

JAN 20 2023

A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY FOR
PERSONS WITH LIMITED ENGLISH PROFICIENCY.

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

1 SECTION 1. The legislature finds that all electronic
2 information technology developed, purchased, used, or provided
3 by a state entity must be made accessible to persons with
4 limited English proficiency as provided by title VI of the Civil
5 Rights Act of 1964 (42 U.S.C. 2000d); Executive Order No. 13166;
6 Executive Order No. 14031; and chapter 321C, Hawaii Revised
7 Statutes. Electronic information is rapidly replacing print
8 media, and all residents need access to technology to work and
9 participate fully in state programs, services, and activities.

10 The legislature further finds that uniform standards are
11 needed to ensure state entities are proactively addressing
12 language access in communications, information technology
13 development, and technology procurement processes.

14 Accordingly, the purpose of this Act is to require the
15 office of enterprise technology services, in consultation with
16 the office of language access and a working group composed of



1 stakeholders, to develop and publish electronic information
2 technology standards for multilingual accessibility to be
3 implemented by all state entities.

4 SECTION 2. This Act may be cited as the Hawai'i Electronic
5 Information Technology Multilingual Accessibility Act.

6 SECTION 3. (a) The office of enterprise technology
7 services shall develop and publish the multilingual
8 accessibility standards, to be known as the Hawai'i electronic
9 information technology multilingual accessibility standards, to
10 be implemented by all state agencies.

11 (b) The chief information officer, in consultation with
12 the office of language access, shall convene a working group to
13 assist in drafting the multilingual accessibility standards.
14 Representatives from state entities and other relevant
15 stakeholders, as determined by the chief information officer and
16 the office of language access, shall be invited by the chief
17 information officer to participate.

18 (c) The multilingual accessibility standards shall:
19 (1) Require that all electronic information developed,
20 purchased, used, or provided by a state entity be made
21 language accessible to persons with limited English



1 proficiency, as provided by title VI of the Civil
2 Rights Act of 1964 (42 U.S.C. 2000d); Executive Order
3 No. 13166; Executive Order No. 14031; and chapter
4 321C, Hawaii Revised Statutes; and

5 (2) Include, at a minimum:

6 (A) Functional performance criteria and technical
7 requirements for multilingual accessibility;

8 (B) Recommendations for procurement language that can
9 be incorporated into existing state procurement
10 processes to conform to multilingual
11 accessibility standards; and

12 (C) Recommendations for planning, reporting,
13 monitoring, and enforcement processes to ensure
14 that state entities implement the multilingual
15 accessibility standards.

16 (d) No later than six months after the publication of the
17 multilingual accessibility standards, each state entity shall
18 review the standards and revise the entity's existing
19 procurement and development rules, policies, and procedures to
20 incorporate the standards.



1 (e) The multilingual accessibility standards shall apply
2 to:

3 (1) All electronic information technology developed,
4 purchased, used, or provided by a state entity; and

5 (2) All substantial modifications made by a state entity
6 to electronic information technology.

7 (f) The office of enterprise technology services, in
8 consultation with the office of language access, shall review
9 the multilingual accessibility standards every three years after
10 the date of initial publication, or more frequently if the chief
11 information officer deems it necessary, and amend the standards
12 to reflect advances or changes in electronic information
13 technology rules or superseding federal rules, regulations, and
14 guidance. The chief information officer, in consultation with
15 the office of language access, may form a working group composed
16 of stakeholders to assist with carrying out the review and
17 amendments. Within six months of the publication of any amended
18 multilingual accessibility standards, each state entity shall
19 review the amended standards and shall revise the entity's
20 existing procurement and development rules, policies, and
21 procedures to incorporate the amended standards accordingly.



1 (g) As used in this Act:

2 "Accessibility" means the ability of a limited English
3 proficient person to receive, use, and manipulate data and
4 operate controls included in electronic information technology
5 in a manner equivalent to that of an individual who is English
6 proficient.

7 "Electronic information technology" means electronic
8 information, software, systems, and equipment used in the
9 creation, manipulation, storage, display, or transmission of
10 data, including:

- 11 (1) Internet and intranet systems;
- 12 (2) Websites and interfaces;
- 13 (3) Software applications;
- 14 (4) Operating systems;
- 15 (5) Video and multimedia;
- 16 (6) Telecommunication products;
- 17 (7) Electronic and digital kiosks;
- 18 (8) Information transaction machines;
- 19 (9) Copiers and printers;
- 20 (10) Desktop and portable computers;
- 21 (11) Robotic process automation; and



S.B. NO. 814

Report Title:

Electronic Information Technology; Accessibility; Multilingual; Limited English Proficiency; Standards; Office of Enterprise Technology Services; Office of Language Access; Working Group; Procurement

Description:

Requires the Office of Enterprise Technology Services, in consultation with the Office of Language Access and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology multilingual accessibility standards to be implemented by all state entities.

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

