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# A BILL FOR AN ACT

RELATING TO ELECTRONIC INFORMATION.

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

1           SECTION 1. The legislature finds that if a government  
2 agency is required to give public notice or to publish notice,  
3 the agency must do so in a daily or weekly publication, either  
4 statewide or in a specific county, as appropriate. This  
5 requirement is costly for the State and does not take full  
6 advantage of enhancements in communications technology.  
7 Electronic posting of information has become commonplace because  
8 it is easy, efficient, relatively inexpensive, and increases  
9 public access to the information. The State and counties have  
10 official websites that can accommodate government notices and  
11 publication of the notices on these websites would provide  
12 better service to the public, while providing significant cost  
13 savings for state and county governments.

14           The purpose of this Act is to allow government agencies to  
15 disseminate publications of notice electronically, or in a daily  
16 or weekly publication of statewide circulation or in a daily or  
17 weekly publication in the affected county, as appropriate.



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

3 1. By amending subsection (a) to read:

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

8 (1) For statewide publication:

9 (A) By electronic or online publication on the  
10 centralized website of the State of Hawaii; or

11 [~~(A)~~] (B) In a daily or weekly publication of  
12 statewide circulation; or

13 [~~(B)~~] (C) By publication in separate daily or weekly  
14 publications whose combined circulation is  
15 statewide; and

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

17 (A) By electronic or online publication on the  
18 website of the affected county; or

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

21 [~~Additional supplemental notice may also be given through Hawaii~~  
22 ~~FYI, the State's interactive computer system.] The public~~



1 notices and the websites shall be accessible to the disabled,  
2 the elderly, and other individuals who require state assistance  
3 to access the website."

4 2. By amending subsection (c) to read:

5 "(c) Whenever a public notice is published [~~in a newspaper~~  
6 ~~or other publication~~] as described in subsection (a), proof of  
7 the publication shall be the affidavit of the printer,  
8 publisher, principal clerk, or business manager of the newspaper  
9 or other publication or of the designated agent of the group  
10 that published the notice[-], or of the designated  
11 representative of the government agency operating the  
12 centralized website of the State of Hawaii; provided that if the  
13 notice is published on the centralized website of the State of  
14 Hawaii the public notice shall include information or links to  
15 other locations of the electronic or online notice."

16 SECTION 3. There is appropriated out of the general  
17 revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so  
18 much thereof as may be necessary for fiscal year 2012-2013 for  
19 the operational expenses of the office of information management  
20 technology, including establishment of a centralized website of  
21 the State of Hawaii, to be administered by the office of  
22 information management and technology, including but not limited



1 to the following features: one data entry point with multiple  
2 destinations; 99.99 per cent reliability; reporting  
3 capabilities; integration with the state calendar; equal  
4 employment opportunity compliance; mapping and GIS integration;  
5 language translation; compliance with Americans with  
6 Disabilities Act (ADA) federal requirements; a ten-year archive;  
7 active postings for a period of one month; internet privacy;  
8 Electronic Discovery Law compliance; records management  
9 compliance, Federal Information Security Management Act of 2002  
10 security management; and RSS (Really Simple Syndication) feeds  
11 to public access channels.

12 The sum appropriated shall be expended by the department of  
13 accounting and general services for the purposes of this Act.

14 SECTION 4. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$ or so  
16 much thereof as may be necessary for fiscal year 2012-2013 for  
17 support services by the Hawaii state public library system for  
18 the public to access and print information from the centralized  
19 website, including ADA-compliant stations with accessible  
20 printers and workstations.

21 The sum appropriated shall be expended by the department of  
22 education for the purposes of this Act.



1 SECTION 5. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect on July 1, 2012;  
4 provided that section 2 shall take effect on July 1, 2013.



**Report Title:**

Electronic Information; Public Notice; Appropriations

**Description:**

Authorizes government agencies to disseminate publications of notice electronically, or in a daily or weekly publication of statewide circulation, or in a daily or weekly publication in the affected county, as appropriate; appropriates funds for the operational expenses of the office of information management technology; appropriates funds for the Hawaii public library system for public access support services; electronic notice requirement effective 7/1/2013. (SD1)

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

