

# S.B. NO. 2718

JAN 25 2012

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## A BILL FOR AN ACT

RELATING TO THE PUBLICATION OF NOTICES.

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

1           SECTION 1. It is anticipated the State will spend over  
2 \$1,000,000 annually by 2013 to publish its notices in  
3 newspapers. During these times of economic downturn and  
4 decreased tax revenues it is imperative that the State and the  
5 counties look for ways to trim their costs. The purpose of this  
6 Act is to allow state and county agencies to electronically  
7 publish their notices online.

8           SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:

10           "(a) Notwithstanding any other statute, law, charter  
11 provision, ordinance, or rule to the contrary, whenever a  
12 government agency is required to give public notice or to  
13 publish notice, the notice shall be given only as follows:

14           (1) For statewide distribution:

15                   (A) In a daily or weekly publication of statewide  
16                   circulation; or

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1 (B) By publication in separate daily or weekly  
2 publications whose combined circulation is  
3 statewide; ~~and~~ or

4 (C) By electronic or online publication on the  
5 official website of the State; and

6 (2) For county-wide publication, by publication in a daily  
7 or weekly publication in the affected county[-] or by  
8 electronic or online publication on the official  
9 website of the affected county.

10 ~~[Additional supplemental notice may also be given through Hawaii~~  
11 ~~FYI, the State's interactive computer system.] "~~

12 SECTION 3. Section 1-28.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (c) to read as follows:

14 "(c) Whenever a public notice is published [~~in a newspaper~~  
15 ~~or other publication]~~ as described in subsection (a), proof of  
16 publication shall be the affidavit of the printer, publisher,  
17 principal clerk, or business manager of the newspaper or other  
18 publication or of the designated agent of the group that  
19 published the notice[-], or of the designated representative of  
20 the agency whose notice is published electronically or online."

21 SECTION 4. Statutory material to be repealed is bracketed  
22 and stricken. New statutory material is underscored.

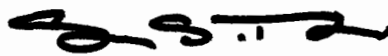
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1 SECTION 5. This Act shall take effect on July 1, 2012.

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INTRODUCED BY:



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BY REQUEST

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**Report Title:**

Publication of Notices; Online Publication

**Description:**

Allows government agencies to publish notices electronically on the official government websites in lieu of publication in a newspaper or other written publication.

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

## JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO THE PUBLICATION OF NOTICES.

PURPOSE: The purpose of this bill is to allow government agencies to publish notices electronically on official state or county websites in lieu of publication in a newspaper or other written publication.

MEANS: Amend section 1-28.5, Hawaii Revised Statutes.

JUSTIFICATION: Electronic posting of information has become commonplace because it is easy, efficient, relatively inexpensive, and increases access to the public. The public has an ever increasing access to products capable of searching online and is accustomed to searching for information online. The State and the counties have official websites that can accommodate government notices and should be allowed to electronically publish notices on these sites to improve access by the public and increase savings.

Impact on the public: The public will benefit by having increased access to government notices through use of this additional method of publishing notices.

Impact on the department and other agencies: Utilizing widespread technology will increase savings, employee efficiency, and improve service to the public.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION:

OTHER AFFECTED AGENCIES: All state and county agencies.

EFFECTIVE DATE: July 1, 2012.