

JAN 15 2025

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, with warmer seas
2 caused by climate change, the spawning area for hurricanes near
3 Mexico has moved north, and now, hurricanes that used to pass a
4 few hundred miles below Hawaii are headed right at the State.
5 Warmer seas means stronger hurricanes, and categories three,
6 four, and five hurricanes are increasing in number and strength.
7 Super category five hurricanes, with wind speeds of up to two
8 hundred miles per hour, have been occurring every eight years.
9 By 2080, a super category five hurricane will appear someplace
10 in the world every year, with the northern Pacific, which
11 includes Hawaii, expected to have the most.

12 The legislature further finds that the State used to be
13 protected by cooler surrounding seas and by trade winds at a
14 lower level, with strong winds in the opposite direction at a
15 higher level that could tear approaching hurricanes apart. As
16 those seas have now warmed and having lost two days of trade



1 winds each year for fifty years, the State now has protection
2 from hurricanes for only half of the days of the year.

3 The also legislature finds that Hawaii cannot call its
4 places of refuge "hurricane shelters" because many of the
5 shelters do not meet the criteria of legitimate hurricane
6 shelters, and few refuge areas in the State are able to
7 withstand even a category two hurricane. In addition, there are
8 only a few refuge areas in the State, with a capacity to hold up
9 to one hundred thousand people; however the Honolulu department
10 of emergency management expects that during a hurricane, the
11 expectation is that two hundred thousand people will need to
12 seek shelter.

13 In addition, as there are numerous wooden homes in Hawaii,
14 most of these homes will be damaged or destroyed even in a
15 category one hurricane. Very few shelters can withstand a
16 category three, four, or five hurricane, and if a hurricane
17 strikes the State, there will be no other place for people to
18 go.

19 The legislature believes that it has a deep moral
20 obligation to the people of the State and to future generations



1 living in Hawaii to immediately begin to build every home and
2 every building to withstand future hurricanes.

3 Accordingly, the purpose of this Act is to improve the
4 State's preparedness for stronger hurricanes by requiring all
5 public buildings, including public school buildings, constructed
6 after January 1, 2026, to be designed to withstand category five
7 hurricanes and be used as shelters in the event of an emergency.

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

10 "**§107-27 Design of [state] public buildings.** (a) No
11 later than one year after the adoption of codes or standards
12 pursuant to section 107-24(c), the design of all state building
13 construction shall be in compliance with the Hawaii state
14 building codes[~~, except~~]; provided that state building
15 construction [~~shall be allowed to~~] may be exempted from:

- 16 (1) County codes that have not adopted the Hawaii state
17 building codes;
- 18 (2) Any county code amendments that are inconsistent with
19 the minimum performance objectives of the Hawaii state
20 building codes or the objectives enumerated in this
21 part; or



1 (3) Any county code amendments that are contrary to code
2 amendments adopted by another county.

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

6 ~~[(e) The State shall consider hurricane resistant criteria
7 when designing and constructing new public schools for the
8 capability of providing shelter refuge.~~

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

- 12 (1) Maximize energy and water efficiency measures;
- 13 (2) Maximize energy generation potential; and
- 14 (3) Use building materials that reduce the carbon
15 footprint of the project.

16 (d) All public buildings, including public school
17 buildings, constructed after January 1, 2026, shall be designed
18 to withstand category five hurricanes and be used as shelters in
19 the event of an emergency."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



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

2

INTRODUCED BY:





S.B. NO. 239

Report Title:

Public Buildings; Public Schools Buildings; Design; Hurricanes; Shelter

Description:

Requires all public buildings, including public school buildings, constructed after January 1, 2026, to be designed to withstand category five hurricanes and be used as shelters in the event of an emergency.

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