

**2021 Hawaii State Legislature
Measures DCAB Has Testified On
(as of *Sine Die* – April 29, 2021)**

Parking

HB 601/SB 185 – Relating to the Traffic Code

Description: Amends the statewide traffic code to allow for the county chiefs of police to designate county employees to issue citations for traffic violations.

HB 601 House Referrals: WAL, JHA, FIN

HB 601 Senate Referrals: PSM, JDC/WAM

SB 185 Senate Referrals: PSM/WTL, JDC

DCAB Position: Support

Current Status: SB 185 did not receive a hearing and is no longer alive this year. HB 601 passed out of the House, with amendments, and crossed over to the Senate, where it also passed out, with amendments. Since HB 601 was amended by both chambers, the next step is for the House and Senate to agree to a version. The House agreed to the Senate version (HB 601 HD2 SD1) and the measure was transmitted to the Governor.

HB 601 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=601&year=2021

SB 1401 – Relating to Transportation

Description: Requires the Department of Transportation to report on the complete streets policy and principles. Requires the Department of Transportation to establish standards relating to safe travel along state roadways and a complete streets checklist. Requires the Director of Transportation to provide training for maintenance staff in complete street policies, principles, and implementation procedures. Requires counties to consider complete street policies when adopting or amending land use ordinances.

House Referrals: TRN, JHA, FIN

Senate Referrals: TRS, JDC/WAM

DCAB Position: Support

Current Status: SB 1401 passed out of the Senate, with amendments, and crossed over to the House, where it was passed, with amendments, by TRN and JHA, and then without amendments, by FIN. Since SB 1401 was amended by the House and Senate, the next step is for both chambers to agree to a version. Conference committee conferees were appointed by both the House and the Senate, but an agreement could not be reached, and the measure is no longer alive this year.

SB 1401 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1401&year=2021

Non-discrimination Against Persons with Disabilities/Civil Rights

HB 838/SB 538 – Relating to the Hawaii Civil Rights Commission

Description: Clarifies the meaning of "program or activity receiving state financial assistance". Excludes cases within the scope of the Individuals with Disabilities Education Act from the jurisdiction of the Hawaii Civil Rights Commission. Takes effect July 1, 2022.

HB 838 House Referrals: LAT, JHA, FIN

SB 538 Senate Referrals: HMS, JDC

SB 538 House Referrals: LAT, JHA, FIN

DCAB Position: Support

Current Status: HB 838 HD1 passed out of LAT and JHA, with amendments, but was not heard by FIN in time and is no longer alive this year. SB 538 passed out of HMS and JDC, unamended, and crossed over to the House, where it was passed, with amendments, by LAT and then was passed, unamended, by JHA and FIN. Since SB 538 was amended by the House, the next step is for the House and Senate to agree to a version. The House and the Senate agreed to an amended version (SB 538 HD1 CD1) and the measure was transmitted to the Governor.

SB 538 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=538&year=2021

SB 548 – Relating to Elections by Mail

Description: Amends various statutory provisions to clarify and improve the administration of elections by mail. Establishes voters with special needs advisory committees at the state and county levels. Requires the Department of Public Safety and

Hawaii Paroling Authority to inform individuals on parole or probation of their right to vote and provide them with voting information. Requires the Office of Elections and the County Clerks to make a determination, as soon as practicable, of the optimal number and placement of voter service centers.

Senate Referrals: JDC

House Referrals: JHA, FIN

DCAB Position: Original Draft – Support and Offer Comments (comment on proposed repeal of election day as a state holiday); SD1 – Support

Current Status: SB 548 passed out of JDC with amendments, including the establishment of voters with special needs advisory committees at the state and county level, and deletion of language that removed election days as state holidays. SB 548 SD1 crossed over to the House and passed out, with amendments. Since SB 548 was amended by the House and the Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (SB 548 SD1 HD2 CD1) and the measure was transmitted to the Governor.

SB 548 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=548&year=2021

HB 738/SB 534 – Relating to Electronic Transmission of Ballots

Description: Provides that a voter with special needs shall be provided a means of electronic authentication of an electronic transmission of replacement ballot that does not include the voter's handwritten signature or a waiver of secrecy.

HB 738 House Referrals: HHH, JHA, FIN

SB 534 Senate Referrals: HMS, JDC

DCAB Position: Support

Current Status: HB 738 did not receive a hearing in the House and is no longer alive this year. SB 534 was heard by HMS and the measure was passed with amendments, including removing the provisions that made the voter's handwritten signature or a waiver of secrecy not required for purposes of electronic authentication and changing the effective date to May 1, 2029, to encourage further discussion. SB 534 SD1 was not heard by JDC. Both measures are no longer alive this year.

