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# A BILL FOR AN ACT

RELATING TO PUBLIC NOTICES.

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

1       SECTION 1. The purpose of this Act is to provide  
2 government agencies the option to publish notice via a posting  
3 on their official website, in lieu of or in addition to  
4 publication in daily or weekly publication, such as a printed  
5 newspaper. Electronic posting is more expedient and  
6 cost-effective, particularly for routine but time-sensitive  
7 situations, such as postings of clean water environmental hazard  
8 advisories, as well as in more urgent conditions, such as  
9 disaster-related response and recovery activities.

10       The legislature affirms that under general rules of  
11 statutory construction, where two statutes conflict, the more  
12 specific statute is followed. As a result, since section  
13 1-28.5, Hawaii Revised Statutes, is a general statute, this Act  
14 is not intended to supersede procedures that, for example,  
15 assure transparency in public administration, such as chapter  
16 91, Hawaii Revised Statutes, "Administration Procedures," and



1 chapter 92, Hawaii Revised Statutes, "Public Agency Meetings and  
2 Records."

3 SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (a) to read as follows:

5 "(a) Notwithstanding any other statute, law, charter  
6 provision, ordinance, or rule to the contrary, whenever a  
7 government agency is required to give public notice or to  
8 publish notice, the notice shall be given only as follows:

9 (1) For statewide publication:

10 (A) In a daily or weekly publication of statewide  
11 circulation; or

12 (B) By publication in separate daily or weekly  
13 publications whose combined circulation is  
14 statewide; [and]

15 (2) For county-wide publication, by publication in a daily  
16 or weekly publication in the affected county[-

17 ~~Additional supplemental notice may also be given through Hawaii~~  
18 ~~FYI, the State's interactive computer system.]; or~~

19 (3) For statewide or county publication of public notices,  
20 as applicable, by posting on an electronic calendar on  
21 an official website for legal notices maintained by



1           the State or the appropriate county; provided that the  
2           State or county agency shall:

3           (A) Evaluate and document the rationale for posting  
4           only online if the subject of the public notice  
5           is likely to impact persons with limited,  
6           inconsistent, or unreliable broadband access or  
7           significant inexperience with broadband-enabled  
8           telecommunications; and

9           (B) Post the online-only public notice in a screen  
10           reader accessible format for individuals who are  
11           visually impaired."

12           SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

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



**Report Title:**

City and County of Honolulu Mayor's Package; Public Notices;  
Publication

**Description:**

Allows government agencies under certain circumstances to  
publish public notices on an official website as an alternative  
to a newspaper. (SD1)

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

