

JAN 27 2021

A BILL FOR AN ACT

RELATING TO THE VENDING FACILITIES PROGRAM.

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

1 SECTION 1. Section 102-14, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§102-14 Use of public buildings by blind or visually
4 handicapped persons [-] or persons with a mental illness. (a)

5 For the purpose of providing blind or visually handicapped
6 persons, as defined in sections 235-1, 347-1, and 347-2, and
7 persons with a mental illness with remunerative employment,
8 enlarging their economic opportunities and stimulating them to
9 greater efforts in striving to make themselves self-supporting,
10 blind or visually handicapped persons or persons with a mental
11 illness registered by the department of human services under
12 section 347-6 and issued permits under subsection (c) shall be
13 authorized to operate vending facilities and machines in any
14 state or county public building for the vending of newspapers,
15 periodicals, confections, tobacco products, foods, beverages,
16 and such other articles or services prepared on or off the
17 premises in accordance with all applicable laws.



1 (b) The department of human services, after consultation
2 with authorities responsible for management of state or county
3 public buildings, shall adopt rules in accordance with chapter
4 91, necessary for the implementation of this section, including,
5 but not limited to rules to assure that priority be given to
6 registered blind or visually handicapped persons or persons with
7 a mental illness in the operation of vending facilities in state
8 or county public buildings and to establish, whenever feasible,
9 one or more vending facilities in all state and county public
10 buildings[-]; provided that vending facilities operated by
11 persons with a mental illness shall not be placed in state or
12 county public buildings that have vending facilities operated by
13 registered blind or visually handicapped persons.

14 (c) Assignment of vending facilities and space for vending
15 machines shall be by permit issued by the department of human
16 services.

17 (d) No person shall advertise or otherwise solicit the
18 sale of food or beverages for human consumption in any public
19 building [~~which~~] that is in competition with a vending facility
20 or machine operated or maintained by a duly authorized blind or
21 visually handicapped person or person with a mental illness as



1 prescribed by rules and regulations established under chapter
2 91. Any person who violates this subsection shall be subject to
3 a fine of not more than \$1,000.

4 (e) After July 1, 1981, or upon the expiration of vending
5 machine contracts in existence on June 10, 1981, no vending
6 machines shall be placed in any state or county public building
7 in which there is a vending facility or machine assigned by
8 permit to a blind or visually handicapped person or person with
9 a mental illness except pursuant to a permit issued by the
10 department of human services.

11 (f) Any permit granted pursuant hereto may be terminated
12 by the department of human services if the department determines
13 that the vending facility or machine is not being operated in
14 accordance with prescribed rules.

15 (g) This section shall not apply to the judiciary history
16 center facilities in the Ali'iolani Hale building, University of
17 Hawai'i system, public library system facilities, department of
18 education facilities, department of transportation airport and
19 harbor restaurant and lounge facilities and operations, public
20 parks, and state and county facilities designed and intended for
21 use as facilities for entertainment and other public events.



1 (h) After July 1, 1981, any department, agency, or
2 instrumentality of the State or any of its political
3 subdivisions planning the construction, substantial alteration,
4 or renovations of any building shall consider including plans
5 for a vending facility maintained or operated by a blind or
6 visually handicapped person~~[-]~~ or person with a mental illness.
7 The present vendor who is operating a vending facility shall not
8 be displaced or dislocated from any state or county building
9 because of renovations or substantial alterations, except for
10 any temporary displacement or dislocation [~~which~~] that may be
11 necessary for the completion of the renovations or alterations.
12 Any such vendor shall have the first option to operate the
13 facility upon completion of the renovations or substantial
14 alterations.

15 (i) For the purposes of this section, "person with a
16 mental illness" means a person diagnosed with a mental illness
17 as defined under section 431M-1."

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

20



S.B. NO. 1233

1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: _____

A handwritten signature in black ink, appearing to be 'J. J. ...', written over a horizontal line.

S.B. NO. 1233

Report Title:

Vending Facilities Program; Mental Illness; Eligibility

Description:

Allows persons with a mental illness to participate in the vending facilities program. Limits vending facilities owned or operated by persons with mental health disorders to only those state or county public buildings not currently occupied by blind or visually handicapped vendors.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

