

JAN 25 2023

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# A BILL FOR AN ACT

RELATING TO GOVERNMENT ACCOUNTABILITY.

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

1           SECTION 1. The legislature finds that every year laws are  
2 enacted that require new studies and audits of various state  
3 government departments or agencies. Conducting and completing  
4 many of these studies and audits require an appropriation and  
5 also consume valuable time and resources of the department,  
6 agency, office, or branch of government tasked with preparing  
7 the study or audit. The legislature also finds that the  
8 resultant report is often not widely reviewed by the legislature  
9 or public and can sometimes go completely unnoticed despite the  
10 fact that these reports can contain valuable information. The  
11 legislature further finds that mandating a public hearing or  
12 informational briefing that would facilitate discussion and  
13 analysis of the report findings and recommendations would better  
14 serve the public interest.

15           The purpose of this Act is to:

16           (1) Require a public hearing or informational briefing on  
17           certain audit reports and studies enacted with an



1           appropriation or adopted by concurrent resolution  
2           within one year of the receipt of the report or study  
3           in order to properly review and consider the  
4           information provided therein; and

5           (2) Require reports to the legislature for certain funded  
6           programs.

7           SECTION 2. Chapter 21, Hawaii Revised Statutes, is amended  
8           by adding a new part to be appropriately designated and to read  
9           as follows:

10           **"PART           .   HEARINGS OR BRIEFINGS ON REPORTS**

11           **§21-   Procedures for consideration of reports.** (a) For  
12           any study or audit enacted with a legislative appropriation to  
13           fund the study or audit or adopted by concurrent resolution,  
14           including those studies or audits in any budget measure, and  
15           which are conducted by:

- 16           (1) The executive departments and agencies, including the  
17           Hawaii health systems corporation;  
18           (2) The auditor;  
19           (3) The judiciary;  
20           (4) The legislative reference bureau; or  
21           (5) The office of Hawaiian affairs,



1 the state agency completing the study or audit shall submit the  
2 report to the chair of the applicable subject matter committee  
3 of each chamber and if no chair is currently appointed to such  
4 committee, then to the presiding officer of that chamber. The  
5 report shall also comply with the requirements of section 93-16.

6 (b) The respective chairs of the committees to whom a  
7 report is submitted under subsection (a) shall conduct a public  
8 hearing or informational briefing on the report within one year  
9 of the chair receiving the report. Upon request of the chair, a  
10 one-year extension of time or waiver of the requirement to  
11 conduct a public hearing or informational briefing may be  
12 granted by the president of the senate or the speaker of the  
13 house of representatives, as appropriate; provided that the  
14 reasons for the granting a one-year extension of time or waiver  
15 of the requirement under this part shall be posted on the  
16 legislature's website and publicly noticed at the state capitol.

17 (c) This section shall not apply to any financial or  
18 regularly occurring study or audit enacted with a legislative  
19 appropriation to fund the study or audit or adopted by  
20 concurrent resolution."



1 SECTION 3. Chapter 26, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4 "§26- Establishment of programs; reports. Any  
5 department or agency that establishes a funded program in  
6 accordance with an Act of the State shall submit a report on the  
7 program to the legislature no later than one year following the  
8 passage of the Act. The report to the legislature shall:

- 9 (1) Identify all revenues, expenditures, and encumbrances  
10 for the program;  
11 (2) Identify the number of employees hired to staff the  
12 program;  
13 (3) Provide whether or not the program was implemented  
14 within the year in which the enabling Act was passed;  
15 (4) Identify the achievements, findings, and future plans  
16 for the program, including any supporting data; and  
17 (5) Any other information needed to sufficiently apprise  
18 the legislature of the program's nature, financial  
19 status, and effectiveness."



1 SECTION 4. Section 21, Hawaii Revised Statutes, is amended  
2 by designating sections 21-1 to 21-19 as part I, entitled  
3 "Investigating Committees".

4 SECTION 5. Sections 21-1, 21-2, 21-6, 21-13, 21-15, and  
5 21-19, Hawaii Revised Statutes, are amended by substituting the  
6 word "part" wherever the word "chapter" appears, as the context  
7 requires.

8 SECTION 6. New statutory material is underscored.

9 SECTION 7. This Act shall take effect upon its approval.

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INTRODUCED BY: *Anna Mercedes Ke*



# S.B. NO. 1416

**Report Title:**

Government Accountability; Legislative Hearings; Studies and Reports; State Funded Programs; Mandatory Reports

**Description:**

Requires any report of a study or an audit enacted with a legislative appropriation or adopted by concurrent resolution and conducted by an executive department or agency, to be submitted to the Senate President, Speaker of the House of Representatives, chairs of the appropriate subject matter committee of each house, and the Legislative Reference Bureau library. Requires a public hearing or informational briefing within one year of receipt of the report, except under certain circumstances. Exempts financial and other regularly occurring audits. Requires state departments and agencies to submit a report to the Legislature on certain information regarding funded state programs enacted into law within a year of passage.

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

