
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 information and communication technology is essential for all
10 citizens to participate and benefit equally in all programs and
11 services. Information and communication technology developed,
12 purchased, or provided by the State should be equally accessible
13 to and usable by individuals with disabilities. Cost-effective
14 techniques and products exist to make information and
15 communication technology accessible to individuals with
16 disabilities by proactively addressing accessibility at the time



1 of planning, designing, developing, and procuring information
2 and communication technology.

3 The purpose of this Act is to require the disability and
4 communication access board to develop, publish, and periodically
5 update information and communication technology disability
6 access standards.

7 SECTION 2. Chapter 348F, Hawaii Revised Statutes, is
8 amended by adding a new section to be appropriately designated
9 and to read as follows:

10 "§348F- Hawaii Information and Communication Technology
11 Disability Access Standards; development; review and updates.

12 (a) No later than July 1, 2023, the board shall develop,
13 publish, and periodically update accessibility standards, to be
14 known as the "Hawaii Information and Communication Technology
15 Disability Access Standards". These standards shall apply to
16 all state entities and shall be consistent with:

17 (1) The standards and guidelines issued by the United
18 States Access Board in the implementation of section
19 508 of the Rehabilitation Act of 1973, as amended, and
20 section 255 of the Telecommunications Act (47 U.S.C.
21 § 255); and



1 (2) The web content accessibility guidelines of the W3C
2 Web Accessibility Initiative.

3 (b) The board, in consultation with the chief information
4 officer of the office of enterprise technology services, shall
5 convene a working group with representation from appropriate
6 state entities, stakeholders, and other appropriate individuals
7 and officials, including representatives from the office of
8 enterprise technology services and state procurement office, to
9 review the accessibility standards every three years and update
10 them as necessary. Within six months of any published updated
11 accessibility standards, each state entity shall review the
12 updated accessibility standards and make revisions to existing
13 procurement or development rules, policies, and procedures under
14 its control to incorporate the updated standards.

15 (c) Information and communication technology developed,
16 purchased, or provided by the State shall be accessible to and
17 usable by individuals with disabilities and consistent with the
18 accessibility standards developed pursuant to subsection (a).

19 (d) As used in this section:

20 "Accessibility" means the ability of an individual with a
21 disability to receive, use, and manipulate data and operate



1 controls included in information and communication technology in
2 a manner equivalent to that of individuals who do not have
3 disabilities.

4 "Individuals with disabilities" means individuals with
5 impairments that limit their ability to use information and
6 communication technology, including but not limited to
7 individuals who are blind or have low vision, individuals who
8 are deaf or hard of hearing, individuals who have limited or no
9 use of their hands, or individuals who have other similar
10 impairments.

11 "Information and communication technology" means
12 information technology and other equipment, systems,
13 technologies, or processes, for which the principal function is
14 the creation, manipulation, storage, display, receipt, or
15 transmission of electronic data and information, as well as any
16 associated content.

17 "State entity" means the executive, legislative, and
18 judicial branches of the State, including their departments,
19 divisions, agencies, and offices; public bodies; public
20 elementary, secondary, and postsecondary schools; and the
21 University of Hawaii."



1 SECTION 3. Section 27-43, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) There is established within the department of
4 accounting and general services the office of enterprise
5 technology services, which shall be headed by a full-time chief
6 information officer to organize, manage, and oversee statewide
7 information technology governance. The chief information
8 officer shall be appointed by the governor as provided in
9 section 26-34. The chief information officer shall report
10 directly to the governor and shall:

11 (1) Develop, implement, and manage statewide information
12 technology governance;

13 (2) Develop, implement, and manage the state information
14 technology strategic plans;

15 (3) Develop and implement statewide technology
16 standards[+], including the Hawaii Information and
17 Communication Technology Disability Access Standards
18 established pursuant to section 348F- ;

19 (4) Work with each executive branch department and agency
20 to develop and maintain its respective multi-year
21 information technology strategic and tactical plans



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



- 1 (10) Provide centralized computer information management
2 and processing services, coordination in the use of
3 all information processing equipment, software,
4 facilities, and services in the executive branch of
5 the State, and consultation and support services in
6 the use of information processing and management
7 technologies to improve the efficiency, effectiveness,
8 and productivity of state government programs;
- 9 (11) Establish, coordinate, and manage a program to provide
10 a means for public access to public information and
11 develop and operate an information network in
12 conjunction with overall plans for establishing a
13 communication backbone for state government; and
- 14 (12) Adopt rules, pursuant to chapter 91, necessary for the
15 purposes of this part."

16 SECTION 4. By January 1, 2024, each state entity shall
17 review the Hawaii Information and Communication Technology
18 Disability Access Standards and make revisions to existing
19 procurement or development rules, policies, and procedures under
20 its control to incorporate the standards.



1 SECTION 5. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2022-2023 for:

4 (1) Development and implementation of the Hawaii
5 Information and Communication Technology Disability
6 Access Standards pursuant to section 2 of this Act;
7 and

8 (2) Establishment of one full-time equivalent (1.0 FTE)
9 position within the department of health to support
10 the disability and communication access board in the
11 development and implementation of the Hawaii
12 Information and Communication Technology Disability
13 Access Standards.

14 The sum appropriated shall be expended by the department of
15 health for the purposes of this Act.

16 SECTION 6. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on July 1, 2060.



Report Title:

Information and Communication Technology; Disability Access;
Disability and Communication Access Board; Office of Enterprise
Technology Services; Hawaii Information and Communication
Technology Disability Access Standards

Description:

Requires the Disability and Communication Access Board to
develop, publish, and periodically update information and
communication technology disability access standards to be
implemented by state entities. Effective 7/1/2060. (SD1)

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not legislation or evidence of legislative intent.*

