

JAN 24 2024

A BILL FOR AN ACT

RELATING TO TELECOMMUNICATIONS ACCESS FOR INDIVIDUALS WITH PRINT
DISABILITIES.

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

1 SECTION 1. The legislature finds that the public utilities
2 commission provides critical services that ensure access to a
3 basic set of essential telecommunications services for
4 individuals who are blind or visually impaired.

5 In 2023, the governor signed Act 247, Session Laws of
6 Hawaii 2023, into law, appropriating funds out of the public
7 utilities commission special fund for the public utilities
8 commission to provide free telecommunications access to certain
9 information for persons with a print disability. Act 247
10 provided \$150,000 for both fiscal year 2023-2024 and fiscal year
11 2024-2025. The legislature finds that Act 247 provides funding
12 for an important service that would be most appropriately funded
13 on an ongoing basis directly by telecommunication carriers whose
14 services are being supplemented rather than through the public
15 utilities commission special fund, which is largely funded
16 through a surcharge to electric ratepayers. The public

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1 utilities commission's program will enhance the ho'opono services
2 currently administered by the department of human services.

3 The legislature further finds that section 269-41, Hawaii
4 Revised Statutes, established the universal service program, the
5 purpose of which, in relevant part, is to, assist customers with
6 disabilities, in obtaining and maintaining access to a basic set
7 of essential telecommunications services as determined by the
8 commission. Additionally, section 269-42(e), Hawaii Revised
9 Statutes, requires the public utilities commission to require
10 all telecommunications carriers to contribute to the universal
11 service program. However, the universal service program is
12 currently not active and there are no funds in the universal
13 service fund. The public utilities commission also lacks clear
14 legislative authorization to develop a program for print
15 disability using the universal service fund. Further, the
16 public utilities commission does not have budget authorization
17 to expend funds for such purpose.

18 The purpose of this Act, therefore, is to clarify that,
19 under the universal service program, the public utilities
20 commission may provide free telephonic access and
21 telecommunication services for individuals with print
22 disabilities utilizing the universal service fund and may

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1 determine the percentage of certain fees collected to be
2 deposited into the universal service fund. This Act also
3 authorizes the public utilities commission to expend funds from
4 the universal service fund for the provision of services for
5 individuals with print disabilities.

6 SECTION 2. Chapter 269, Hawaii Revised Statutes, is
7 amended by adding to part I a new section to be appropriately
8 designated and to read as follows:

9 "§269- Universal service program; access for individuals
10 with print disabilities. (a) Under the universal service
11 program, the public utilities commission may use available funds
12 from the universal service fund to provide free telephonic
13 access to time-sensitive information, including but not limited
14 to state and local government information, public notices,
15 emergency alerts, job opportunities, daily newspapers, and other
16 content, to allow individuals who are blind or visually impaired
17 to access information and services, so long as the amount of
18 funds expended from the universal service fund does not exceed
19 \$. The telephonic access shall be configured accessible
20 to and usable by persons with print disabilities.

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Report Title:

Public Utilities Commission; Telecommunications Access; Print Disabilities

Description:

Clarifies that the Public Utilities Commission under the Universal Service Program may provide, and may use funds from the Universal Service Fund to provide, free telecommunications access to certain individuals with a print disability.

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

JUSTIFICATION SHEET

DEPARTMENT: Commerce and Consumer Affairs

TITLE: A BILL FOR AN ACT RELATING TO TELECOMMUNICATIONS ACCESS FOR INDIVIDUALS WITH PRINT DISABILITIES.

PURPOSE: To clarify that, under the Universal Service Program, the Public Utilities Commission (Commission) may provide free telephonic access and telecommunication services for individuals with print disabilities utilizing the Universal Service Fund; and the Commission may determine the percentage of certain fees collected to be deposited into the Universal Service Fund to be used for the implementation of the program, and expend such funds.

MEANS: Add a new section to part I of chapter 269, Hawaii Revised Statutes.

JUSTIFICATION: Act 247, Session Laws of Hawaii 2023, appropriated funds from the Public Utilities Commission Special Fund for the Commission to provide free telecommunications access to certain information for persons with a print disability. This bill will ensure continuation of the ongoing services specified in Act 247 and uses the Universal Service Fund to implement the program.

Impact on the public: Secures telephonic access and telecommunication services for individuals with print disabilities, subject to available funding.

Impact on the department and other agencies: The Commission will be able to use the Universal Service Fund supported by telecommunications carriers' contributions rather than the Public Utilities Special Fund. The Commission's program will enhance the Ho'opono Services currently administered by the Department of Human Services.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: CCA901.

OTHER AFFECTED
AGENCIES: Department of Human Services.

EFFECTIVE DATE: Upon approval.