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## A BILL FOR AN ACT

RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION.

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

1           SECTION 1. The purpose of this Act is to require the  
2 adoption of "net zero energy capable design" in new single-  
3 family residential construction. "Net zero energy capable  
4 design" refers to homes that are sufficiently energy efficient  
5 that it is less expensive to generate on-site renewable energy  
6 than it is to further increase the energy efficiency of the  
7 home. "Net zero energy capable" new single family residential  
8 construction permits shall be given priority processing.

9           SECTION 2. Section 46-19.6, Hawaii Revised Statutes, is  
10 amended to read as follows:

11           "**§46-19.6 County building permits; incorporation of energy**  
12 **and environmental design building standards in project design;**  
13 **priority processing.** (a) Each county agency that issues  
14 building, construction, or development-related permits shall  
15 establish a procedure for the priority processing of a permit  
16 application submitted by a private entity for a construction  
17 project that incorporates energy and environmental design  
18 building standards into its project design or that incorporates

1 "net zero energy capable design" if the structure is a single-  
2 family residence. The permit processing procedure shall give  
3 priority to private sector permit applicants at no additional  
4 cost to the applicant. Any priority permit processing procedure  
5 established by a county pursuant to this section shall not imply  
6 or provide that any permit application filed under the priority  
7 processing procedure shall be automatically approved.

8 (b) For the purposes of this section:

9 "Energy and environmental design building standards" means  
10 the leadership in energy and environmental design silver or two  
11 green globes rating system or another comparable state-approved,  
12 nationally recognized, and consensus-based guideline, standard,  
13 or system.

14 "Private entity" means any permit applicant that is not the  
15 State, a county, the federal government, or any political  
16 subdivision thereof.

17 "Net zero energy capable design" means a structure that is  
18 sufficiently energy efficient such that it is less expensive to  
19 install and generate on-site renewable energy than it is to  
20 implement further increases in the energy efficiency of the  
21 structure.

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1        (c) All new single-family residential construction shall  
2 be designed to be a "net zero energy capable design" starting  
3 January 1, 2015."

4        SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6        SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Calvin K. Ay  
BY REQUEST

JAN 25 2010

**Report Title:**

Energy Efficient, New Single-Family Residential Construction

**Description:**

Requires all new single-family residential construction be designed to be "net zero energy capable" as of January 1, 2015.

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO NET ZERO ENERGY CAPABLE CONSTRUCTION.

PURPOSE: To require that all new single-family residences constructed on or after January 1, 2015 shall be designed to be "net zero energy capable," and be given priority processing for building permits.

MEANS: Amend section 46-19.6, Hawaii Revised Statutes.

JUSTIFICATION: A "net zero energy capable" requirement means a building that is designed to be sufficiently energy efficient such that it is less expensive to generate on-site renewable energy than it is to further increase the energy efficiency of the building.

Setting this standard establishes a baseline wherein buildings constructed in this manner can cost-effectively install on-site electrical generation systems that bring their electrical power usage close to or near zero, thus reducing the need to increase the capacity of electrical utility power plants as the population grows.

Impact on the public: This measure would ensure that families and individuals purchasing single-family residences constructed after January 1, 2015 will have a home constructed with energy efficiency features such that the installation of on-site energy generating capacity will substantially minimize their need to purchase power from the local electrical utility.

Impact on the department and other agencies:  
The Department of Business, Economic

Development, and Tourism will be responsible for working with the construction industry and applicable building permitting departments in the counties to ensure compliance with the provisions in this measure.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: BED-120.

OTHER AFFECTED  
AGENCIES: County building and permitting departments and State Building Code Council.

EFFECTIVE DATE: Upon approval.