

---

---

# 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.   Section 107-24, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§107-24   Authority and duties of the council.   (a)   Any  
4 law to the contrary notwithstanding, the council shall establish  
5 the Hawaii state building codes.

6           (b)   The council shall appoint a subcommittee comprising  
7 the four council members representing county building officials,  
8 whose duty shall be to recommend any necessary or desirable  
9 state amendments to the codes and standards identified in  
10 section 107-25.   Any recommended state amendments shall require  
11 the unanimous agreement of the subcommittee.

12           (c)   The council shall adopt, amend, or update codes and  
13 standards identified in section 107-25 on a staggered basis, as  
14 established by the council; provided that the adoption,  
15 amendment, or update of any code or standard shall be:

16           (1)   At least once every six years; and



1           (2) Based upon a review and evaluation of the utility of  
2           the code or standard at the time each respective  
3           edition is published.

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

6           (e) 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          (f) The council shall review and adopt, as appropriate,  
11          new model building codes within eighteen months of the official  
12          publication date.

13          (g) The council may grant exemptions or make modifications  
14          to the state building codes to conform with county building  
15          codes pursuant to section 107-28(c); provided that nothing in  
16          this subsection shall be construed to limit the ability of a  
17          county to amend the state building codes as they apply within  
18          the county's respective jurisdiction pursuant to sections 46-  
19          1.5(13) and 107-28(a).

20          ~~[-(g)]~~ (h) The council may make expenditures for technical  
21          references, equipment and supplies, and other operating



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

3       ~~[(h)]~~ (i) The council may 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  
7 codes adopted pursuant to this part.

8       ~~[(i)]~~ (j) At the end of each fiscal year, the council  
9 shall submit a written report to the governor on the council's  
10 activities, including the codes and standards adopted, amended,  
11 or updated by the council."

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

14       "**§107-28 County authority to amend and adopt the Hawaii**  
15 **state building codes without council approval.** (a) The  
16 governing body of each county shall amend, adopt, and update the  
17 Hawaii state building codes as they apply within their  
18 respective jurisdiction, in accordance with section 46-1.5(13),  
19 without approval of the council. Each county shall amend and  
20 adopt the Hawaii state building codes and standards listed in  
21 section 107-25, as the referenced Hawaii state building codes



# H.B. NO. 2658

1 and standards for its respective county building code ordinance,  
2 no later than two years after the adoption of the Hawaii state  
3 building codes.

4 (b) If a county does not amend the Hawaii state building  
5 codes within the two-year time frame, the Hawaii state building  
6 codes shall become applicable as an interim county building  
7 code.

8 (c) A county may appeal to the council a requirement of  
9 the statewide building codes and seek an exemption or  
10 modification to the codes for that county pursuant to section  
11 107-24 (g) ."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

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

15

INTRODUCED BY:

Cindy Evans  
R. J. O. O.

JAN 27 2016



# H.B. NO. 2658

**Report Title:**

State Building Code; Counties; Appeals; Exemptions and Modifications

**Description:**

Authorizes a county to seek an exemption or modification of the state building codes as applicable in that county. Authorizes the state building code council to grant code exemptions and modifications for a county.

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

