
A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1 SECTION 1. The legislature finds that boards and
2 commissions have a duty to ensure that meeting notices are
3 readily available to the public under sunshine law in chapter
4 92, Hawaii Revised Statutes. Existing law requires boards and
5 commissions to maintain a list of names and addresses of persons
6 who request notification of meetings and to mail a copy of the
7 meeting notice to these persons when a meeting agenda is filed.
8 Postage is becoming cost prohibitive, especially when electronic
9 mail is a more efficient and effective alternative to
10 conventional mail. If electronic mailing of meeting notices is
11 allowed, boards and commissions will be able to save money.
12 Furthermore, electronic notices maximize the convenience for
13 members of the public who are relying more on receiving mail
14 through electronic means and may improve public access to and
15 attendance of board and commission meetings.

16 The purpose of this Act is to improve the ability of boards
17 and commissions to make meeting notices readily available to the
18 public by requiring boards and commissions to provide notice of



1 a meeting by postal mail or electronic mail at least six
2 calendar days before a public meeting.

3 SECTION 2. Section 92-7, Hawaii Revised Statutes, is
4 amended by amending subsection (e) to read as follows:

5 "(e) The board shall maintain a list of names and postal
6 or electronic mailing addresses of persons who request
7 notification of meetings and shall [~~mail~~] transmit a copy of the
8 notice to [~~such~~] these persons at their last recorded postal or
9 electronic mailing address [~~no later than the time the agenda is~~
10 ~~filed under subsection (b).~~] at least six calendar days before
11 the meeting."

12 SECTION 3. Section 92-8, Hawaii Revised Statutes, is
13 amended by amending subsection (a) and (b) to read as follows:

14 "(a) If a board finds that an imminent peril to the public
15 health, safety, or welfare requires a meeting in less time than
16 is provided for in section 92-7, the board may hold an emergency
17 meeting provided that:

- 18 (1) The board states in writing the reasons for its
19 findings;
- 20 (2) Two-thirds of all members to which the board is
21 entitled agree that the findings are correct and an
22 emergency exists;



1 (3) An emergency agenda and the findings are filed with
2 the office of the lieutenant governor or the
3 appropriate county clerk's office, and in the board's
4 office; and

5 (4) Persons requesting notification on a regular basis are
6 contacted by postal or electronic mail or telephone as
7 soon as practicable.

8 (b) If an unanticipated event requires a board to take
9 action on a matter over which it has supervision, control,
10 jurisdiction, or advisory power, within less time than is
11 provided for in section 92-7 to notice and convene a meeting of
12 the board, the board may hold an emergency meeting to deliberate
13 and decide whether and how to act in response to the
14 unanticipated event; provided that:

15 (1) The board states in writing the reasons for its
16 finding that an unanticipated event has occurred and
17 that an emergency meeting is necessary and the
18 attorney general concurs that the conditions necessary
19 for an emergency meeting under this subsection exist;

20 (2) Two-thirds of all members to which the board is
21 entitled agree that the conditions necessary for an
22 emergency meeting under this subsection exist;



1 (3) The finding that an unanticipated event has occurred
2 and that an emergency meeting is necessary and the
3 agenda for the emergency meeting under this subsection
4 are filed with the office of the lieutenant governor
5 or the appropriate county clerk's office, and in the
6 board's office;

7 (4) Persons requesting notification on a regular basis are
8 contacted by postal or electronic mail or telephone as
9 soon as practicable; and

10 (5) The board limits its action to only that action which
11 must be taken on or before the date that a meeting
12 would have been held, had the board noticed the
13 meeting pursuant to section 92-7."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

17



Report Title:

Sunshine Law; Notice

Description:

Requires that boards and commissions provide notice of a meeting by postal or electronic mail at least six calendar days before a public meeting. (SD1)

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

