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# A BILL FOR AN ACT

RELATING TO THE BUILDING CODE.

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

1 PART I

2 SECTION 1. Chapter 107, Hawaii Revised Statutes, is  
3 amended as follows:

4 1. By adding a new section to part II to be appropriately  
5 designated and to read:

6 "§107- Natural disaster preparedness commission; duties.

7 (a) There is established a natural disaster preparedness  
8 commission. The commission shall be placed within the civil  
9 defense agency of the department of defense, established under  
10 section 128-3, for administrative purposes only. The commission  
11 shall consist of nine members with expertise in climate,  
12 geology, and other relevant scientific disciplines to advise the  
13 Hawaii state building code council on matters related to natural  
14 disasters and the Hawaii state building code.

15 (b) Members of the commission shall be appointed by the  
16 governor pursuant to section 26-34.

17 (c) The commission shall:



1        (1) Conduct annual scientific evaluations to determine the  
2        frequency, location, and intensity of natural  
3        disasters that affect or may affect Hawaii;

4        (2) Determine the necessity and effectiveness of proposed  
5        amendments to the Hawaii state building code that  
6        relate to preparedness for natural disasters; and

7        (3) Submit a written report regarding paragraphs (1) and  
8        (2), including any recommendations, to the Hawaii  
9        state building code council by December 31 of each  
10       year.

11       (d) Members of the commission shall serve without  
12       compensation but shall be reimbursed for expenses, including  
13       travel expenses necessary for the performance of their duties.

14       (e) The Hawaii state building code council shall have sole  
15       authority to determine whether to take action on the  
16       recommendations in the report described in subsection (c)(3);  
17       provided that no amendment to the Hawaii state building code  
18       related to natural disaster preparedness may be adopted by the  
19       council without the commission's concurrence."

20       2. By amending the title of part II to read:

21       "PART II. HAWAII STATE BUILDING CODE [~~AND DESIGN STANDARDS~~]"



1 3. By amending section 107-21 to read:

2 "[+]§107-21[+] **Definitions.** As used in this part:

3 "Council" means the Hawaii state building code council.

4 "Department" means the department of accounting and general  
5 services.

6 [~~"Hurricane resistive criteria" means the design criteria  
7 for enhanced hurricane protection areas that are capable of  
8 withstanding a five hundred year hurricane event, as developed  
9 by the state department of defense for public shelter and  
10 residential safe room design criteria.~~]

11 "State building construction" means any building  
12 construction project or program initiated by a state agency or  
13 requiring the use of state funds."

14 4. By amending section 107-22 to read:

15 "[+]§107-22[+] Hawaii [~~State~~] state building code council.

16 (a) There is established a Hawaii state building code council.

17 The council shall be placed within the department of accounting

18 and general services for administrative purposes only. The

19 council shall consist of [~~nine~~] fourteen voting members and

20 [~~one~~] four nonvoting [~~member, who shall be the comptroller or~~

21 ~~the comptroller's designee.~~] members. The council members shall



1 serve no more than two consecutive four-year terms [as defined  
2 ~~in paragraphs (1) to (6)]~~. The voting members shall [~~include:~~  
3 ~~(1) One county building official from each of the four~~  
4 ~~counties appointed by the mayor;~~  
5 ~~(2) One member representing the state fire council;~~  
6 ~~(3) One member representing the department of health who~~  
7 ~~has significant experience in building mechanical and~~  
8 ~~sewage disposal systems;~~  
9 ~~(4) One member representing the department of labor and~~  
10 ~~industrial relations who has significant experience in~~  
11 ~~elevator or fire safety;~~  
12 ~~(5) One member representing the Structural Engineers~~  
13 ~~Association of Hawaii; and~~  
14 ~~(6) One member representing the American Institute of~~  
15 ~~Architects, Hawaii State Council.] be appointed by the  
16 governor pursuant to section 26-34 and shall consist  
17 of:  
18 (1) The director of the Hawaii housing finance and  
19 development corporation, or the director's designee;  
20 (2) A representative from the state fire council;  
21 (3) A representative from the Building Industry  
22 Association of Hawaii, or its successor organization;~~



