**S.B. NO.** <sup>2121</sup> S.D. 1 H.D. 1 C.D. 1

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# A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS AND RECORDS.

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

SECTION 1. Act 221, Session Laws of Hawaii 2014, is 1 2 amended by amending section 4 to read as follows: 3 "SECTION 4. This Act shall take effect upon its approval [+ provided that on June 30, 2016, section 2 of this Act shall be 4 repealed and section 92 3.1, Hawaii Revised Statutes, shall be 5 reenacted in the form in which it read on the day before the 6 7 effective date of this Act]." SECTION 2. Section 92-3.1, Hawaii Revised Statutes, is 8 9 amended to read as follows: 10 "§92-3.1 Limited meetings. (a) If a board determines 11 that it is necessary to meet at a location that is dangerous to 12 health or safety, or if a board determines that it is necessary to conduct an on-site inspection of a location that is related 13 to the board's business at which public attendance is not 14 practicable, and the director of the office of information 15 practices concurs, the board may hold a limited meeting at that 16 17 location that shall not be open to the public; provided that at a regular meeting of the board prior to the limited meeting: 18 2016-2268 SB2121 CD1 SMA.doc 

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1	(1) Tì	ne board determines, after sufficient public
2	de	eliberation, that it is necessary to hold the limited
3	me	eeting and specifies that the location is dangerous
4	to	o health or safety or that the on-site inspection is
5	ne	ecessary and public attendance is impracticable;
6	(2) Tv	wo-thirds of all members to which the board is
7	e	ntitled vote to adopt the determinations required by
8	pa	aragraph (1); and
9	(3) No	otice of the limited meeting is provided in
10	a	ccordance with section 92-7.
11	(b) A	county council may hold a limited meeting that is
12	open to the	public, as the guest of a board or community group
13	holding its	own meeting, and the council shall not be required
14	to have a qu	uorum of members in attendance or accept oral
15	<pre>testimony; ]</pre>	provided that:
16	(1) No	otice of the limited meeting shall be provided in
17	a	ccordance with section 92-7, shall indicate the board
18	0:	r community group whose meeting the council is
19	at	ttending, and shall not be required to include an
20	a	genda;

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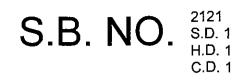
1	(2)	If the board or community group whose meeting the
2		council is attending is subject to part I, chapter 92,
3		then that board or community group shall comply with
4		the notice, agenda, testimony, minutes, and other
5		requirements of part I, chapter 92;
6	(3)	No more than one limited meeting per month shall be
7		held by a county council for any one board or
8		community group;
9	(4)	No limited meetings shall be held outside the State;
10		and
11	(5)	Limited meetings shall not be used to circumvent the
12		purpose of part I, chapter 92.
13	(C)	At all limited meetings, the board shall:
14	(1)	Videotape the meeting, unless the requirement is
15		waived by the director of the office of information
16		practices, and comply with all requirements of section
17		92-9;
18	(2)	Make the videotape available at the next regular
19		meeting; and
20	(3)	Make no decisions at the meeting.

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1	(d) Each county council shall submit an annual report to
2	the legislature no later than twenty days prior to the convening
3	of each regular session on the effectiveness and application of
4	limited meeting procedures provided in subsection (b), including
5	any recommendations or proposed legislation."
6	SECTION 3. Statutory material to be repealed is bracketed
7	and stricken. New statutory material is underscored.
8	SECTION 4. This Act shall take effect on June 29, 2016.





Report Title: Public Meetings; Sunshine Law; County Council Members

#### Description:

Repeals the June 30, 2016, sunset date of limited statutory exemptions from open meeting requirements which permit county council members to attend public meetings of other boards or community groups. Requires the county councils to submit annual reports to the Legislature on the effectiveness of procedural requirements to effectuate the exemption. (CD1)

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

