

JAN 18 2023

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# A BILL FOR AN ACT

RELATING TO HURRICANE RESISTANT CRITERIA.

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

1           SECTION 1. The legislature finds that subsection (c) of  
2 section 107-27, Hawaii Revised Statutes, was established by Act  
3 84, Session Laws of Hawaii 2018 (Act 84). However, the process  
4 for enacting Act 84 was found to be unconstitutional by the  
5 Hawai'i Supreme Court in *League of Women Voters of Honolulu v.*  
6 *State of Hawaii*, 499 P.3d 382 (Haw. 2021), and the subsection is  
7 no longer valid law.

8           The legislature further finds that the underlying policy of  
9 Act 84 - to require consideration of hurricane resistant  
10 criteria in the design and construction of new public schools -  
11 is meritorious and should be applied to all new state buildings.

12           The purpose of this Act is to require the design and  
13 construction of new state buildings to consider hurricane  
14 resistant criteria.

15           SECTION 2. Section 107-27, Hawaii Revised Statutes, is  
16 amended to read as follows:



# S.B. NO. 5

1           "§107-27 Design of state buildings. (a) No later than  
2 one year after the adoption of codes or standards pursuant to  
3 section 107-24(c), the design of all state building construction  
4 shall be in compliance with the Hawaii state building codes,  
5 except state building construction shall be allowed to be  
6 exempted from:

7           (1) County codes that have not adopted the Hawaii state  
8 building codes;

9           (2) Any county code amendments that are inconsistent with  
10 the minimum performance objectives of the Hawaii state  
11 building codes or the objectives enumerated in this  
12 part; or

13           (3) Any county code amendments that are contrary to code  
14 amendments adopted by another county.

15           (b) Exemptions shall include county ordinances allowing  
16 the exercise of indigenous Hawaiian architecture adopted in  
17 accordance with section 46-1.55.

18           ~~[(c) The State shall consider hurricane resistant criteria~~  
19 ~~when designing and constructing new public schools for the~~  
20 ~~capability of providing shelter refuge.]~~





# S.B. NO. 5

**Report Title:**

Public Improvements; State Building Design and Construction; New State Buildings; Disaster Preparedness; Hurricane; Standards

**Description:**

Requires the State to consider hurricane resistant criteria when designing and constructing new state buildings, constructed on or after 7/1/2023, for the capability of providing shelter refuge.

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

