

JAN 28 2026

A BILL FOR AN ACT

RELATING TO THE STATEWIDE INDEPENDENT LIVING COUNCIL.

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

1 SECTION 1. The legislature finds that the Rehabilitation
2 Act of 1973, P.L. 93-112, as amended by the Workforce Innovation
3 and Opportunity Act of 2014, P.L. 113-128, requires each state
4 to establish and maintain a statewide independent living council
5 as a condition of receiving federal assistance for independent
6 living services.

7 The legislature further finds that the State established
8 its statewide independent living council in 1998 as a nonprofit
9 organization under section 510(c)(3) of the Internal Revenue
10 Code of 1986, as amended, and that this council has served the
11 State's independent living community for over twenty-five years.

12 The legislature further finds that federal law prohibits
13 the statewide independent living council from being established
14 as an entity within a state agency and requires that the council
15 maintain its independence and autonomy.

16 The legislature recognizes that codifying the State's
17 recognition of the Statewide Independent Living Council of



1 Hawaii will provide greater permanence, stability, and
2 institutional support for independent living services and the
3 rights of individuals with disabilities in the State.

4 Accordingly, the purpose of this Act is to provide
5 statutory recognition of the Statewide Independent Living
6 Council of Hawaii and to designate the department of human
7 services, division of vocational rehabilitation, as the
8 designated state entity for the purposes of compliance with
9 federal independent living requirements.

10 SECTION 2. Chapter 348, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§348- Statewide independent living council. (a) The
14 State recognizes and designates the Statewide Independent Living
15 Council of Hawaii, a nonprofit organization organized under
16 section 501(c)(3) of the Internal Revenue Code of 1986, as
17 amended, as the State's statewide independent living council for
18 the purposes of compliance with title 29, United States Code,
19 section 796d.

20 (b) The council shall operate independently and
21 autonomously and shall not be established as an entity within



1 any state agency, consistent with title 29, United States Code,
2 section 796d.

3 (c) The council's composition, appointment process,
4 duties, and functions shall be established in accordance with
5 the requirements of title 29, United States Code, section 796d.

6 (d) The council, in partnership with the centers for
7 independent living and the designated state entity, shall
8 jointly develop, monitor, and evaluate the state plan for
9 independent living.

10 (e) The department of human services division of
11 vocational rehabilitation shall serve as the designated state
12 entity pursuant to title 29, United States Code, section 796c
13 and title 45, United States Code of Federal Regulations,
14 sections 1329.11 and 1329.12.

15 (f) The governor shall appoint members of the council in
16 accordance with federal requirements and in consultation with
17 the council, centers for independent living, and individuals
18 with disabilities throughout the State.

19 (g) The council may receive and expend federal funds,
20 state funds, and private donations for the purpose of carrying
21 out its duties under federal law and this section.



S.B. NO. 3244

(h) As used in this section:

"Centers for independent living" means community-based cross-disability, nonresidential private nonprofit agencies that are designed and operated within a local community by individuals with disabilities and provide an array of independent living services.


"Council" means the Statewide Independent Living Council of Hawaii.

"Designated state entity" means the state agency designated to receive and distribute federal independent living funds and provide administrative support pursuant to federal law.

"State plan for independent living" means the plan developed pursuant to title 29, United States Code, section 796c that establishes the design and operation of the statewide independent living program."

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: 



S.B. NO. 3244

Report Title:

Statewide Independent Living Council; Vocational Rehabilitation

Description:

Designates the Statewide Independent Living Council of Hawaii as the State's statewide independent living council to comply with federal requirements.

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