- 1        (4) A representative from the Hawaii Construction  
2                    Alliance, or its successor organization;
- 3        (5) A representative from the Hawaii Building and  
4                    Construction Trades Council, or its successor  
5                    organization;
- 6        (6) A representative from the Hawaii Insurers Council, or  
7                    its successor organization;
- 8        (7) A representative from the Hawaii Association of  
9                    Realtors, or its successor organization;
- 10       (8) A representative from the Honolulu chapter of The  
11                   American Institute of Architects, or its successor  
12                   organization;
- 13       (9) A representative from the American Council of  
14                   Engineering Companies of Hawaii, or its successor  
15                   organization;
- 16       (10) A representative from the General Contractors  
17                   Association of Hawaii, or its successor organization;
- 18       (11) A representative from the Hawaii Farm Bureau  
19                   Federation, or its successor organization; and
- 20       (12) Three individuals, who shall not be employees of the  
21                   State or any of its political subdivisions, to  
22                   represent the interests of homeowners.



1        The nonvoting members shall consist of a county building  
2 official from each of the four counties, appointed by the mayor  
3 of the respective county.

4        (b) [~~Six~~] Eight voting members shall constitute a quorum.  
5 The chairperson and vice chairperson of the council shall be  
6 elected annually from among its members by a majority vote of  
7 [~~the~~] all voting members of the council.

8        (c) Members shall serve without compensation[~~7~~] but shall  
9 be reimbursed for expenses, including travel expenses necessary  
10 for the performance of their duties."

11        5. By amending section 107-24 to read:

12        "~~[+]§107-24[+]~~ **Authority and duties of the council.** (a)  
13 [~~Any law to the contrary notwithstanding, the council shall~~  
14 ~~establish a comprehensive state building code.~~] The council may  
15 adopt any amendments to the Hawaii state building code set forth  
16 in section 107-25(a) upon a vote of approval by a majority of  
17 all voting members of the council; provided that any amendments  
18 adopted shall not exceed minimum standards necessary to protect  
19 public health and safety. The council shall have sole authority  
20 to determine these minimum standards.

21        (b) The council [~~shall~~] may appoint a subcommittee  
22 [~~comprised~~] composed of the four nonvoting council members



1 representing county building officials, whose duty shall be to  
2 recommend any necessary or desirable [state] amendments to the  
3 [~~model codes.~~] Hawaii state building code. Any recommended  
4 [state] amendments shall require the unanimous agreement of the  
5 subcommittee[-] and shall be approved by a majority vote of all  
6 voting members of the council to be adopted into the Hawaii  
7 state building code.

8 (c) The council may appoint other investigative, technical  
9 expertise committees, which may include council members.

10 (d) The council shall consult with general building  
11 contractor associations and building trade associations to  
12 gather information and recommendations on construction practices  
13 and training relevant to building codes and standards.

14 (e) The council [~~shall~~] may review and adopt, as  
15 appropriate, new model building codes [~~within eighteen months of~~  
16 ~~the official publication date.~~] that are the successors of the  
17 2012 International Building Code established as the Hawaii state  
18 building code pursuant to section 107-25(a); provided that any  
19 model building code adopted shall not exceed minimum standards  
20 necessary to protect the public health and safety.

21 (f) The council may make expenditures for technical  
22 references, equipment and supplies, and other operating



1 expenses, and may contract for the conduct of research studies  
2 and other technical services.

3 (g) The council shall provide education and technical  
4 training and administrative assistance in the form of services  
5 or grants at the state and county levels relating to the  
6 implementation and enforcement of the Hawaii state building code  
7 adopted pursuant to this part.

8 (h) The council shall have sole authority to determine  
9 whether to approve any amendment to the Hawaii state building  
10 code proposed by a county pursuant to section 46- ."