HB 941/SB 1095 – Relating to the Use of Electronic Filing by the PUC

Description: Allows the Public Utilities Commission to use electronic filing processes and similar practices. Requires the Public Utilities Commission to conform its electronic forms and electronic filing processes to comply with the Americans with Disabilities Act and other federal laws and regulations to ensure equal access for individuals with disabilities.

HB 941 House Referrals: CPC, FIN

HB 941 HD1 Senate Referrals: CPN, WAM

SB 1095 Senate Referrals: HMS, JDC

DCAB Position: Original Draft – Comment (ensure accessibility of the proposed program); SD1 – Support

Current Status: SB 1095 did not receive a hearing in the Senate and is no longer alive this year. HB 941 passed out of the House, with amendments, and crossed over to the Senate, where it also passed, with amendments. Since HB 941 was amended by the House and Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (HB 941 HD1 SD2 CD1) and the measure was transmitted to the Governor.

HB 941 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=941&year=2021

SB 135 – Relating to Telecommunication

Description: Requires the Office of Enterprise Technology Services (ETS) to establish a working group and conduct a study to identify state office buildings that can provide equitable telecommunication access to allow residents of the counties of Hawaii, Kauai, and Maui, and rural areas of the city and county of Honolulu, including residents with disabilities, to participate remotely in legislative hearings.

Senate Referrals: GVO, WAM

SB 135 SD2 House Referrals: HET, JHA, FIN

DCAB Position: Original Draft – Comment (ensure that the identified buildings and programs are equally accessible to the full spectrum of persons with disabilities); SD1 – Support

Current Status: SB 135 passed out of GVO with amendments requiring that the buildings identified by this measure are equally accessible to persons with disabilities. SB 135 SD1 passed out of WAM with amendments. SB 135 SD2 crossed over to the

House and was passed, with amendments, by HET, and was passed, unamended, by JHA. SB 135 was not scheduled for a hearing by FIN and is no longer alive this year.

SB 135 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=135&year=2021

HB 880/SB 1034 – Relating to Sunshine Law Boards

Description: Authorizes boards to use interactive conference technology to remotely conduct meetings under the State's open meetings law. Amends the requirements for public notices of board meetings and for in-person board meetings held by interactive conference technology. Requires the Office of Information Practices to assess the implementation of meetings held using interactive conference technology and submit a report of its findings to the Legislature. Takes effect on January 1, 2022.

HB 880 House Referrals: PDP, JHA

SB 1034 Senate Referrals: HMS, JDC

SB 1034 SD1 House Referrals: PDP, JHA

DCAB Position: Support

Current Status: HB 880 did not receive a hearing in the House and is no longer alive this session. SB 1034 passed out of the Senate, with amendments. SB 1034 SD1 then crossed over to the House, where it was passed, with amendments. Since SB 1034 was amended by the House and Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (SB 1034 SD1 HD2 CD1) and the measure was transmitted to the Governor.

SB 1034 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1034&year=2021

HB 503/SB 661 – Relating to Board Meetings

Description: Allows boards to use interactive conference technology to remotely conduct public meetings under the Sunshine Law in conjunction with in-person meetings, even when no emergency has been declared by government authorities. Authorizes boards to exclude the public from nonpublic locations, such as homes, where board members are physically present when remote board meetings are held by interactive conference technology. Establishes requirements for the conduct of remote meetings. Establishes a new notice requirement to provide the board's contact information for the submission of written testimony by electronic or postal mail. Amends

existing option to hold in-person meetings at multiple public meeting sites connected by interactive conference technology to require termination of meeting only if audio communication is lost and cannot be reestablished within an hour and the board had not provided reasonable notice of how the meeting would be continued. Allows for additional courtesy sites open to the public for both remote and in-person meetings held by interactive conference technology. Allows for contact tracing and social distancing during states of emergency caused by contagious diseases.

HB 503 House Referrals: PDP, JHA, FIN

SB 661 Senate Referrals: GVO, JDC

DCAB Position: Support

Current Status: HB 503 was heard by PDP and passed with amendments, including revisions to ensure equal access for individuals with disabilities and changing the effective date to July 1, 2050, to encourage further discussion. HB 503 HD1 was not heard by JHA or FIN. SB 661 was heard by GVO and the measure was passed with amendments to change the effective date to December 31, 2050, to encourage further discussion. SB 661 SD1 was not heard by JDC. Both measures are no longer alive this year.

Communication Access

HB 840/SB 537 – Relating to American Sign Language

Description: Recognizes American Sign Language as a fully developed, autonomous, natural language with its own grammar, syntax, vocabulary, and cultural heritage.

