
A BILL FOR AN ACT

RELATING TO TRANSPARENCY IN STATE GOVERNMENT.

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

1 SECTION 1. Section 92-3.1, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§92-3.1 Limited meetings. (a) If a board determines
4 that it is necessary to meet at a location that is dangerous to
5 health or safety, or if a board determines that it is necessary
6 to conduct an on-site inspection of a location that is related
7 to the board's business at which public attendance is not
8 practicable, and the director of the office of information
9 practices concurs, the board may hold a limited meeting at that
10 location that shall not be open to the public; provided that at
11 a regular meeting of the board prior to the limited meeting:

12 (1) The board determines, after sufficient public
13 deliberation, that it is necessary to hold the limited
14 meeting and specifies that the location is dangerous
15 to health or safety or that the on-site inspection is
16 necessary and public attendance is impracticable;



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1 (2) Two-thirds of all members to which the board is
2 entitled vote to adopt the determinations required by
3 paragraph (1); and

4 (3) Notice of the limited meeting is provided in
5 accordance with section 92-7.

6 (b) A county council may hold a limited meeting that is
7 open to the public, as the guest of a board or community group
8 holding its own meeting, and the council shall not be required
9 to have a quorum of members in attendance or accept oral
10 testimony; provided that:

11 (1) Notice of the limited meeting shall be provided in
12 accordance with section 92-7, shall indicate the board
13 or community group whose meeting the council is
14 attending, and shall not be required to include an
15 agenda;

16 (2) If the board or community group whose meeting the
17 council is attending is subject to part I, chapter 92,
18 then that board or community group shall comply with
19 the notice, agenda, testimony, minutes, and other
20 requirements of part I, chapter 92;



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1 (3) No more than one limited meeting per month shall be
2 held by a county council for any one board or
3 community group;

4 (4) No limited meetings shall be held outside the State;
5 and

6 (5) Limited meetings shall not be used to circumvent the
7 purpose of part I, chapter 92.

8 (c) A house of the state legislature may hold a limited
9 meeting that is open to the public, as the guest of a board or
10 community group holding its own meeting, and the respective
11 house of the legislature shall not be required to have a quorum
12 of members in attendance or accept oral testimony; provided
13 that:

14 (1) Notice of the limited meeting shall be provided in
15 accordance with section 92-7, shall indicate the board
16 or community group whose meeting the respective house
17 of the legislature is attending, and shall not be
18 required to include an agenda;

19 (2) If the board or community group whose meeting the
20 respective house of the legislature is attending is
21 subject to part I, chapter 92, then that board or



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1 community group shall comply with the notice, agenda,
 2 testimony, minutes, and other requirements of part I,
 3 chapter 92;

4 (3) No more than one limited meeting per month shall be
 5 held by a house of the legislature for any one board
 6 or community group;

7 (4) No limited meetings shall be held outside the State;
 8 and

9 (5) Limited meetings shall not be used to circumvent the
 10 purpose of part I, chapter 92.

11 ~~(e)~~ (d) At all limited meetings, the board shall:

12 (1) Videotape the meeting, unless the requirement is
 13 waived by the director of the office of information
 14 practices, and comply with all requirements of section
 15 92-9;

16 (2) Make the videotape available at the next regular
 17 meeting; and

18 (3) Make no decisions at the meeting.

19 ~~(d)~~ (e) Each county council and each house of the
 20 legislature shall submit an annual report to the legislature and
 21 the office of information practices, respectively, no later than



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1 twenty days prior to the convening of each regular session on
 2 the effectiveness and application of limited meeting procedures
 3 provided in ~~[subsection]~~ subsections (b) and (c), respectively,
 4 including any recommendations or proposed legislation."

5 SECTION 2. Section 92-10, Hawaii Revised Statutes, is
 6 repealed.

7 ~~["§92-10 Legislative branch; applicability.
 8 Notwithstanding any provisions contained in this chapter to the
 9 contrary, open meeting requirements, and provisions regarding
 10 enforcement, penalties and sanctions, as they are to relate to
 11 the state legislature or to any of its members shall be such as
 12 shall be from time to time prescribed by the prescribed
 13 respective rules and procedures of the senate and the house of
 14 representatives, which rules and procedures shall take
 15 precedence over this part. Similarly, provisions relating to
 16 notice, agenda and minutes of meetings, and such other
 17 requirements as many be necessary, shall also be governed by the
 18 respective rules and procedures of the senate and the house of
 19 representatives."]~~

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



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1 SECTION 4. This Act shall take effect on July 1, 2018.

2

INTRODUCED BY: _____



By Request

JAN 11 2018



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Report Title:

Sunshine Law; Limited Meetings; Applicability to Legislature

Description:

Applies the conditions and requirements relating to limited meeting to the Legislature when a house of the Legislature holds a limited meeting that is open to the public, as a guest of a board or community group. Repeals the Legislature's exemption from the open meeting requirements of the Sunshine Law.

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

