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## A BILL FOR AN ACT

RELATING TO THE HAWAII ADMINISTRATIVE PROCEDURES ACT.

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

1 SECTION 1. Section 91-1, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending the definition of "contested case" to read:

4 ""Contested case" means a proceeding in which the legal  
5 rights, duties, or privileges of specific parties are required  
6 by law to be determined after an opportunity for agency hearing.  
7 The term does not include an agency decision regarding the  
8 disposition of land by sale, lease, license, permit, or  
9 otherwise."

10 2. By amending the definition of "rule" to read:

11 ""Rule" means each agency statement of general or  
12 particular applicability and future effect that implements,  
13 interprets, or prescribes law or policy, or describes the  
14 organization, procedure, or practice requirements of any agency.  
15 The term does not include ~~regulations~~:

16 (1) Regulations concerning only the internal management of  
17 an agency and not affecting private rights of or



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1           procedures available to the public[~~, nor does the term~~  
2           ~~include declaratory~~];

3           (2) Declaratory rulings issued pursuant to section 91-8[~~r~~  
4           ~~nor intra-agency~~];

5           (3) Interagency memoranda[~~-~~]; or

6           (4) Documents or agreements regarding the disposition of  
7           land by sale, lease, license, permit, or otherwise."

8           SECTION 2. This Act does not affect rights and duties that  
9           matured, penalties that were incurred, and proceedings that were  
10          began before its effective date.

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 Statutory material to be repealed is bracketed  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

13          SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 22 2021



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**Report Title:**

Hawaii Administrative Procedures Act; Definitions; Contested Case; Rule

**Description:**

Amends the definitions of "contested case" and "rule" in the Hawaii Administrative Procedures Act.

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

