

ACT 203

S.B. NO. 2782

A Bill for an Act Related to Electronic Information Technology.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that the Lahaina community faces many challenges in the aftermath of the August 8, 2023, Maui wildfires. With its

unique demographic composition, Lahaina witnessed specific difficulties during the crisis due to language barriers, including challenges in receiving timely and accurate information and assistance. Notably, thirty-two per cent of Lahaina's 9,118 residents are foreign-born, a statistically significant difference compared to the 18.8 per cent statewide average. Furthermore, thirty-six per cent of individuals aged five years and older in Lahaina speak a language other than English at home, a significant difference compared to the 25.9 per cent statewide average.

The legislature further finds that electronic information technology developed, purchased, used, modified, or provided by a state entity must be made accessible to persons with limited English proficiency as provided by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d); Executive Order No. 13166; Executive Order No. 14031; and chapter 321C, Hawaii Revised Statutes. Electronic information is rapidly replacing print media, and all residents need access to technology to work and participate fully in state programs, services, and activities.

The purpose of this Act is to address language barriers and ensure equitable access to information and assistance for all residents, especially those with limited English proficiency.

SECTION 2. Chapter 27, Hawaii Revised Statutes, is amended by adding a new section to part VII to be appropriately designated and to read as follows:

“§27- Multilingual accessibility standards. (a) The office of enterprise technology services, in consultation with the office of language access, shall develop multilingual accessibility standards to provide technical guidance to state entities regarding public access to vital information and documents. These multilingual accessibility standards shall:

- (1) Encourage state entities to implement language accessibility cost-effectively, taking into consideration the unique challenges and circumstances of each state entity;
- (2) Include functional performance criteria and technical requirements for multilingual accessibility standards;
- (3) Provide recommendations for procurement provisions that can be incorporated into existing state procurement processes to conform to multilingual accessibility standards;
- (4) Offer other guidance for planning, reporting, and monitoring to ensure that state entities implement the multilingual accessibility standards without impeding modernization efforts; and
- (5) Apply to electronic information technology developed, purchased, used, modified, or provided by a state entity to assure access to language services as required by federal and state law, rules, and regulations.

The office of enterprise technology services, in consultation with the office of language access, shall review the multilingual accessibility standards every three years, or more frequently if the chief information officer deems it necessary, and amend the standards to reflect advances or changes in electronic information technology rules or superseding federal rules, regulations, and guidance.

(b) For purposes of this section:

“Access” or “accessibility” means to be informed of, participate in, and benefit from the services, programs, and activities offered by a state entity.

“State entity” means the executive, legislative, or judicial branch of state government or any department, office, commission, board, or other agency of the executive, legislative, or judicial branches of state government.”

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2024-2025 to establish one full-time equivalent (1.0 FTE) permanent program manager position for the office of enterprise technology services.

The sum appropriated shall be expended by the department of accounting and general services for the purposes of this Act.

SECTION 4. New statutory material is underscored.¹

SECTION 5. This Act shall take effect on July 1, 2024.

(Approved July 5, 2024.)

Note

1. Edited pursuant to HRS §23G-16.5.