
A BILL FOR AN ACT

RELATING TO THE SUNSHINE LAW.

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

1 SECTION 1. The legislature finds that children's privacy
2 rights prevail over the public's right to know. Therefore, the
3 purpose of this Act is to amend the State's sunshine law to
4 protect children's privacy in online public meetings.

5 SECTION 2. Section 92-3.7, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) A board may hold a remote meeting by interactive
8 conference technology; provided that the interactive conference
9 technology used by the board allows audiovisual interaction
10 among all members of the board participating in the meeting and
11 all members of the public attending the meeting, except as
12 otherwise provided under this section; provided further that
13 there is at least one meeting location that is open to the
14 public and has an audiovisual connection. A board holding a
15 remote meeting pursuant to this section shall not be required to
16 allow members of the public to join board members in person at
17 nonpublic locations where board members are physically present



1 or to identify those locations in the notice required by section
2 92-7; provided that at the meeting, each board member shall
3 state ~~[who, if anyone, is]~~ the name of any person eighteen years
4 of age or older who is present at the nonpublic location with
5 the member. The notice required by section 92-7 shall:

6 (1) List at least one meeting location that is open to the
7 public that shall have an audiovisual connection; and

8 (2) Inform members of the public how to contemporaneously:

9 (A) Remotely view the video and audio of the meeting
10 through internet streaming or other means; and

11 (B) Provide remote oral testimony in a manner that
12 allows board members and other meeting
13 participants to hear the testimony, whether
14 through an internet link, a telephone conference,
15 or other means.

16 The board may provide additional locations open for public
17 participation. The notice required by section 92-7 shall list
18 any additional locations open for public participation and
19 specify, in the event an additional location loses its
20 audiovisual connection to the remote meeting, whether the
21 meeting will continue without that location or will be



1 automatically recessed to restore communication as provided in
2 subsection (c)."

SECTION 3. This Act does not affect rights and duties that
matured, penalties that were incurred, and proceedings that were
begun before its effective date.

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY:

Hakoshima

JAN 24 2022



H.B. NO. 2025

Report Title:

Public Meetings; Sunshine Law; Disclosure; Minors; Privacy

Description:

Requires that the mandatory disclosure of the names of persons who are physically with a board member attending a public meeting by an online method shall apply only to the disclosure of the names of adults, and not minors, who are physically with the board member.

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

