
A BILL FOR AN ACT

RELATING TO PUBLIC NOTICES.

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

1 SECTION 1. The purpose of this Act is to provide
2 government agencies the option to publish notice via a posting
3 on their official website, in lieu of or in addition to
4 publication in daily or weekly publication, such as a printed
5 newspaper. Electronic posting is more expedient and
6 cost-effective, particularly for routine but time-sensitive
7 situations, such as postings of clean water environmental hazard
8 advisories, as well as in more urgent conditions, such as
9 disaster-related response and recovery activities.

10 The legislature affirms that under general rules of
11 statutory construction, where two statutes conflict, the more
12 specific statute is followed. As a result, since section
13 1-28.5, Hawaii Revised Statutes, is a general statute, this Act
14 is not intended to supersede procedures that, for example,
15 assure transparency in public administration, such as chapter
16 91, Hawaii Revised Statutes, "Administration Procedures," and



chapter 92, Hawaii Revised Statutes, "Public Agency Meetings and Records."

SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Notwithstanding any other statute, law, charter provision, ordinance, or rule to the contrary, whenever a government agency is required to give public notice or to publish notice, the notice shall be given only as follows:

(1) For statewide publication:

(A) In a daily or weekly publication of statewide circulation; or

(B) By publication in separate daily or weekly publications whose combined circulation is statewide; ~~and~~

(2) For county-wide publication, by publication in a daily or weekly publication in the affected county[~~-~~

~~Additional supplemental notice may also be given through Hawaii FYI, the State's interactive computer system.]; or~~

(3) For statewide or county publication of public notices, as applicable, by posting on an electronic calendar or an official website for legal notices maintained by



1 the State or the appropriate county; provided that the
2 government agency shall:

3 (A) Evaluate and document the rationale for posting
4 only online if the subject of the public notice
5 is likely to impact persons with limited,
6 inconsistent, or unreliable broadband access or
7 significant inexperience with broadband-enabled
8 telecommunications;

9 (B) Post documents in accessible formats on an
10 accessible official website; and

11 (C) Provide a disclaimer in any public notice from
12 January 1, 2023, through June 30, 2023, that
13 states that the government agency may begin to
14 post online after July 1, 2023."

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

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



Report Title:

City and County of Honolulu Mayor's Package; Public Notices;
Publication

Description:

Allows government agencies under certain circumstances to
publish public notices on an official website as an alternative
to a newspaper. (SD2)

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

