
A BILL FOR AN ACT

RELATING TO DISABILITIES.

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

1 SECTION 1. The legislature finds that many state
2 facilities are not compliant with the federal Americans with
3 Disabilities Act of 1990, as amended (ADA). Compliance with the
4 ADA concerns the entire community and fulfills our duty to
5 recognize and uphold the rights and needs of our disabled
6 community members. Compliance with the ADA is mandatory, and the
7 legislature must ensure that state buildings and facilities meet
8 the needs of the entire community.

9 The legislature further finds that Title II of the ADA
10 requires that state and local governments provide people with
11 disabilities an equal opportunity to benefit from programs,
12 services, and activities, including public education,
13 employment, transportation, recreation, health care, social
14 services, courts, voting, and public meetings.

15 Title II of the ADA also requires state and local
16 governments to follow specific architectural standards in new
17 construction and alteration of their facilities. They must also



1 relocate programs or otherwise provide access in inaccessible
2 older buildings and communicate effectively with persons who
3 have hearing, vision, or speech disabilities. Public entities
4 are not required to take actions that would result in undue
5 financial and administrative burdens. They are, however,
6 required to make reasonable modifications to policies,
7 practices, and procedures as necessary to avoid discrimination,
8 unless they can demonstrate that doing so would fundamentally
9 alter the nature of the service, program, or activity being
10 provided.

11 The purpose of this Act is to require the department of
12 land and natural resources to evaluate and report on department
13 facilities that are not in compliance with the ADA.

14 SECTION 2. The department of land and natural resources
15 shall conduct an evaluation of its facilities for compliance
16 with Title II of the Americans with Disabilities Act of 1990, as
17 amended, and compile a list of facilities that are
18 non-compliant. The department shall report its findings to the
19 legislature by November 1, 2025.



1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

Jeremy Amato

JAN 21 2025



H.B. NO. 868

Report Title:

DLNR; ADA; Compliance; Report

Description:

Requires the Department of Land and Natural Resources to evaluate its facilities for compliance with the Americans with Disabilities Act and compile a list of non-compliant facilities. Requires report to the Legislature.

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