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# A BILL FOR AN ACT

RELATING TO BOARD MEETINGS.

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

1           SECTION 1. Section 92-2, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "Board packet" means documents that are compiled by a  
5 board and distributed to board members before a meeting for use  
6 at that meeting, to the extent the documents are public under  
7 chapter 92F."

8           SECTION 2. Section 92-3, Hawaii Revised Statutes, is  
9 amended to read as follows:

10          "**§92-3 Open meetings.** Every meeting of all boards shall  
11 be open to the public and all persons shall be permitted to  
12 attend any meeting unless otherwise provided in the constitution  
13 or as closed pursuant to sections 92-4 and 92-5; provided that  
14 the removal of any person or persons who wilfully disrupts a  
15 meeting to prevent and compromise the conduct of the meeting  
16 shall not be prohibited. The boards shall afford all interested  
17 persons [an]:



1       (1) An opportunity to submit data, views, or arguments, in  
2       writing, on any agenda item[~~-. The boards shall also~~  
3       ~~afford all interested persons an~~];

4       (2) An opportunity to present oral testimony on any agenda  
5       item[-]; provided that the boards shall not limit the  
6       presentation of oral testimonies solely to the  
7       beginning of the board meeting; and

8       (3) In the event a board uses a board packet, the board  
9       shall make the board packet available to interested  
10       persons at least forty-eight hours prior to the board  
11       meeting.

12 The boards may provide for reasonable administration of oral  
13 testimony by rule."

14       SECTION 3. Section 92-7.5, Hawaii Revised Statutes, is  
15 amended to read as follows:

16       "~~{}~~§92-7.5~~{}~~ **Board packet; filing; public inspection;**  
17 **notice.** At the time the board packet is distributed to the  
18 board members, the board shall also make the board packet  
19 available for public inspection in the board's office[-];  
20 provided that board packets shall be made available for public  
21 inspection at least forty-eight hours prior to the board



1 meeting; provided further that nothing in this section shall  
2 require a board to prepare or use a board packet. The board  
3 shall provide notice to persons requesting notification of  
4 meetings pursuant to section 92-7(e) that the board packet is  
5 available for inspection in the board's office and shall provide  
6 reasonably prompt access to the board packet to any person upon  
7 request. The board is not required to mail board packets. As  
8 soon as practicable, the board shall accommodate requests for  
9 electronic access to the board packet.

10 ~~[For purposes of this section, "board packet" means~~  
11 ~~documents that are compiled by the board and distributed to~~  
12 ~~board members before a meeting for use at that meeting, to the~~  
13 ~~extent the documents are public under chapter 92F; provided that~~  
14 ~~this section shall not]~~ Nothing in this section shall require  
15 disclosure of executive session minutes, license applications,  
16 or other records for which the board cannot reasonably complete  
17 its redaction of nonpublic information in the time available  
18 before the public inspection required by this section."

19 SECTION 4. This Act does not affect rights and duties that  
20 matured, penalties that were incurred, and proceedings that were  
21 begun before its effective date.



1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect upon its approval.



**Report Title:**

Open Meetings; Community Meetings; Board Packets

**Description:**

Defines "board packet" and requires each state board to make its board packets publicly available at least forty-eight hours prior to the board meeting, but only if the board uses board packets. (SD1)

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

