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# A BILL FOR AN ACT

RELATING TO DISASTER SERVICES.

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

1           SECTION 1. The legislature finds that one in five Hawaii  
2 residents has a disability, and many require functional or  
3 access support before, during, and after disasters. These  
4 individuals often encounter disproportionate risks, including  
5 difficulty evacuating without proper supports; lack of  
6 accessible transportation; barriers to receiving emergency  
7 alerts and evacuation orders in formats that they can  
8 understand; and obstacles in accessing shelters, emergency  
9 medical care, and post-disaster relief programs, such as  
10 housing, food, and financial assistance.

11           The legislature further finds that in the immediate  
12 aftermath of the 2023, Maui wildfires, many individuals with  
13 disabilities faced significant impediments to accessing  
14 emergency shelters and services. Shelters often lacked physical  
15 accessibility, disability-trained staff, and coordinated  
16 resources to address medical and functional needs. Nonprofit  
17 organizations and community members stepped in to fill these



1 gaps; however, the lack of a planned, coordinated response by  
2 state and county agencies highlighted systemic inequities in  
3 disaster preparedness and response for individuals with  
4 disabilities.

5 The legislature additionally finds that although the  
6 legislature passed Act 210, Session Laws of Hawaii 2024, to  
7 establish a limited English proficiency language access  
8 coordinator within the Hawaii emergency management agency, that  
9 position addresses only the needs of limited English proficient  
10 individuals under state and federal language access laws.  
11 Importantly, American Sign Language does not fall under the  
12 language access law, as American Sign Language is not a foreign  
13 language but a distinct language of the deaf community. The  
14 rights of individuals who are deaf, hard of hearing, blind, or  
15 have other disabilities fall within the scope of the Americans  
16 with Disabilities Act, not language access statutes.

17 Accordingly, there remains a critical gap in disaster  
18 services planning and response for individuals with  
19 disabilities, including those who use American Sign Language and  
20 those with access and functional needs. A disability  
21 integration specialist position, serving as the State's



1 emergency management specialist within the Hawaii emergency  
2 management agency, is necessary to ensure compliance with the  
3 Americans with Disabilities Act and related federal and state  
4 disability laws, coordinate disability-related planning, advise  
5 on current best and promising practices, and guarantee  
6 accessible disaster services for all individuals with  
7 disabilities and access and functional needs.

8       Furthermore, the legislature finds that section 308 of the  
9 Robert T. Stafford Disaster Relief and Emergency Assistance Act  
10 (Stafford Act, Public Law 93-288, as amended) requires entities  
11 receiving Federal Emergency Management Agency funding to ensure  
12 equitable access to disaster services for individuals with  
13 disabilities. Federal Emergency Management Agency guidance also  
14 requires disability integration throughout emergency management,  
15 emphasizing planning, preparedness, response, recovery, and  
16 mitigation.

17       Therefore, the purpose of this Act is to:

- 18       (1) Add disability- and access-and-functional-needs-  
19             related planning, preparedness, response, recovery,  
20             and mitigation to the designated functions of the  
21             Hawaii emergency management agency; and



1           (2) Appropriate funds to the Hawaii emergency management  
2           agency for the establishment of a disability  
3           integration specialist, who shall serve as the  
4           emergency management specialist and provide  
5           programming support for disability and access and  
6           functional needs community projects that promote  
7           accessibility, inclusion, and equity in disaster  
8           management.

9           SECTION 2. Section 76-16, Hawaii Revised Statutes, is  
10          amended by amending subsection (b) to read as follows:

11          "(b) The civil service to which this chapter applies shall  
12          comprise all positions in the State now existing or hereafter  
13          established and embrace all personal services performed for the  
14          State, except the following:

15           (1) Commissioned and enlisted personnel of the Hawaii  
16           National Guard and positions in the Hawaii National  
17           Guard that are required by state or federal laws or  
18           regulations or orders of the National Guard to be  
19           filled from those commissioned or enlisted personnel;

20           (2) Positions filled by persons employed by contract where  
21           the director of human resources development has



- 1 certified that the service is special or unique or is  
2 essential to the public interest and that, because of  
3 circumstances surrounding its fulfillment, personnel  
4 to perform the service cannot be obtained through  
5 normal civil service recruitment procedures. Any  
6 contract may be for any period not exceeding one year;
- 7 (3) Positions that must be filled without delay to comply  
8 with a court order or decree if the director  
9 determines that recruitment through normal recruitment  
10 civil service procedures would result in delay or  
11 noncompliance, such as the Felix-Cayetano consent  
12 decree;
- 13 (4) Positions filled by the legislature or by either house  
14 or any committee thereof;
- 15 (5) Employees in the office of the governor and office of  
16 the lieutenant governor, and household employees at  
17 Washington Place;
- 18 (6) Positions filled by popular vote;
- 19 (7) Department heads, officers, and members of any board,  
20 commission, or other state agency whose appointments



