

STAND. COM. REP. NO.

1513

Honolulu, Hawaii

MAR 24, 2023

RE: S.B. No. 384
S.D. 1
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 384, S.D. 1, H.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 State Council on Developmental Disabilities, Disability and Communication Access Board, Hawaii Disability Rights Center, and two individuals.

Your Committee finds that although state law imposes a statutory penalty on private entities who fail to comply with

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state or federal regulations regarding the provision of parking spaces reserved for persons with disabilities, the law does not designate a government authority to impose or collect a penalty for noncompliance.

Your Committee has amended this measure by:

- (1) Deleting references to the Americans with Disabilities Act of 1990; 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 384, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 384, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



