
A BILL FOR AN ACT

RELATING TO LEGISLATIVE HEARINGS.

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

1 SECTION 1. Chapter 21, Hawaii Revised Statutes, is amended
2 by adding a new part to be appropriately designated and to read
3 as follows:

4 "PART . COMMITTEE HEARINGS, GENERALLY

5 §21- Prerecorded video testimony. Each chamber of the
6 legislature shall establish procedures to enable persons to
7 present testimony at legislative committee hearings through the
8 use of prerecorded videos."

9 SECTION 2. Chapter 21 is amended by designating sections
10 21-1 to 21-19 as part I, entitled "Investigating Committees,
11 General Powers, and Duties of Sergeant-at-Arms".

12 SECTION 3. Section 21-1, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "§21-1 Purpose. The purpose of this [~~chapter~~] part is to
15 establish procedures governing legislative investigating
16 committees to provide for the creation and operation of
17 legislative investigating committees in a manner [~~which~~] that



1 will enable them to perform properly the powers and duties
 2 vested in them, including the conduct of hearings, in a fair and
 3 impartial manner, consistent with protection of the
 4 constitutional rights of persons called to testify at such
 5 hearings and preservation of the public good."

6 SECTION 4. Section 21-2, Hawaii Revised Statutes, is
 7 amended to read as follows:

8 "§21-2 Definitions. As used in this ~~chapter~~ part:

9 "Hearing" means any meeting in the course of an
 10 investigatory proceeding, other than a preliminary conference or
 11 interview at which no testimony is taken under oath, conducted
 12 by an investigating committee for the purpose of taking
 13 testimony or receiving other evidence. A hearing may be open to
 14 the public or closed to the public.

15 "Investigating committee" means any of the following which
 16 are authorized to compel the attendance and testimony of
 17 witnesses or the production of books, records, papers, and
 18 documents for the purpose of securing information on a specific
 19 subject for the use of the legislature:

- 20 (1) A standing or special or select committee or committee
- 21 of the whole of either house of the legislature;



- 1 (2) A joint committee of both houses;
- 2 (3) An authorized subcommittee of a legislative committee;
- 3 and
- 4 (4) Any body created by law, the members of which may
- 5 include nonlegislators.

6 "Public hearing" means any hearing open to the public, or

7 the proceedings of which are made available to the public."

8 SECTION 5. Section 21-6, Hawaii Revised Statutes, is

9 amended by amending subsection (c) to read as follows:

10 "(c) No action shall be taken by a committee at any

11 meeting unless a quorum is present. The committee may act by a

12 majority vote of the members present and voting at a meeting at

13 which there is a quorum, unless the provisions of this [~~chapter~~]

14 part or any other statute require a greater number or

15 proportion."

16 SECTION 6. Section 21-13, Hawaii Revised Statutes, is

17 amended by amending subsection (c) to read as follows:

18 "(c) Any person who appears before an investigating

19 committee pursuant to this section shall have all the rights,

20 privileges, and responsibilities of a witness provided by this

21 [~~chapter-~~] part."



1 SECTION 7. Section 21-15, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) A person guilty of contempt under this [~~chapter~~] part
4 shall be fined not more than \$1,000 or imprisoned not more than
5 one year or both.

6 (b) If any investigating committee fails in any material
7 respect to comply with the requirements of this [~~chapter~~,] part,
8 any person subject to a subpoena or a subpoena duces tecum who
9 is injured by the failure shall be relieved of any requirement
10 to attend the hearing for which the subpoena was issued or, if
11 present, to testify or produce evidence therein; and the failure
12 shall be a complete defense in any proceeding against the person
13 for contempt or other punishment."

14 SECTION 8. Section 21-19, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§21-19 Limitations.** Nothing contained in this [~~chapter~~]
17 part shall be construed to limit or prohibit the acquisition of
18 evidence or information by an investigating committee by any
19 lawful means not provided for herein."

20 SECTION 9. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ _____ or so much



1 thereof as may be necessary for fiscal year 2017-2018 and the
2 same sum or so much thereof as may be necessary for fiscal year
3 2018-2019 for the purpose of enabling persons to present
4 testimony at senate committee hearings through the use of
5 prerecorded videos.

6 The sums appropriated shall be expended by the senate for
7 the purposes of this Act.

8 SECTION 10. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2017-2018 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2018-2019 for the purpose of enabling persons to present
13 testimony at house of representatives committee hearings through
14 the use of prerecorded videos.

15 The sums appropriated shall be expended by the house of
16 representatives for the purposes of this Act.

17 SECTION 11. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 12. This Act shall take effect on July 1, 2088.



Report Title:

Public Hearings; Legislative Testimony; Prerecorded Video;
Appropriation

Description:

Requires both chambers of the Legislature to establish
procedures to enable persons to present testimony at legislative
committee hearings through the use of prerecorded videos.
Appropriates funds. (HB154 HD1)

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