1 are made by the governor or are required by law to be  
2 confirmed by the senate;

3 (8) Judges, referees, receivers, masters, jurors, notaries  
4 public, land court examiners, court commissioners, and  
5 attorneys appointed by a state court for a special  
6 temporary service;

7 (9) One bailiff for the chief justice of the supreme court  
8 who shall have the powers and duties of a court  
9 officer and bailiff under section 606-14; one  
10 secretary or clerk for each justice of the supreme  
11 court, each judge of the intermediate appellate court,  
12 and each judge of the circuit court; one secretary for  
13 the judicial council; one deputy administrative  
14 director of the courts; three law clerks for the chief  
15 justice of the supreme court, two law clerks for each  
16 associate justice of the supreme court and each judge  
17 of the intermediate appellate court, one law clerk for  
18 each judge of the circuit court, two additional law  
19 clerks for the civil administrative judge of the  
20 circuit court of the first circuit, two additional law  
21 clerks for the criminal administrative judge of the



1 circuit court of the first circuit, one additional law  
2 clerk for the senior judge of the family court of the  
3 first circuit, two additional law clerks for the civil  
4 motions judge of the circuit court of the first  
5 circuit, two additional law clerks for the criminal  
6 motions judge of the circuit court of the first  
7 circuit, and two law clerks for the administrative  
8 judge of the district court of the first circuit; and  
9 one private secretary for the administrative director  
10 of the courts, the deputy administrative director of  
11 the courts, each department head, each deputy or first  
12 assistant, and each additional deputy, or assistant  
13 deputy, or assistant defined in paragraph (16);  
14 (10) First deputy and deputy attorneys general, the  
15 administrative services manager of the department of  
16 the attorney general, one secretary for the  
17 administrative services manager, an administrator and  
18 any support staff for the criminal and juvenile  
19 justice resources coordination functions, and law  
20 clerks;





1 agents, personnel engaged in instructional work,  
2 and administrative, professional, and technical  
3 personnel of the university;

4 (12) Employees engaged in special, research, or  
5 demonstration projects approved by the governor;

6 (13) (A) Positions filled by inmates, patients of state  
7 institutions, and persons with severe physical or  
8 mental disabilities participating in the work  
9 experience training programs;

10 (B) Positions filled with students in accordance with  
11 guidelines for established state employment  
12 programs; and

13 (C) Positions that provide work experience training  
14 or temporary public service employment that are  
15 filled by persons entering the workforce or  
16 persons transitioning into other careers under  
17 programs such as the federal Workforce Investment  
18 Act of 1998, as amended, or the Senior Community  
19 Service Employment Program of the Employment and  
20 Training Administration of the United States



1 Department of Labor, or under other similar state  
2 programs;

3 (14) A custodian or guide at Iolani Palace, the Royal  
4 Mausoleum, and Hulihee Palace;

5 (15) Positions filled by persons employed on a fee,  
6 contract, or piecework basis, who may lawfully perform  
7 their duties concurrently with their private business  
8 or profession or other private employment and whose  
9 duties require only a portion of their time, if it is  
10 impracticable to ascertain or anticipate the portion  
11 of time to be devoted to the service of the State;

12 (16) Positions of first deputies or first assistants of  
13 each department head appointed under or in the manner  
14 provided in section 6, article V, of the Hawaii State  
15 Constitution; three additional deputies or assistants  
16 either in charge of the highways, harbors, and  
17 airports divisions or other functions within the  
18 department of transportation as may be assigned by the  
19 director of transportation, with the approval of the  
20 governor; one additional deputy in the department of  
21 human services either in charge of welfare or other



1 functions within the department as may be assigned by  
2 the director of human services; four additional  
3 deputies in the department of health, each in charge  
4 of one of the following: behavioral health,  
5 environmental health, hospitals, and health resources  
6 administration, including other functions within the  
7 department as may be assigned by the director of  
8 health, with the approval of the governor; two  
9 additional deputies in charge of the law enforcement  
10 programs, administration, or other functions within  
11 the department of law enforcement as may be assigned  
12 by the director of law enforcement, with the approval  
13 of the governor; three additional deputies each in  
14 charge of the correctional institutions,  
15 rehabilitation services and programs, and  
16 administration or other functions within the  
17 department of corrections and rehabilitation as may be  
18 assigned by the director of corrections and  
19 rehabilitation, with the approval of the governor; two  
20 administrative assistants to the state librarian; and