11 6. By amending section 107-25 to read:

12 "~~[+]§107-25[+] Hawaii [State] state building code[+~~  
13 ~~requirements-].~~ (a) There is established a Hawaii state  
14 building code applicable to all construction, except state  
15 building construction, in the State of Hawaii. The Hawaii state  
16 building code shall ~~[include:~~

17 ~~(1) The latest edition of the state fire code as adopted~~  
18 ~~by the state fire council,~~

19 ~~(2) The latest edition of the Uniform Plumbing Code, as~~  
20 ~~copyrighted and published by the International~~  
21 ~~Association of Plumbing and Mechanical Officials,~~  
22 ~~including its appendices,~~





- 1       ~~(3) The latest edition of the International Building Code,~~  
2       ~~as published by the International Code Council,~~
- 3       ~~(4) Hawaii design standards implementing the criteria~~  
4       ~~pursuant to Act 5, Special Session Laws of Hawaii,~~  
5       ~~2005, as applicable to:~~
- 6       ~~(A) Emergency shelters built to comply with hurricane~~  
7       ~~resistant criteria, including enhanced hurricane~~  
8       ~~protection areas capable of withstanding a five~~  
9       ~~hundred year hurricane event as well as other~~  
10       ~~storms and natural hazards; and~~
- 11       ~~(B) Essential government facilities requiring~~  
12       ~~continuity of operations; and~~
- 13       ~~(5) Code provisions based on nationally published codes or~~  
14       ~~standards that include, but are not limited to,~~  
15       ~~residential and hurricane resistive standards for~~  
16       ~~residential construction, fire, elevator, electrical,~~  
17       ~~plumbing, mechanical, flood and tsunami, existing~~  
18       ~~buildings, and energy conservation standards for~~  
19       ~~building design and construction, and onsite sewage~~  
20       ~~disposal.] consist of the 2012 International Building~~  
21       ~~Code, as amended by the council to remove any~~  
22       ~~provision that exceeds minimum standards necessary to~~



1           protect public health and safety, and as further  
2           amended by the council, as provided by law.

3           (b) All state and county building codes, ordinances, and  
4           regulations in existence on October 1, 2012, shall be superseded  
5           by the Hawaii state building code set forth in subsection (a)."

6           7. By amending section 107-28:

7           "~~§107-28~~ **County building code authority to amend the**  
8           **state model building code [without] with state approval.** (a)

9           The governing body of each county shall amend the state building  
10          code as it applies within its respective jurisdiction, in  
11          accordance with section 46-1.5(13), ~~[without]~~ with the approval  
12          of the council. Each county shall use the model codes and  
13          standards listed in section 107-25, as the referenced model  
14          building codes and standards for its respective county building  
15          code ordinance, no later than two years after the adoption of  
16          the state building code.

17          (b) If a county does not amend the statewide model code  
18          within the two-year time frame, the state building code shall  
19          become applicable as an interim county building code until the  
20          county adopts the amendments."



1 8. By amending section 107-31 to read:

2 "~~+~~**\$107-31**~~+~~ **State building code; [compliance.]**  
3 **exemption.** ~~[The design of all]~~ All state building construction  
4 shall be ~~[in]~~ exempt from compliance with the Hawaii state  
5 building code ~~[within one year of its effective date]."~~

6 9. By repealing section 107-26:

7 "~~["**\$107-26** **State building code; prohibitions.** In~~  
8 ~~adopting a state building code, the council shall not adopt~~  
9 ~~provisions that:~~

- 10 ~~(1) Relate to administrative, permitting, or enforcement~~
- 11 ~~and inspection procedures of each county; or~~
- 12 ~~(2) Conflict with chapter 464."~~

13 10. By repealing section 107-27:

14 "~~["**\$107-27** **Exemptions.** (a) Upon adoption of rules under~~  
15 ~~this chapter, the design of all state building construction~~  
16 ~~shall be in compliance with the state building code within one~~  
17 ~~year of its effective date, and state building construction~~  
18 ~~shall be allowed to be exempted from:~~

- 19 ~~(1) County codes that have not adopted the state building~~
- 20 ~~code;~~
- 21 ~~(2) Any county code amendments that are inconsistent with~~
- 22 ~~the minimum performance objectives of the state~~



