

JAN 18 2008

A BILL FOR AN ACT

RELATING TO EXECUTIVE MEETINGS.

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

1 SECTION 1. The purpose of this Act is to enhance Hawaii's
2 sunshine law and foster public trust in the government by
3 requiring that any votes on matters discussed during an
4 executive meeting be publicly taken at a subsequent open
5 meeting. Further, this Act adds provisions requiring that the
6 reason for an executive meeting be accompanied by a description
7 of the agenda items and statutory exception pursuant to section
8 92-5, Hawaii Revised Statutes, that justifies the executive
9 meeting. Meeting minutes must be provided within thirty days
10 but may be redacted to protect confidential information
11 specified in section 92-5, Hawaii Revised Statutes.

12 SECTION 2. Section 92-4, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**§92-4 Executive meetings.** A board may hold an executive
15 meeting closed to the public upon an affirmative vote, taken at
16 an open meeting, of two-thirds of the members present; provided
17 the affirmative vote constitutes a majority of the members to



1 which the board is entitled. A meeting closed to the public
2 shall be limited to matters exempted by section 92-5. The
3 reason, description of agenda items, and the statutory exemption
4 pursuant to section 92-5 for holding such a meeting, shall be
5 publicly announced and the vote of each member on the question
6 of holding a meeting closed to the public shall be recorded, and
7 entered into the minutes of the meeting. Any votes on matters
8 discussed during executive meetings shall be publicly taken at a
9 subsequent open meeting of the board."

10 SECTION 3. Section 92-9, Hawaii Revised Statutes, is
11 amended by amending subsection (b) to read as follows:

12 "(b) The minutes shall be public records and shall be
13 available within thirty days after the meeting [~~except where~~
14 ~~such disclosure would be inconsistent with section 92-5;~~
15 ~~provided that minutes of executive meetings may be withheld so~~
16 ~~long as their publication would defeat the lawful purpose of the~~
17 ~~executive meeting, but no longer]. Where such disclosure would
18 expose confidential information specified in section 92-5 that
19 was the subject of an executive meeting, that information may be
20 redacted prior to public release."~~

21 SECTION 4. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

2 INTRODUCED BY: *Richard J.*



Report Title:

Executive Meetings; Sunshine Law

Description:

Amends section 92-4, Hawaii Revised Statutes, to require that votes on matters discussed during executive meetings shall be publicly held. Requires the reason for an executive meeting to be accompanied by a description of agenda items and the statutory exemption that justifies such a meeting.