HB 840 House Referrals: CAI, JHA, CPC

SB 537 Senate Referrals: HMS, JDC

SB 537 House Referrals: CAI, JHA, CPC

DCAB Position: Support

Current Status: HB 840 was heard by CAI and the measure was passed with amendments. HB 840 HD1 was not heard by JHA and is no longer alive this year. SB 537 passed out of HMS and JDC, unamended, and crossed over to the House, where it was passed, unamended, by CAI. SB 547 was not scheduled for a hearing by JHA and is no longer alive this year.

SB 537 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=537&year=2021

HB 986/SB 1140 – Relating to Newborn Hearing Screening

Description: Amends the Newborn Hearing Screening statute to mandate reporting of diagnostic audiologic evaluation results to improve hearing follow-up of infants. Updates definitions and terminology.

HB 986 Referrals: HHH, FIN

HB 986 Senate Referrals: HTH, JDC/WAM

SB 1140 Senate Referrals: HTH, JDC

DCAB Position: Support

Current Status: SB 1140 passed out of HTH with amendments but was not heard by JDC in time and is no longer alive this year. HB 986 passed out of the House, with amendments, and then crossed over to the Senate, where it was passed, with amendments, by HTH. The measure was not scheduled for a hearing by JDC/WAM and is no longer alive this year.

HB 986 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=986&year=2021

HB 987/SB 1141 – Relating to Hearing and Vision Program

Description: Amends the Hearing and Vision Program statute to increase the early identification of children with hearing or vision loss, by establishing consistent protocols for hearing and vision screening and follow-up, screener training, and data collection for quality improvement.

HB 987 Referrals: HHH, FIN

HB 987 Senate Referrals: HTH, JDC/WAM

SB 1141 Senate Referrals: HTH, JDC

DCAB Position: Support

Current Status: SB 1141 passed out of HTH with amendments but was not heard by JDC in time and is no longer alive this year. HB 987 passed out of the House, with amendments, and then crossed over to the Senate, where it was passed, with amendments, by HTH. The measure was not scheduled for a hearing by JDC/WAM and is no longer alive this year.

HB 987 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=987&year=2021

HB 839/SB 539 – Relating to Hearing Aids

Description: Requires health insurance policies and contracts issued after 12/31/21 to provide coverage for the cost of hearing aids at a minimum of \$1,500 per hearing aid for each hearing-impaired ear every thirty-six months in their base plans. Exempts mandatory health care coverage from impact assessment report.

HB 839 House Referrals: HHH, CPC, FIN

SB 539 Senate Referrals: HTH, CPN

DCAB Position: Support

Current Status: HB 839 was heard by HHH and the measure was deferred. HB 987 HD1 then passed out of FIN unamended and will cross over to the Senate. SB 539 did not receive a hearing in the Senate. Both measures are no longer alive this year.

SR 5

Measure Title: Requesting the Office of Enterprise Technology Services, in collaboration with the National Federation of the Blind Hawaii, to convene a working group on accessible government documents.

Senate Referrals: HMS/GVO

DCAB Position: Support Intent

Current Status: SR 5 was passed by HMS/GVO, with amendments, and was adopted by the Senate as amended (SR 5 SD1).

SR 5 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SR&billnumber=5&year=2021

HR 97

Measure Title: Requesting the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities before, during, and after emergencies and natural disasters.

House Referrals: PDP, FIN

DCAB Position: Support Intent

Current Status: HR 97 was adopted by the House, as amended (HR 97 HD1).

HR 97 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HR&billnumber=97&year=2021

SR 74

Measure Title: Requesting the Governor to convene a working group to develop recommendations for effective communications with limited English proficient persons and persons with disabilities before, during, and after emergencies and natural disasters.

Senate Referrals: HMS/HTH

DCAB Position: Support Intent

Current Status: SR 74 was adopted by the Senate, as amended (SR 74 SD1).

SR 74 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SR&billnumber=74&year=2021

Service and Other Animals

HB 381/SB 280 – Relating to Fair Housing Reasonable Accommodations

Description: Codifies the administrative rule definition of "assistance animal". Clarifies the type of verification an individual may provide to substantiate a reasonable accommodation request for a specific assistance animal. Specifies that possession of a vest or other distinguishing animal garment, tag, or registration document commonly purchased online and purporting to identify an animal as a service animal or assistance animal does not constitute valid verification of a disability-related need for an assistance animal.

HB 381 House Referrals: HHH, JHA

HB 381 HD2 Senate Referrals: HMS, JDC

SB 280 Senate Referrals: HMS, JDC

SB 280 House Referrals: HHH, JHA

DCAB Position: Comment (ensure consistency with federal law)

Current Status: HB 381 passed out of the House, with amendments. The measure then crossed over to the Senate, where it also passed, with amendments. Since HB 381 was amended by the House and Senate, the next step is for both chambers to agree to a version. Conference committee conferees were appointed by both the House and the Senate, but an agreement could not be reached, and the measure is no longer alive this year. SB 280 passed out HMS and JDC, unamended, and crossed over to the House, where it was passed, with amendments. Since SB 280 was amended by the House, the next step is for both chambers to agree to a version. Conference committee conferees were appointed by both the House and the Senate, but an agreement could not be reached, and the measure is no longer alive this year.

