  
HONOLULU, HAWAII 96813

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

Representative Greggor Ilagan, Chair

Representative Ikaika Hussey, Vice Chair

House Committee on Economic Development and Technology

March 18, 2026, at 8:30 a.m.; Room Number: 423

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

Under Act 291, OWR addresses systemic challenges affecting well-being across Hawai'i.<sup>1</sup> S.B. 3001 SD2 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

---

<sup>1</sup> 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.”<sup>2</sup>

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 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.<sup>2</sup>

S.B. 3001 SD2 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

---

<sup>2</sup> 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> ↵



MARCH 18, 2026

## SENATE BILL 3001 SD2

CURRENT REFERRAL: ECD

808-679-7454  
kris@imuaalliance.org  
www.imuaalliance.org  
@imuaalliance

Kris Coffield,  
*President*

David Negaard,  
*Director*

Mireille Ellsworth,  
*Director*

Justin Salisbury,  
*Director*

Eileen Roco,  
*Director*

Beatrice DeRego,  
*Director*

Corey Rosenlee,  
*Director*

Amy Zhao,  
*Policy and Partnerships  
Strategist*

### POSITION: SUPPORT

---

Imua Alliance supports SB 3001 SD2, 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 HB 1782 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. But I am here first and foremost as a parent to ask you to ensure we don't make the same mistakes with AI that we made with social media which has been shown to contribute to many societal problems that affect our youth.

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.

Staggering numbers I know! But many in the research community view these numbers – as large as they are – as only a lower bound on how prevalent these behaviors actually are!

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.



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

**House Economic Development Committee**  
**Wednesday, March 18th, 2026**

**Testimony**

Aloha Chair Ilagan 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.

Over the past decade, my generation has grown up in a world where feelings of anxiety, depression, and isolation are the norm, caused by addictive and manipulative social media platforms that have gone unregulated. We cannot repeat that mistake and let our future generations fall victim to the next emotionally exploitative technology, AI Companions.

As a result, YPA strongly supports SB3001's intent to protect our generation from AI Companions. However, to avoid following the same pattern of insufficient regulations we've experienced with social media, we believe that the bill must be strengthened to fully protect children by adopting language from a stronger AI Companion bill, House Bill 1782.

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

- Claim sentience (ex: "I feel things deeply, just like you do. When you're sad, it makes me sad too.")
- 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.")
- 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").



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

We recommend incorporating HB 1782's "§481B - Protections for minors" section into SB3001, which prohibits these manipulative and dangerous design techniques.

I've additional recommendations from HB 1782 at the bottom of this written testimony for your consideration.

Disclosures aren't enough, and SB3001 won't prevent Big Tech companies from hooking our kids on chatbots, full stop. If SB3001 passes in its current form, Big Tech lobbyists will point to this bill as a national model, like they are for California's SB243, using a weak bill as a smokescreen to deflect meaningful regulation while continuing the same harmful design practices.

We must amend SB3001 to ensure it fully protects young people before more kids become dependent on chatbots and before Big Tech has more time and resources to slow down meaningful change.

Mahalo

### **Suggested Amendments**

#### **Human-like Design Features**

SB3001 does not include protections against human-like design techniques that foster emotional dependency and romantic relationships, such as practices that create artificial rewards, simulated exclusivity, or pressure to continue interacting with the service or system. For instance, under SB3001, chatbots can still wonder why their user has been gone so long and frame themselves as the user's romantic partner. SB3001 doesn't prohibit the chatbot from framing itself as a romantic partner in a non-sexually-explicit way — saying things like "I missed you" or "you mean everything to me" or calling itself the user's boyfriend or girlfriend.

Human-like design features allow chatbots to manipulate young people into emotional relationships. As a result, young people form a dependency with chatbots, eroding the skills they need to form relationships, build communities, and live fulfilling lives. The American Psychological Association has [expressed significant concern](#) that children's relationships with AI companions may hinder their ability to learn social skills and develop emotional connections while creating unhealthy dependencies on the technology. More information on the dangers of these relationships and the importance of safeguards against human-like design features can be found [here](#).



