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# A BILL FOR AN ACT

RELATING TO PUBLIC PROCUREMENT.

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

1           SECTION 1. The purpose of this Act is to provide an  
2 incentive for companies bidding on State and county contracts to  
3 hire the disabled and recipients of public assistance by  
4 establishing a procurement preference.

5           SECTION 2. Chapter 103D, Hawaii Revised Statutes, is  
6 amended by adding two new sections to part X to be appropriately  
7 designated and to read as follows:

8           "§103D-           Preference for employment of persons with  
9 disabilities. (a) When a governmental body contracts for  
10 goods, services, or construction, a preference shall be given to  
11 a bidder who pledges to hire persons with disabilities; provided  
12 that the persons with disabilities are employed for the duration  
13 of the contract.

14           (b) The preference amount shall be equal to the percentage  
15 of individuals employed by the bidder who are persons with  
16 disabilities and shall be subtracted from the offer for  
17 selection purposes only; provided that:



1       (1) The preference amount shall not exceed five per cent  
2       of the bid price; and

3       (2) Part-time employees who are persons with disabilities  
4       shall be counted in proportion to the number of hours  
5       they work in a forty-hour work week.

6       (c) The department of human services shall:

7       (1) Certify the eligibility of persons who are recipients  
8       of temporary assistance for needy families; and

9       (2) Establish a registry of persons with disabilities who  
10       are seeking employment and who a responsive and  
11       responsible offeror may employ; provided that the  
12       department of human services first obtains the  
13       authorization of the persons before including them in  
14       the registry.

15       (d) For purposes of this section, "person with  
16       disabilities" means an individual who has a physical or mental  
17       impairment that substantially limits one or more major life  
18       activities, including an individual who the department of  
19       health, department of human services, or a physician licensed  
20       under chapter 453 or 460 determines to be disabled.

21       (e) The policy board shall adopt rules under chapter 91 to  
22       establish procedures consistent with this section.



1           §103D- Preference for employment of recipients of  
2 temporary assistance for needy families. (a) When a  
3 governmental body contracts for goods, services, or  
4 construction, a preference shall be given to a bidder who  
5 pledges to hire recipients of temporary assistance for needy  
6 families; provided that the recipients of temporary assistance  
7 for needy families are employed for the duration of the  
8 contract.

9           (b) The preference amount shall be equal to the percentage  
10 of individuals employed by the bidder who are recipients of  
11 temporary assistance for needy families and shall be subtracted  
12 from the offer for selection purposes only; provided that:

13           (1) The preference amount shall not exceed five per cent  
14 of the bid price; and

15           (2) Part-time employees who are recipients of temporary  
16 assistance for needy families shall be counted in  
17 proportion to the number of hours they work in a forty  
18 hour work week.

19           (c) The department of human services shall:

20           (1) Certify the eligibility of persons who are recipients  
21 of temporary assistance for needy families; and



1       (2) Establish a registry of recipients of temporary  
2       assistance for needy families who are seeking  
3       employment and who a responsive and responsible  
4       offeror may employ; provided that the department of  
5       human services first obtains the authorization of the  
6       persons before including them in the registry.

7       (d) The policy board shall adopt rules under chapter 91 to  
8       establish procedures consistent with this section."

9       SECTION 3. New statutory material is underscored.

10       SECTION 4. This Act shall take effect on July 1, 2020.



**Report Title:**

Procurement Code; Employment Preference

**Description:**

Establishes a preference to bidders who employ persons with disabilities and certain public assistance recipients. (HB485 HD1)

