

STAND. COM. REP. NO. 3662

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 1600
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. 1600, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OPEN MEETINGS,"

begs leave to report as follows:

The purpose and intent of this measure is to require boards to schedule a meeting for deliberation and decision-making on a report by an investigative group at least six business days after the board meeting in which the investigative group presented the findings and recommendations of its investigation to the board.

Your Committee received testimony in support of this measure from the Office of Information Practices, League of Women Voters of Hawaii, and Public First Law Center.

Your Committee finds that existing law has an exception to the Sunshine Law's open meetings requirement to permit a limited number of board members to investigate an issue and report back to the board before a decision is made. Existing law also requires that in these cases, the board must hold three meetings. However, boards have circumvented the legislative intent of this exception by separately noticing these meetings back-to-back, in some instances only minutes after one another. This measure will set a clear standard for how much time must elapse between these mandatory meetings.



Your Committee has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making a technical, nonsubstantive amendment 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. 1600, 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. 1600, H.D. 1, S.D. 2.

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



KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 1600 HD1 SD1	Committee Referral: GVO, JDC	Date: 04 / 02 / 24
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes