
A BILL FOR AN ACT

RELATING TO PUBLIC NOTICE.

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

1 SECTION 1. The legislature finds that existing law
2 requires publication of government notices in newspapers of
3 general circulation. These requirements were adopted before
4 widespread electronic access and no longer reflect the most
5 efficient or accessible means of informing the public.

6 The legislature further finds that posting notices on
7 official state and county websites provides greater
8 transparency, accessibility, and timeliness. Aligning public
9 notice requirements with the sunshine law will modernize state
10 communications and ensure consistent public access to government
11 information.

12 The purpose of this Act is to update the requirements for
13 publication of public notices by allowing electronic posting on
14 official government websites, while preserving traditional
15 publication options when necessary.

16 SECTION 2. Section 1-28.5, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "§1-28.5 [~~Publication of~~] Public notice. (a)

2 Notwithstanding any other statute, law, charter provision,
3 ordinance, or rule to the contrary, whenever a government agency
4 is required to give public notice or to publish notice, the
5 notice shall be given [~~only~~] as follows:

6 (1) For statewide [~~publication~~] notice:

7 (A) [~~In a daily or weekly publication of statewide~~
8 ~~circulation~~] By posting the notice on an
9 electronic calendar or website maintained by the
10 State; or

11 (B) [~~By~~] In a daily or weekly publication of
12 statewide circulation, or by publication in
13 separate daily or weekly publications whose
14 combined circulation is statewide; and

15 (2) For county-wide [~~publication, by~~] notice:

16 (A) By posting the notice on an electronic calendar
17 or website maintained by the appropriate county;
18 or

19 (B) By publication in a daily or weekly publication
20 in the affected county.



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

3 (b) For purposes of this section, when an agency chooses
4 to post public notices in a newspaper or other publication
5 described in subsection (a) (1) (B), the comptroller pursuant to
6 chapter 103D shall determine a publication for all government
7 agencies to enable the public to go to one source of publication
8 for published public notice on each island.

9 (c) Whenever a public notice is published in a newspaper
10 or other publication ~~[described in subsection (a),]~~ proof of the
11 publication shall be the affidavit of the printer, publisher,
12 principal clerk, or business manager of the newspaper or other
13 publication or of the designated agent of the group that
14 published the notice.

15 ~~[(d) This section shall not apply to notices required by~~
16 ~~chapters 103D, 103F, 127A, and 523A.~~

17 ~~(e) For purposes of publishing a proposed, revised, or~~
18 ~~final reapportionment plan pursuant to section 25-2, public~~
19 ~~notice shall be permitted in a short form; provided that each~~
20 ~~short form public notice shall include the following~~
21 ~~information:~~



- 1 ~~(1) Whether the reapportionment plan has been either~~
2 ~~proposed, revised, or adopted;~~
- 3 ~~(2) The online location to view the reapportionment plan;~~
- 4 ~~(3) A list of the location of each public office where the~~
5 ~~hard copies of the reapportionment plan and maps are~~
6 ~~available; and~~
- 7 ~~(4) The public hearing dates.]~~

8 (d) Unless otherwise provided by law, notice shall be
9 posted or published no less than six calendar days before the
10 required action, meeting, or effective date.

11 (e) Each agency shall maintain a physical copy of all
12 public notices in its office for public inspection during
13 regular business hours.

14 (f) Additional supplemental notice may also be given
15 through other electronic means.

16 (g) This section shall not apply to notices required by
17 chapters 103D, 103F, 127A, and 523A; provided that government
18 agencies subject to those chapters may, in addition to any
19 notice required under those chapters, provide supplemental
20 notice by electronic posting pursuant to subsection (a).



1 (h) Nothing in this section shall be construed to
2 supersede, alter, or diminish any specific notice requirement
3 imposed by any other law, including but not limited to
4 requirements specifying the medium, frequency, duration, or
5 manner of publication. Where another statute imposes a more
6 specific notice requirement that conflicts with this section,
7 the more specific requirement shall control unless that statute
8 expressly provides otherwise.

9 [~~f~~] (i) For purposes of this section, "government
10 agency" means each department, board, commission, or officer of
11 the State or any of its political subdivisions."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

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



Report Title:

Public Notices; Electronic Posting

Description:

Allows government agencies to satisfy public notice requirements by posting notices on official state or county websites, while retaining publication as an option. Effective 7/1/3000. (HD2)

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