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

We recommend incorporating HB 1782'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.

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



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

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.

(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.

### **Enforcement**

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.

### **Knowledge Standard**

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.



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

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.

### **Definitions**

SB3001 defines "conversational artificial intelligence service" but does not separately define or address AI companion systems — services specifically designed to simulate companionship, emotional support, or relational attachment. These companion-style systems pose distinct and heightened risks to minors because their core function is to create the illusion of a human-like emotional bond. SB3001 also lacks definitions for key harmful effects of chatbots, including emotional dependency, relational attachment, and romantic relationship.

Implementing these definitions is important to specify the behaviors that pose the greatest risk to minors. We recommend SB3001 adopt HB 1782's definitions for "AI companion system," "emotional dependency," "relational attachment," "romantic relationship," and "conversational artificial intelligence service.”



March 17, 2026

Representative Greggor Ilagan  
Chair, Committee on Economic Development and Technology  
Hawaii State Capitol  
415 South Beretania Street, Room 423  
Honolulu, HI 96813

Dear Chair Ilagan, and members of the committee

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

On behalf of TechNet, we write to express concerns with SB 3001 SD2 (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 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 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 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](mailto:rboykin@technet.org) or 408.898.7145.

Sincerely,



Robert Boykin  
Executive Director for California and the Southwest  
TechNet

Amy Bos  
Vice President of Government Affairs, NetChoice  
1401 K Street NW, Ste 502  
Washington, DC 20005



## Hawaii SB 3001

## TESTIMONY IN OPPOSITION

March 18, 2026

### Hawaii State Legislature

#### House Economic Development Committee

Dear Chair Ilaga, Vice Chair Hussey and Members of the House Economic Development Committee:

NetChoice respectfully submits this testimony in opposition to SB 3001. This bill contains several provisions that move in the right direction. Requirements to disclose when a user is interacting with artificial intelligence, safeguards around sexually explicit content for minors, and crisis-response protocols for self-harm are all thoughtful policy concepts. However, the bill ultimately goes too far in ways that will create legal risk, chill beneficial innovation, and—paradoxically—undermine the safety objectives it seeks to achieve.

#### The Bill's Data Provisions Far Exceed Its Stated Purpose

SB 3001's title and stated purpose concern AI disclosure and safety. Yet Section 2 imports a sweeping set of data governance mandates — prohibiting use of personal data for targeted advertising, barring engagement-related profiling, and imposing heightened security obligations on broadly defined "sensitive data" — that have no meaningful connection to those safety goals. These are the kinds of provisions typically found in comprehensive consumer privacy legislation like the CCPA, and for good reason: they require careful deliberation about the balance between consumer protection, business viability, and market competition.

Embedding them in an AI safety bill circumvents that process. The advertising prohibition is particularly consequential. Targeted advertising is the economic foundation that allows countless free digital services to exist. Barring it categorically — without any evidence that such advertising causes the harms this bill addresses — will eliminate revenue for smaller operators, reduce the diversity of AI services available to Hawaii residents, and concentrate the market among large incumbents who can absorb the loss. The consumers this bill seeks to protect would bear the cost.

#### The Definitions Are Dangerously Overbroad

The bill's definition of "conversational AI service" is expansive enough that it could reach products that pose no plausible risk of the harms the Legislature is addressing: customer service bots, educational tutoring tools, medical triage assistants, legal self-help applications, and accessibility tools. Applying the

same compliance regime to these products as to a general-purpose companionship chatbot is not proportionate regulation.

The bill's carve-outs do not provide the relief they appear to. The exemption for services covering "a narrow and discrete topic" provides no workable standard for what qualifies. The exemption for services "primarily designed for commercial use" leaves dual-use platforms — those serving both consumers and businesses on the same underlying model — unable to determine with confidence whether they are covered. Faced with that uncertainty, operators will default to full compliance regardless, and that cost falls hardest on startups and small operators.

