
A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION.

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

1 SECTION 1. The legislature finds that if a government
2 agency is required to give public notice or to publish notice,
3 the agency must do so in a daily or weekly publication, either
4 statewide or in a specific county, as appropriate. This
5 requirement is costly for the State and counties, and does not
6 take full advantage of enhancements in communications
7 technology. Electronic posting of information has become
8 commonplace because it is easy, efficient, and relatively
9 inexpensive, and increases public access to the information.
10 Requiring electronic posting of government notices on a newly-
11 established centralized state website for statewide publication
12 and on the website of the county for county-wide publication
13 will provide better service to the public, while providing
14 significant cost savings for state and county governments.

15 The purpose of this Act is to allow government agencies to
16 give or publish notice electronically, or in a daily or weekly
17 publication of statewide circulation or in a daily or weekly
18 publication in the affected county, as appropriate.



1 SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) Notwithstanding any other statute, law, charter
5 provision, ordinance, or rule to the contrary, whenever a
6 government agency is required to give public notice or to
7 publish notice, the notice shall be given [~~only~~] as follows:

8 (1) For statewide publication:

9 (A) By electronic or online publication on the
10 centralized website of the State;

11 [~~(A)~~] (B) In a daily or weekly publication of
12 statewide circulation; or

13 [~~(B)~~] (C) By publication in separate daily or weekly
14 publications whose combined circulation is
15 statewide; and

16 (2) For county-wide publication[~~, by~~]:

17 (A) By electronic or online publication on the
18 website of the affected county; or

19 (B) By publication in a daily or weekly publication
20 in the affected county.

21 [~~Additional supplemental notice may also be given through Hawaii~~
22 ~~FYI, the State's interactive computer system.] The public~~



1 notices and the websites shall be made accessible to the
2 disabled, the elderly, and other individuals who require state
3 assistance to access the notices and websites. An individual
4 with a disability as defined in section 368-1.5(b), shall be
5 permitted to file a complaint with the Hawaii civil rights
6 commission if a notice or a website is not accessible to the
7 individual due to an error by the State."

8 2. By amending subsection (c) to read:

9 "(c) Whenever a public notice is published [~~in a newspaper~~
10 ~~or other publication~~] as described in subsection (a), proof of
11 the publication shall be the affidavit of [~~the~~]:

12 (1) The printer, publisher, principal clerk, or business
13 manager of the newspaper or other publication or of
14 the designated agent of the group that published the
15 notice[-]; or

16 (2) The designated representative of the government agency
17 operating the centralized website of the State or the
18 website of the affected county, as applicable;
19 provided that if the notice is published on the
20 centralized website of the State or the website of the
21 affected county, the public notice shall include



1 information or links to other locations of the
2 electronic or online notice."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2012-2013 for
6 the operational expenses of the office of information management
7 and technology, including establishment of a centralized website
8 of the State, to be administered by the office of information
9 management and technology, including the following features:
10 electronically-posted notices are time-stamped and protected to
11 prevent alteration after filing; one data entry point with
12 multiple destinations; 99.99 per cent reliability; reporting
13 capabilities; integration with the state calendar; equal
14 employment opportunity compliance; mapping and GIS integration;
15 language translation; compliance with Americans with
16 Disabilities Act federal requirements; a ten-year searchable
17 archive; active postings of a notice are available for a period
18 of three months; internet privacy; Electronic Discovery Law
19 compliance; records management compliance, Federal Information
20 Security Management Act of 2002 security management; Really
21 Simple Syndication feeds to public access channels; and



1 electronic or online publication of notice procedures are
2 standardized to ensure the integrity of the filed notice.

3 The sum appropriated shall be expended by the department of
4 accounting and general services for the purposes of this Act.

5 SECTION 4. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2012-2013 for
8 support services by the Hawaii state public library system for
9 the public to access and print information from the centralized
10 website, including Americans with Disabilities Act-compliant
11 stations with accessible printers and workstations.

12 The sum appropriated shall be expended by the department of
13 education for the purposes of this Act.

14 SECTION 5. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 6. This Act shall take effect on July 1, 2012;
17 provided that section 2 shall take effect on July 1, 2013.



Report Title:

Electronic Information; Public Notice; Appropriations

Description:

Authorizes government agencies to give or publish notice electronically or in a daily or weekly publication of statewide circulation, or in a daily or weekly publication in the affected county, as appropriate; appropriates funds for the operational expenses of the office of information management and technology; appropriates funds for the Hawaii state public library system for public access support services. Effective July 1, 2012, with electronic notice requirement to take effect on July 1, 2013. (SB2233 HD1)

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

