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# A BILL FOR AN ACT

RELATING TO PUBLIC 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, statute, rule, or  
7 executive order, to have supervision, control, jurisdiction, or  
8 advisory power over specific matters and which is required to  
9 conduct meetings and to take official actions.

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

13           "Interactive conference technology" means any form of audio  
14 or audio and visual conference technology, including  
15 teleconference, videoconference, and voice over internet  
16 protocol, that facilitates interaction between the public and  
17 board members.



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

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

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



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

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

14 ~~(1) All visual aids required by, or brought to the meeting~~  
15 ~~by board members or members of the public have already~~  
16 ~~been provided to all meeting participants at all~~  
17 ~~videconferenee locations where the meeting is held;~~  
18 ~~or~~

19 ~~(2) Participants are able to readily transmit visual aids~~  
20 ~~by some other means (e.g., fax copies), to all other~~  
21 ~~meeting participants at all other videconferenee~~  
22 ~~locations where the meeting is held. If copies of~~



1 ~~visual aids are not available to all meeting~~  
2 ~~participants at all videoconference locations where~~  
3 ~~the meeting is held, those agenda items related to the~~  
4 ~~visual aids shall be deferred until the next meeting,~~  
5 ~~and~~  
6 ~~(3) No more than fifteen minutes shall elapse in~~  
7 ~~implementing the requirements listed in paragraph~~  
8 ~~(2)].~~

9 A printout of any visual aid required by, or brought to,  
10 the meeting by board members or members of the public shall be  
11 made available to all meeting participants at all locations  
12 where audio-only interactive conference technology is being  
13 used. Any agenda item for which a printout is not made  
14 available to all participants, as required by this subsection,  
15 within fifteen minutes after the corresponding audio-only  
16 communication is presented, shall be deferred until the next  
17 meeting."

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 on January 7, 2059.



**Report Title:**

Sunshine Law; Board Meetings; Notice of Board Meetings

**Description:**

Allows use of interactive conference technology to increase ability of members of state and county boards and commissions to attend board meetings. Effective January 7, 2009. (HB2475 HD1)

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

