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# A BILL FOR AN ACT

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RELATING TO PUBLIC AGENCY MEETINGS.

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

1       SECTION 1. The legislature finds that opening the  
2 governmental process to public scrutiny and participation is  
3 necessary to protect the public's interests. Therefore, the  
4 discussions, deliberations, decisions, and actions of  
5 governmental agencies in the formation and conduct of public  
6 policy should be conducted as openly as possible.

7       The legislature further finds that members of the public  
8 who are interested but do not have the ability to attend  
9 meetings, or the time or technology to listen to recordings of  
10 the meetings, are unnecessarily prevented from exercising their  
11 right to participate. The public has a right to have as much  
12 access to and information regarding the subject matter of and  
13 discussions at board meetings.

14       The purpose of this Act is to repeal the option for boards  
15 to provide recorded minutes accompanied by written summaries as  
16 an alternative to written minutes of board meetings.



SECTION 2. Section 92-9, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

"(a) The board shall keep written [~~or recorded~~] minutes of all meetings. Unless otherwise required by law, neither a full transcript nor a recording of the meeting is required, but the minutes shall give a true reflection of the matters discussed at the meeting and the views of the participants. [~~Written~~] The minutes shall include[~~7~~] but need not be limited to:

(1) The date, time, and place of the meeting;

(2) The members of the board recorded as either present or absent;

(3) The substance of all matters proposed, discussed, or decided; and a record, by individual member, of any votes taken; and

(4) Any other information that any member of the board requests be included or reflected in the minutes.

(b) The minutes shall be made available to the public by posting on the board's website or, if the board does not have a website, on an appropriate state or county website within forty days after the meeting except where such disclosure would be inconsistent with section 92-5; provided that minutes of



1 executive meetings may be withheld so long as their publication  
2 would defeat the lawful purpose of the executive meeting, but no  
3 longer. ~~[A written summary shall accompany any minutes that are~~  
4 ~~posted in a digital or analog recording format and shall~~

5 ~~include:~~

6 ~~(1) The date, time, and place of the meeting;~~

7 ~~(2) The members of the board recorded as either present or~~  
8 ~~absent, and the times when individual members entered~~  
9 ~~or left the meeting;~~

10 ~~(3) A record, by individual member, of motions and votes~~  
11 ~~made by the board; and~~

12 ~~(4) A time stamp or other reference indicating when in the~~  
13 ~~recording the board began discussion of each agenda~~  
14 ~~item and when motions and votes were made by the~~  
15 ~~board.]"~~

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 on July 1, 2112.



S.B. NO. 3172  
S.D. 1  
H.D. 2

**Report Title:**

Meeting Minutes; Public Record; Boards

**Description:**

Repeals the option for boards to provide recorded minutes accompanied by written summaries as an alternative to written minutes of board meetings. Effective 7/1/2112. (HD2)

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

