

ACT 11

H.B. NO. 1598

A Bill for an Act Relating to the Sunshine Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to:

- (1) Require boards to make available for public inspection board packets, if created, at the time the board packet is distributed to board members but no later than two business days before the board meeting;
- (2) Allow public testimony to be distributed to board members before the board meeting;
- (3) Require boards to include in the notice to persons requesting notification of meetings, a list of the documents that were compiled by the board and distributed to board members before a board meeting for use at the meeting; and
- (4) Require boards to post board packets on its website.

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

“§92-7.5 Board packet; filing; public inspection; notice. At the time the board packet is distributed to the board members, but no later than [~~forty-eight hours~~] two business days before the meeting [~~time~~], the board shall also make the board packet available for public inspection in the board’s office; provided that nothing in this section shall require creation of a board packet[~~;~~]; provided further that nothing in this section shall prohibit the distribution of public testimony to board members before the meeting. The board shall provide notice to persons requesting notification of meetings pursuant to section 92-7(e) that includes a list of the documents that were compiled by the board and distributed to the board members before a meeting for use at that meeting and that the board packet is available for inspection in the board’s office and shall provide reasonably prompt access to the board packet to any person upon request. The board is not required to mail board packets. As soon as practicable, the board shall accommodate requests for electronic access to the board packet[~~;~~] and shall post the board packet on its website.

For purposes of this section[~~;~~]~~“board~~];

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

“Business day” shall have the same meaning as in section 11-1.”

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

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

(Approved May 3, 2024.)