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# A BILL FOR AN ACT

RELATING TO OPEN GOVERNMENT.

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

1           SECTION 1. Section 92-3, Hawaii Revised Statutes, is  
2 amended to read as follows:  
3           "§92-3 Open meetings[-] and participation. Every meeting  
4 of all boards shall be open to the public, and all persons shall  
5 be permitted to attend any meeting and provide public input  
6 unless otherwise provided in the constitution or as closed  
7 pursuant to sections 92-4 and 92-5; provided that the removal of  
8 any person or persons who wilfully [~~disrupts~~] disrupt a meeting  
9 to prevent and compromise the conduct of the meeting shall not  
10 be prohibited. The boards shall afford all interested persons  
11 an opportunity to view, either electronically or in hard copy,  
12 documents, reports, or proposals under consideration at the  
13 meeting at the time the agenda is made available to the public,  
14 except for records that are protected from disclosure by chapter  
15 92F. The boards shall afford all interested persons an  
16 opportunity to submit data, views, or arguments, in writing, and  
17 to present oral testimony on any agenda item[~~—The boards shall~~



1 ~~also afford all interested persons an opportunity to present~~  
2 ~~oral testimony on any agenda item.]~~ before a decision is made or  
3 a vote is taken. The boards may provide for reasonable  
4 administration of oral testimony by rule."

5 SECTION 2. Section 92-9, Hawaii Revised Statutes, is  
6 amended by amending subsection (b) to read as follows:

7 "(b) The minutes and video or sound recordings of the  
8 meeting made by the board shall be public records and shall be  
9 available to the public within thirty days after the meeting,  
10 regardless of whether the board has formally reviewed or  
11 approved the minutes, except where such disclosure would be  
12 inconsistent with section 92-5; provided that minutes of  
13 executive meetings may be withheld so long as their publication  
14 would defeat the lawful purpose of the executive meeting, but no  
15 longer."

16 SECTION 3. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Open Government; Access to Records; Public Participation

**Description:**

Broadens the policies regarding public access to meetings of public agencies to include greater public participation, input, and access to documents, reports, recordings, and proposals under consideration at meetings, with certain limitations.

(HB369 HD1)

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

