
A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1 SECTION 1. Chapter 92, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§92- Attendance of members at meetings other than board
5 meetings; legislative hearings. (a) Members of a board may
6 attend a meeting, as defined in section 92-2, of any other
7 board, commission, agency, or department where a subject matter
8 will be discussed that may be on the agenda for a future meeting
9 of the member's board; provided that the members of the board
10 who are attending the meeting of the other board, commission,
11 agency, or department:

12 (1) Shall not participate in discussions at that meeting;

13 (2) Shall not participate in private discussions amongst
14 themselves;

15 (3) Shall constitute less than a quorum of their own
16 board; and

1 (4) Shall report their attendance at that meeting to their
2 own board at its next meeting, which attendance is to
3 be reflected in the board's meeting minutes.

4 (b) For purposes of this section, "meeting" shall be
5 distinguishable from permitted interactions under section
6 92-2.5, which applies to discussions and communications among
7 board members, or 92-82, which applies to attendance at
8 informational meetings or presentations."

9 SECTION 2. Section 92-15, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[~~§~~92-15~~§~~] **Boards and commissions; quorum; number of**
12 **votes necessary to validate acts.** (a) Whenever the number of
13 members necessary to constitute a quorum to do business, or the
14 number of members necessary to validate any act, of any board or
15 commission of the State or of any political subdivision thereof,
16 is not specified in the law or ordinance creating the same or in
17 any other law or ordinance, a majority of all the members to
18 which the board or commission is entitled shall constitute a
19 quorum to do business~~[7]~~ except as provided in subsection (b),
20 and the concurrence of a majority of all the members to which
21 the board or commission is entitled shall be necessary to make
22 any action of the board or commission valid; provided that due

1 notice shall have been given to all members of the board or
2 commission or a bona fide attempt shall have been made to give
3 the notice to all members to whom it was reasonably practicable
4 to give the notice.

5 (b) If no quorum is present, a board or commission may
6 nonetheless meet for a duly-noticed meeting; provided that the
7 board or commission may take no action; and further that minutes
8 of the meeting are taken nonetheless.

9 (c) This section shall not invalidate any act of any board
10 or commission performed prior to April 20, 1937, which, under
11 the general law then in effect, would otherwise be valid."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2050.

Report Title:

Public Agency Meetings; Board Members

Description:

Clarifies permissible attendance and procedures for board members to attend meetings of other boards, departments, agencies, and hearings of the legislature. Effective 7/1/2050.
(SD1)