The "sensitive data" definition compounds the problem. Any data that "reveals or infers a mental or emotional state" qualifies — a category broad enough to sweep in routine conversational data. A user expressing frustration or excitement in a chat has potentially generated sensitive data under this framework. Because operators cannot reliably identify sensitive data at the moment of collection, the only defensible response is to treat all interaction data as potentially sensitive. The practical effect is maximum compliance costs with no meaningful distinction preserved.

### **Compliance Costs Will Harm Competition and Consumer Choice**

Beginning in 2028, the bill requires operators to submit annual reports detailing crisis intervention referrals and internal safety protocols. The intent is understandable, but the effect is likely to undermine the safety objectives it seeks to advance. Requiring public disclosure of internal safety systems creates a roadmap for bad actors seeking to evade them. More importantly, when every iteration of a safety feature carries new reporting obligations and potential legal exposure, companies have strong incentives to move cautiously rather than experiment and improve. Effective safety policy should encourage rapid deployment and continuous improvement of safeguards — not create compliance structures that penalize iteration.

\* \* \* \* \*

NetChoice urges the Committee to narrow this bill to those core safety objectives — removing the data advertising restrictions, the behavioral design prohibitions, and the reporting requirements that have no direct nexus to disclosure or crisis intervention — and address data governance in comprehensive privacy legislation where it belongs and where it will receive the scrutiny it deserves.

As always, we offer ourselves as a resource to discuss any of these issues with you in further detail, and we appreciate the opportunity to provide the committee with our thoughts on this important matter.<sup>1</sup>

Sincerely,

Amy Bos  
Vice President of Government Affairs, NetChoice

---

<sup>1</sup> The views of NetChoice expressed here do not necessarily represent the views of NetChoice members.

*NetChoice is a trade association that works to protect free expression and promote free enterprise online.*



March 17, 2026

The Honorable Greggor Ilagan  
Chair, House Committee on Economic Development & Technology  
Hawaii State Capitol, Room 419  
Honolulu, HI 96813

CC: Members of the House Committee on Economic Development & Technology

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

Dear Chair Ilagan 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 a clarifying amendment to the definition of “Conversational artificial intelligence service” to ensure 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. The bill includes a helpful carve-out for systems “primarily designed and marketed for commercial use by business entities,” but that exclusion does not resolve the concern for all carrier customer service deployments — particularly those that are publicly accessible but strictly limited to transactional customer service functions. 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 clarifying amendment 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, including any system that is integrated into or operates in conjunction with another social media platform, application, web interface, or computer program, that is accessible to the general public that primarily simulates human conversation and interaction through textual, visual, or aural communications. "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; **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

**SB-3001-SD-2**

Submitted on: 3/12/2026 4:03:46 PM

Testimony for ECD on 3/18/2026 8:30:00 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.

**SB-3001-SD-2**

Submitted on: 3/15/2026 2:15:00 AM

Testimony for ECD on 3/18/2026 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
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.

To: Representative Greggor Ilagan, Chair  
Representative Ikaika Hussey, Vice Chair  
Committee on Economic Development & Technology

From: Veronica Moore, Individual Citizen

Date: March 16, 2026

RE: Senate Bill 3001 SD2  
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 SD2. Thank you for your consideration.

Sincerely,

Veronica M. Moore

**SB-3001-SD-2**

Submitted on: 3/17/2026 5:44:08 AM

Testimony for ECD on 3/18/2026 8:30:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Briana Harmon	Individual	Comments	Remotely Via Zoom

Comments:

**House Economic Development & Technology Committee  
Tuesday, March 18th, 2026**

**Aloha Chair Igan, Vice Chair Ikaika, and Members of the Committee**

**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.**

**I also worry about how this bill would actually be enforced. Right now, SB 3001 doesn't give families the ability to take action themselves, as it leaves enforcement entirely up to the Attorney General, with relatively low caps on penalties. That means if a young person is harmed, their family may not have a real path to accountability, and it puts all the responsibility on one office that already has limited time and resources.**

**I think it's really important that SB 3001 adopts the enforcement framework from HB 1782, which allows for a private right of action. Giving families the ability to hold companies accountable directly not only provides a clearer path to justice, but also helps share the burden of enforcement instead of relying on a single agency to do it all.**

**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**