

JAN 20 2012

A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION.

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

1 SECTION 1. The legislature finds that if a government
2 agency is required to give public notice or to publish notice,
3 the agency must do so in a daily or weekly publication, either
4 statewide or in a specific county, as appropriate. This
5 requirement is costly for the State and does not take full
6 advantage of enhancements in communications technology.
7 Electronic posting of information has become commonplace because
8 it is easy, efficient, relatively inexpensive, and increases
9 public access to the information. The State and counties have
10 official websites that can accommodate government notices and
11 publication of the notices on these websites would provide
12 better service to the public, while providing significant cost
13 savings for state and county governments.

14 The purpose of this Act is to require government agencies
15 to disseminate publications of notice electronically, while
16 retaining the option of providing additional supplemental notice
17 in a daily or weekly publication of statewide circulation or in



1 a daily or weekly publication in the affected county, as
2 appropriate.

3 SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) Notwithstanding any other statute, law, charter
7 provision, ordinance, or rule to the contrary, whenever a
8 government agency is required to give public notice or to
9 publish notice, the notice shall be given ~~[only as follows:~~

10 ~~(1) For statewide publication:~~

11 ~~(A) In a daily or weekly publication of statewide~~
12 ~~circulation; or~~

13 ~~(B) By publication in separate daily or weekly~~
14 ~~publications whose combined circulation is~~
15 ~~statewide; and~~

16 ~~(2) For county wide publication, by publication in a daily~~
17 ~~or weekly publication in the affected county.] by~~
18 electronic or online publication on the website of the
19 State of Hawaii for statewide publication or by
20 electronic or online publication on the website of the
21 affected county for county-wide publication.



1 Additional supplemental notice may also be given [~~through Hawaii~~
2 ~~FYI, the State's interactive computer system.~~] in a daily or
3 weekly publication of statewide circulation or in a daily or
4 weekly publication in the affected county, as appropriate."

5 2. By amending subsection (c) to read:

6 "(c) Whenever a public notice is published [~~in a newspaper~~
7 ~~or other publication~~] as described in subsection (a), proof of
8 the publication shall be the affidavit of the printer,
9 publisher, principal clerk, or business manager of the newspaper
10 or other publication or of the designated agent of the group
11 that published the notice[-], or of the designated
12 representative of the government agency whose notice is
13 published electronically or online; provided that if the notice
14 is published electronically or online, the government agency
15 shall provide information on the agency's website giving the
16 location of the electronic or online notice."

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so
19 much thereof as may be necessary for fiscal year 2012-2013 for
20 the operational expenses of the office of information management
21 technology.



1 The sum appropriated shall be expended by the department of
2 accounting and general services for the purposes of this Act.

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

5 SECTION 5. This Act shall take effect on July 1, 2012;
6 provided that section 2 shall take effect on January 1, 2013.

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S.B. NO. 2233

Report Title:

Electronic Information; Public Notice; Appropriation

Description:

Requires government agencies to disseminate publications of notice electronically; provides the option of additional supplemental notice in a daily or weekly publication of statewide circulation or in a daily or weekly publication in the affected county, as appropriate; appropriates funds for the operational expenses of the office of information management technology; electronic notice requirement effective 1/1/2013.

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