

JAN 18 2013

A BILL FOR AN ACT

RELATING TO THE STATE BUILDING CODE.

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

1 SECTION 1. The legislature finds that Act 82, Session Laws
2 of Hawaii 2007, established the adoption of a uniform set of
3 statewide building codes to apply consistent standards for
4 design and construction of all state buildings. Act 82 also
5 established that the counties would have two years from the
6 adoption of the state building code to adopt their own
7 amendments.

8 The legislature finds that two years is not a reasonable or
9 practical amount of time for the counties to adopt their
10 amendments. Additionally, an unintended consequence of a two-
11 year adoption cycle is the rapid rise in the cost of
12 construction due to the constant change in building materials
13 and standards. Many state building code councils across the
14 country are moving toward a six-year adoption cycle.

15 The purpose of this Act is to allow the counties six years
16 to adopt their amendments to the state building code and permit
17 the counties to apply their most recently adopted building code
18 until their new amendments are adopted.



1 SECTION 2. Section 107-28, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~107-28~~§~~] **County building code authority to amend the**
4 **state model building code without state approval.** (a) The
5 governing body of each county shall amend the state building
6 code as it applies within its respective jurisdiction, in
7 accordance with section 46-1.5(13); without approval of the
8 council. Each county shall use the model codes and standards
9 listed in section 107-25, as the referenced model building codes
10 and standards for its respective county building code ordinance,
11 no later than [~~two~~] six years after the adoption of the state
12 building code.

13 (b) If a county does not amend the statewide model code
14 within the [~~two-year~~] six-year time frame, the existing county
15 building code is applicable, and the state building code [shall
16 become applicable as an interim county building code until the
17 county adopts the amendments.] may be used as a reference."

18 SECTION 3. This Act does not affect rights and duties that
19 matured, penalties that were incurred, and proceedings that were
20 begun before its effective date.

21 SECTION 4. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 2013.

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INTRODUCED BY: Will Engro

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S.B. NO. 212

Report Title:

State Building Code; County Amendments

Description:

Allows the counties six years to adopt their amendments to the state building code and permits the counties to apply their most recently adopted building code until the new amendments are adopted; the state building code may be used as a reference during this time frame.

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