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# A BILL FOR AN ACT

RELATING TO THE SUNSHINE LAW.

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

1           SECTION 1. The legislature finds that while openness in  
2 government continues to be an important principle for Hawaii's  
3 people, the requirement that the sunshine law be strictly  
4 construed in favor of openness fails to take into account the  
5 principle of government efficiency, which is similarly important  
6 to Hawaii's people.

7           The purpose of this Act, therefore, is to:

- 8           (1) Ensure that due consideration is given to the  
9           principle of government efficiency when construing the  
10          sunshine law; and  
11          (2) Establish a reasonableness standard for the  
12          construction of the sunshine law's provisions.

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

15          "**§92-1 Declaration of policy and intent.** In a democracy,  
16 the people are vested with the ultimate decision-making power.  
17 Governmental agencies exist to aid the people in the formation  
18 and conduct of public policy. Opening up ~~the~~ governmental



1 processes to public scrutiny and participation is the only  
2 viable and reasonable method of protecting the public's  
3 interest. Therefore, the legislature declares that it is the  
4 policy of this State that the formation and conduct of public  
5 policy - the discussions, deliberations, decisions, and action  
6 of governmental agencies - shall be conducted [~~as openly as~~  
7 ~~possible.~~] openly, efficiently, and economically on behalf of  
8 the people. To implement this policy the legislature declares  
9 that:

- 10 (1) It is the intent of this part to protect the people's  
11 right to know;
- 12 (2) The provisions requiring open meetings shall be  
13 liberally construed with due regard to the efficient  
14 and economical use of government resources; and
- 15 (3) The provisions providing for exceptions to the open  
16 meeting requirements shall be [~~strictly~~] reasonably  
17 construed against closed meetings."

18 SECTION 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

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

21

INTRODUCED BY: 



**Report Title:**

Sunshine Law

**Description:**

Requires consideration of government efficiency when the Sunshine Law is construed and establishes a reasonableness standard for construction of Sunshine Law provisions.

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

