
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 does not take full
6 advantage of enhancements in communications technology.
7 Electronic posting of information has become commonplace because
8 it is easy, efficient, relatively inexpensive, and increases
9 public access to the information. The State and counties have
10 official websites that can accommodate government notices and
11 publication of the notices on these websites would provide
12 better service to the public, while providing significant cost
13 savings for state and county governments.

14 The purpose of this Act is to allow government agencies to
15 disseminate publications of notice electronically, or in a daily
16 or weekly publication of statewide circulation or in a daily or
17 weekly 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 accessible to the disabled,
2 the elderly, and other individuals who require state assistance
3 to access the notices and websites."

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

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

8 (1) The printer, publisher, principal clerk, or business
9 manager of the newspaper or other publication or of
10 the designated agent of the group that published the
11 notice[~~r~~]; or

12 (2) The designated representative of the government agency
13 operating the centralized website of the State or the
14 website of the affected county, as applicable;
15 provided that if the notice is published on the
16 centralized website of the State or the website of the
17 affected county, the public notice shall include
18 information or links to other locations of the
19 electronic or online notice."

20 SECTION 3. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so
22 much thereof as may be necessary for fiscal year 2012-2013 for



1 the operational expenses of the office of information management
2 and technology, including establishment of a centralized website
3 of the State, to be administered by the office of information
4 management and technology, including but not limited to the
5 following features: one data entry point with multiple
6 destinations; 99.99 per cent reliability; reporting
7 capabilities; integration with the state calendar; equal
8 employment opportunity compliance; mapping and GIS integration;
9 language translation; compliance with Americans with
10 Disabilities Act (ADA) federal requirements; a ten-year archive;
11 active postings for a period of one month; internet privacy;
12 Electronic Discovery Law compliance; records management
13 compliance, Federal Information Security Management Act of 2002
14 security management; and RSS (Really Simple Syndication) feeds
15 to public access channels.

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

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2012-2013 for
21 support services by the Hawaii state public library system for
22 the public to access and print information from the centralized



1 website, including ADA-compliant stations with accessible
2 printers and workstations.

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

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

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



Report Title:

Electronic Information; Public Notice; Appropriations

Description:

Authorizes government agencies to disseminate publications of 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 technology; appropriates funds for the Hawaii public library system for public access support services; electronic notice requirement effective 7/1/2013. (SD2)

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