
A BILL FOR AN ACT

RELATING TO REGULATORY SUNSET REVIEW IN HAWAII.

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

1 SECTION 1. The legislature finds that the proliferation of
2 administrative rules and regulations can lead to inefficiencies,
3 outdated policies, and unnecessary burdens on businesses and
4 residents. The legislature also finds that agencies will often
5 build upon existing administrative rules to add even more rules
6 and complexity. Other states have also faced these issues and
7 have created several structures to deal with runaway rulemaking.
8 For example, the State of Idaho has implemented a successful
9 regulatory review program that ensures periodic evaluation and
10 elimination of unnecessary regulations. To reverse the State's
11 abysmal ranking as a place to do business, the legislature finds
12 that establishing a similar program in the State would help to
13 address one of the biggest factors that impedes businesses and
14 residents--too many rules and fees that may not be legally valid
15 anymore since the authority to establish these rules no longer
16 exists, or is irrelevant.



1 Accordingly, the purpose of this Act is to establish a
2 program in the State to review, streamline, and modernize the
3 Hawaii Administrative Rules by implementing a rolling regulatory
4 sunset and review process.

5 SECTION 2. (a) The department of the attorney general
6 shall implement and oversee a regulatory review program to
7 evaluate all administrative rules adopted by state agencies.

8 (b) Each state agency shall review at minimum, twenty per
9 cent of its administrative rules annually so that all rules are
10 reviewed at least once every five years.

11 (c) The purpose of the review is to:

12 (1) Identify and repeal rules that are no longer
13 necessary, outdated, or duplicative;

14 (2) Identify rules that are not supported by statutory
15 authority;

16 (3) Simplify and streamline rules to reduce regulatory
17 burdens; and

18 (4) Improve clarity and accessibility of administrative
19 rules.

20 SECTION 3. (a) Each state agency shall submit a report
21 annually to the department of the attorney general summarizing:



- 1 (1) The rules the state agency reviewed during the year;
- 2 (2) Recommendations for retention, modification, or repeal
- 3 of each reviewed rule; and
- 4 (3) Justifications for each recommendation.
- 5 (b) The department of the attorney general shall:
- 6 (1) Review agency reports to ensure consistency with
- 7 statutory requirements and state policy;
- 8 (2) Compile an annual regulatory review report summarizing
- 9 findings and recommendations for all state agencies;
- 10 and
- 11 (3) Submit the report to the governor and legislature no
- 12 later than twenty days prior to the convening of each
- 13 regular session.

14 SECTION 4. The department of the attorney general shall
15 seek input from stakeholders and the general public as part of
16 the review process by accepting public comments for at least
17 sixty days.

18 SECTION 5. The department of the attorney general shall
19 notify the governor and legislature of any noncompliance with
20 the provisions of this Act by state agencies.



1 SECTION 6. The department of the attorney general shall
2 adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to
3 implement the regulatory review program established under this
4 Act.

5 SECTION 7. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$ or so
7 much thereof as may be necessary for fiscal year 2025-2026 and
8 the same sum or so much thereof as may be necessary for fiscal
9 year 2026-2027 to implement and administer the regulatory review
10 program established pursuant to this Act.

11 The sums appropriated shall be expended by the department
12 of the attorney general for the purposes of this Act.

13 SECTION 8. This Act shall take effect on January 1, 2525.



Report Title:

AG; Regulatory Review Program; Hawaii Administrative Rules;
State Agencies; Reports; Rules; Appropriations

Description:

Establishes a regulatory review program overseen by the Department of the Attorney General to evaluate all Hawaii Administrative Rules adopted by state agencies and identify any rules that should be retained, modified or repealed. Requires each state agency to review 20 per cent of their rules every year and submit a report to the Department of the Attorney General. Requires the Department of the Attorney General to notify the Governor and Legislature of any noncompliance by a state agency, adopt rules, and submit annual reports to the Legislature and Governor. Appropriates funds. Effective 1/1/2525. (SD1)

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

