THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 1294

JAN 23 2025

A BILL FOR AN ACT

RELATING TO RECREATIONAL FACILITIES.

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

SECTION 1. The legislature finds that a significant portion of the State's youth are physically disabled and unable to use some recreational facilities or playgrounds located on state and county property, including playgrounds located on department of education grounds.

The purpose of this Act is to enhance the inclusion of physically disabled youth in important socialization activities by:

(1) By June 30, 2027, requiring all playgrounds located in state and county parks and on public school grounds to have a minimal set of special needs recreational playground equipment, including a wheelchair accessible swing set; and

(2) Appropriating funds to the department of land and natural resources, department of education, and counties to purchase and install special needs recreational playground equipment.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

"**CHAPTER**

RIGHT TO PLAYGROUNDS ACCESSIBLE TO ALL YOUTH.

§ **-1 Short title.** This chapter may be cited as the Right to PLAY Act.

§ **-2 Definitions.** As used in this chapter:

"Department" means department of land and natural resources.

"Physically disabled" means having a physical impairment that substantially limits one or more major life activities.

"Playground" means any public outdoor facility with apparatuses that are intended for the recreation of children, including but not limited to sliding boards, swing sets, and teeterboards.

"Public school" has the same meaning as in section 302A-101.

"Special needs recreational playground equipment" means recreational playground equipment that can be used by physically disabled youth.

"Youth" means individuals under the age of eighteen.

§ -3 Special needs recreational playground equipment installation; minimum requirements. (a) No later than June 30, 2027, every playground located in a state or county park or on public school grounds shall include special needs recreational playground equipment as part of the playground apparatuses. The special needs recreational playground equipment shall include at a minimum a wheelchair accessible swing set.

(b) All special needs recreational playground equipment installed pursuant to this section shall comply with the standards set forth in the 2010 Americans with Disabilities Act Standards for Accessible Design, or any successor or similar guidelines or standards governing accessibility standards for public facilities.

§ -4 Special needs recreational playground equipment special fund. (a) There is established a special needs recreational playground equipment special fund to be administered by the department, which shall consist of moneys appropriated to the fund by the legislature.

(b) Moneys from the special needs recreational playground equipment special fund shall be used by the state and counties

for the acquisition, installation, and maintenance of special needs recreational playground equipment.

(c) All unobligated, unencumbered, or unexpended funds remaining in the fund in excess of $ at the close of each fiscal year shall lapse to the general fund.

§ -5 **Compliance with federal law.** All special needs recreational playground equipment shall comply with all applicable federal and state laws."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 to be deposited into the special needs recreational playground equipment special fund established pursuant to section -4, Hawaii Revised Statutes.

SECTION 4. There is appropriated out of the special needs recreational playground equipment special fund the sum of $ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 to purchase and install special needs recreational playground equipment in state parks.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

SECTION 5. There is appropriated out of the special needs recreational playground equipment special fund the sum of $ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 to purchase and install special needs recreational playground equipment on department of education public school grounds.

The sums appropriated shall be expended by the department of education for the purposes of this Act.

SECTION 6. There is appropriated out of the special needs recreational playground equipment special fund the sum of $ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 as a grant-in-aid to the counties to purchase and install special needs recreational playground equipment in county parks; provided that the sums shall be allocated as follows:

$ to the city and county of Honolulu;

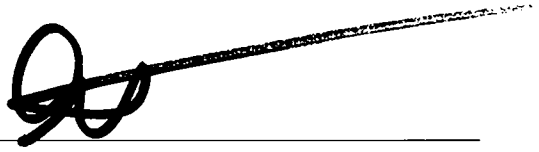
$ to the county of Hawaii;

$ to the city and county of Kauai; and

$ to the county of Maui.

The sums appropriated shall be expended by the counties for the purposes of this Act.

SECTION 7. This Act shall take effect on July 1, 2025.

INTRODUCED BY: 

S.B. NO. 1294

Report Title:
Special Needs Recreational Playground Equipment; State Parks; County Parks; Public School Playgrounds; Special Fund; Appropriation

Description:
Requires all playgrounds located in state and county parks and on public school grounds to include special needs recreational playground equipment as part of the recreational apparatuses by 6/30/2027, including at a minimum a wheelchair accessible swing set. Establishes the Special Needs Recreational Playground Equipment Special Fund. Appropriates funds.

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