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# 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 the lack of  
2       disability-compatible equipment in state parks and playgrounds  
3       and department of education playgrounds is having a negative  
4       impact on physically disabled youth in the State. This causes  
5       disparate utilization of recreational facilities as well as  
6       preventing opportunities for socialization. It is important to  
7       comply with the Americans with Disabilities Act. Disabled  
8       community members have rights and it is important that these  
9       rights be recognized.

10       The purpose of this Act is to enhance the inclusion of  
11       physically disabled youth in important socialization activities  
12       by:

13       (1) By June 30, 2027, requiring all playgrounds located in  
14       state parks and on public school grounds to have a  
15       minimal set of special needs recreational playground  
16       equipment, including a wheelchair accessible swing  
17       set; and



1           (2)   Appropriating funds to the department of land and  
2                natural resources and department of education to  
3                purchase and install special needs recreational  
4                playground equipment.

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

8 "CHAPTER

9 RIGHT TO PLAYGROUNDS ACCESSIBLE TO ALL YOUTH.

10           §   -1   **Short title.**   This chapter may be cited as the  
11   Right to PLAY Act.

12        §    -2   **Definitions.**   As used in this chapter:

13 "Department" means department of land and natural  
14 resources.

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

17 "Playground" means any public outdoor facility with  
18 apparatuses that are intended for the recreation of children,  
19 including but not limited to sliding boards, swing sets, and  
20 teeterboards.



1 "Public school" has the same meaning as in section  
2 302A-101.

3 "Special needs recreational playground equipment" means  
4 recreational playground equipment that can be used by physically  
5 disabled youth.

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

7 § -3 **Special needs recreational playground equipment**  
8 **installation; minimum requirements.** (a) No later than June 30,  
9 2027, every playground located in a state park or on public  
10 school grounds shall include special needs recreational  
11 playground equipment as part of the playground apparatuses. The  
12 special needs recreational playground equipment shall include at  
13 a minimum a wheelchair accessible swing set.

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

20 § -4 **Special needs recreational playground equipment**  
21 **special fund.** (a) There is established a special needs



1 recreational playground equipment special fund to be  
2 administered by the department, which shall consist of moneys  
3 appropriated to the fund by the legislature.

4 (b) Moneys from the special needs recreational playground  
5 equipment special fund shall be used by the State for the  
6 acquisition, installation, and maintenance of special needs  
7 recreational playground equipment.

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

11 § -5 **Compliance with federal law.** All special needs  
12 recreational playground equipment shall comply with all  
13 applicable federal and state laws."

14 SECTION 3. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$ or so  
16 much thereof as may be necessary for fiscal year 2025-2026 and  
17 the same sum or so much thereof as may be necessary for fiscal  
18 year 2026-2027 to be deposited into the special needs  
19 recreational playground equipment special fund established  
20 pursuant to section -4, Hawaii Revised Statutes.



1       SECTION 4. There is appropriated out of the special needs  
2 recreational playground equipment special fund the sum of  
3 \$               or so much thereof as may be necessary for fiscal  
4 year 2025-2026 and the same sum or so much thereof as may be  
5 necessary for fiscal year 2026-2027 to purchase and install  
6 special needs recreational playground equipment in state parks.

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

9       SECTION 5. There is appropriated out of the special needs  
10 recreational playground equipment special fund the sum of  
11 \$               or so much thereof as may be necessary for fiscal  
12 year 2025-2026 and the same sum or so much thereof as may be  
13 necessary for fiscal year 2026-2027 to purchase and install  
14 special needs recreational playground equipment on department of  
15 education public school grounds.

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

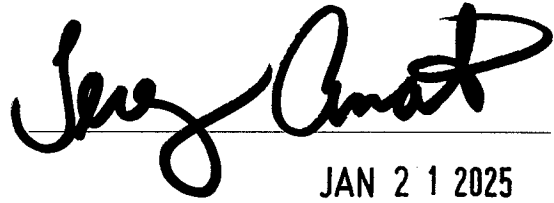
18       SECTION 6. This Act shall take effect on July 1, 2025.



H.B. NO. 867

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Jerry Amato", written over a horizontal line.

JAN 21 2025



# H.B. NO. 867

**Report Title:**

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

**Description:**

Requires all playgrounds located in state parks and on public school grounds to include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2027, including at a minimum a wheelchair accessible swing set. Establishes the Special Needs Recreational Playground Equipment Special Fund. Appropriates funds.

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