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# A BILL FOR AN ACT

RELATING TO PUBLIC AGENCY MEETINGS.

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

1           SECTION 1. The legislature finds that the requirement of  
2 boards to keep written minutes of all meetings should be updated  
3 to reflect technological advancements. It is currently  
4 difficult for boards to find and retain staff with the  
5 stenographic experience necessary to keep written minutes as  
6 fewer individuals have those qualifications and those who do  
7 obtain such qualifications quickly seek out much higher paying  
8 positions in the court system. It is also now possible to keep  
9 minutes through analog and digital recording means, and to make  
10 minutes publicly available in those forms. The legislature  
11 finds that updating this requirement will only serve to enhance  
12 the public's ability to access the minutes of board meetings.

13           The purpose of this Act is to allow board minutes to be  
14 kept by written or recorded means.

15           SECTION 2. Section 92-9, Hawaii Revised Statutes, is  
16 amended by amending subsections (a) and (b) to read as follows:



1           "(a) The board shall keep [~~written~~] minutes of all  
2 meetings[-]; provided that the minutes may be written or  
3 recorded by analog or digital means. If the minutes are  
4 recorded by analog or digital means, a written summary of the  
5 recording shall accompany the recording, and the written summary  
6 shall include any significant actions taken by the board,  
7 including motions and votes made by the board. Unless otherwise  
8 required by law, neither a full transcript nor a recording of  
9 the meeting is required, but the [~~written~~] minutes shall give a  
10 true reflection of the matters discussed at the meeting and the  
11 views of the participants. The minutes shall include, but need  
12 not be limited to:

- 13           (1) The date, time, and place of the meeting;
- 14           (2) The members of the board recorded as either present or  
15 absent;
- 16           (3) The substance of all matters proposed, discussed, or  
17 decided; and a record, by individual member, of any  
18 votes taken; and
- 19           (4) Any other information that any member of the board  
20 requests be included or reflected in the minutes.



1           (b) The minutes shall be public records and shall be  
2 available within thirty days after the meeting except where such  
3 disclosure would be inconsistent with section 92-5; provided  
4 that minutes of executive meetings may be withheld so long as  
5 their publication would defeat the lawful purpose of the  
6 executive meeting, but no longer. If the minutes are recorded  
7 by analog or digital means, the recordings shall be available  
8 within ten days after the meeting unless disclosure is  
9 inconsistent with section 92-5; provided that analog or digital  
10 recordings of minutes of executive meetings may be withheld as  
11 long as their availability would defeat the lawful purpose of  
12 the executive meeting, but no longer. The board shall maintain  
13 reasonable care of any original or duplicate recordings of  
14 minutes that are recorded by analog or digital means."

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

17           SECTION 4. This Act shall take effect on July 1, 2050.

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**Report Title:**

Public Agency Meetings; Minutes; Analog or Digital Recordings; Written Summaries; Availability and Maintenance of Recorded Minutes

**Description:**

Allows the minutes at public agency meetings to be kept by written or recorded by analog or digital means. If the minutes are recorded, requires that a written summary accompany minutes, and that the written summary include any significant actions taken by the board, including motions and votes made by the board. Requires recorded minutes to be available within ten days after the board meeting, with certain exceptions. Requires the board to maintain reasonable care of any original or duplicate recordings of minutes that are recorded by analog or digital means. Takes effect on July 1, 2050. (SD2)

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

