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# A BILL FOR AN ACT

RELATING TO BOARD MEETINGS.

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

1 SECTION 1. Section 92-3.7, Hawaii Revised Statutes, is  
2 amended by amending its title and subsections (a) through (c) to  
3 read as follows:

4 "§92-3.7 [~~Remote~~] Hybrid meeting; in-person and remote  
5 meeting by interactive conference technology; notice; quorum.

6 (a) A board [~~may~~] shall hold a [~~remote~~] hybrid meeting that  
7 allows for participation both in-person and remotely by  
8 interactive conference technology [~~;~~ ~~provided that the~~]. The  
9 interactive conference technology used by the board [~~allows~~  
10 shall allow audiovisual interaction among all members of the  
11 board participating in the meeting, whether in-person or remote,  
12 and all members of the public attending the meeting, except as  
13 otherwise provided under this section [~~;~~ ~~provided that there is~~  
14 ~~at~~]. At least one in-person meeting location [~~that is~~] shall be  
15 open to the public [~~and has~~] with an audiovisual connection. A  
16 board holding a [~~remote~~] hybrid meeting pursuant to this section  
17 shall not be required to allow members of the public to join



1 board members in person at nonpublic locations where board  
2 members who are participating remotely are physically present or  
3 to identify those locations in the notice required by section  
4 92-7; provided that at the meeting, each board member shall  
5 state the name of any person eighteen years of age or older who  
6 is present at the nonpublic location with the member; provided  
7 further that the name of a person under the age of eighteen  
8 years shall be stated if the person has a personal business,  
9 property, or financial interest on any issue before the board at  
10 the meeting. The notice required by section 92-7 shall:

- 11 (1) List at least one in-person meeting location that is  
12 open to the public that shall have an audiovisual  
13 connection; and
- 14 (2) Inform members of the public how to contemporaneously:  
15 (A) Remotely view the video and audio of the meeting  
16 through internet streaming or other means; and  
17 (B) Provide remote oral testimony in a manner that  
18 allows board members and other meeting  
19 participants to hear the testimony, whether  
20 through an internet link, a telephone conference,  
21 or other means.



1 The board may provide additional locations open for public  
2 participation. The notice required by section 92-7 shall list  
3 any additional locations open for public participation and  
4 specify, in the event an additional location loses its  
5 audiovisual connection to the [~~remote~~] hybrid meeting, whether  
6 the meeting will continue without that location or will be  
7 automatically recessed to restore communication as provided in  
8 subsection (c).

9 (b) For a [~~remote~~] hybrid meeting held by interactive  
10 conference technology pursuant to this section:

11 (1) The interactive conference technology used by the  
12 board shall allow interaction among all members of the  
13 board participating in the meeting and all members of  
14 the public attending the meeting;

15 (2) Except as provided in subsections (c) and (d), a  
16 quorum of board members participating in the meeting  
17 shall be visible and audible to other members and the  
18 public during the meeting; provided that no other  
19 meeting participants shall be required to be visible  
20 during the meeting;



1           (3) Any board member participating in a meeting by  
2           interactive conference technology shall be considered  
3           present at the meeting for the purpose of determining  
4           compliance with the quorum and voting requirements of  
5           the board;

6           (4) At the start of the meeting the presiding officer  
7           shall announce the names of the participating members;

8           (5) All votes shall be conducted by roll call unless  
9           unanimous; and

10          (6) Boards shall record meetings open to the public, when  
11          practicable, and make the recording of any meeting  
12          electronically available to the public as soon as  
13          practicable after a meeting and until a time as the  
14          minutes required by section 92-9 are electronically  
15          posted and archived on the board's website. Boards  
16          ~~[are encouraged to keep]~~ shall also archive and make  
17          available recordings ~~[available]~~ of their meetings on  
18          their website.

19          (c) A hybrid meeting ~~[held by interactive conference~~  
20 ~~technology]~~ shall be automatically recessed for up to thirty  
21 minutes to restore communication when audiovisual communication



1 cannot be maintained with all members participating in the  
2 meeting or with the in-person public location identified in the  
3 board's notice pursuant to subsection (a)(1) or with the remote  
4 public broadcast identified in the board's notice pursuant to  
5 subsection (a)(2)(A). This subsection shall not apply based on  
6 the inability of a member of the public to maintain an  
7 audiovisual connection to the remote public broadcast, unless  
8 the remote public broadcast itself is not transmitting an  
9 audiovisual link to the meeting. The meeting may reconvene when  
10 either audiovisual communication is restored, or audio-only  
11 communication is established after an unsuccessful attempt to  
12 restore audiovisual communication, but only if the board has  
13 provided reasonable notice to the public as to how to access the  
14 reconvened meeting after an interruption to communication. If  
15 audio-only communication is established, then each speaker shall  
16 be required to state their name before making their remarks.  
17 Within fifteen minutes after audio-only communication is  
18 established, copies of nonconfidential visual aids that are  
19 required by or brought to the meeting by board members or as  
20 part of a scheduled presentation shall be made available either  
21 by posting on the Internet or by other means to all meeting



1 participants, including those participating remotely, and those  
2 agenda items for which visual aids are not available for all  
3 participants shall not be acted upon at the meeting. If it is  
4 not possible to reconvene the meeting as provided in this  
5 subsection within thirty minutes after an interruption to  
6 communication and the board has not provided reasonable notice  
7 to the public as to how the meeting will be continued at an  
8 alternative date and time, then the meeting shall be  
9 automatically terminated."

10 SECTION 2. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 3. This Act shall take effect on January 1, 2112.



**Report Title:**

Hybrid Meetings; Interactive Conference Technology; In-Person and Remote Participation; Live Broadcast; Boards and Commissions

**Description:**

Requires boards to hold hybrid meetings that that allow for participation both in-person and remotely by interactive conference technology. Requires boards to archive minutes and video of meetings on their websites. Takes effect 1/1/2112.  
(SD1)

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

