

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO THE STATE BUILDING CODE COUNCIL.

**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. Act 82  
4 also established a state building code council.

5           The legislature finds, however, that unlike more than half  
6 of the states that have a building code council, Hawaii's  
7 building code council does not have any representatives from the  
8 construction industry and building trades. In the state of  
9 Washington, for example, out of a total of fifteen voting  
10 members, four council members represent commercial and  
11 residential builders, suppliers, and the construction trades.  
12 The International Code Council states that at least twenty-five  
13 state building code councils include a home builder  
14 representative.

15           The purpose of this Act is to reconfigure the membership of  
16 the state building code council to increase construction  
17 industry and building trade representation on the state building  
18 code council.



1 SECTION 2. Section 107-22, Hawaii Revised Statutes, is  
2 amended by amending the title and subsections (a) and (b) to  
3 read as follows:

4 "~~{}~~§107-22~~{}~~ **State building code council.** (a) There is  
5 established a state building code council. The council shall be  
6 placed within the department of accounting and general services  
7 for administrative purposes only. The council shall consist of  
8 ~~[nine]~~ eleven voting members and one nonvoting member, who shall  
9 be the comptroller or the comptroller's designee. The council  
10 members shall serve four-year terms as defined in paragraphs (1)  
11 to (6). The voting members shall include:

12 (1) One county building official from each of the four  
13 counties appointed by the mayor;

14 (2) One member representing the state fire council;

15 ~~[-(3) One member representing the department of health who  
16 has significant experience in building mechanical and  
17 sewage disposal systems;~~

18 ~~-(4) One member representing the department of labor and  
19 industrial relations who has significant experience in  
20 elevator or fire safety;]~~

21 (3) One member representing the Building Industry  
22 Association of Hawaii;



- 1        (4) One member representing the General Contractors'  
2            Association of Hawaii;
- 3        (5) One member representing the Structural Engineers  
4            Association of Hawaii; ~~and~~
- 5        (6) One member representing the American Institute of  
6            Architects, Hawaii State Council[-];
- 7        (7) One member representing the Hawaii Construction  
8            Alliance; and
- 9        (8) One member representing the Subcontractors'  
10           Association of Hawaii.

11        (b) [~~Six~~] Seven voting members shall constitute a quorum.  
12 The chairperson of the council shall be elected annually from  
13 among its members by a majority vote of the members of the  
14 council."

15        SECTION 3. Section 107-24, Hawaii Revised Statutes, is  
16 amended to read as follows:

17        "~~+~~§107-24~~+~~ **Authority and duties of the council.** (a)

18 Any law to the contrary notwithstanding, the council shall  
19 establish a comprehensive state building code.

20        (b) The council shall appoint a subcommittee comprised of  
21 the four council members representing county building officials,  
22 whose duty shall be to recommend any necessary or desirable



1 state amendments to the model codes. Any recommended state  
2 amendments shall require the unanimous agreement of the  
3 subcommittee.

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

6 ~~[(d) The council shall consult with general building  
7 contractor associations and building trade associations to  
8 gather information and recommendations on construction practices  
9 and training relevant to building codes and standards.~~

10 ~~+(e)]~~ (d) The council shall review and adopt, as  
11 appropriate, new model building codes within eighteen months of  
12 the official publication date.

13 ~~+(f)]~~ (e) The council may make expenditures for technical  
14 references, equipment and supplies, and other operating  
15 expenses, and may contract for the conduct of research studies  
16 and other technical services.

17 ~~+(g)]~~ (f) The council shall provide education and  
18 technical training and administrative assistance in the form of  
19 services or grants at the state and county levels relating to  
20 the implementation and enforcement of the state building code  
21 adopted pursuant to this part."



# S.B. NO. 213

1 SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Will Zygo

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# S.B. NO. 213

**Report Title:**

State Building Code Council; Membership; Authority and Duties

**Description:**

Reconfigures the membership of the state building code council by eliminating members from the department of health and department of labor and industrial relations, and adding members from the Building Industry Association, General Contractors' Association, Hawaii Construction Alliance, and Subcontractors' Association of Hawaii. Changes the requirements for a quorum from six to seven. Eliminates the council's obligation to consult with private sector representatives regarding construction practices and training.

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

