
A BILL FOR AN ACT

RELATING TO ADMINISTRATIVE RULE MAKING.

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

- 1 SECTION 1. Section 91-3, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
- 3 "(a) Except as otherwise provided in this section, prior
4 to the adoption of any rule authorized by law, or the amendment
5 or repeal thereof, the adopting agency shall:
- 6 (1) Give at least thirty days' notice for a public
7 hearing. The notice shall include:
- 8 (A) A statement of the topic of the proposed rule
9 adoption, amendment, or repeal or a general
10 description of the subjects involved; and
- 11 (B) A statement that a copy of the proposed rule to
12 be adopted, the proposed rule amendment, or the
13 rule proposed to be repealed will be mailed to
14 any interested person who requests a copy, pays
15 the required fees for the copy and the postage,
16 if any, together with a description of where and
17 how the requests may be made;



(C) A statement of when, where, and during what times the proposed rule to be adopted, the proposed rule amendment, or the rule proposed to be repealed may be reviewed in person; and

(D) The date, time, and place where the public hearing will be held and where interested persons may be heard on the proposed rule adoption, amendment, or repeal.

The notice shall be mailed and electronically provided to all persons who have made a timely written request of the agency for advance notice of its rulemaking proceedings, given at least once statewide for state agencies and in the county for county agencies. Proposed state agency rules shall also be posted on the Internet as provided in section 91-2.6; and

(2) Afford all interested persons opportunity to submit data, views, or arguments, orally or in writing. The agency shall fully consider all written and oral submissions respecting the proposed rule. The agency may make its decision at the public hearing or



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1 announce then the date when it intends to make its
2 decision. Upon adoption, amendment, or repeal of a
3 rule, the agency, if requested to do so by an
4 interested person, shall issue a concise statement of
5 the principal reasons for and against its
6 determination."

7 SECTION 2. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.

9
INTRODUCED BY:



JAN 26 2021



H.B. NO. 1109

Report Title:

Administrative Rule Making; Electronic Notice

Description:

Requires that prior to the adoption or repeal of a rule, electronic notice of the proposed rulemaking be provided to all persons who have made a timely written request of the adopting agency for advance notice of its rulemaking proceedings.

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

