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# A BILL FOR AN ACT

RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES.

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

1           SECTION 1. Section 103-50, Hawaii Revised Statutes, is  
2 amended by amending subsection (h) to read as follows:

3           "(h) For the purposes of this section:

4           "Infrastructure" or "infrastructure project" includes  
5 water, drainage, sewer, waste disposal and waste treatment  
6 systems, roads, and street lighting and projects relating to  
7 that infrastructure. Projects with significant work to  
8 accessible elements and spaces shall not be considered  
9 infrastructure projects.

10           "Public buildings, facilities, and sites" means buildings,  
11 facilities, sites, and the infrastructure thereof that:

12           (1) Are designed, constructed, purchased, or leased with  
13 the use of any state or county funds or federal funds  
14 administered by the State or a county;

15           (2) House state or county programs, services, or  
16 activities that are intended to be accessed by the  
17 general public; [e#]



- 1           (3) Are places of public accommodation or commercial  
2           facilities under the Americans with Disabilities Act,  
3           title 28 Code of Federal Regulations part 36, and are  
4           constructed on state or county lands [~~or lands that~~  
5           ~~will be transferred to the State or a county.~~]; or  
6           (4) Are constructed on lands that will be transferred to  
7           the State or a county upon completion of  
8           construction."

9           SECTION 2. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11           SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Building Design Review, Disabilities and Communication Access Board

**Description:**

Clarifies that construction projects on state or county land are subject to review by the Disabilities and Communication Access Board for compliance with the Americans with Disabilities Act only if they are places of public accommodation or commercial facilities. (SB1115 HD1)

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