- 1 an administrative assistant to the superintendent of  
2 education;
- 3 (17) Positions specifically exempted from this part by any  
4 other law; provided that:
- 5 (A) Any exemption created after July 1, 2014, shall  
6 expire three years after its enactment unless  
7 affirmatively extended by an act of the  
8 legislature; and
- 9 (B) All of the positions defined by paragraph (9)  
10 shall be included in the position classification  
11 plan;
- 12 (18) Positions in the state foster grandparent program and  
13 positions for temporary employment of senior citizens  
14 in occupations in which there is a severe personnel  
15 shortage or in special projects;
- 16 (19) Household employees at the official residence of the  
17 president of the university of Hawaii;
- 18 (20) Employees in the department of education engaged in  
19 the supervision of students during meal periods in the  
20 distribution, collection, and counting of meal



- 1 tickets, and in the cleaning of classrooms after  
2 school hours on a less than half-time basis;
- 3 (21) Employees hired under the tenant hire program of the  
4 Hawaii public housing authority; provided that no more  
5 than twenty-six per cent of the authority's workforce  
6 in any housing project maintained or operated by the  
7 authority shall be hired under the tenant hire  
8 program;
- 9 (22) Positions of the federally funded expanded food and  
10 nutrition program of the university of Hawaii that  
11 require the hiring of nutrition program assistants who  
12 live in the areas they serve;
- 13 (23) Positions filled by persons with severe disabilities  
14 who are certified by the state vocational  
15 rehabilitation office that they are able to perform  
16 safely the duties of the positions;
- 17 (24) The sheriff;
- 18 (25) A gender and other fairness coordinator hired by the  
19 judiciary;
- 20 (26) Positions in the Hawaii National Guard youth and adult  
21 education programs;



- 1 (27) In the Hawaii state energy office in the department of  
2 business, economic development, and tourism, all  
3 energy program managers, energy program specialists,  
4 energy program assistants, and energy analysts;
- 5 (28) Administrative appeals hearing officers in the  
6 department of human services;
- 7 (29) In the Med-QUEST division of the department of human  
8 services, the division administrator, finance officer,  
9 health care services branch administrator, medical  
10 director, and clinical standards administrator;
- 11 (30) In the director's office of the department of human  
12 services, the enterprise officer, information security  
13 and privacy compliance officer, security and privacy  
14 compliance engineer, security and privacy compliance  
15 analyst, information technology implementation  
16 manager, assistant information technology  
17 implementation manager, resource manager, community or  
18 project development director, policy director, special  
19 assistant to the director, and limited English  
20 proficiency project manager or coordinator;



- 1           (31) The Alzheimer's disease and related dementia services  
2                    coordinator in the executive office on aging;
- 3           (32) In the Hawaii emergency management agency, the  
4                    executive officer, public information officer, civil  
5                    defense administrative officer, branch chiefs,  
6                    disability integration specialist, and emergency  
7                    operations center state warning point personnel;  
8                    provided that for state warning point personnel, the  
9                    director shall determine that recruitment through  
10                  normal civil service recruitment procedures would  
11                  result in delay or noncompliance;
- 12          (33) The executive director and seven full-time  
13                  administrative positions of the school facilities  
14                  authority;
- 15          (34) Positions in the Mauna Kea stewardship and oversight  
16                  authority;
- 17          (35) In the office of homeland security of the department  
18                  of law enforcement, the statewide interoperable  
19                  communications coordinator;
- 20          (36) In the social services division of the department of  
21                  human services, the business technology analyst;



- 1 (37) The executive director and staff of the 911 board;
- 2 (38) The software developer supervisor and senior software
- 3 developers in the department of taxation;
- 4 (39) In the department of law enforcement, five Commission
- 5 on Accreditation for Law Enforcement Agencies, Inc.,
- 6 coordinator positions;
- 7 (40) The state fire marshal and deputy state fire marshal
- 8 in the office of the state fire marshal;
- 9 (41) The administrator for the law enforcement standards
- 10 board;
- 11 (42) In the office of the director of taxation, the data
- 12 privacy officer and tax business analysts; and
- 13 [+] (43) [+] All positions filled by the Hawaii tourism authority
- 14 within the department of business, economic
- 15 development, and tourism.

16 The director shall determine the applicability of this  
 17 section to specific positions.

18 Nothing in this section shall be deemed to affect the civil  
 19 service status of any incumbent as it existed on July 1, 1955."

