

JAN 24 2024

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# A BILL FOR AN ACT

RELATING TO DISASTER PREPAREDNESS.

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

1           SECTION 1. The legislature finds that Hawaii is vulnerable  
2 to catastrophic natural disasters such as earthquakes, tsunamis,  
3 floods, volcanic eruptions, and high winds that can devastate  
4 communities. The legislature further finds that global warming  
5 is increasing the frequency of these natural disasters,  
6 including hurricanes, in the State. Due to warming seas, the  
7 spawning area for Pacific hurricanes has moved northward over  
8 time. This has caused the paths of hurricanes making their way  
9 westward across the Pacific, which used to pass a few hundred  
10 miles south of Hawaii, to also move northward, putting Hawaii  
11 more directly in that path of hurricanes.

12           The legislature also finds that the two defenses Hawaii has  
13 always had against hurricanes – cooler seas that slow and weaken  
14 hurricanes and strong trade winds that tear hurricanes  
15 apart – have changed. Hawaii's seas are now warmer and trade  
16 winds occur on less than half of the days in a year. Without



1 these defenses, there is nothing to slow or stop hurricanes from  
2 a direct hit on Hawaii for a majority of the year.

3 The legislature additionally finds that global warming is  
4 causing stronger hurricanes. The number of category four and  
5 five hurricanes worldwide has doubled in the last thirty years  
6 and will continue growing. Super category five hurricanes with  
7 winds of one hundred seventy miles per hour and greater, which  
8 the world sees only every eight years at this time, are expected  
9 to occur every year by the end of the century.

10 Accordingly, the purpose of this Act is to improve the  
11 State's preparedness for stronger hurricanes by requiring all  
12 public buildings constructed after January 1, 2025, to be  
13 designed to withstand category five hurricanes and be used as  
14 shelters in the event of an emergency.

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

17 "**§107-27 Design of [state] public buildings.** (a) No  
18 later than one year after the adoption of codes or standards  
19 pursuant to section 107-24(c), the design of all state building  
20 construction shall be in compliance with the Hawaii state



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1 building codes [~~7-except~~]; provided that state building  
2 construction [~~shall be allowed to~~] may be exempted from:

3 (1) County codes that have not adopted the Hawaii state  
4 building codes;

5 (2) Any county code amendments that are inconsistent with  
6 the minimum performance objectives of the Hawaii state  
7 building codes or the objectives enumerated in this  
8 part; or

9 (3) Any county code amendments that are contrary to code  
10 amendments adopted by another county.

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

14 [~~(c) The State shall consider hurricane resistant criteria~~  
15 ~~when designing and constructing new public schools for the~~  
16 ~~capability of providing shelter refuge.~~

17 ~~(d)]~~ (c) Beginning July 1, 2023, where feasible and cost-  
18 effective, the design of all new state building construction  
19 shall:

20 (1) Maximize energy and water efficiency measures;

21 (2) Maximize energy generation potential; and



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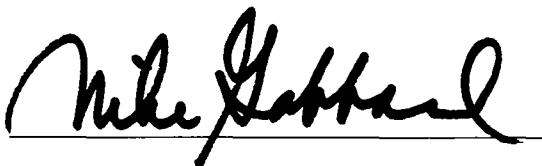
1           (3) Use building materials that reduce the carbon  
2           footprint of the project.

3           (d) All public buildings constructed after January 1,  
4 2025, shall be designed to withstand category five hurricanes  
5 and be used as shelters in the event of an emergency."

6           SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

# S.B. NO. 2972

**Report Title:**

Public Buildings; Design; Hurricanes; Shelter

**Description:**

Requires all public buildings constructed after January 1, 2025, to be designed to withstand category five hurricanes and be used as shelters in the event of an emergency.

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