

STAND. COM. REP. NO. 3748

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 1598
H.D. 1
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1598, H.D. 1, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require boards to make available for public inspection board packets, if created, at the time the board packet is distributed to board members but no later than two business days before the board meeting;
- (2) Carve out an exception by allowing public testimony to be distributed to board members before the board meeting;
- (3) Require boards to include in the notice to persons requesting notification of meetings, a list of the documents that were compiled by the board and distributed to board members before a board meeting for use at the meeting; and
- (4) Require boards to post board packets on its website.



Your Committee received testimony in support of this measure from the Disability and Communication Access Board, League of Women Voters of Hawaii, Public First Law Center, and one individual.

Your Committee received testimony in opposition to this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee received comments on this measure from the Department of Human Services, Office of Information Practices, and Hawai'i State Commission on Fatherhood.

Your Committee finds that existing law sets a deadline to distribute board packets to board members and to the public forty-eight hours prior to the meeting. However, the current forty-eight hour deadline often falls on a weekend or holiday when staff is unavailable. This measure will avoid this situation and provide a more effective process by calculating the deadline by business days.

Your Committee has amended this measure by:

- (1) Clarifying that as soon as practicable, a board must accommodate requests for electronic access to the board packet and post the board packet on its website;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1598, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1598, H.D. 1, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

Karl Rhoads

KARL RHOADS, Chair



