

JAN 23 2009

A BILL FOR AN ACT

RELATING TO ENERGY RESOURCES.

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

1 SECTION 1. Section 46-19.6, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "~~+~~ §46-19.6 ~~+~~ County building permits; incorporation of
4 energy and environmental design building standards in project
5 design; priority processing. (a) Each county agency that
6 issues building, construction, or development-related permits
7 shall establish a procedure for the priority processing of a
8 permit application submitted by a private entity for a
9 construction project that incorporates energy and environmental
10 design building standards into its project design. The permit
11 processing procedure shall give priority to private sector
12 permit applicants at no additional cost to the applicant. Any
13 priority permit processing procedure established by a county
14 pursuant to this section shall not imply or provide that any
15 permit application filed under the priority processing procedure
16 shall be automatically approved~~-~~ except as provided in
17 subsection (b).



1 (b) For purposes of subsection (a), a permit for a new or
2 existing facility or structure, that incorporates energy and
3 environmental design building standards shall be deemed approved
4 if within one hundred eighty days of the filing of the
5 application, the county agency has not disapproved the
6 application, notwithstanding section 91-13.5.

7 [~~(b)~~] (c) For the purposes of this section:

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

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

16 SECTION 2. Section 196-1.5, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "[~~§~~]**196-1.5 Priority permitting process for renewable**
19 **energy projects.** [~~§~~] (a) All agencies shall provide priority
20 handling and processing for all state permits required for
21 renewable energy projects[-]; provided that a permit for a new
22 or existing facility or structure, that incorporates energy and



1 environmental design building standards shall be deemed approved
 2 if within one hundred eighty days of the filing of the
 3 application, the agency has not disapproved the application,
 4 notwithstanding section 91-13.5.

5 (b) For purposes of this section, "agencies" means any
 6 executive department, independent commission, board, bureau,
 7 office, or other establishment of the State, or any quasi-public
 8 institution that is supported in whole or in part by state
 9 funds."

10 SECTION 3. Statutory material to be repealed is bracketed
 11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.
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INTRODUCED BY: S. Smith
Har. G. G. G.
Amely H. Paul



Report Title:

Energy Resources

Description:

Requires expedited processing of an application for state and county permits for projects incorporating energy and environmental design building standards (leadership in energy and environmental design, LEED). Deems the application to be approved if no decision is made within 180 days of application.

