

# S.B. NO. 317

JAN 24 2024

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## A BILL FOR AN ACT

RELATING TO MEETING NOTICES.

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

1           SECTION 1. Section 92-7, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) No less than six calendar days prior to the meeting,  
4 the board shall post the notice on an electronic calendar on a  
5 website maintained by the State or the appropriate county and  
6 post a notice in the board's office for public inspection. The  
7 notice shall also be posted at the site of the meeting whenever  
8 feasible. The board shall file a copy of the notice with the  
9 office of the lieutenant governor or the appropriate county  
10 clerk's office and retain a copy of proof of filing the notice,  
11 and the office of the lieutenant governor or the appropriate  
12 clerk's office shall [~~timely post~~] ensure access to paper or  
13 electronic copies of all meeting notices [~~in a central location~~  
14 ~~in a public building~~]; provided that a failure to do so by the  
15 board, the office of the lieutenant governor, or the appropriate  
16 county clerk's office shall not require cancellation of the  
17 meeting. The copy of the notice to be provided to the office of  
18 the lieutenant governor or the appropriate county clerk's office

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1 may be provided via electronic mail to an electronic mail  
2 address designated by the office of the lieutenant governor or  
3 the appropriate county clerk's office, as applicable."

4 SECTION 2. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7

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INTRODUCED BY:

A handwritten signature in black ink, appearing to be "M. S. J.", is written over a horizontal line.

9

BY REQUEST

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**Report Title:**

Sunshine Law; Public Meetings; Public Notice

**Description:**

Mandates the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and deletes the requirement to post notices in a central location in a public building.

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

JUSTIFICATION SHEET **SB. NO. 3171**

DEPARTMENT: Lieutenant Governor.

TITLE: A BILL FOR AN ACT RELATING TO MEETING NOTICES.

PURPOSE: To mandate the Office of the Lieutenant Governor or the appropriate county clerk's office to ensure access to paper or electronic copies of all meeting notices and removes the requirement to post all meeting notices in a central location in a public building.

MEANS: Amends section 92-7(b), Hawaii Revised Statutes (HRS).

JUSTIFICATION: Hawaii is a state of islands with numerous geographical barriers, and it is impractical for those who live on the neighbor islands to fly to Honolulu to view notices posted at the State Capitol. Similarly, it is impractical for those who live in Kona to drive to Hilo to view notices posted at the Hawaii County Office of the Clerk or for those who live in Hana to drive to Wailuku to view notices posted at the Maui County Office of the Clerk. Additionally, due to the COVID-19 pandemic and increased security measures at the State Capitol and other government facilities, it is becoming increasingly challenging and unreasonable for residents and interested parties to physically visit a government building to view posted notices. The amendments to section 92-7(b), HRS, ensure that residents and interested parties have a variety of methods to view board notices and agendas: electronically available on an online calendar, posted physically at the board's office and the site of the meeting when feasible, and via paper or electronic copy by contacting the Office of the Lieutenant Governor or the appropriate county clerk's office.

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Impact on the public: Increases the general public's access to board and commission meeting notices.

Impact on the department and other agencies: Increases efficiency and decreases paper usage for departments and agencies, which currently must fax or physically drop-off two printed notices at the Lieutenant Governor's Office and frees the staff of the Office of the Lieutenant Governor from posting notices daily in the Chamber level of the State Capitol.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: None.

OTHER AFFECTED  
AGENCIES: All state departments and agencies with boards or commissions, Office of Information Practices, County of Kauai Office of the County Clerk, City and County of Honolulu Office of the City Clerk, County of Maui Office of the County Clerk, and Hawaii County Office of the County Clerk.

EFFECTIVE DATE: Upon approval.