

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1359

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

July 14, 2026

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on July 14, 2026, the following bill was signed into law:

S.B. NO. 2852, S.D. 1, H.D. 2,
C.D. 1

RELATING TO CIVIL RIGHTS.
ACT 257

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D.".

Josh Green, M.D.
Governor, State of Hawai'i

Approved by the Governor

on JUL 14 2026

THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

ACT 257

S.B. NO. 2852
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO CIVIL RIGHTS.

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

1 SECTION 1. The legislature finds that the information age
2 is changing how providers of public accommodations and public
3 services communicate with their customers. Many service
4 providers use websites, software applications, and other
5 technologies to take reservations, display menus, take orders,
6 make sales, and provide product information.

7 The legislature recognizes that ready access to, and the
8 ability to use, information and communication technology is
9 essential to allow all citizens to fully engage with and enjoy
10 public goods, services, facilities, privileges, advantages, and
11 accommodations. However, the legislature is aware that some
12 websites and applications used by public accommodation providers
13 in the State are not accessible to persons with disabilities,
14 denying them full and equal access.

15 The legislature also recognizes that existing federal and
16 state laws that prohibit discrimination in public accommodations
17 based on disability could better inform providers of public



1 accommodations and benefit persons with disabilities by
2 clarifying requirements for electronic access.

3 The legislature further finds that the technical standards,
4 definitions, compliance schedules, and enforcement procedures
5 necessary to implement digital accessibility requirements are
6 regulatory in nature. These matters are best addressed through
7 administrative rulemaking, which allows for public participation
8 by persons with disabilities, businesses of all sizes, and other
9 interested parties, and allows for updating as technology
10 evolves.

11 The legislature additionally finds that the Hawaii civil
12 rights commission has existing statutory authority to define,
13 implement, and enforce the prohibition against discriminatory
14 practices by places of public accommodation, and that this
15 authority extends to discriminatory practices carried out
16 through information and communication technology. Explicit
17 rulemaking authority will confirm and give effect to that
18 authority and provide clear, workable guidance to the disability
19 community and business community.



1 The legislature notes that a working draft of proposed
2 rules has been prepared for consideration by the Hawaii civil
3 rights commission.

4 Accordingly, the purpose of this Act is to:

- 5 (1) Direct the Hawaii civil rights commission to adopt
6 rules implementing the prohibition against the use of
7 inaccessible information and communication technology,
8 consistent with the United States Department of
9 Justice Title II web accessibility framework; and
10 (2) Establish that it is an unlawful discriminatory
11 practice for a place of public accommodation to deny a
12 person with a disability full and equal enjoyment of
13 the goods, services, facilities, privileges,
14 advantages, or accommodations of a place of public
15 accommodation, or information related thereto, by
16 requiring the use of information and communication
17 technology that is not accessible to the person with a
18 disability.

19 SECTION 2. Chapter 489, Hawaii Revised Statutes, is
20 amended by adding a new section to be appropriately designated
21 and to read as follows:



1 **"§489- Digital accessibility; rulemaking. (a) The**
2 civil rights commission shall adopt rules pursuant to chapter 91
3 to implement the prohibition established in section 489-5(c).

4 (b) The rules adopted pursuant to this section shall be
5 consistent with the web accessibility framework established by
6 the United States Department of Justice in its Title II final
7 rule on web accessibility, title 28 Code of Federal Regulations
8 part 35, as in effect on June 24, 2024.

9 (c) A violation of rules adopted pursuant to this section
10 shall constitute an unlawful discriminatory practice under this
11 chapter, subject to all remedies available under this chapter.
12 The civil rights commission shall process complaints alleging
13 such violations pursuant to its authority under this chapter and
14 its procedural rules under chapter 368."

15 SECTION 3. Section 489-5, Hawaii Revised Statutes, is
16 amended to read as follows:

17 **"§489-5 Other discriminatory practices. (a) It [~~is~~]**
18 shall be a discriminatory practice for two or more persons to
19 conspire[+] to:



1 (1) ~~[To retaliate]~~ Retaliate or discriminate against a
2 person because the person has opposed an unfair
3 discriminatory practice;

4 (2) ~~[To aid,]~~ Aid, abet, incite, or coerce a person to
5 engage in a discriminatory practice; or

6 (3) Wilfully~~[, to]~~ obstruct~~[,]~~ or prevent~~[,]~~ a person from
7 complying with this chapter.

8 (b) It ~~[is]~~ shall be a discriminatory practice to deny a
9 person the full and equal enjoyment of the goods, services,
10 facilities, privileges, advantages, and accommodations of a
11 place of public ~~[accommodations]~~ accommodation because of the
12 known disability of an individual with whom the person is known
13 to have a relationship or association.

14 (c) It shall be a discriminatory practice to deny a person
15 with a disability full and equal enjoyment of the goods,
16 services, facilities, privileges, advantages, or accommodations
17 of a place of public accommodation, or information related to
18 the goods, services, facilities, privileges, advantages, or
19 accommodations, by requiring the use of information and
20 communication technology that is not accessible to the person."

1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.



S.B. NO. 2852
S.D. 1
H.D. 2
C.D. 1

APPROVED this 14th day of July, 2026

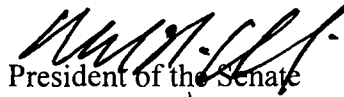
A handwritten signature in black ink, appearing to read "Jon L. Green". The signature is fluid and cursive, with the first name "Jon" being the most prominent.

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 6, 2026
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate
of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2026.


President of the Senate


Clerk of the Senate

SB No. 2852, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.

A handwritten signature in black ink, reading "Nadine K. Nakamura" with a long horizontal flourish at the end.

Nadine K. Nakamura
Speaker
House of Representatives

A handwritten signature in black ink, reading "Brian L. Takeshita" with a stylized flourish at the end.

Brian L. Takeshita
Chief Clerk
House of Representatives