
A BILL FOR AN ACT

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. In 2024, the
4 legislature amended the requirement to post board packets to 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 existing law to mean that a board packet can be posted at
9 any time during the second business day before the public
10 meeting. These agencies post board packets late in the evening,
11 effectively reducing the time the public is able to review the
12 board packet. The legislature finds this practice contrary to
13 the original intent of the notice period.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Close the legal loophole being exploited by requiring
16 board packets to be posted at least three full
17 business days before a public meeting; and



1 (2) Require boards to provide notice to persons who have
2 requested notification of meetings when board packets
3 are made available for public inspection.

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

6 **"§92-7.5 Board packet; filing; public inspection; notice.**

7 (a) At the time the board packet is distributed to the board
8 members, but no later than ~~[two]~~ three full business days before
9 the meeting, the board shall also make the board packet
10 available for public inspection in the board's office; provided
11 that nothing in this section shall require creation of a board
12 packet; provided further that nothing in this section shall
13 prohibit the distribution of public testimony to board members
14 before the meeting. ~~[The]~~ At the time the board packet is made
15 available for public inspection in the board's office, the board
16 shall provide notice to persons [requesting] who have requested
17 notification of meetings pursuant to section 92-7(e) that
18 includes a list of the documents that were compiled by the board
19 and distributed to the board members before a meeting for use at
20 that meeting and that the board packet is available for
21 inspection in the board's office and shall provide reasonably



1 prompt access to the board packet to any person upon request.
2 The board [~~is~~] shall not be required to mail board packets. As
3 soon as practicable, the board shall accommodate requests for
4 electronic access to the board packet and shall post the board
5 packet on its website.

6 (b) For purposes of this section:

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

15 "Business day" [~~shall have~~] has the same meaning as defined
16 in section 11-1."

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.



Report Title:

Public Meetings; Board Packets; Notice

Description:

Requires board packets to be posted at least three full business days before a public meeting. Requires boards to provide notice to persons who have requested notification of meetings at the time the board packet is made available for public inspection.
(CD1)

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