



**GOV. MSG. NO. 1276**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirty-First State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty-First State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

SB2387 SD1 HD2 CD1

RELATING TO PROCUREMENT.  
**ACT 175**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

Approved by the Governor

on JUN 27 2022

THE SENATE  
THIRTY-FIRST LEGISLATURE, 2022  
STATE OF HAWAII

**ACT 175**  
**S.B. NO.** 2387  
S.D. 1  
H.D. 2  
C.D. 1

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# A BILL FOR AN ACT

RELATING TO PROCUREMENT.

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

1           SECTION 1. The legislature finds that one of the guiding  
2 principles of the Hawaii public procurement code is  
3 transparency. The main purpose of transparency is to promote  
4 openness in the procurement process so that all stakeholders  
5 have access to information about procurement activities. The  
6 legislature further finds that transparency should not be  
7 limited to the award of a contract but should also apply to the  
8 cancellation of a contract solicitation. The legislature  
9 recognizes that bids and proposals may require considerable  
10 resources to prepare and submit, and that vendors have the right  
11 to know the reason that a solicitation was cancelled.

12           Accordingly, the purpose of this Act is to require agencies  
13 to publicly post the justification for cancelling an invitation  
14 for bids or request for proposals, for a minimum of ten business  
15 days, on a purchasing agency's website, government electronic  
16 notification system, or by any other means the procurement  
17 officer deems effective for publicizing the cancellation notice.



1 SECTION 2. Section 103D-308, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "§103D-308 Cancellation of invitations for bids or  
4 requests for proposals. An invitation for bids, a request for  
5 proposals, or other solicitation may be canceled, or any or all  
6 bids or proposals may be rejected in whole or in part as may be  
7 specified in the solicitation, when it is in the best interests  
8 of the governmental body [~~which~~] that issued the invitation,  
9 request, or other solicitation, in accordance with rules adopted  
10 by the policy board. The reasons therefor shall be made part of  
11 the contract file[-] and be publicly posted, for a minimum of  
12 ten business days, on a purchasing agency's website, government  
13 electronic notification system, or by any other means the  
14 procurement officer deems effective for publicizing the  
15 cancellation notice."

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

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



S.B. NO.

2387  
S.D. 1  
H.D. 2  
C.D. 1

APPROVED this 27th day of June, 2022

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a long horizontal stroke at the end.

GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: May 3, 2022  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.

  
President of the Senate

  
Clerk of the Senate

SB No. 2387, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives