A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

- 1 SECTION 1. Section 128-26, Hawaii Revised Statutes, is
- 2 amended to read as follows:
- 3 "\$128-26 Proclamations, how made; service of papers. (a)
- 4 Every proclamation of the governor [for which provision is made]
- 5 authorized by this chapter[7] shall be promulgated by
- 6 publication [thereof, or]; provided that when immediate
- 7 promulgation is necessary [in the opinion of the governor, who
- 8 shall be the sole judge thereof, according to the sole
- 9 discretion of the governor, a proclamation may be promulgated by
- 10 official announcement [thereof] by means of radio broadcast or
- 11 [such] any other means [as] that may be available.
- 12 (b) The governor shall provide notice to the legislature
- 13 of a proclamation promulgated pursuant to subsection (a) by
- 14 delivering a printed copy of the proclamation to the clerk of
- 15 each house of the legislature within forty-eight hours of the
- 16 promulgation. The notice required by this subsection shall be
- 17 in addition to any notice otherwise required by applicable
- 18 statute or rule.

HB HMS 2011-4520

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- 1 (c) Any process, notice, or order[, service of which is
- 2 provided for by served pursuant to this chapter[7] may be
- 3 served by any police officer or other person authorized by the
- 4 governor, any other provision of law to the contrary
- 5 notwithstanding."
- 6 SECTION 2. Statutory material to be repealed is bracketed
- 7 and stricken. New statutory material is underscored.
- 8 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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JAN 2 3 2012

H.B. NO. 2342

Report Title:

Governor; Emergency Powers; Disaster Relief

Description:

Requires the governor to provide notice to the legislature within forty-eight hours of the promulgation of an emergency proclamation.

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