1 ~~building code or the objectives enumerated in this~~  
2 ~~part; or~~

3 ~~(3) Any county code amendments that are contrary to code~~  
4 ~~amendments adopted by another county.~~

5 ~~(b) Exemptions shall include county ordinances allowing~~  
6 ~~the exercise of indigenous Hawaiian architecture adopted in~~  
7 ~~accordance with section 46-1.55." ]~~

8 PART II

9 SECTION 2. Section 6E-15, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 **"§6E-15 Regulations, special conditions or restrictions.**

12 In addition to any power or authority of a political subdivision  
13 to regulate by planning or zoning laws and regulations or by  
14 local laws and regulations, the governing body of any political  
15 subdivision may provide by regulations, special conditions, or  
16 restrictions for the protection, enhancement, preservation, and  
17 use of historic properties or burial sites. These regulations,  
18 special conditions, and restrictions may include appropriate and  
19 reasonable control of the use or appearance of adjacent or  
20 associated private property within the public view, or both,  
21 historic easements, preventing deterioration by wilful neglect,  
22 permitting the modification of local health [~~and building code~~]



1 provisions, and transferring development rights[-]; provided  
2 that these regulations, special conditions, and restrictions  
3 shall not permit the modification of any building code."

4 SECTION 3. Section 46-1.55, Hawaii Revised Statutes, is  
5 amended to read as follows:

6 "**§46-1.55 Indigenous Hawaiian architecture.** (a) Each  
7 county shall adopt ordinances allowing the exercise of  
8 indigenous native Hawaiian architectural practices, styles,  
9 customs, techniques, and materials historically employed by  
10 native Hawaiians[~~, in the county's building code, including but~~  
11 ~~not limited to residential and other structures comprised of~~  
12 ~~either rock wall or wood frame walls covered by thatches of~~  
13 ~~different native grasses or other natural material for roofs].~~

14 (b) The application of indigenous Hawaiian architecture  
15 shall be permitted in all zoning districts; provided that it is  
16 consistent with the intent and purpose of [~~the~~] any uniquely  
17 designated, special, or historic district.

18 [~~(c) Each county shall adopt or amend its ordinances to~~  
19 ~~implement this section no later than March 31, 2008. The~~  
20 ~~ordinance adopted by Maui county shall serve as a model.]"~~

21 SECTION 4. Section 46-15.3, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           "§46-15.3 Regulation of adult family boarding home and  
2 care home. (a) For the purpose of regulation under the Hawaii  
3 state building code established by section 107-25 and a county's  
4 life safety code[~~, building code, fire code,~~] or any other  
5 ordinance of similar purpose, a licensed adult family boarding  
6 home or licensed care home that provides living accommodations  
7 for:

8           (1) The operator of the home and operator's family; and  
9           (2) Up to six other persons, not more than three of whom  
10           are incapable of self-preservation because of age or  
11           physical or mental limitations,  
12 shall be deemed a single-family dwelling occupied by a family.

13           (b) For the purpose of this section:

14           ~~["Building code" means an ordinance the purpose of which is~~  
15 ~~to provide minimum standards to safeguard life or limb, health,~~  
16 ~~property, and public welfare by regulating and controlling the~~  
17 ~~design, construction, quality of materials, use and occupancy,~~  
18 ~~location, and maintenance of all buildings and structures within~~  
19 ~~the county's jurisdiction and certain equipment specifically~~  
20 ~~regulated by the ordinance.~~

21           ~~"Fire code" means an ordinance adopted under section 132-3~~  
22 ~~or an ordinance intended to prescribe regulations consistent~~



1 ~~with recognized good practice for the safeguarding to a~~  
2 ~~reasonable degree of life and property from the hazards of fire~~  
3 ~~and explosion arising from the storage, handling, and use of~~  
4 ~~hazardous substances, materials, and devices and from conditions~~  
5 ~~hazardous to life or property in the use or occupancy of~~  
6 ~~buildings or premises.]~~

7 "Licensed adult family boarding home" means an adult family  
8 boarding home licensed under chapter 346, part IV.

9 "Licensed care home" means a care home licensed under  
10 section 321-15.6.

