

STAND. COM. REP. NO.

1285

Honolulu, Hawaii

MAR 17 , 2023

RE: S.B. No. 384
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred S.B. No. 384, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ACCESS FOR DISABLED PERSONS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the counties to adopt ordinances for the enforcement of design and construction requirements for parking spaces for persons with disabilities required under the Americans with Disabilities Act of 1990 and any state laws or administrative rules; and
- (2) Authorize officials appointed by the counties to enter the property of a place of public accommodation to enforce violations of county ordinances.

Your Committee received testimony in support of this measure from the Hawaii State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, and one individual.

Your Committee finds that parking spaces reserved for persons with disabilities must comply with the Americans with Disabilities

2023-2608 SB384 HD1 HSCR HMSO



Act and any applicable state regulations. Your Committee further finds that although state law imposes a statutory penalty on private entities who fail to comply with state or federal regulations, the law does not designate a government authority to impose or collect a penalty for noncompliance. This measure is intended to ensure persons with disabilities have safe access to buildings and services in their communities by authorizing the counties to adopt and enforce ordinances related to designated accessible parking spaces in places of public accommodation.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 384, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 384, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health &
Homelessness,



DELLA AU BELATTI, Chair



