
A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY.

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

1 SECTION 1. The legislature finds that the advent of the
2 information age has brought rapid replacement of conventional
3 printed communications with electronic information technology in
4 employment, education, and receipt of services. State entities
5 are making great progress, but the implementation of new
6 technologies and procedures is not consistently or cost-
7 effectively made accessible to individuals with disabilities.

8 The legislature further finds that equal access to
9 electronic information technology is essential for all citizens
10 to participate and benefit equally in all programs and services.
11 Electronic information technology developed, purchased, or
12 provided by the State should be equally accessible to and usable
13 by individuals with disabilities. Cost-effective techniques and
14 products exist to make electronic information technology
15 accessible to individuals with disabilities by proactively
16 addressing accessibility at the time of planning, designing,
17 developing, and procuring electronic information technology.



1 The purpose of this Act is to require the office of
2 enterprise technology services to develop electronic information
3 technology disability access standards.

4 SECTION 2. (a) By January 1, 2023, the office of
5 enterprise technology services shall develop and publish
6 accessibility standards, to be known as the "Hawaii Electronic
7 Information Technology Disability Access Standards," to be used
8 and implemented by all state entities.

9 (b) The chief information officer, in consultation with
10 the disability and communication access board, shall convene a
11 working group with representation from appropriate state
12 entities, stakeholders, and other appropriate individuals and
13 officials to advise and assist the office of enterprise
14 technology services in the development of the accessibility
15 standards pursuant to subsection (a).

16 (c) By July 1, 2023, each state entity shall review the
17 accessibility standards and make revisions to existing
18 procurement or development rules, policies, and procedures under
19 its control to incorporate the standards.

20 (d) As used in this section:



1 "Accessibility" has the same meaning as in section 27- ,
2 Hawaii Revised Statutes.

3 "Electronic information technology" has the same meaning as
4 in section 27- , Hawaii Revised Statutes.

5 "Individuals with disabilities" has the same meaning as in
6 section 27- , Hawaii Revised Statutes.

7 "State entity" has the same meaning as in section 27- ,
8 Hawaii Revised Statutes.

9 SECTION 3. Chapter 27, Hawaii Revised Statutes, is amended
10 by adding a new section to part VII to be appropriately
11 designated and to read as follows:

12 "§27- Hawaii Electronic Information Technology
13 Disability Access Standards; development; review and updates.

14 (a) The office of enterprise technology services shall develop,
15 publish, and periodically update accessibility standards, to be
16 known as the "Hawaii Electronic Information Technology
17 Disability Access Standards," to be used and implemented by all
18 state entities.

19 (b) The chief information officer, in consultation with
20 the disability and communication access board, shall convene a
21 working group with representation from appropriate state



1 entities, stakeholders, and other appropriate individuals and
2 officials to review the accessibility standards every three
3 years and update them as necessary. Within six months of any
4 published accessibility standard updates, each state entity
5 shall review the accessibility standard updates and make
6 revisions to existing procurement or development rules,
7 policies, and procedures under its control to incorporate the
8 standard updates.

9 (c) The accessibility standards shall:

10 (1) Be consistent with standards issued by the United
11 States Access Board in the implementation of section
12 508 of the Rehabilitation Act of 1973, as amended;

13 (2) Be consistent with the web content accessibility
14 guidelines of the W3C Web Accessibility Initiative;
15 and

16 (3) Apply to electronic information technology developed
17 or procured by a state entity, or to substantial
18 modifications made to electronic information
19 technology by a state entity.

20 (d) The accessibility standards shall address, at minimum,
21 the following:



- 1 (1) Functional performance criteria and technical
2 requirements for accessibility standards;
- 3 (2) Recommendations for state procurement to ensure
4 compliance with accessibility standards; and
- 5 (3) Recommendations for planning, reporting, monitoring,
6 and enforcement of the accessibility standards by
7 state entities.
- 8 (e) The accessibility standards shall not require the
9 installation of specific accessibility-related software or
10 peripheral devices at a workstation of an employee who is not an
11 individual with a disability; provided that the workstation
12 technology is compatible with accessibility-related software or
13 peripheral devices needed by an individual with a disability
14 when using the technology.
- 15 (f) As used in this section:
- 16 "Accessibility" means the ability to receive, use, and
17 manipulate data and operate controls included in electronic
18 information technology in a manner equivalent to that of
19 individuals who do not have disabilities.
- 20 "Electronic information technology" means electronic
21 information, software, systems, and equipment used in the



1 creation, manipulation, storage, display, or transmission of
2 data, including internet and intranet systems, websites and
3 interfaces, software applications, operating systems, video and
4 multimedia, telecommunications products, kiosks, information
5 transaction machines, copiers, printers, and desktop and
6 portable computers.

7 "Individuals with disabilities" means individuals with
8 impairments that limit their ability to use electronic
9 information technology, including individuals who are blind or
10 have low vision, individuals who are deaf or hard of hearing,
11 individuals who have limited or no use of their hands, or
12 individuals who have other similar impairments.

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

18 SECTION 4. Section 27-43, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) There is established within the department of
21 accounting and general services the office of enterprise



1 technology services, which shall be headed by a full-time chief
2 information officer to organize, manage, and oversee statewide
3 information technology governance. The chief information
4 officer shall be appointed by the governor as provided in
5 section 26-34. The chief information officer shall report
6 directly to the governor and shall:

7 (1) Develop, implement, and manage statewide information
8 technology governance;

9 (2) Develop, implement, and manage the state information
10 technology strategic plans;

11 (3) Develop and implement statewide technology
12 standards~~[+]~~, including the Hawaii Electronic
13 Information Technology Disability Access Standards
14 pursuant to section 27- ;

15 (4) Work with each executive branch department and agency
16 to develop and maintain its respective multi-year
17 information technology strategic and tactical plans
18 and road maps that are part of the State's overall
19 information technology strategic plans, road maps, and
20 directions;



- 1 (5) Coordinate each executive branch department and
2 agency's information technology budget request,
3 forecast, and procurement purchase to ensure
4 compliance with the department or agency's strategic
5 plan and road map and with the office of enterprise
6 technology services' information technology governance
7 processes and enterprise architecture policies and
8 standards, including policies and standards for
9 systems, services, hardware, software, and security
10 management;
- 11 (6) Report annually to the governor and the legislature on
12 the status and implementation of the state information
13 technology strategic plan;
- 14 (7) Update the state information technology strategic plan
15 every four years;
- 16 (8) Perform other necessary or desirable functions to
17 facilitate the intent of this section;
- 18 (9) Employ persons exempt from chapters 76 and 89;
- 19 (10) Provide centralized computer information management
20 and processing services, coordination in the use of
21 all information processing equipment, software,



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1 facilities, and services in the executive branch of
2 the State, and consultation and support services in
3 the use of information processing and management
4 technologies to improve the efficiency, effectiveness,
5 and productivity of state government programs;

6 (11) Establish, coordinate, and manage a program to provide
7 a means for public access to public information and
8 develop and operate an information network in
9 conjunction with overall plans for establishing a
10 communication backbone for state government; and

11 (12) Adopt rules, pursuant to chapter 91, necessary for the
12 purposes of this part."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect upon its approval.

16 INTRODUCED BY: George Telmer

JAN 14 2022



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Report Title:

Electronic Information Technology; Office of Enterprise
Technology Services

Description:

Requires the office of enterprise technology services to develop, publish, and periodically update electronic information technology disability access standards to be implemented by state entities.

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