11 "Life safety code" means an ordinance the purpose of which  
12 is to establish minimum requirements that will provide a  
13 reasonable degree of safety from fire in buildings and  
14 structures."

15 SECTION 5. Section 132-2, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§132-2 General power to make rules.** Subject to chapter  
18 91, the fire chief of each county may adopt rules which shall  
19 not be inconsistent with the provisions of any [~~ordnancee~~] law  
20 relating to the protection of persons and property against fire.  
21 Such rules may relate to:



- 1 (1) Prevention of fires, [~~and~~] the inspection of
- 2 property[~~7~~] periodically or otherwise, [~~or for~~] the
- 3 prevention of or reduction of loss by fire, or [~~to~~
- 4 ~~promote~~] promotion of the safety of persons in case of
- 5 fire;
- 6 (2) Manufacture, storage, sale, and use of combustibles
- 7 and explosives;
- 8 (3) Installation and maintenance of automatic[~~7~~] or other
- 9 fire alarm systems[~~7~~] and fire extinguishing
- 10 equipment; and
- 11 (4) Fire escape and other means of exits from or access to
- 12 buildings or parts of buildings or other property in
- 13 case of fire, including the exterior approaches to
- 14 exits of places of assembly."

15 SECTION 6. Section 132-3, Hawaii Revised Statutes, is  
 16 amended to read as follows:

17 "**§132-3** [~~Adeoption of state~~] State fire code. (a) The  
 18 state fire council shall, after public hearings pursuant to  
 19 chapter 91, [~~adopt~~] propose a state fire code setting forth  
 20 minimum requirements relative to the protection of persons and  
 21 property from fire loss, including without limitation:





1 (1) ~~[the]~~ The storage, handling, and use of hazardous  
2 substances, materials, and devices; and

3 (2) ~~[the]~~ The control of conditions hazardous to life or  
4 property in the design, use, or occupancy of buildings  
5 and premises.

6 ~~[The state fire code shall become part of the state building  
7 code as provided in section 107-25.]~~

8 (b) The state fire council shall meet annually to [review  
9 and amend the state fire code.]:

10 (1) Determine the necessity of amending the state fire  
11 code; and

12 (2) If necessary, submit proposed amendments to the state  
13 fire code to the Hawaii state building code council.

14 (c) The Hawaii state building code council shall have sole  
15 authority to determine whether to adopt the state fire code or  
16 any amendments thereto proposed by the state fire council.

17 (d) The adoption into the Hawaii state building code of  
18 the state fire code or any amendments thereto shall be approved  
19 by a majority vote of all voting members of the Hawaii state  
20 building code council."

21 SECTION 7. Section 132-16, Hawaii Revised Statutes, is  
22 amended by amending subsection (b) to read as follows:



1           "(b) In addition to [~~adopting~~] proposing to the Hawaii  
2 state building code council a state fire code pursuant to  
3 section 132-3, the state fire council shall:

4           (1) Administer the requirements for reduced ignition  
5                 propensity cigarettes, in accordance with chapter  
6                 132C; and

7           (2) Serve as a focal point through which all applications  
8 to the federal government for federal grant assistance for fire-  
9 related projects shall be made. Upon the receipt of any such  
10 federal grants, the state fire council shall administer those  
11 federal grants."

12           SECTION 8. Section 514A-61, Hawaii Revised Statutes, is  
13 amended by amending subsection (b) to read as follows:

14           "(b) In the case of a project which includes one or more  
15 existing structures being converted to condominium status:

16           (1) A statement by the declarant, based upon a report  
17                 prepared by an independent [~~Hawaii-registered~~] Hawaii-  
18                 registered architect or engineer, describing the  
19                 present condition of all structural components and  
20                 mechanical and electrical installations material to  
21                 the use and enjoyment of the condominium;



1 (2) A statement by the declarant of the expected useful  
 2 life of each item reported on [~~in~~] pursuant to  
 3 paragraph (1) or a statement that no representations  
 4 are made in that regard;

5 (3) A list of any outstanding notices of uncured  
 6 violations of the Hawaii state building code or  
 7 [~~ether~~] municipal regulations, together with the cost  
 8 of curing these violations;

9 (4) A statement whether the project is on a lot, or has  
 10 structures or uses, which do not conform to present  
 11 zoning requirements;

12 provided that paragraphs (1), (2), and (3) apply only to  
 13 apartments that may be occupied for residential use, and only to  
 14 apartments that have been in existence for five years."

