

# SB640 • Hawaii

## Relating To Artificial Intelligence.

Introduced

Risk: High

Comprehensive

Last Action (Feb 07, 2025): The committee on CPN deferred the measure.

## Summary

This bill mandates clear disclosure when consumers interact with AI chatbots, allowing for private legal action and imposing penalties for non-compliance, with a cap on class action damages.

## Business Impact

If you use AI chatbots in Hawaii, you must clearly inform consumers they are interacting with a chatbot or face penalties up to \$5 million.

## Key Provisions

- Requires clear disclosure when consumers interact with AI chatbots.
- Allows private rights of action for consumers harmed by violations.
- Imposes civil penalties of up to \$5 million for non-compliance.
- Defines 'artificial intelligence chatbot' and 'consumer' for clarity.
- Establishes minimum damage recovery amounts for individual lawsuits.
- Includes provisions for class action lawsuits with a \$10,000,000 cap on damages and attorney general enforcement.

## Compliance Checklist

- Provide clear disclosure to consumers when using AI chatbots. | Who: Corporations, organizations, or individuals engaging in commercial transactions. | Penalty: Up to \$5 million for violations.
- Prepare to handle potential lawsuits from consumers for non-disclosure. | Who: Businesses using AI chatbots. | Penalty: Liability for damages and attorney fees.

## Industries Affected

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Customer Service

Consumer Protection

E-commerce

Technology

## Topics

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AI Transparency

Comprehensive AI

User-Facing AI

## Bill Sponsors

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Name	Party	Role
Jarrett Keohokalole	D	Sponsor
Stanley Chang	D	Sponsor
Kurt Fevella	R	Sponsor
Carol Fukunaga	D	Sponsor
Troy Hashimoto	D	Sponsor
Sharon Moriwaki	D	Sponsor
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Glenn Wakai	D	Sponsor

## Related Bills

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- [HB639 \(HI\)](#)

## Official Source

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[https://www.capitol.hawaii.gov/session/measure\\_indiv.aspx?billtype=SB&billnumber;=640&year;=2025](https://www.capitol.hawaii.gov/session/measure_indiv.aspx?billtype=SB&billnumber;=640&year;=2025)

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