
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 comprising stakeholders, to develop and publish electronic



1 information technology accessibility standards to be implemented
2 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 persons with
19 disabilities;

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



1 508 of the federal Rehabilitation Act of 1973, title
2 29 United States Code section 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 standards.

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



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

6 (f) The accessibility standards shall apply to:

- 7 (1) All electronic information technology developed,
8 purchased, used, or provided by a state entity; and
9 (2) All substantial modifications made by a state entity
10 to electronic information technology.

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



1 entity shall review the amended standards and shall revise the
2 entity's existing procurement and development rules, policies,
3 and procedures accordingly.

4 (h) As used in this Act:

5 "Accessibility" means the ability to receive, use, and
6 manipulate data and operate technological or mechanical
7 controls.

8 "Electronic information technology" means electronic
9 information, software, systems, and equipment used to create,
10 manipulate, store, display, or transmit data, including:

- 11 (1) Internet and intranet systems;
- 12 (2) Websites and interfaces;
- 13 (3) Software applications;
- 14 (4) Operating systems;
- 15 (5) Video and multimedia;
- 16 (6) Telecommunication products;
- 17 (7) Electronic and digital kiosks;
- 18 (8) Information transaction machines;
- 19 (9) Copiers and printers; and
- 20 (10) Desktop and portable computers.



1 "Persons with disabilities" means persons with impairments
2 that limit the person's ability to access or use electronic
3 information technology, including persons having:

- 4 (1) No or limited vision;
- 5 (2) No or limited hearing;
- 6 (3) No or limited use of their hands; or
- 7 (4) Other similar impairments.

8 "State entity" means the executive, legislative, and
9 judicial branches of the State of Hawaii, including its
10 departments; divisions; agencies; constitutional offices; public
11 bodies; public elementary, secondary, and postsecondary schools;
12 and the University of Hawaii.

13 SECTION 4. This Act shall take effect on December 31,
14 2050.



Report Title:

ETS; Disability and Communication Access Board; Information Technology; Accessibility Standards; Procurement

Description:

Requires that all electronic information technology developed, purchased, used, or provided by a state entity be made accessible to persons with disabilities. Requires the Office of Enterprise Technology Services, in consultation with the Disability and Communication Access Board and a working group comprising stakeholders, to develop and publish electronic information technology accessibility standards to be implemented by all state entities. Requires review and amendment of the standards every 3 years after the date of publication, or as needed, to reflect advances or changes in information technology. Effective 12/31/2050. (SD1)

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

