

STAND. COM. REP. NO. 2533

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2268  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committees on Government Operations and Health and Human Services, to which was referred S.B. No. 2268 entitled:

"A BILL FOR AN ACT RELATING TO EQUITY,"

beg leave to report as follows:

The purpose and intent of this measure is to require all places of public accommodation and public entity construction projects constructed after July 31, 2027, to provide universal changing accommodations that are equally accessible regardless of gender.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; State Council on Developmental Disabilities; Hawai'i Civil Rights Commission; Hawaii Disability Rights Center; Pride at Work - Hawai'i; HOKU PAC; Goodwill Hawai'i; Hawaii Women Lawyers; and ten individuals.

Your Committees received comments on this measure from the Department of the Attorney General and Department of Accounting and General Services.

Your Committees find that individuals with significant mobility disabilities and transgender and gender diverse individuals often lack access to safe and dignified toileting



facilities when in public spaces. Your Committee also finds that the absence of powered, height-adjustable changing stations force individuals and caregivers into unsafe, unsanitary, or undignified alternatives, hindering their public participation. This measure proactively addresses inequities while providing clarity and consistency for designers, developers, and public agencies.

Your Committees acknowledge the concerns raised in testimony by the State Council on Developmental Disabilities that requiring universal changing accommodations on each floor of a new establishment containing public restrooms may create unnecessary cost and construction barriers that could hinder long-term compliance, and that meaningful access can be achieved through a per-building standard, rather than a per-floor mandate. Your Committees also acknowledge testimony by the Department of the Attorney General, noting this measure's potential conflicts with existing provisions in chapter 489, Hawaii Revised Statutes. Therefore, amendments to this measure are necessary to address these concerns, thereby improving its feasibility and facilitating effective implementation.

Accordingly, your Committees have amended this measure by:

- (1) Replacing language that would have required each floor within a new establishment to provide at least one universal changing accommodation with language that requires each new establishment to provide, at a minimum, one universal changing accommodation within the building in a restroom for public use;
- (2) Deleting language that would have deemed an undue burden to be created if no reasonable physical option exists for providing universal changing accommodations;
- (3) Inserting language specifying that an undue burden is created if the construction of a universal changing accommodation in compliance with the measure is technically infeasible as the term is defined in the 2010 Americans with Disabilities Act Standards for Accessible Design;



- (4) Making conforming amendments to sections 489-6, 489-7.5, and 489-8, Hawaii Revised Statutes, to prevent potential conflicts with this measure;
- (5) Inserting an effective date of January 1, 2525, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

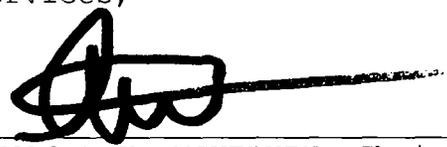
As affirmed by the records of votes of the members of your Committees on Government Operations and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2268, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2268, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Government Operations and Health and Human Services,



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JOY A. SAN BUENAVENTURA, Chair

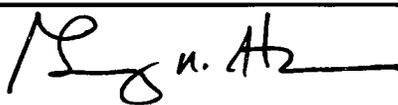


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ANGUS L.K. MCKELVEY, Chair

The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:* <b>SB2268</b>	Committee Referral: <b>GVO/HHS, CPN/WAM</b>	Date: <b>2/17/2026</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	/			
GABBARD, Mike (VC)				/
HASHIMOTO, Troy N.	/			
MORIWAKI, Sharon Y.	/			
AWA, Brenton	/			
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>1</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink File with Committee Report     Committee     Drafting Agency				

\*Only one measure per Record of Votes

The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 226B	GVO/HHS, CPN/WAM	2/17/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)	✓			
KANUHA, Dru Mamo				✓
KEOHOKALOLE, Jarrett				✓
FEVELLA, Kurt	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Committee	Drafting Agency		

**\*Only one measure per Record of Votes**