
A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. The legislature finds that the required notice
2 period for posting board packets before public meetings is not
3 being implemented as the legislature intended. In 2024, the
4 legislature amended the requirement to post board packets to no
5 later than two business days before a public meeting to give the
6 public ample time to review the board packet.

7 However, the legislature finds that some agencies interpret
8 the existing law to mean that a board packet can be posted at
9 any time during the second business day before the public
10 meeting. These agencies post board packets late in the evening,
11 effectively reducing the time the public is able to review the
12 board packet. The legislature finds this practice contrary to
13 the original intent of the notice period.

14 Accordingly, the purpose of this Act is to:

15 (1) Close the legal loophole being exploited by requiring
16 board packets to be posted two full business days
17 before a public meeting; and



1 (2) Require boards to provide notice to individuals
2 requesting notification of meetings when board packets
3 are made available for public inspection.

4 SECTION 2. Section 92-7.5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 **"§92-7.5 Board packet; filing; public inspection; notice.**

7 At the time the board packet is distributed to the board
8 members, but [~~no later than~~] two full business days before the
9 meeting, the board shall also make the board packet available
10 for public inspection in the board's office; provided that
11 nothing in this section shall require creation of a board
12 packet; provided further that nothing in this section shall
13 prohibit the distribution of public testimony to board members
14 before the meeting. [~~The~~] At the time the board packet is made
15 available for public inspection in the board's office, the board
16 shall provide notice to persons requesting notification of
17 meetings pursuant to section 92-7(e) that includes a list of the
18 documents that were compiled by the board and distributed to the
19 board members before a meeting for use at that meeting and that
20 the board packet is available for inspection in the board's
21 office and shall provide reasonably prompt access to the board



1 packet to any person upon request. The board is not required to
2 mail board packets. As soon as practicable, the board shall
3 accommodate requests for electronic access to the board packet
4 and shall post the board packet on its website.

5 For purposes of this section:

6 "Board packet" means documents that are compiled by the
7 board and distributed to board members before a meeting for use
8 at that meeting, to the extent the documents are public under
9 chapter 92F; provided that this section shall not require
10 disclosure of executive session minutes, license applications,
11 or other records for which the board cannot reasonably complete
12 its redaction of nonpublic information in the time available
13 before the public inspection required by this section.

14 "Business day" shall have the same meaning as in section
15 11-1."

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

18 SECTION 4. This Act shall take effect on July 1, 3000.



S.B. NO. 1651
S.D. 1
H.D. 1

Report Title:

Public Meetings; Board Packets; Notice

Description:

Requires board packets to be posted two full business days before a public meeting. Requires boards to provide notice to persons requesting notification of meetings at the time the board packet is made available for public inspection. Effective 7/1/3000. (HD1)

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