SB 280 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=280&year=2021

Community Based Services and Employment

HB 603/SB 793 – Relating to the Minimum Wage

Description: Repeals the exemption of persons with disabilities from minimum wage requirements.

HB 603 House Referrals: LAT, FIN

SB 793 Senate Referrals: LCA/HMS, WAM

SB 793 SD1 House Referrals: LAT, FIN

DCAB Position: Support

Current Status: HB 603 did not receive a hearing in the House and is no longer alive this year. SB 793 passed out of the Senate, with amendments, and crossed over to the House, where it also passed, with amendments. Since SB 793 was amended by the House and Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (SB 793 SD1 HD1 CD1) and the measure was transmitted to the Governor.

SB 793 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=793&year=2021

HR 25

Measure Title: Urging the Department of Education to develop and implement a program to recruit and employ qualified blind persons to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

House Referrals: EDN, FIN

DCAB Position: Support

Current Status: HCR 32/HR 25 was passed by EDN and FIN, unamended, and the measure was adopted by the House.

HR 25 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HR&billnumber=25&year=2021

SR 6

Measure Title: Urging the Department of Education to develop and implement a program to recruit and employ qualified blind persons to serve as orientation and mobility instructors and in other positions as teachers of visually impaired students.

Senate Referrals: EDU/HMS

DCAB Position: Support

Current Status: SR 6 was passed by EDN/HMS, unamended, and the measure was adopted by the Senate.

SR 6 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SR&billnumber=6&year=2021

Building Code, Design, and Facility Access

HB 607/SB 1 – Relating to Housing

Description: Establishes the ALOHA homes program to develop low-cost homes on state-owned and county-owned land in urban redevelopment sites to be sold in leasehold by the Hawaii Housing Finance and Development Corporation (HHFDC) to qualified residents. Exempts certain land from the definition of public lands. Requires HHFDC to gain legislative approval before disposing of certain lands. Provides for the disposition of lands acquired by HHFDC but no longer needed for the ALOHA homes program. Appropriates moneys.

HB 607 House Referrals: HSG/WAL, JHA, FIN

SB 1 Senate Referrals: HOU, WAM

SB 1 SD2 House Referrals: HSG, WAL, JHA, FIN

DCAB Position: Comment (Recommend wording to ensure compliance with all applicable federal laws and regulations).

Current Status: HB 607 did not receive a hearing in the House and is no longer alive this year. SB 1 passed out of the Senate, with amendments, and crossed over to the House, where it was referred to HSG, WAL, JHA, and FIN. The measure did not receive a hearing in the House and is no longer alive this year.

SB 1 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=1&year=2021

Administration

HB 1298 – Relating to State Funds

Description: Transfers to the general fund the excess balances of various non-general funds from various state departments and agencies. Requires each department to annually submit to the Legislature program measures, costs elements, and accounting reports for all non-general funds under its control. Takes effect on June 30, 2021.

House Referrals: FIN

HB 1298 HD1 Senate Referrals: WAM

DCAB Position: Support intent and offer comments (without the special fund, DCAB cannot support the Disabled Persons Parking Program and there is no alternative source of funding)

Current Status: HB 1298 passed out of FIN with amendments, including lapsing only the amounts to the general fund for various non-general funds that are either inactive or have been determined by each state department to be in excess of the requirements of the funds. HB 1298 HD1 crossed over to the Senate, where it was passed by WAM with amendments. Since HB 1298 was amended by the House and Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (HB 1298 HD1 SD1 CD1) and the measure was transmitted to the Governor.

HB 1298 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=1298&year=2021

HB 1299 – Relating to Non-General Funds

Description: Repeals various non-general funds.

House Referrals: FIN

HB 1299 HD1 Senate Referrals: WAM

DCAB Position: Support intent and offer comments (without the special fund, DCAB is not able to cover the costs of 7.8 FTE staff positions within FAU, support the Disabled Persons Parking Program, and support other aspects of DCAB's overall operations)

Current Status: HB 1299 passed out of FIN with amendments, including deletion of funds that did not meet the criteria for repeal or abolishment established by the Committee. HB 1299 HD1 crossed over to the Senate, where it was passed by WAM with amendments. Since HB 1299 was amended by the House and Senate, the next step is for both chambers to agree to a version. The House and the Senate agreed to an amended version (HB 1299 HD1 SD1 CD1) and the measure was transmitted to the Governor.

HB 1299 Measure Status:

https://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=1299&year=2021