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# A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

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

1 SECTION 1. Act 221, Session Laws of Hawaii 2014, is  
2 amended by amending section 4 to read as follows:

3 "SECTION 4. This Act shall take effect upon its approval[+  
4 ~~provided that on June 30, 2016, section 2 of this Act shall be~~  
5 ~~repealed and section 92-3.1, Hawaii Revised Statutes, shall be~~  
6 ~~reenacted in the form in which it read on the day before the~~  
7 ~~effective date of this Act]."~~

8 SECTION 2. Section 92-3.1, Hawaii Revised Statutes, is  
9 amended to read as follows:

10 "§92-3.1 Limited meetings. (a) If a board determines  
11 that it is necessary to meet at a location that is dangerous to  
12 health or safety, or if a board determines that it is necessary  
13 to conduct an on-site inspection of a location that is related  
14 to the board's business at which public attendance is not  
15 practicable, and the director of the office of information  
16 practices concurs, the board may hold a limited meeting at that



1 location that shall not be open to the public; provided that at  
2 a regular meeting of the board prior to the limited meeting:

3 (1) The board determines, after sufficient public  
4 deliberation, that it is necessary to hold the limited  
5 meeting and specifies that the location is dangerous  
6 to health or safety or that the on-site inspection is  
7 necessary and public attendance is impracticable;

8 (2) Two-thirds of all members to which the board is  
9 entitled vote to adopt the determinations required by  
10 paragraph (1); and

11 (3) Notice of the limited meeting is provided in  
12 accordance with section 92-7.

13 (b) A county council may hold a limited meeting that is  
14 open to the public, as the guest of a board or community group  
15 holding its own meeting, and the council shall not be required  
16 to have a quorum of members in attendance or accept oral  
17 testimony; provided that:

18 (1) Notice of the limited meeting shall be provided in  
19 accordance with section 92-7, shall indicate the board  
20 or community group whose meeting the council is



- 1 attending, and shall not be required to include an  
2 agenda;
- 3 (2) If the board or community group whose meeting the  
4 council is attending is subject to part I, chapter 92,  
5 then that board or community group shall comply with  
6 the notice, agenda, testimony, minutes, and other  
7 requirements of part I, chapter 92;
- 8 (3) No more than one limited meeting per month shall be  
9 held by a county council for any one board or  
10 community group;
- 11 (4) No limited meetings shall be held outside the State;  
12 and
- 13 (5) Limited meetings shall not be used to circumvent the  
14 purpose of part I, chapter 92.
- 15 (c) At all limited meetings, the board shall:
- 16 (1) Videotape the meeting, unless the requirement is  
17 waived by the director of the office of information  
18 practices, and comply with all requirements of section  
19 92-9;
- 20 (2) Make the videotape available at the next regular  
21 meeting; and



1 (3) Make no decisions at the meeting.

2 (d) Each county council shall submit an annual report to  
3 the legislature no later than twenty days prior to the convening  
4 of each regular session on the effectiveness and application of  
5 limited meeting procedures provided in subsection (b), including  
6 any recommendations or proposed legislation."

7 SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

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



**Report Title:**

Public Meetings; Sunshine Law; County Council Members

**Description:**

Repeals the June 30, 2016, sunset date of limited statutory exemptions from open meeting requirements which permit county council members to attend public meetings of other boards or community groups. Requires the county councils to submit annual reports to the Legislature on the effectiveness of procedural requirements to effectuate the exemption. (SB2121 HD1)

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

