



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

2012 Hawaii Legislative Session Disability-Related Bills As of July 19, 2012

The Disability and Communication Access Board's (DCAB) Legislative Committee met weekly to review and take positions on disability-related measures introduced during the 2012 Hawaii State Legislature. The following list includes bills and resolutions upon which DCAB took a position.

There were three (3) bills related to DCAB introduced as part of the Administrative package during the 2012 Legislature. Two (2) of the bills passed:

1. HB 2553, HD2, SD2 (Act 277) – Relating to Building Design for Persons with Disabilities Requires the Disability and Communication Access Board to charge fees to defray expenses of reviewing construction plans to ensure compliance with state and federal law relating to accessibility. Establishes a fee schedule. Effective January 1, 2013.
2. SB 2813, SD1, HD1, CD1 (Act 272) – Relating to the Disability and Communication Access Board Special Fund Clarifies that all moneys collected as application fees or fees for continuing education units shall be deposited into the Disability and Communication Access Board special fund and that moneys in the fund shall be used to defray costs of administering Chapter 348F, HRS.

The Legislature transmitted both bills to the Governor, and they were signed on July 6, 2012.

Other disability-related bills and resolutions are listed by subject-matter categories:

- **Parking for Persons with Disabilities**
 - SB 2747, SD1, HD2 (Act 89) – Relating to Electric Vehicle Parking Clarifies the electric vehicle parking requirement. Allows an electric vehicle parking space with a charging system to be located anywhere in the parking lot or structure. Prohibits parking spaces designated for electric vehicles from displacing or reducing accessible stalls required by the Americans with Disabilities Act Accessibility Guidelines. Effective January 1, 2013, imposes a warning on any person who parks an unauthorized vehicle in a space designated for electric vehicles.
- **Non-Discrimination Against Persons with Disabilities/Civil Rights**
 - HB 2437 HD1 (Act 7) – Relating to Elections Makes an emergency appropriation of \$1,725,000 for fiscal year 2011-2012 to fund the voting system contract for conducting of the 2012 elections and ensure compliance with federal law. (DCAB worked collaboratively with the Office

of Elections related to the Help America Vote Act and making polling places accessible to voters with disabilities.)

- HR 155 – Requesting the Department of Business, Economic Development, and Tourism to Determine Financing Mechanisms to Assist Private Lot Owners with the Costs Associated with Providing Parking Stalls for Electric Vehicles (Adopted in final form.)

- **Community-Based Services for Persons with Disabilities – Non-Appropriation**

- SB 2821, HD3, CD1 (Act 162) – Relating to Mortality Review of Deaths of Persons with Developmental or Intellectual Disabilities Authorizes the Department of Health to conduct multidisciplinary and multiagency mortality reviews of deaths of persons with developmental or intellectual disabilities. Upon written request of the Director of Health, all providers of medical care or other services and state and county agencies are required to disclose adult death review information to the Department of Health and to those individuals appointed by the Director of Health to participate in the mortality review being conducted.
- SB 2828, HD3 (Act 96) – Relating to the Hawaii Early Intervention Coordinating Council Changes the membership composition and functions of the Hawaii Early Intervention Coordinating Council to be consistent with Part C of the Individuals with Disabilities Education Improvement Act of 2004 requirements regarding the State Interagency Coordinating Council. Effective July 1, 2012.
- SB 2833, SD1, HD2, CD1 (Act 158) – Relating to Employment Exemption for Domestic Services for Persons with Developmental and Intellectual Disabilities Amends the definition of "employment" in various sections of the Hawaii Revised Statutes by clarifying the "domestic services" exclusion for services to persons with developmental and intellectual disabilities.

- **Community-Based Services for Persons with Disabilities – Appropriation**

- SB 2435, SD1, HD1, CD1 (Act 199) – Relating to Information Access Appropriates funds for the Vocational Rehabilitation and Services for the Blind Division of the Department of Human Services to contract for a telephone-based service to provide access to timely print media.
- SB 2778, SD1, HD1, CD1 (Act 269) – Making an Appropriation for Early Childhood Education Establishes a childhood obesity prevention task force. Appropriates funds to the Department of Health to support early childhood development, including the collection of obesity data, childhood obesity awareness, and promotion of best practices to improve healthy life choices.
- SB 2779, SD2, HD1, CD1 (Act 237) – Relating to the Aging and Disability Resource Centers Authorizes the establishment of, and appropriates \$1,400,000 for fiscal year 2012-1013 for the Aging and Disability Resource Center sites in each county to streamline access to long-term supports and services for older adults, persons with disabilities, and family caregivers.

- **Injury Prevention**
 - HB 2626, HD2, SD2, CD1 (Act 317) – Relating to Safe Routes to School Permanently establishes the safe routes to school program within the Department of Transportation. Establishes a safe routes to school program special fund. Assesses a surcharge of \$25 for violations of speeding in a school zone and a \$10 surcharge on various traffic violations and deposits these surcharges into the safe routes to school program special fund. Appropriates funds from the safe routes to school program special fund. Effective September 1, 2012.
 - HR 9 – Requesting the City and County of Honolulu to Review its Policies Regarding Street and Road Widening (Adopted in final form.)

- **Public Hearings and Electronic Information**
 - SB 2737, SD1, HD2, CD1 (Act 202) – Relating to Public Meetings Permits use of interactive conference technology to increase ability of members of state and county boards and commissions to attend board meetings; allows a board member with a disability that limits or impairs the member's ability to physically attend the meeting to participate in a board meeting from a location not accessible to the public if connected by both visual and audio means.

- **Other**
 - HB 2374, SD1 (Act 201) – Relating to the Office of Language Access Transfers the Office of Language Access to the Department of Health, as an administratively attached agency. Effective July 1, 2012. (DCAB staff is a member serving on the Advisory Council of OLA.)
 - HCR 150, SD1/HR 113 – Declaring the Month of April of Each Year as Autism Awareness Month in Hawaii (Adopted in final form.)
 - HCR 177, HD2, SD1 – Requesting the Legislative Reference Bureau to Conduct a Study on Requiring Insurance Coverage for the Diagnosis and Treatment of Autism Spectrum Disorders (Adopted in final form.)

For a complete listing of bills reviewed by the DCAB Legislative Committee or questions about legislation or legislative history of a particular measure, contact Debbie Jackson at 586-8121 or via email to debbra.jackson@doh.hawaii.gov or visit the Capitol web site at www.capitol.hawaii.gov/.