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# 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 the house of  
2 representatives adopted House Resolution No. 9, Regular Session  
3 of 2022, to establish the commission to improve standards of  
4 conduct. The resolution requests that the commission ensure  
5 state laws and rules relating to standards of conduct of public  
6 officers and employees contain clear standards, enforcement, and  
7 penalties and provide recommendations to increase awareness of,  
8 compliance with, and deterrent effects of the code of ethics,  
9 lobbying laws, campaign finance laws, and other relevant laws  
10 and rules.

11           Pursuant to House Resolution No. 9, the commission to  
12 improve standards of conduct convened regularly throughout 2022  
13 to diligently review, discuss, and consider the issues  
14 presented; submit an interim report to the house of  
15 representatives outlining areas of immediate and long-term  
16 focus; receive input from the public and invited individuals and



1 agencies; and issue a final report with various recommendations  
2 and accompanying proposed legislation.

3       The legislature also finds that the strength and stability  
4 of our democratic government rely upon the public's trust in  
5 government institutions, including the expectation that officers  
6 act ethically with prudence, integrity, and sound judgement.  
7 Therefore, an essential goal of the commission was to provide  
8 recommendations that would help restore public trust in state  
9 government and increase the level of transparency in its  
10 operations and accountability of individuals.

11       Accordingly, the purpose of this Act is to implement  
12 recommendations of the commission to improve standards of  
13 conduct relating to expanded application of the State's sunshine  
14 law to legislatively appointed bodies.

15       SECTION 2. Section 92-10, Hawaii Revised Statutes, is  
16 amended to read as follows:

17       "**§92-10 Legislative branch; legislatively appointed**  
18 **bodies; applicability.** (a) Notwithstanding any provisions  
19 contained in this chapter to the contrary, and except as  
20 otherwise provided under subsection (b), open meeting  
21 requirements, and provisions regarding enforcement, penalties



1 and sanctions, as they [~~are to~~] relate to the state legislature  
2 or to any of its members shall be [~~such~~] as [~~shall be~~]  
3 prescribed from time to time [~~prescribed~~] by the respective  
4 rules and procedures of the senate and [~~the~~] house of  
5 representatives, which rules and procedures shall take  
6 precedence over this part. Similarly, provisions relating to  
7 notice, agenda and minutes of meetings, and such other  
8 requirements as may be necessary, shall also be governed by the  
9 respective rules and procedures of the senate and [~~the~~] house of  
10 representatives.

11 (b) Except as provided in this subsection, this part and  
12 part IV shall apply to each legislatively appointed body and  
13 shall take precedence over any rules and procedures of the  
14 senate or house of representatives that govern the same content  
15 of this part and part IV as they relate to meetings and public  
16 hearings of legislatively appointed bodies. Any bill or  
17 resolution establishing a legislatively appointed body may  
18 exempt that body from the requirements of this part and part IV  
19 by inclusion in its final form of a specific finding or  
20 declaration that articulates the rationale for the exemption.



1        (c) For the purposes of this section, "legislatively  
2 appointed body" means a task force, working group, commission,  
3 special committee, or select committee that has a membership  
4 consisting in part or in whole of non-legislative members who  
5 were appointed by one or both houses of the legislature or one  
6 or both of the presiding officers of each house of the  
7 legislature."

8        SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10        SECTION 4. This Act shall take effect on July 1, 2023.

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H.B. NO. 723  
H.D. 1

**Report Title:**

Commission to Improve Standards of Conduct; Legislatively Appointed Bodies; Task Forces; Working Groups; Commissions; Special Committees; Sunshine Law

**Description:**

Expands application of the State's sunshine law to legislatively appointed bodies, including task forces, working groups, commissions, special committees, and select committees. (HD1)

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

