
A BILL FOR AN ACT

RELATING TO BOARD MEETINGS.

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

1 SECTION 1. Section 92-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§92-2 Definitions.** As used in this part:

4 [~~(1)~~] "Board" means any agency, board, commission,
5 authority, or committee of the State or its political
6 subdivisions which is created by constitution,
7 statute, rule, or executive order, to have
8 supervision, control, jurisdiction or advisory power
9 over specific matters and which is required to conduct
10 meetings and to take official actions.

11 [~~(2)~~] "Chance meeting" means a social or informal assemblage
12 of two or more members at which matters relating to
13 official business are not discussed.

14 "Interactive conference technology" means any form of audio
15 or audio and visual conference technology, including
16 teleconference, videoconference, and voice over internet

1 protocol, that facilitates interaction between the public and
2 board members.

3 [~~3~~] "Meeting" means the convening of a board for which a
4 quorum is required in order to make a decision or to
5 deliberate toward a decision upon a matter over which
6 the board has supervision, control, jurisdiction, or
7 advisory power."

8 SECTION 2. Section 92-3.5, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§92-3.5 Meeting by [~~videoconference,]~~ interactive**
11 **conference technology; notice; quorum.** (a) A board may hold a
12 meeting by [~~videoconference,]~~ interactive conference technology;
13 provided that the [~~videoconference system]~~ interactive
14 conference technology used by the board [~~shall allow both]~~
15 allows audio or audio and visual interaction between all members
16 of the board participating in the meeting and the public
17 attending the meeting[~~, at any videoconference location.~~] at the
18 location identified in the notice required by section 92-7,
19 connected by the interactive conference technology. The notice
20 required by section 92-7 shall specify all locations at which
21 board members will be physically present [~~during a~~
22 ~~videoconference meeting. The notice shall also specify that the~~

1 ~~public may attend the meeting at any of the specified~~
2 ~~locations.],~~ as well as where the public is to meet to
3 participate in the meeting by interactive conference technology.

4 (b) Any board member participating in a meeting by
5 [~~videoconference~~] interactive conference technology shall be
6 considered present at the meeting for the purpose of determining
7 compliance with the quorum and voting requirements of the board.

8 (c) A meeting held by [~~videoconference~~] interactive
9 conference technology shall be terminated [~~if, after the meeting~~
10 ~~convenes, both the~~] when audio [~~and video~~] communication cannot
11 be maintained with all locations where the meeting by
12 interactive conference technology is being held, even if a
13 quorum of the board is physically present in one location[~~+~~
14 ~~provided that a meeting may be continued by audio communication~~
15 ~~alone, if:~~]. Meetings conducted by interactive conference
16 technology by means of audio communication only may be held if:

17 (1) All visual aids required by, or brought to the meeting
18 by board members or members of the public have already
19 been provided to all meeting participants at all
20 [~~videoconference~~] noticed locations [~~where the meeting~~
21 ~~is held~~]; or

1 (2) ~~[Participants are able to readily transmit visual]~~
2 Visual aids can be transmitted by some ~~[other]~~ means
3 (e.g., fax copies, electronic mail), within fifteen
4 minutes to all ~~[other meeting participants at all~~
5 ~~other videoconference]~~ locations where the meeting is
6 being held. If copies of visual aids are not
7 available to all meeting participants at all
8 ~~[videoconference]~~ locations where the meeting is being
9 held, ~~[those]~~ the agenda items related to ~~[the]~~ those
10 visual aids shall be deferred until the next meeting~~[-~~
11 and
12 ~~(3) No more than fifteen minutes shall elapse in~~
13 ~~implementing the requirements listed in paragraph~~
14 ~~(2)]~~."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

18

Report Title:

Sunshine Law; Testimony; Quorum; Meetings

Description:

Expands the ability of a board or commission to facilitate public meetings through interactive conference technology.
(SD1)

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