
A BILL FOR AN ACT

RELATING TO SUNSHINE LAW BOARDS.

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

SECTION 1. Act 220, Session Laws of Hawaii 2021, is amended
to read as follows:

**"592- Remote meeting by interactive conference technology;
notice; quorum.**

(a) A board may hold a remote meeting by interactive
conference technology; provided that the interactive conference
technology used by the board allows audiovisual interaction
among all members of the board participating in the meeting and
all members of the public attending the meeting, except as
otherwise provided under this section; ~~provided further that~~
~~there is at least one meeting location that is open to the~~
~~public and has an audiovisual connection.~~ A board holding a
remote meeting pursuant to this section shall not be required to
allow members of the public to join board members in person at
nonpublic locations where board members are physically present
or to identify those locations in the notice required by section
92-7; provided that at the meeting, each board member shall



1 state who, if anyone, is present at the nonpublic location with
2 the member. The notice required by section 92-7 shall: ~~(1) List~~
3 ~~at least one meeting location that is open to the public that~~
4 ~~shall have an audiovisual connection; and (2) Inform members of~~
5 the public how to contemporaneously: (A) Remotely View the video
6 and audio of the meeting through internet streaming or other
7 means; and (B) Provide remote oral testimony in a manner that
8 allows board members and other meeting participants to hear the
9 testimony, whether through an internet link, a telephone
10 conference, or other means. The board may provide additional
11 locations open for public participation. The notice required by
12 section 92-7 shall list any additional locations open for public
13 participation and specify, in the event an additional location
14 loses its audiovisual connection to the remote meeting, whether
15 the meeting will continue without that location or will be
16 automatically recessed to restore communication as provided in
17 subsection (c).

18 For a remote meeting held by interactive conference
19 technology pursuant to this section: (1) The interactive
20 conference technology used by the board shall allow interaction
21 among all members of the board participating in the meeting and



1 all members of the public attending the meeting; Except as
2 provided in subsections (c) and (d), a quorum of board members
3 participating in the meeting shall be visible and audible to
4 other members and the public during the meeting; provided that
5 no other meeting participants shall be required to be visible
6 during the meeting; Any board member participating in a meeting
7 by (4) interactive conference technology shall be considered
8 present at the meeting for the purpose of determining compliance
9 with the quorum and voting requirements of the board; At the
10 start of the meeting the presiding officer shall announce the
11 names of the participating members; All votes shall be conducted
12 by roll call unless unanimous; and (6) When practicable, boards
13 shall record meetings open to the public and make the recording
14 of any meeting electronically available to the public as soon as
15 practicable after a meeting and until a time as the minutes
16 required by section 92-9 are electronically posted on the
17 board's website.

18 (c) A meeting held by interactive conference technology
19 shall be automatically recessed for up to thirty minutes to
20 restore communication when audiovisual communication cannot be
21 maintained with all members participating in the meeting or with



1 the public location identified in the board's notice pursuant to
2 subsection (a)(1) or with the remote public broadcast identified
3 in the board's notice pursuant to subsection (a)(2)(A). This
4 subsection shall not apply based on the inability of a member of
5 the public to maintain an audiovisual connection to the remote
6 public broadcast, unless the remote public broadcast itself is
7 not transmitting an audiovisual link to the meeting. The meeting
8 may reconvene when either audiovisual communication is restored,
9 or audio-only communication is established after an unsuccessful
10 attempt to restore audiovisual communication, but only if the
11 board has provided reasonable notice to the public as to how to
12 access the reconvened meeting after an interruption to
13 communication. If audio-only communication is established, then
14 each speaker shall be required to state their name before making
15 their remarks. Within fifteen minutes after audio-only
16 communication is established, copies of non confidential visual
17 aids that are required by or brought to the meeting by board
18 members or as part of a scheduled presentation shall be made
19 available either by posting on the Internet or by other means to
20 all meeting participants, including those participating
21 remotely, and those agenda items for which visual aids are not



1 available for all participants shall not be acted upon at the
2 meeting. ~~If it is not possible to reconvene the meeting as~~
3 ~~provided in this subsection within thirty minutes after an~~
4 ~~interruption to communication and the board has not provided~~
5 ~~reasonable notice to the public as to how the meeting will be~~
6 ~~continued at an alternative date and time, then the meeting~~
7 ~~shall be automatically terminated.~~

8 (d) During executive meetings from which the public has
9 been excluded, board members shall be audible to other
10 authorized participants but shall not be required to be visible.
11 To preserve the executive nature of any portion of a meeting
12 closed to the public, the presiding officer shall publicly state
13 the names and titles of all authorized participants, and, upon
14 convening the executive session, all participants shall confirm
15 to the presiding officer that no unauthorized person is present
16 or able to hear them at their remote locations or via another
17 audio or audiovisual connection. The person organizing the
18 interactive conference technology shall confirm that no
19 unauthorized person has access to the executive meeting as
20 indicated on the control panels of the interactive conference
21 technology being used for the meeting, if applicable."



H.B. NO. 2505

INTRODUCED BY:

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Report Title:

Sunshine Law; Interactive Conference Technology; Remote Meetings

Description:

Amends Section 1. Act 220, Session Laws of Hawaii 2021, to remove language requiring open meetings to have an in-person location for public access when hosting otherwise entirely remote meetings.

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

