
A BILL FOR AN ACT

RELATING TO PUBLIC MEETINGS.

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

1 SECTION 1. Section 92-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§92-2 Definitions.** As used in this part:

4 [~~1~~] "Board" means any agency, board, commission,
5 authority, or committee of the State or its political
6 subdivisions which is created by constitution,
7 statute, rule, or executive order, to have
8 supervision, control, jurisdiction, or advisory power
9 over specific matters and which is required to conduct
10 meetings and to take official actions.

11 [~~2~~] "Chance meeting" means a social or informal assemblage
12 of two or more members at which matters relating to
13 official business are not discussed.

14 "Interactive conference technology" means any form of audio
15 or audio and visual conference technology, including
16 teleconference, videoconference, and voice over internet
17 protocol, that facilitates interaction between the public and
18 board members.



1 ~~[(3)]~~ "Meeting" means the convening of a board for which a
2 quorum is required in order to make a decision or to
3 deliberate toward a decision upon a matter over which
4 the board has supervision, control, jurisdiction, or
5 advisory power."

6 SECTION 2. Section 92-3.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§92-3.5 Meeting by ~~[videoconference;]~~ interactive**
9 **conference technology; notice; quorum.** (a) A board may hold a
10 meeting by ~~[videoconference;]~~ interactive conference technology;
11 provided that the ~~[videoconference system]~~ interactive
12 conference technology used by the board ~~[shall allow both audio~~
13 ~~and visual]~~ allows interaction ~~[between]~~ among all members of
14 the board participating in the meeting and ~~[the]~~ all members of
15 the public attending the meeting, ~~[at any videoconference~~
16 ~~location. The]~~ and the notice required by section 92-7 ~~[shall~~
17 ~~specify]~~ identifies all of the public locations ~~[at which]~~ where
18 participating board members will be physically present ~~[during a~~
19 ~~videoconference meeting. The notice shall also specify that the~~
20 ~~public may attend the meeting at any of the specified~~
21 ~~locations.]~~ and indicates that members of the public may join
22 board members at any of the identified public locations.



1 (b) Any board member participating in a meeting by
2 ~~[videoconference]~~ interactive conference technology shall be
3 considered present at the meeting for the purpose of determining
4 compliance with the quorum and voting requirements of the board.

5 (c) A meeting held by ~~[videoconference]~~ interactive
6 conference technology shall be terminated ~~[if, after the meeting~~
7 ~~convenes, both the]~~ if audio ~~[and video]~~ communication cannot be
8 maintained with all locations where the meeting by interactive
9 conference technology is being held, even if a quorum of the
10 board is physically present in one location ~~[, provided that a~~
11 ~~meeting may be continued by audio communication alone, if:~~

12 (1) ~~All visual aids required by, or brought to the meeting~~
13 ~~by board members or members of the public have already~~
14 ~~been provided to all meeting participants at all~~
15 ~~videoconference locations where the meeting is held,~~
16 ~~or~~

17 (2) ~~Participants are able to readily transmit visual aids~~
18 ~~by some other means (e.g., fax copies), to all other~~
19 ~~meeting participants at all other videoconference~~
20 ~~locations where the meeting is held. If copies of~~
21 ~~visual aids are not available to all meeting~~
22 ~~participants at all videoconference locations where~~



1 ~~the meeting is held, those agenda items related to the~~
2 ~~visual aids shall be deferred until the next meeting,~~
3 ~~and~~
4 ~~(3) No more than fifteen minutes shall elapse in~~
5 ~~implementing the requirements listed in paragraph~~
6 ~~(2)].~~ If copies of visual aids required by or
7 brought to the meeting by board members or members of the public
8 are not available to all meeting participants, board members and
9 members of the public at all locations where audio-only
10 interactive conference technology is being used within fifteen
11 minutes after audio-only communication is used, those agenda
12 items for which visual aids are not available for all
13 participants at all meeting locations shall not be acted upon at
14 the meeting."

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

17 SECTION 4. This Act shall take effect on July 1, 2012.



Report Title:

Sunshine Law; Board Meetings; Notice of Board Meetings;
Interactive Conference Technology

Description:

Permits use of interactive conference technology to increase ability of members of state and county boards and commissions to attend board meetings. Establishes requirements for notice and use of visual aids. Effective July 1, 2012. (SB2737 HD1)

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

