

SB 1115

RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.

Exempts from mandatory review by the Disabilities and Communications Access Board certain construction projects constructed on state or county lands that would not ordinarily be open to public access.



DISABILITY AND COMMUNICATION ACCESS BOARD

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TESTIMONY TO SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Senate Bill 1115 – Relating to Building Design for Persons with Disabilities

The Disability and Communication Access Board (DCAB) is a statewide Governor-appointed Board with a majority of its members being persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board.

DCAB supports Senate Bill 1115 Relating to Building Design for Persons with Disabilities, which clarifies the intent and scope of §103-50, Hawaii Revised Statutes (HRS). DCAB is the State agency responsible for the implementation of §103-50, HRS and this is an administration bill introduced at our request.

The intent of §103-50(h)(3), HRS, was to include projects constructed on state or county lands because both the state or county can be liable as the owner of the land for lack of access. However, it was never the intent of §103-50(h)(3), HRS, to encompass buildings that are not open to the public (i.e., a farmer's structure on agricultural land or a private home on a homestead plot).

This has no fiscal impact, as we currently have not reviewed these projects. We are simply seeking clarification consistent with the original intent.

We look forward to collaborating with the Legislature and thank you for the opportunity to provide comment on this bill.

Respectfully submitted,

BARBARA FISCHLOWITZ-LEONG
Chairperson
Legislative Committee

FRANCINE WAI
Executive Director