



GOV. MSG. NO. 1273

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

SB2144 SD1 HD1 CD1

RELATING TO ELECTRONIC INFORMATION
TECHNOLOGY ACCESSIBILITY FOR PERSONS
WITH DISABILITIES.

ACT 172

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 27 2022
THE SENATE
THIRTY-FIRST LEGISLATURE, 2022
STATE OF HAWAII

ACT 172
S.B. NO. 2144
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY FOR
PERSONS WITH DISABILITIES.

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

1 SECTION 1. This Act may be cited as the Hawaii Electronic
2 Information Technology Accessibility Act.

3 SECTION 2. The legislature finds that all electronic
4 information technology developed, purchased, used, or provided
5 by a state entity must be made accessible to persons with
6 disabilities. Electronic information is rapidly replacing print
7 media, and all residents need access to technology to work and
8 to participate fully in state programs and services.

9 The legislature further finds that uniform standards are
10 needed to ensure that state entities are proactively addressing
11 accessibility in their communications, information technology
12 development, and technology procurement processes.

13 Accordingly, the purpose of this Act is to require the
14 office of enterprise technology services, in consultation with
15 the disability and communication access board and a working
16 group composed of stakeholders, to develop and publish



1 electronic information technology accessibility standards to be
2 implemented by all state entities.

3 SECTION 3. (a) The office of enterprise technology
4 services shall develop and publish accessibility standards, to
5 be known as the "Hawaii Electronic Information Technology
6 Disability Access Standards", to be implemented by all state
7 entities.

8 (b) The chief information officer, in consultation with
9 the disability and communication access board, shall convene a
10 working group to assist in drafting the accessibility standards.
11 Representatives from state entities and other relevant
12 stakeholders, as determined by the chief information officer and
13 disability and communication access board, shall be invited by
14 the chief information officer to participate.

15 (c) The accessibility standards shall:

16 (1) Require that all electronic information technology
17 developed, purchased, used, or provided by a state
18 entity be made accessible to individuals with a
19 disability;

20 (2) Be consistent with accessibility standards issued by
21 the United States Access Board to implement section



1 508 of the Rehabilitation Act of 1973, as amended (29
2 U.S.C. 794d);

3 (3) Be consistent with the web access standards issued by
4 the World Wide Web Consortium Web Accessibility
5 Initiative; and

6 (4) Include, at a minimum:

7 (A) Functional performance criteria and technical
8 requirements for accessibility;

9 (B) Recommendations for procurement language that can
10 be incorporated into existing state procurement
11 processes to conform to accessibility standards;
12 and

13 (C) Recommendations for planning, reporting,
14 monitoring, and enforcement processes to ensure
15 that state entities implement the accessibility
16 standards.

17 (d) The accessibility standards shall not require the
18 installation of specific accessibility-related software or
19 peripheral devices at the workstation of an employee who is not
20 an individual with a disability; provided that the standards
21 shall require all workstation technology used by a state entity



1 to be compatible with accessibility-related software and
2 peripheral devices.

3 (e) No later than six months after the publication of the
4 Hawaii Electronic Information Technology Disability Access
5 Standards, each state entity shall review the standards and
6 revise the entity's existing procurement and development rules,
7 policies, and procedures to incorporate the standards.

8 (f) The accessibility standards shall apply to:

9 (1) All electronic information technology developed,
10 purchased, used, or provided by a state entity; and

11 (2) All substantial modifications made by a state entity
12 to electronic information technology.

13 (g) The office of enterprise technology services, in
14 consultation with the disability and communication access board,
15 shall review the accessibility standards every three years after
16 the date of initial publication, or more frequently if the chief
17 information officer deems it necessary, and amend the standards
18 to reflect advances or changes in electronic information
19 technology. The chief information officer, in consultation with
20 the disability and communication access board, may form a
21 working group composed of stakeholders to assist with carrying



1 out the review and amendments. Within six months of the
2 publication of any amended accessibility standards, each state
3 entity shall review the amended standards and shall revise the
4 entity's existing procurement and development rules, policies,
5 and procedures to incorporate the amended standards accordingly.

6 (h) As used in this Act:

7 "Accessibility" means the ability of an individual with a
8 disability to receive, use, and manipulate data and operate
9 controls included in electronic information technology in a
10 manner equivalent to that of individuals who do not have
11 disabilities.

12 "Electronic information technology" means electronic
13 information, software, systems, and equipment used in the
14 creation, manipulation, storage, display, or transmission of
15 data, including:

- 16 (1) Internet and intranet systems;
- 17 (2) Websites and interfaces;
- 18 (3) Software applications;
- 19 (4) Operating systems;
- 20 (5) Video and multimedia;
- 21 (6) Telecommunication products;



- 1 (7) Electronic and digital kiosks;
- 2 (8) Information transaction machines;
- 3 (9) Copiers and printers; and
- 4 (10) Desktop and portable computers.

5 "Individual with a disability" means an individual with
6 impairments that limit the individual's ability to access or use
7 electronic information technology, including an individual who
8 has:

- 9 (1) No or limited vision;
- 10 (2) No or limited hearing;
- 11 (3) No or limited use of their hands; or
- 12 (4) Other similar impairments.

13 "State entity" means the executive, legislative, and
14 judicial branches of the State, including its departments,
15 divisions, agencies, offices; public bodies; public elementary,
16 secondary, and postsecondary schools; and the University of
17 Hawaii.

18 SECTION 4. This Act shall take effect upon its approval.



S.B. NO.

2144
S.D. 1
H.D. 1
C.D. 1

APPROVED this 27th day of June, 2022

A handwritten signature in black ink, reading "David I. Ige". The signature is written in a cursive style with a large, sweeping flourish under the "I".


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 2144, SD 1, HD 1, CD 1


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 03, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives