
A BILL FOR AN ACT

RELATING TO RECREATIONAL FACILITIES.

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

1 SECTION 1. The legislature finds that a significant
2 portion of the State's youth are physically disabled and unable
3 to use some recreational facilities or playgrounds located on
4 state and county property, including playgrounds located on
5 department of education grounds.

6 The purpose of this Act is to enhance the inclusion of
7 physically disabled youth in important socialization activities
8 by:

- 9 (1) By June 30, 2025, requiring all playgrounds located in
10 state and county parks and on public school grounds
11 have a minimal set of special needs recreational
12 playground equipment, including a wheelchair
13 accessible swing set; and
- 14 (2) Appropriating funds to the department of land and
15 natural resources, department of education, and
16 counties to purchase and install special needs
17 recreational playground equipment.



1 SECTION 2. 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 RIGHT TO PLAYGROUNDS ACCESSIBLE TO ALL YOUTH.

6 § -1 Short title. This chapter may be cited as the
7 Right to PLAY Act.

8 § -2 Definitions. As used in this chapter:

9 "Department" means department of land and natural
10 resources.

11 "Physically disabled" means having a physical impairment
12 that substantially limits one or more major life activities.

13 "Playground" means any public outdoor facility with
14 apparatuses that are intended for the recreation of children,
15 including but not limited to sliding boards, swing sets, and
16 teeterboards.

17 "Public school" has the same meaning as in section
18 302A-101.

19 "Special needs recreational playground equipment" means
20 recreational playground equipment that can be used by physically
21 disabled youth.



1 "Youth" means individuals under the age of eighteen.

2 § -3 **Special needs recreational playground equipment**
3 **installation; minimum requirements.** (a) No later than June 30,
4 2025, every playground located in a state or county park or on
5 public school grounds shall include special needs recreational
6 playground equipment as part of the playground apparatuses. The
7 special needs recreational playground equipment shall include at
8 a minimum a wheelchair accessible swing set.

9 (b) All special needs recreational playground equipment
10 installed pursuant to this section shall comply with the
11 standards set forth in the 2010 Americans with Disabilities Act
12 Standards for Accessible Design, or any successor or similar
13 guidelines or standards governing accessibility standards for
14 public facilities.

15 § -4 **Special needs recreational playground equipment**
16 **special fund.** (a) There is established a special needs
17 recreational playground equipment special fund to be
18 administered by the department, which shall consist of moneys
19 appropriated to the fund by the legislature.

20 (b) Moneys from the special needs recreational playground
21 equipment special fund shall be used by the state and counties



1 for the acquisition, installation, and maintenance of special
2 needs recreational playground equipment.

3 (c) All unobligated, unencumbered, or unexpended funds
4 remaining in the fund in excess of \$ at the close of
5 each fiscal year shall lapse to the state general fund.

6 § -5 **Compliance with federal law.** All special needs
7 recreational playground equipment shall comply with all
8 applicable state and federal laws."

9 SECTION 3. There is appropriated out of the general
10 revenues of the State of Hawaii the sum of \$ or so
11 much thereof as may be necessary for fiscal year 2023-2024 and
12 the same sum or so much thereof as may be necessary for fiscal
13 year 2024-2025 to be deposited into the special needs
14 recreational playground equipment special fund established
15 pursuant to section -4, Hawaii Revised Statutes.

16 SECTION 4. There is appropriated out of the special needs
17 recreational playground equipment special fund the sum of
18 \$ or so much thereof as may be necessary for fiscal
19 year 2023-2024 and the same sum or so much thereof as may be
20 necessary for fiscal year 2024-2025 to purchase and install
21 special needs recreational playground equipment in state parks.



1 The sums appropriated shall be expended by the department
2 of land and natural resources for the purposes of this Act.

3 SECTION 5. There is appropriated out of the special needs
4 recreational playground equipment special fund the sum of
5 \$ or so much thereof as may be necessary for fiscal
6 year 2023-2024 and the same sum or so much thereof as may be
7 necessary for fiscal year 2024-2025 to purchase and install
8 special needs recreational playground equipment on department of
9 education public school grounds.

10 The sums appropriated shall be expended by the department
11 of education for the purposes of this Act.

12 SECTION 6. There is appropriated out of the special needs
13 recreational playground equipment special fund the sum of
14 \$ or so much thereof as may be necessary for fiscal
15 year 2023-2024 and the same sum or so much thereof as may be
16 necessary for fiscal year 2024-2025 as a grant-in-aid to the
17 counties to purchase and install special needs recreational
18 playground equipment in city and county of Honolulu parks;
19 provided that the sums shall be allocated as follows:

20 \$ to the city and county of Honolulu;

21 \$ to the county of Hawaii;



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1 \$ to the city and county of Kauai; and

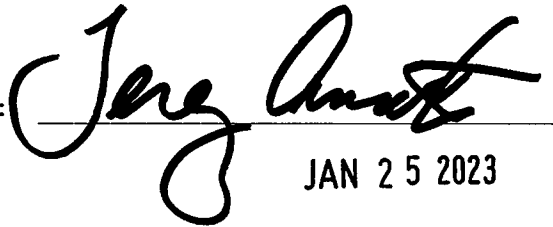
2 \$ to the county of Maui;

3 The sums appropriated shall be expended by the counties for
4 the purposes of this Act.

5 SECTION 7. This Act shall take effect on July 1, 2023.

6

INTRODUCED BY:



JAN 25 2023



H.B. NO. 1414

Report Title:

Special Needs Recreational Playground Equipment; State Parks;
County Parks; Public School Playgrounds; Special Fund;
Appropriation

Description:

Requires all playgrounds located in state and county parks and on public school grounds include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2025 including at a minimum a wheelchair accessible swing set. Establishes the special needs recreational playground equipment special fund. Appropriates funds.

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