15 SECTION 9. Section 514B-84, Hawaii Revised Statutes, is  
 16 amended by amending subsection (a) to read as follows:

17 "(a) In addition to the information required by section  
 18 514B-83, the developer's public report for a project containing  
 19 any existing structures being converted to condominium status  
 20 shall contain:



1 (1) Regarding units that may be occupied for residential  
2 use and that have been in existence for five years or  
3 more:

4 (A) A statement by the developer, based upon a report  
5 prepared by a Hawaii-licensed architect or  
6 engineer, describing the present condition of all  
7 structural components and mechanical and  
8 electrical installations material to the use and  
9 enjoyment of the units;

10 (B) A statement by the developer of the expected  
11 useful life of each item reported on [~~in~~]  
12 pursuant to subparagraph (A) or a statement that  
13 no representations are made in that regard; and

14 (C) A list of any outstanding notices of uncured  
15 violations of the Hawaii state building code or  
16 [~~either~~] county regulations, together with the  
17 estimated cost of curing these violations;

18 (2) Regarding all projects containing converted  
19 structures, a verified statement signed by an  
20 appropriate county official that:

21 (A) The structures are in compliance with all zoning  
22 and building ordinances and codes applicable to



1 the project at the time it was built, and  
 2 specifying, if applicable:

3 (i) Any variances or other permits that have  
 4 been granted to achieve compliance;

5 (ii) Whether the project contains any legal  
 6 nonconforming uses or structures as a result  
 7 of the adoption or amendment of any  
 8 ordinances or codes; and

9 (iii) Any violations of current zoning or building  
 10 ordinances or codes and the conditions  
 11 required to bring the structure into  
 12 compliance; or

13 (B) Based on the available information, the county  
 14 official cannot make a determination with respect  
 15 to the matters described in subparagraph (A); and

16 (3) Other disclosures and information that the commission  
 17 may require."

18 SECTION 10. Section 514B-143, Hawaii Revised Statutes, is  
 19 amended by amending subsection (a) to read as follows:

20 "(a) Unless otherwise provided in the declaration or  
 21 bylaws, the association shall purchase and at all times maintain  
 22 the following:

- 1           (1) Property insurance:
- 2               (A) On the common elements;
- 3               (B) Providing coverage for special form causes of
- 4                     loss; and
- 5               (C) In a total amount of not less than the full
- 6                     insurable replacement cost of the insured
- 7                     property, less deductibles, but including
- 8                     coverage for the increased costs of construction,
- 9                     if any, due to [~~building code~~] the requirements
- 10                    of the Hawaii state building code, at the time
- 11                    the insurance is purchased and at each renewal
- 12                    date;
- 13           (2) Commercial general liability insurance against claims
- 14                    and liabilities arising in connection with the
- 15                    ownership, existence, use, or management of the
- 16                    property in a minimum amount of \$1,000,000, or a
- 17                    greater amount deemed sufficient in the judgment of
- 18                    the board;
- 19           (3) A fidelity bond, as follows:
- 20               (A) An association with more than five dwelling units
- 21                     shall obtain and maintain a fidelity bond
- 22                     covering persons, including the managing agent



1 and its employees who control or disburse funds  
2 of the association, in an amount equal to \$500  
3 multiplied by the number of units; provided that  
4 the amount of the fidelity bond required by this  
5 paragraph shall not be less than \$20,000 nor  
6 greater than \$200,000; and

7 (B) All management companies that are responsible for  
8 the funds held or administered by the association  
9 shall be covered by a fidelity bond as provided  
10 in section 514B-132(a)(3). The association shall  
11 have standing to make a loss claim against the  
12 bond of the managing agent as a party covered  
13 under the bond; and

14 (4) The board shall obtain directors and officers  
15 liability coverage at a level deemed reasonable by the  
16 board, if not otherwise limited by the declaration or  
17 bylaws."

