
A BILL FOR AN ACT

RELATING TO RECREATIONAL FACILITIES.

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

1 SECTION 1. The legislature finds that the lack of
2 disability-compatible equipment in department of education
3 playgrounds is having a negative impact on physically disabled
4 youth in the State. This causes disparate utilization of
5 recreational facilities and prevents opportunities for
6 socialization. It is important to comply with the Americans
7 with Disabilities Act. Disabled community members have rights
8 and it is important that these rights be recognized.

9 The purpose of this Act is to enhance the inclusion of
10 physically disabled youth in important socialization activities
11 by:

12 (1) Beginning on June 30, 2030, requiring all new
13 playgrounds constructed on department school grounds
14 to have a minimal set of accessible recreational
15 playground equipment; and



1 (2) Appropriating funds to the department of education to
2 purchase and install accessible recreational
3 playground equipment.

4 SECTION 2. Chapter 302A, Hawaii Revised Statutes, is
5 amended by adding a new subpart to part IV to be appropriately
6 designated and to read as follows:

7 " . **RIGHT TO PLAYGROUNDS ACCESSIBLE TO ALL YOUTH.**

8 **§302A-A Short title.** This subpart may be cited as the
9 Right to PLAY Act.

10 **§302A-B Definitions.** As used in this subpart:

11 "Accessible recreational playground equipment" means
12 recreational playground equipment that can be used by physically
13 disabled youth.

14 "Physically disabled" means having a physical impairment
15 that substantially limits one or more major life activities.

16 "Playground" means any public outdoor facility with
17 apparatuses that are intended for the recreation of children,
18 including but not limited to sliding boards, swing sets, and
19 teeterboards.

20 "Youth" means individuals under the age of eighteen.



1 **§302A-C Accessible recreational playground equipment**
2 **installation; minimum requirements.** (a) Beginning on June 30,
3 2030, every new playground constructed on department school
4 grounds shall include accessible recreational playground
5 equipment as part of the playground apparatuses.

6 (b) All accessible recreational playground equipment
7 installed pursuant to this section shall comply with the
8 standards set forth in the 2010 Americans with Disabilities Act
9 Standards for Accessible Design, or any successor or similar
10 guidelines or standards governing accessibility standards for
11 public facilities.

12 **§302A-D Accessible recreational playground equipment**
13 **special fund.** (a) There is established an accessible
14 recreational playground equipment special fund to be
15 administered by the department, which shall consist of moneys
16 appropriated to the fund by the legislature.

17 (b) Moneys from the accessible recreational playground
18 equipment special fund shall be expended by the department for
19 the acquisition, installation, and maintenance of accessible
20 recreational playground equipment.



1 (c) All unobligated, unencumbered, or unexpended funds
2 remaining in the fund in excess of \$ at the close of
3 each fiscal year shall lapse to the general fund.

4 **§302A-E Compliance with federal and state law.** All
5 accessible recreational playground equipment shall comply with
6 all applicable federal and state laws."

7 SECTION 3. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$ or so
9 much thereof as may be necessary for fiscal year 2025-2026 and
10 the same sum or so much thereof as may be necessary for fiscal
11 year 2026-2027 to be deposited into the accessible recreational
12 playground equipment special fund established pursuant to
13 section 302A-D, Hawaii Revised Statutes.

14 SECTION 4. There is appropriated out of the accessible
15 recreational playground equipment special fund the sum of
16 \$ or so much thereof as may be necessary for fiscal
17 year 2025-2026 and the same sum or so much thereof as may be
18 necessary for fiscal year 2026-2027 for the purchase and
19 installation of accessible recreational playground equipment on
20 department school grounds.



1 The sums appropriated shall be expended by the department
2 of education for the purposes of this Act.

3 SECTION 5. In codifying the new sections added by section
4 2 of this Act, the revisor of statutes shall substitute
5 appropriate section numbers for the letters used in designating
6 the new sections in this Act.

7 SECTION 6. This Act shall take effect on July 1, 3000.



Report Title:

Accessible Recreational Playground Equipment; Department School
Playgrounds; Special Fund; Appropriation

Description:

Beginning on 6/30/2030, requires all new playgrounds constructed
on Department of Education school grounds to include accessible
recreational playground equipment as part of the recreational
apparatuses. Establishes the Accessible Recreational Playground
Equipment Special Fund. Appropriates funds. Effective
7/1/3000. (HD2)

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not legislation or evidence of legislative intent.*

