
A BILL FOR AN ACT

RELATING TO RETALIATION IN STATE AND STATE-FUNDED SERVICES
DISCRIMINATION.

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

1 SECTION 1. Section 368-1.5, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§368-1.5 Programs and activities receiving state**
4 **financial assistance.** (a) No otherwise qualified individual in
5 the State shall, solely by reason of [~~his or her~~] the
6 individual's disability, be excluded from the participation in,
7 be denied the benefits of, or be subjected to discrimination by
8 state agencies, or under any program or activity receiving state
9 financial assistance.
10 (b) No person, state agency, or program or activity
11 receiving state financial assistance shall retaliate by
12 threatening or otherwise discriminating against an individual
13 because of the exercise of any right granted or protected under
14 this section, or because the individual has opposed any practice
15 made unlawful by this section, or because the individual has
16 made a complaint, or testified, assisted, or participated in any



1 manner in an investigation, proceeding, or hearing under this
2 section.

3 ~~[(b)]~~ (c) As used in this section, the term "disability"
4 means the state of having a physical or mental impairment which
5 substantially limits one or more major life activities, having a
6 record of such an impairment, or being regarded as having such
7 an impairment.

8 ~~[(e)]~~ (d) As used in this section, "state financial
9 assistance" means grants, purchase-of-service contracts, or any
10 other arrangement by which the State provides or otherwise makes
11 available assistance in the form of funds to an entity for the
12 purpose of rendering services on behalf of the State. It does
13 not include procurement contracts, state insurance or guaranty
14 contracts, licenses, tax credits, or loan guarantees to private
15 businesses of general concern that do not render services on
16 behalf of the State."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Civil Rights Commission; Disability Discrimination in Programs and Activities Receiving State Financial Assistance

Description:

Prohibits retaliation against people who assert a disabled person's rights under section 368-1.5, Hawaii Revised Statutes, in state and state-funded services. (HB1116 HD1)

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