

JAN 17 2025

A BILL FOR AN ACT

RELATING TO GOVERNMENT RECORDS.

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

1 SECTION 1. The legislature finds that the federal
2 Americans with Disabilities Act of 1990 requires all state and
3 local governments to ensure that their programs, services and
4 activities are accessible for people with disabilities. The
5 legislature finds however, that certain government records,
6 including documents and media presentations, that are required
7 to be made accessible to the public are often not readily
8 available to individuals with communication disabilities, such
9 as people who have vision, hearing, or speech disabilities. The
10 legislature also finds that there is a lack of clarity in the
11 existing standard operating procedures of state and county
12 governmental agencies for processing requests for document
13 conversion into disability-accessible formats.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Beginning January 1, 2027, require all government
16 records required to be open to public inspection under
17 the uniform information practices act to be made



1 available in a disability-accessible format upon
2 request;

3 (2) Require the governor, chief justice, and mayor of each
4 county to designate at least one agency within their
5 respective government unit as a converting agency
6 responsible for converting government records into a
7 disability-accessible format upon request; and

8 (3) Establish the process by which government records
9 shall be converted into disability-accessible format
10 upon request.

11 SECTION 2. Chapter 92F, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 **"§92F- Government records; conversion to**
15 **disability-accessible format.** (a) Beginning January 1, 2027,
16 all government records required to be open to public inspection
17 pursuant to this chapter shall be made available in a
18 disability-accessible format upon request.

19 (b) The governor, chief justice, and mayor of each county
20 shall designate an agency within their respective government
21 unit as a converting agency responsible for converting



1 government records into a disability-accessible format pursuant
2 to this section; provided that additional agencies may be
3 designated as a converting agency to ensure a timely response.

4 (c) An initiating agency, upon request by any person for
5 inspection of government records in a disability-accessible
6 format shall, in a timely manner:

7 (1) Retrieve the requested government record;

8 (2) File a request for conversion with the converting
9 agency accompanied by the retrieved government record
10 in a clear and easily convertible format; and

11 (3) Furnish the requesting person with the requested
12 government record in the format requested.

13 (d) The converting agency, upon request by an initiating
14 agency pursuant to subsection (c), shall accurately convert the
15 government records into the format requested and furnish the
16 initiating agency with the converted records in a timely manner.

17 (e) The converting agencies may consult with the
18 disability communications access board to effectuate the
19 purposes of this Act.

20 (f) Nothing in this section shall be construed to hold the
21 initiating agency liable for failure to respond to a request for



1 government records in a disability-accessible format in a timely
2 manner; provided that the initiating agency filed a request for
3 conversion and provided the converting agency with the requested
4 government record in a clear and easily convertible format in a
5 timely manner.

6 (g) The office of information practices, judiciary, and
7 each county shall adopt rules, regulations, or ordinances
8 necessary to carry out the purposes of this section; provided
9 that the time period within which an initiating agency shall
10 respond to requests for government records shall be extended by
11 five business days if the requested record is to be furnished in
12 a disability-accessible format; provided further that the
13 extension of time shall not apply to requests for government
14 records pertaining to board meetings.

15 (h) For the purposes of this section:

16 "Assistive technology" means software or equipment used to
17 support the functional capabilities of an individual with a
18 disability.

19 "Board meeting" has the same meaning as "meeting" defined
20 in section 92-2.



1 "Converting agency" means an agency designated pursuant to
2 section (b) to convert government records into a
3 disability-accessible format pursuant to this section.

4 "Disability-accessible format" means any communication
5 method used to provide an individual with a disability access to
6 information that is equally effective as a communication method
7 provided to an individual without a disability, including
8 formats that support assistive technology available to and used
9 by individuals with disabilities.

10 "Initiating agency" means an agency that receives a request
11 for government records in a disability-accessible format."

12 SECTION 3. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so
14 much thereof as may be necessary for fiscal year 2025-2026 and
15 the same sum or so much thereof as may be necessary for fiscal
16 year 2026-2027 for the converting agency of the executive branch
17 of the State to implement this Act, including:

18 (1) The procurement of necessary equipment and training;
19 and



1 (2) Establishment of 0.5 full-time equivalent (0.5 FTE)
2 position to assist the converting agency to implement
3 this Act;
4 provided that the requests for proposals for equipment and
5 training shall be issued no earlier than January 1, 2026, and no
6 later than March 31, 2026; provided further that the requests
7 for proposals may be issued jointly by the executive and
8 judicial branches of the State and all counties.

9 The sums appropriated shall be expended by the office of
10 the governor for the purposes of this Act.

11 SECTION 4. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2025-2026 and
14 the same sum or so much thereof as may be necessary for fiscal
15 year 2026-2027 for the converting agency of the judiciary to
16 implement this Act, including:

17 (1) The procurement of necessary equipment and training;
18 and

19 (2) Establishment of 0.5 full-time equivalent (0.5 FTE)
20 position to assist the converting agency to implement
21 this Act;



1 provided that the requests for proposals for equipment and
2 training shall be issued no earlier than January 1, 2026, and no
3 later than March 31, 2026; provided further that the requests
4 for proposals may be issued jointly by the executive and
5 judicial branches of the State and all counties.

6 The sums appropriated shall be expended by the judiciary
7 for the purposes of this Act.

8 SECTION 5. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so
10 much thereof as may be necessary for fiscal year 2025-2026 and
11 the same sum or so much thereof as may be necessary for fiscal
12 year 2026-2027 as a grant-in-aid for the converting agency of
13 each county to implement this Act, to be allocated as follows:

14 (1) \$ to the county of Hawaii;

15 (2) \$ to the county of Kauai;

16 (3) \$ to the county of Maui; and

17 (4) \$ to the city and county of Honolulu,

18 for the procurement of necessary equipment and training and
19 establishment of 0.5 full-time equivalent (0.5 FTE) position to
20 assist the converting agency of each county to implement this
21 Act; provided that the requests for proposals for equipment and



1 training shall be issued no earlier than January 1, 2026, and no
2 later than March 1, 2026; provided further that the requests for
3 proposals may be issued jointly by the executive and judicial
4 branches of the State and all counties.

5 The sums appropriated shall be expended by each county for
6 the purposes of this Act.

7 SECTION 9. New statutory material is underscored.

8 SECTION 10. This Act shall take effect on July 1, 2025.

9

INTRODUCED BY: _____

Karl Rhoads



S.B. NO. 786

Report Title:

Governor; Judiciary; Counties; OIP; DCAB; Uniform Information Practices Act; Government Records; Conversion to Disability-Accessible Format; Converting Agency; Rules; Appropriations

Description:

Beginning 1/1/2027, requires all government records required to be open to public inspection under the Uniform Information Practices Act to be made available in a disability-accessible format upon request. Requires the Governor, Chief Justice, and Mayor of each county to designate at least one agency within their respective government unit as a converting agency responsible for converting government records into a disability-accessible format. Establishes the process by which government records shall be converted into disability-accessible format upon request. Allows the converting agencies to consult with the Disability Communications Access Board. Requires the Office of Information Practices, Judiciary, and each county to adopt rules, regulations, or ordinances, including a provision that extends the time within which an agency must respond to requests for government records by 5 business days for records in disability-accessible formats, with exceptions for records pertaining to board meetings. Appropriates funds.

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

