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# A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION TECHNOLOGY ACCESSIBILITY FOR  
PERSONS WITH DISABILITIES.

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

1           SECTION 1. This Act may be cited as the Hawaii Electronic  
2 Information Technology Accessibility Act.

3           SECTION 2. The legislature finds that all electronic  
4 information technology developed, purchased, used, or provided  
5 by a state entity must be made accessible to persons with  
6 disabilities. Electronic information is rapidly replacing print  
7 media, and all residents need access to technology to work and  
8 to participate fully in state programs and services.

9           The legislature further finds that uniform standards are  
10 needed to ensure that state entities are proactively addressing  
11 accessibility in their communications, information technology  
12 development, and technology procurement processes.

13           Accordingly, the purpose of this Act is to require the  
14 office of enterprise technology services, in consultation with  
15 the disability and communication access board and a working  
16 group composed of stakeholders, to develop and publish



1 electronic information technology accessibility standards to be  
2 implemented by all state entities.

3 SECTION 3. (a) The office of enterprise technology  
4 services shall develop and publish accessibility standards, to  
5 be known as the "Hawaii Electronic Information Technology  
6 Disability Access Standards", to be implemented by all state  
7 entities.

8 (b) The chief information officer, in consultation with  
9 the disability and communication access board, shall convene a  
10 working group to assist in drafting the accessibility standards.  
11 Representatives from state entities and other relevant  
12 stakeholders, as determined by the chief information officer and  
13 disability and communication access board, shall be invited by  
14 the chief information officer to participate.

15 (c) The accessibility standards shall:

16 (1) Require that all electronic information technology  
17 developed, purchased, used, or provided by a state  
18 entity be made accessible to individuals with a  
19 disability;

20 (2) Be consistent with accessibility standards issued by  
21 the United States Access Board to implement section



1           508 of the Rehabilitation Act of 1973, as amended (29  
2           U.S.C. 794d);

3           (3) Be consistent with the web access standards issued by  
4           the World Wide Web Consortium Web Accessibility  
5           Initiative; and

6           (4) Include, at a minimum:

7           (A) Functional performance criteria and technical  
8           requirements for accessibility;

9           (B) Recommendations for procurement language that can  
10          be incorporated into existing state procurement  
11          processes to conform to accessibility standards;  
12          and

13          (C) Recommendations for planning, reporting,  
14          monitoring, and enforcement processes to ensure  
15          that state entities implement the accessibility  
16          standards.

17          (d) The accessibility standards shall not require the  
18          installation of specific accessibility-related software or  
19          peripheral devices at the workstation of an employee who is not  
20          an individual with a disability; provided that the standards  
21          shall require all workstation technology used by a state entity



1 to be compatible with accessibility-related software and  
2 peripheral devices.

3 (e) No later than six months after the publication of the  
4 Hawaii Electronic Information Technology Disability Access  
5 Standards, each state entity shall review the standards and  
6 revise the entity's existing procurement and development rules,  
7 policies, and procedures to incorporate the standards.

8 (f) The accessibility standards shall apply to:

9 (1) All electronic information technology developed,  
10 purchased, used, or provided by a state entity; and

11 (2) All substantial modifications made by a state entity  
12 to electronic information technology.

13 (g) The office of enterprise technology services, in  
14 consultation with the disability and communication access board,  
15 shall review the accessibility standards every three years after  
16 the date of initial publication, or more frequently if the chief  
17 information officer deems it necessary, and amend the standards  
18 to reflect advances or changes in electronic information  
19 technology. The chief information officer, in consultation with  
20 the disability and communication access board, may form a  
21 working group composed of stakeholders to assist with carrying



1 out the review and amendments. Within six months of the  
2 publication of any amended accessibility standards, each state  
3 entity shall review the amended standards and shall revise the  
4 entity's existing procurement and development rules, policies,  
5 and procedures to incorporate the amended standards accordingly.

6 (h) As used in this Act:

7 "Accessibility" means the ability of an individual with a  
8 disability to receive, use, and manipulate data and operate  
9 controls included in electronic information technology in a  
10 manner equivalent to that of individuals who do not have  
11 disabilities.

12 "Electronic information technology" means electronic  
13 information, software, systems, and equipment used in the  
14 creation, manipulation, storage, display, or transmission of  
15 data, including:

- 16 (1) Internet and intranet systems;
- 17 (2) Websites and interfaces;
- 18 (3) Software applications;
- 19 (4) Operating systems;
- 20 (5) Video and multimedia;
- 21 (6) Telecommunication products;



- 1 (7) Electronic and digital kiosks;
- 2 (8) Information transaction machines;
- 3 (9) Copiers and printers; and
- 4 (10) Desktop and portable computers.

5 "Individual with a disability" means an individual with  
6 impairments that limit the individual's ability to access or use  
7 electronic information technology, including an individual who  
8 has:

- 9 (1) No or limited vision;
- 10 (2) No or limited hearing;
- 11 (3) No or limited use of their hands; or
- 12 (4) Other similar impairments.

13 "State entity" means the executive, legislative, and  
14 judicial branches of the State, including its departments,  
15 divisions, agencies, offices; public bodies; public elementary,  
16 secondary, and postsecondary schools; and the University of  
17 Hawaii.

18 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Office of Enterprise Technology Services; Disability and Communication Access Board; Information Technology; Electronic Information Technology; Accessibility Standards; Procurement

**Description:**

Requires the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group composed of stakeholders, to develop and publish, and periodically review and update, electronic information technology accessibility standards to be implemented by all state entities. (CD1)

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