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# A BILL FOR AN ACT

RELATING TO PREFERENCES UNDER THE PROCUREMENT CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. Section 103D-1009, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[~~§~~§103D-1009~~§~~] **Preference for qualified community**  
4 **rehabilitation programs~~[-]~~; bidders employing persons with**  
5 **disabilities.** (a) When a governmental body contracts for  
6 services, a five per cent preference shall be given to [~~services~~  
7 ~~to be provided by~~] nonprofit corporations or public agencies  
8 operating qualified community rehabilitation programs in  
9 conformance with criteria established by the department of labor  
10 and industrial relations pursuant to chapter 91~~[+]~~, or a  
11 responsive and responsible offeror that employs persons with  
12 disabilities; provided that contracts awarded [~~under this~~  
13 section] to nonprofit corporations or public agencies operating  
14 qualified community rehabilitation programs shall be exempt from  
15 the wages provision of section 103-55.

16 (b) The department of human services shall establish a  
17 registry of persons with disabilities who are work-ready, which  
18 responsive and responsible offerors may employ.



1        (c) The policy board shall adopt rules under chapter 91 to  
2 establish the [~~preference for nonprofit corporations or public~~  
3 ~~agencies operating qualified community rehabilitation programs~~]  
4 procedures consistent with this section.

5        (d) For purposes of this section, "individual with  
6 disabilities" means any individual who has a physical or mental  
7 impairment that substantially limits one or more major life  
8 activities, including an individual who has been determined to  
9 be disabled or suffer disability by the department of human  
10 services; the department of health, the vocational  
11 rehabilitation and services for the blind division; or a private  
12 physician."

13        SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15        SECTION 3. This Act shall take effect upon its approval.

SB2625, SD1

**Report Title:**

Procurement; Preference; Employment of Individuals with Disabilities

**Description:**

Establishes a preference under the procurement code for employers who pledge to hire persons with disabilities when contracting for goods, services, or construction. (SD1)