18 SECTION 11. Section 46-19.5, Hawaii Revised Statutes, is  
19 repealed.

20 [~~"§46-19.5 Energy conservation standards for building~~  
21 ~~design and construction.~~ (a) Energy efficiency building  
22 ~~standards based on the design requirements for improvements of~~



1 ~~energy utilization in buildings developed and approved by the~~  
2 ~~American Society of Heating, Refrigerating and Air Conditioning~~  
3 ~~Engineers, Incorporated (ASHRAE 90.1), shall be incorporated by~~  
4 ~~each county into its building code by October 24, 1994. The~~  
5 ~~standards shall apply to all buildings, including state~~  
6 ~~buildings; provided that the standards for renovated buildings~~  
7 ~~shall only apply to the renovated system or elements of the~~  
8 ~~building.~~

9 ~~(b) The energy efficiency building standards shall not~~  
10 ~~apply to exempted buildings. For the purposes of this section,~~  
11 ~~"exempted building" means:~~

12 ~~(1) Any building owned or leased in whole or in part by~~  
13 ~~the United States; and~~

14 ~~(2) Any building that is deliberately preserved beyond its~~  
15 ~~normal term of use because of historic significance,~~  
16 ~~architectural interest, or public policy or that~~  
17 ~~qualifies for special historic building code~~  
18 ~~provisions.~~

19 ~~For special applications such as hospitals, laboratories,~~  
20 ~~thermally sensitive equipment, computer rooms, and manufacturing~~  
21 ~~and industrial processes, the design concepts and parameters~~  
22 ~~shall conform to the requirements of the application at minimum~~





1 ~~energy levels, provided that where these special applications~~  
2 ~~are described in the ASHRAE handbook and product directory,~~  
3 ~~applications volume, the criteria described therein shall be~~  
4 ~~used.~~

5 ~~(e) The energy efficiency building standards shall be~~  
6 ~~enforced at the time of construction of a new building or at the~~  
7 ~~time of major addition, alteration, or repair of an existing~~  
8 ~~building when the proposed major addition, alteration, or repair~~  
9 ~~must comply with the standards applicable to new buildings under~~  
10 ~~the applicable county building code. No official of the State~~  
11 ~~nor of any county charged with the enforcement of laws or~~  
12 ~~ordinances pertaining to the construction or alteration of~~  
13 ~~buildings or structures shall accept or approve any plan or~~  
14 ~~specification including or pertaining to the design and~~  
15 ~~construction details and standards for a heating or cooling~~  
16 ~~system unless the energy efficiency building standards are met.~~  
17 ~~All such plans and specifications submitted with or in~~  
18 ~~connection with an application for a building or construction~~  
19 ~~permit shall bear the certification by a registered architect or~~  
20 ~~engineer that the plans and specifications comply with the~~  
21 ~~energy efficiency building standards.~~





1 thereof as may be necessary for fiscal year 2012-2013 for the  
2 Hawaii state building code council to carry out its duties.

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

5 SECTION 14. There is appropriated out of the general  
6 revenues of the State of Hawaii the sum of \$ or so much  
7 thereof as may be necessary for fiscal year 2012-2013 for the  
8 natural disaster preparedness commission to carry out its  
9 duties.

10 The sum appropriated shall be expended by the department of  
11 defense for the purposes of this Act.

12 SECTION 15. This Act does not affect rights and duties  
13 that matured, penalties that were incurred, and proceedings that  
14 were begun before its effective date.

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

17 SECTION 17. This Act shall take effect on July 1, 2030,  
18 and shall apply to building permits issued after September 30,  
19 2030.



**Report Title:**

Hawaii State Building Code and Council; Natural Disaster Commission; Appropriations

**Description:**

Establishes the Hawaii State Building Code, Hawaii State Building Code Council, and Natural Disaster Preparedness Commission. Effective July 1, 2030. (HB2358 HD3)

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

