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# A BILL FOR AN ACT

RELATING TO TECHNOLOGY ACCESS FOR INDIVIDUALS WITH DISABILITIES.

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

1       SECTION 1. This Act shall be known and may be cited as the  
2       Hawaii Electronic Information Technology Accessibility Act.

3       SECTION 2. The legislature finds that the advent of the  
4       information age is rapidly replacing conventional printed  
5       communications with the use of electronic information technology  
6       in employment, education, and receipt of services. State  
7       entities have particular needs and responsibilities to provide  
8       everyone with equal and convenient access to communications  
9       relating to programs they administer. Examples include  
10      dissemination of information, as well as completion and  
11      submission of electronic forms online, whether by employees or  
12      the public.

13      The legislature further finds that great strides have been  
14      made in the development and use of technologies that assure  
15      access for individuals with disabilities. Advancements include  
16      screen readers that are able to report words on a computer  
17      screen by voice or braille output for individuals who are blind,



1 and sign language interpretation or captioning of audio  
2 presentations for individuals who are deaf. State agencies and  
3 other state entities are making great progress in adapting to  
4 the Information Age, but the implementation of new technologies  
5 and procedures is not consistent or cost-effective in ensuring  
6 that these technologies are accessible to individuals with  
7 disabilities.

8 The legislature further finds that ready access to and use  
9 of electronic information technology is essential for all  
10 citizens to participate equally in all state programs and  
11 services, and to receive and enjoy the benefits of state  
12 programs and services, which must, by law, be equally available  
13 without regard to disability. Cost-effective techniques and  
14 products exist to make modern communications technology  
15 accessible to individuals with disabilities by proactively  
16 addressing accessibility at the time of planning design,  
17 development, and procurement of electronic information  
18 technology.

19 The purpose of this Act is to establish and implement  
20 standards for providing access to electronic information  
21 technology developed, purchased, and used by the State.



1       SECTION 3. The Hawaii Revised Statutes is amended by  
2 adding a new chapter to be appropriately designated and to read  
3 as follows:

4                               "CHAPTER

5       §    -1   Definitions. For the purposes of this chapter:

6       "Accessibility" means the quality of having features that  
7 enable individuals with a disability to receive, use, and  
8 manipulate data and operate controls included in electronic  
9 information technology in a manner equivalent to that of  
10 individuals who do not have disabilities.

11       "Electronic information technology" means electronic  
12 information, software, systems, and equipment used in the  
13 creation, manipulation, storage, display, or transmission of  
14 data, including internet and intranet systems, websites and  
15 interfaces, software applications, operating systems, video and  
16 multimedia, telecommunications products, electronic and digital  
17 kiosks, information transaction machines, copiers, printers, and  
18 desktop and portable computers.

19       "Individuals with disabilities" means individuals with  
20 impairments that limit their ability to use electronic  
21 information technology. "Individuals with disabilities" include



1 but is not limited to individuals who are blind or have impaired  
2 vision, are deaf or hard of hearing, have limited or no use of  
3 their hands.

4 "State entity" means the executive, legislative, and  
5 judicial branches of the State, including departments;  
6 divisions; agencies; constitutional offices; public bodies;  
7 public elementary, secondary, and postsecondary schools; and the  
8 University of Hawaii system.

9 § -2 Disability access standards. (a) Electronic  
10 information technology developed, purchased, or provided by the  
11 State shall be accessible to and usable by individuals with  
12 disabilities.

13 (b) No later than December 31, 2022, the disability and  
14 communication access board shall develop and publish  
15 accessibility standards for electronic information technology  
16 for state entities, pursuant to subsection (a) and Section 508  
17 of the federal Rehabilitation Act of 1973, as amended. The  
18 standards shall address, at minimum, the following:

19 (1) Functional performance criteria and technical  
20 requirements for accessibility;



1           (2) Recommendations for procurement language that can be  
2           incorporated into existing state procurement processes  
3           to ensure compliance with accessibility standards; and

4           (3) Recommendations for planning, reporting, monitoring,  
5           and enforcement of the accessibility standards by  
6           state entities.

7           (c) The disability and communication access board shall  
8           convene a working group of appropriate state entities,  
9           representatives, stakeholders, and other appropriate individuals  
10          and offices to develop accessibility standards.

11          (d) The disability and communication access board shall  
12          consult with the office of enterprise technology services to  
13          assist in the development and implementation of accessibility  
14          standards.

15          (e) Each state entity shall review the accessibility  
16          standards published by the disability and communication access  
17          board. No later than six months after the standards are  
18          published, each state entity shall revise its existing  
19          procurement and development rules, policies, and procedures to  
20          incorporate the published accessibility standards; provided that  
21          the accessibility standards adopted by state entities:



(1) Shall apply to electronic and information technology developed or procured by a state entity, and to substantial modifications of electronic and information technology by a state entity; and

(2) Shall not require the installation of specific accessibility-related software or peripheral devices at a workstation of an employee who is not an individual with a disability; provided further that the workstation technology is compatible with accessibility-related software or peripheral devices when used by an individual with a disability.

(f) The disability and communication access board shall, at minimum, review the accessibility standards every three years after the date of initial publication and amend the standards as appropriate to reflect technological changes in electronic information technology. Each state entity shall revise its existing procurement and development rules, policies, and procedures to incorporate the amended published accessibility standards no later than six months after publication."

SECTION 4. This Act shall take effect on December 31, 2050.



**Report Title:**

Disability and Communication Access Board; Electronic  
Information Technology; Individuals with Disabilities;  
Accessibility

**Description:**

Requires the Disability and Communication Access Board to develop and publish accessibility standards for electronic information technology for individuals with disabilities by December 31, 2022. Requires each state entity to revise its existing procurement and development rules, policies, and procedures to incorporate the accessibility standards within six months of publication. Effective 12/31/2050. (SD1)

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