20 SECTION 3. Section 127A-3, Hawaii Revised Statutes, is  
 21 amended by amending subsection (e) to read as follows:



1           "(e) The agency shall perform emergency management  
2 functions within the territorial limits of the State. In  
3 performing its duties, the agency shall:

- 4           (1) Prepare a state comprehensive emergency management  
5 plan, which shall be integrated into and coordinated  
6 with the emergency management plans of the federal  
7 government. The plan shall be integrated by a  
8 continuous, integrated comprehensive emergency  
9 management program. The plan shall contain provisions  
10 to ensure that the State prepares for, mitigates  
11 against, responds to, and recovers from emergencies  
12 and minor, major, and catastrophic disasters. In  
13 preparing and maintaining the plan, the agency shall  
14 work closely with agencies and organizations with  
15 emergency management responsibilities;
- 16           (2) Assign lead and support responsibilities to state  
17 agencies and personnel for emergency management  
18 functions and other support activities;
- 19           (3) Adopt standards and requirements for county emergency  
20 management plans. The standards and requirements  
21 shall ensure that county plans are coordinated and



- 1 consistent with the state comprehensive emergency  
2 management plan;
- 3 (4) Make recommendations to the legislature, building code  
4 organizations, and counties for zoning, building, and  
5 other land use controls; and other preparedness,  
6 prevention, and mitigation measures designed to  
7 eliminate emergencies or reduce their impact;
- 8 (5) Anticipate trends and promote innovations that will  
9 enhance the emergency management system;
- 10 (6) Institute statewide public awareness programs. This  
11 shall include intensive public educational campaigns  
12 on emergency preparedness issues, including but not  
13 limited to the personal responsibility of individual  
14 citizens to be self-sufficient for up to fourteen days  
15 following a natural or human-caused disaster;
- 16 (7) Coordinate federal, state, and local emergency  
17 management activities and take all other steps,  
18 including the partial or full mobilization of  
19 emergency management forces and organizations in  
20 advance of an actual emergency, to ensure the  
21 availability of adequately trained and equipped forces



1 of emergency management personnel before, during, and  
2 after emergencies and disasters;

3 (8) Implement training programs to improve the ability of  
4 state and local emergency management personnel to  
5 prepare and implement emergency management plans and  
6 programs. This shall include a continuous training  
7 program for agencies and individuals that will be  
8 called on to perform key roles in state and local  
9 post-disaster response and recovery efforts and for  
10 local government personnel on federal and state post-  
11 disaster response and recovery strategies and  
12 procedures;

13 (9) Adopt standards and requirements for state agency  
14 emergency operating procedures and periodically review  
15 emergency operating procedures of state agencies and  
16 recommend revisions as needed to ensure consistency  
17 with the state comprehensive emergency management plan  
18 and program; [~~and~~]

19 (10) Coordinate, in advance whenever possible, such  
20 executive orders, proclamations, and rules for  
21 issuance by the governor as are necessary or



1 appropriate for coping with emergencies and  
2 disasters[-]; and

3 (11) Ensure compliance with paragraphs (1) to (10), the  
4 Americans with Disabilities Act, and related federal  
5 and state disability access laws by:

6 (A) Integrating the needs of individuals with  
7 disabilities and others with access and  
8 functional needs into emergency planning,  
9 preparedness, response, recovery, and mitigation  
10 activities, including accessible and alternative  
11 communication formats and series to ensure  
12 effective communication in all phases of disaster  
13 management;

14 (B) Advising on accessibility requirements and  
15 current best and promising practices for  
16 emergency shelters, evacuation procedures, and  
17 disaster communications;

18 (C) Supporting continuity of preparedness and  
19 response in all counties across the State; and

20 (D) Interfacing with disability advocacy  
21 organizations, service providers, and community



1                   members to strengthen inclusive disaster  
2                   preparedness and response."

3           SECTION 4. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$100,000 or so much  
5 thereof as may be necessary for fiscal year 2026-2027, for the  
6 establishment of one full-time equivalent (1.0 FTE) disability  
7 integration specialist position, which shall serve as the  
8 emergency management specialist and which shall be exempt from  
9 chapter 76, Hawaii Revised Statutes, within the Hawaii emergency  
10 management agency.

11           The sum appropriated shall be expended by the Hawaii  
12 emergency management agency for the purposes of this Act.

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

15           SECTION 6. This Act shall take effect on July 1, 2026.



**Report Title:**

HIEMA; Individuals with Disabilities; Access and Functional Needs; Emergency Planning; Position; Appropriations

**Description:**

Integrates the needs of individuals with disabilities and others with access and functional needs into emergency planning, preparedness, response, recovery, and mitigation activities. Establishes a Disability Integration Specialist position, to be located in the Hawaii Emergency Management Agency, who shall provide programming support for disability community projects that promote accessibility, inclusion, and equity in disaster management. Appropriates funds. (CD1)

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

