

JAN 25 2023

A BILL FOR AN ACT

RELATING TO THE SUNSHINE LAW.

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

1 SECTION 1. The legislature finds that the house of
2 representatives adopted House Resolution No. 9 (2022) to
3 establish the commission to improve standards of conduct. The
4 resolution requests the commission ensure state laws and rules
5 relating to standards of conduct of public officers and
6 employees contain clear standards, enforcement, and penalties
7 and provide recommendations to increase awareness of, compliance
8 with, and deterrent effects of the code of ethics, lobbying
9 laws, campaign finance laws, and other relevant laws and rules.

10 Pursuant to House Resolution No. 9, the commission to
11 improve standards of conduct convened regularly throughout 2022
12 to diligently review, discuss, and consider the issues
13 presented, submitted an interim report to the house of
14 representatives outlining areas of immediate and long-term
15 focus, then continued its work with input from the public and
16 invited individuals and agencies to issue a final report with
17 various recommendations and accompanying proposed legislation.



1 The legislature also finds that the strength and stability
2 of our democratic government rely upon the public's trust in
3 government institutions, including the expectation that officers
4 act ethically with prudence, integrity, and sound judgement.
5 Therefore, an essential goal of the commission was to provide
6 recommendations that would help restore public trust in state
7 government and increase the level of transparency in its
8 operations and accountability of individuals.

9 Accordingly, the purpose of this Act is to implement
10 recommendations of the commission to improve standards of
11 conduct relating to expanded application of the State's sunshine
12 law to legislatively appointed bodies.

13 SECTION 2. Section 92-10, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§92-10 Legislative branch; legislatively appointed**
16 **bodies; applicability.** (a) Notwithstanding any provisions
17 contained in this chapter to the contrary, open meeting
18 requirements, and provisions regarding enforcement, penalties
19 and sanctions, as they are to relate to the state legislature or
20 to any of its members shall be such as shall be from time to
21 time prescribed by the respective rules and procedures of the



1 senate and the house of representatives, which rules and
2 procedures shall take precedence over this part. Similarly,
3 provisions relating to notice, agenda and minutes of meetings,
4 and such other requirements as may be necessary, shall also be
5 governed by the respective rules and procedures of the senate
6 and the house of representatives.

7 (b) Except as provided in this subsection, this part and
8 part IV shall apply to each legislatively appointed body and
9 shall take precedence over any rules and procedures of the
10 senate or house of representatives that govern the same content
11 of this part and part IV as they relate to meetings and public
12 hearings of legislatively appointed bodies. Any bill or
13 resolution establishing a legislatively appointed body may
14 exempt that body from the requirements of this part and part IV
15 by inclusion in its final form of a specific finding or
16 declaration that articulates the rationale for the exemption.

17 (c) The senate and the house of representatives shall each
18 hold or jointly hold a public hearing or briefing on a biennial
19 basis to solicit professional and public opinions on how the
20 rules and procedures established by each chamber can better
21 effectuate the intent of this chapter. These hearings or



1 briefings shall be held in accordance with this part and part

2 IV.

3 (d) For the purposes of this section, "legislatively
4 appointed body" means a task force, working group, special
5 committee, or select committee that has a membership consisting
6 entirely of state legislators who were appointed by one or both
7 houses of the legislature or one or both of the presiding
8 officers of each house of the legislature."

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect on July 1, 2023.

11

INTRODUCED BY:



By Request



S.B. NO. 1427

Report Title:

Commission to Improve Standards of Conduct; Legislatively Appointed Bodies; Task Forces; Working Groups; Special Committees; Sunshine Law

Description:

Expands application of the State's sunshine law to legislatively appointed bodies, including task forces, working groups, special committees, and select committees. Requires the senate and the house of representatives to hold public hearings on a biennial basis to solicit professional and public feedback on how chamber rules can better effectuate the intent of the State's sunshine law.

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