

JAN 23 2025

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# A BILL FOR AN ACT

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RELATING TO PUBLIC MEETINGS.

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

1       SECTION 1. The legislature finds that the required notice  
2 period for posting board packets before public meetings is not  
3 being implemented as the legislature intended. The legislature  
4 established and amended the requirement to post board packets no  
5 later than two business days before a public meeting to give the  
6 public ample time to review the board packet.

7       However, the legislature finds that some agencies interpret  
8 the current law to mean a board packet can be posted at any time  
9 during the second business day before the public meeting. These  
10 agencies post board packets late in the evening, effectively  
11 reducing the time the public is able to review the board packet.  
12 The legislature finds this practice contrary to the original  
13 intent of the notice period.

14       Accordingly, the purpose of this Act is to close the legal  
15 loophole being exploited by requiring board packets to be posted  
16 two or more full business days before a public meeting.



1       SECTION 2. Section 92-7.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3       **"§92-7.5 Board packet; filing; public inspection; notice.**

4 At the time the board packet is distributed to the board  
5 members, but ~~[no later than]~~ two full business days or more  
6 before the meeting, the board shall also make the board packet  
7 available for public inspection in the board's office; provided  
8 that nothing in this section shall require creation of a board  
9 packet; provided further that nothing in this section shall  
10 prohibit the distribution of public testimony to board members  
11 before the meeting. The board shall provide notice to persons  
12 requesting notification of meetings pursuant to section 92-7(e)  
13 ~~[that includes]~~ at the time the board packet is distributed to  
14 the board members, but at least two full business days or more  
15 before the meeting. The notice shall include a list of the  
16 documents that were compiled by the board and distributed to the  
17 board members before a meeting for use at that meeting and that  
18 the board packet is available for inspection in the board's  
19 office and shall provide reasonably prompt access to the board  
20 packet to any person upon request. The board is not required to  
21 mail board packets. As soon as practicable, the board shall



1 accommodate requests for electronic access to the board packet  
2 and shall post the board packet on its website.

3 For purposes of this section:

4 "Board packet" means documents that are compiled by the  
5 board and distributed to board members before a meeting for use  
6 at that meeting, to the extent the documents are public under  
7 chapter 92F; provided that this section shall not require  
8 disclosure of executive session minutes, license applications,  
9 or other records for which the board cannot reasonably complete  
10 its redaction of nonpublic information in the time available  
11 before the public inspection required by this section.

12 "Business day" shall have the same meaning as in section  
13 11-1."

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:





# S.B. NO. 1651

**Report Title:**

Public Meetings; Board Packets; Notice

**Description:**

Requires board packets to be posted two or more full business days before a public meeting.

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

