

STAND. COM. REP. NO. 949 -22

Honolulu, Hawaii
MAR 04 , 2022

RE: H.B. No. 2025
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2025, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE SUNSHINE LAW,"

begs leave to report as follows:

The purpose of this measure is to provide that the mandatory disclosure of the names of persons who are physically with a board member attending a remote board meeting only applies to the disclosure of the names of adults, and not minors, who are physically with the board member at a nonpublic location, unless the minor has a conflict of interest with any issue before the board.

Your Committee received testimony in support of this measure from the Hawai'i Tourism Authority. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that Act 220, Session Laws of Hawaii 2021 (Act 220), allows boards subject to the State's Sunshine Law the option to use interactive conference technology to conduct remote meetings. Your Committee further finds that Act 220 requires a board member participating from a nonpublic location to identify those who are also present in that same location. Your Committee notes that board members may have their minor children present with them during a virtual board or committee meeting.



Your Committee believes that children's privacy rights prevail over the public's right to disclosure of all the individuals who are present with a board member in a virtual meeting.

Your Committee has amended this measure by:

- (1) Clarifying that the names of any individual who is physically with a board member attending a public meeting by an online method and is under the age of eighteen shall be disclosed if the individual has a private interest, rather than a conflict of interest, on any issue before the board; and
- (2) Deleting the definition for "conflict of interest".

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2025, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2025, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



