

JAN 19 2018

A BILL FOR AN ACT

RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURE ACT.

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

1 SECTION 1. Section 91-1, Hawaii Revised Statutes, is
2 amended by amending the definitions of "contested case" and
3 "rule" to read as follows:

4 "Contested case" means a proceeding in which the legal
5 rights, duties, or privileges of specific parties are required
6 by law to be determined after an opportunity for agency hearing.
7 The term does not include an agency decision regarding the
8 disposition of land by sale, lease, license, permit, or
9 otherwise.

10 "Rule" means each agency statement of general or particular
11 applicability and future effect that implements, interprets, or
12 prescribes law or policy, or describes the organization,
13 procedure, or practice requirements of any agency. The term
14 does not include regulations concerning only the internal
15 management of an agency and not affecting private rights of or
16 procedures available to the public, nor does the term include
17 declaratory rulings issued pursuant to section 91-8, nor intra-



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1 agency memoranda[-], nor does the term include documents or
2 agreements realizing the disposition of land by sale, lease,
3 license, permit, or otherwise."

4 SECTION 2. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

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 Statutory material to be repealed is bracketed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.

10 INTRODUCED BY: 



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Report Title:

Hawaii Administrative Procedure Act; Contested Cases; Rules;
Land Dispositions

Description:

Excludes certain land disposition matters from contested cases
and agency rules under the Hawaii Administrative Procedure Act.

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

