



GOV. MSG. NO. 1113

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

May 3, 2024

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on May 3, 2024, the following bill was signed into law:

HB1600 HD1 SD2

RELATING TO OPEN MEETINGS.  
**ACT 013**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

HOUSE OF REPRESENTATIVES  
THIRTY-SECOND LEGISLATURE, 2024  
STATE OF HAWAII

**H.B. NO.** 1600  
H.D. 1  
S.D. 2

---

---

# A BILL FOR AN ACT

RELATING TO OPEN MEETINGS.

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

1           SECTION 1. The legislature finds that for decades, the  
2 State's Sunshine Law has had an exception to the open meetings  
3 requirement to permit a limited number of board members to  
4 investigate an issue and report back to the board before a  
5 decision is made. In these cases, the board must hold three  
6 meetings: first, to identify the members and scope of the  
7 investigative group; second, for the investigative group to  
8 report its findings to the board; and finally, for the board to  
9 discuss and act on the investigative group's report. However,  
10 the legislature finds that over the years, there have been  
11 multiple occasions where boards have attempted to circumvent the  
12 legislative intent that the public and board have sufficient  
13 time to digest the investigative group's report before any  
14 substantive discussion occurs by the board. Specifically,  
15 boards have circumvented this legislative intent by separately  
16 noticing back-to-back meetings, first for the investigative  
17 group to report to the board, and second for the board to act on



1 the report. Most recently, the Honolulu city council attempted  
2 to schedule a meeting for an investigative group to report back  
3 on its investigation into real property tax bills with a  
4 "separate" meeting to discuss and act on the report scheduled  
5 for thirty minutes after the investigative group reported to the  
6 council.

7 The purpose of this Act is to require board meetings to  
8 deliberate and decision-make on an investigative group's report  
9 to occur at least six business days after the investigative  
10 group has presented the findings and recommendations of its  
11 investigation to the board.

12 SECTION 2. Section 92-2.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14 "(b) Two or more members of a board, but less than the  
15 number of members that would constitute a quorum for the board,  
16 may be assigned to:

17 (1) Investigate a matter relating to board business;

18 provided that:

19 (A) The scope of the investigation and the scope of  
20 each member's authority are defined at a meeting  
21 of the board;



1 (B) All resulting findings and recommendations are  
2 presented to the board at a meeting of the board;  
3 and

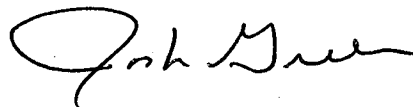
4 (C) Deliberation and [~~decisionmaking~~] decision-making  
5 on the matter investigated, if any, occurs only  
6 at a duly noticed meeting of the board held  
7 [~~subsequent to~~] no less than six business days  
8 after the meeting at which the findings and  
9 recommendations of the investigation were  
10 presented to the board; or

11 (2) Present, discuss, or negotiate any position that the  
12 board has adopted at a meeting of the board; provided  
13 that the assignment is made and the scope of each  
14 member's authority is defined at a meeting of the  
15 board before the presentation, discussion, or  
16 negotiation."

17 SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

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

APPROVED this 3rd day of May , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 1600, HD 1, SD 2

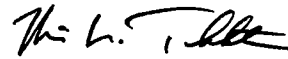
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 17, 2024  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki  
Speaker  
House of Representatives




Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 9, 2024  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.

  
President of the Senate

  
Clerk of the Senate