

JAN 15 2025

A BILL FOR AN ACT

RELATING TO STATE CONSTRUCTION PROJECTS.

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

1 PART I

2 SECTION 1. The Hawaii Revised Statutes is amended by
3 adding a new chapter to be appropriately designated and to read
4 as follows:

5 "CHAPTER

6 STATE ARCHITECT

7 § -1 Definitions. As used in this chapter:

8 "State agency" means any office, department, board,
9 commission, bureau, division, public corporation, agency, or
10 instrumentality of the State.

11 "State lands" means all land owned by the State through any
12 state agency.

13 § -2 State architect; office established; appointment,
14 tenure, removal; requirements; salary. (a) There is
15 established within the department of accounting and general
16 services the office of the state architect, which shall be
17 headed by a full-time state architect to organize, manage, and



1 oversee the design review of all state construction projects and
2 issue design approvals before any state construction project
3 commences. The state architect shall be appointed by the
4 governor as provided in section 26-34. The state architect
5 shall report to the comptroller.

6 (b) No person shall be eligible for the position of state
7 architect who has not held, for at least five years immediately
8 preceding the date of appointment, a valid license under chapter
9 464.

10 (c) The state architect shall not engage in the private
11 practice of professional architecture or act in a managing
12 capacity in any private business or enterprise.

13 (d) The salary of the state architect shall be established
14 by the governor.

15 § -3 **Duties and responsibilities.** The state architect
16 shall have general charge and oversight of the design review of
17 all state construction projects. The state architect shall:

18 (1) Review all plans, drawings, specifications, and any
19 other documents necessary for state construction
20 projects;



- 1 (2) Ensure conformance with all building codes or county,
2 national, or international prescriptive construction
3 standards, including construction, electrical, energy
4 conservation, plumbing, and sidewalk standards, as
5 applicable;
- 6 (3) Issue design approvals for all state construction
7 projects before construction commences; and
- 8 (4) Assign an inspector to each state construction project
9 for the purpose of observing the work of construction.

10 § -4 **Assistance and staff.** The state architect may
11 employ or contract with qualified architects and engineers as
12 necessary, without regard to chapter 76, to carry out the duties
13 and responsibilities established by this chapter.

14 § -5 **Costs for services; fees.** The cost of all design
15 review services performed by the office of the state architect
16 for a state agency shall be determined by the state architect.
17 In addition, the state architect may set, charge, and collect
18 reasonable fees, without regard to chapter 91, in an amount
19 sufficient to defray the cost of processing design approvals.
20 All payments shall be deposited with the state architect to the



1 credit of the design review special fund established under
2 section -6.

3 § -6 Design review special fund. (a) There is
4 established in the treasury of the State the design review
5 special fund to be administered and expended by the state
6 architect for the purposes of this chapter.

7 (b) The following shall be deposited into the design
8 review special fund:

9 (1) Payments for services provided to state agencies
10 pursuant to this chapter and rules adopted pursuant to
11 this chapter;

12 (2) Appropriations made by the legislature to the special
13 fund; and

14 (3) Interest earned or accrued on moneys in the special
15 fund.

16 (c) Moneys on balance in the design review special fund at
17 the close of each fiscal year shall remain in the special fund
18 and shall not lapse to the credit of the general fund.

19 § -7 Administrative rules. No later than December 31,
20 2026, the comptroller, in consultation with the state architect,



1 shall adopt rules pursuant to chapter 91 to effectuate the
2 purposes of this chapter.

3 § -8 Annual report. The state architect shall prepare
4 and submit an annual report to the governor and legislature no
5 later than twenty days prior to the convening of each regular
6 session. The report shall include:

7 (1) A summary describing the activities of the office of
8 the state architect, including but not limited to a
9 list and description of each state construction
10 project that received a design approval during the
11 preceding fiscal year; and

12 (2) A financial report on the status of the design review
13 special fund."

14 SECTION 2. Section 26-6, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) The department shall:

17 (1) Preaudit and conduct after-the-fact audits of the
18 financial accounts of all state departments to
19 determine the legality of expenditures and the
20 accuracy of accounts;



- 1 (2) Report to the governor and to each regular session of
2 the legislature as to the finances of each department
3 of the State;
- 4 (3) Administer the state risk management program;
- 5 (4) Establish and manage motor pools;
- 6 (5) Manage the preservation and disposal of all records of
7 the State;
- 8 (6) Undertake the program of centralized engineering and
9 office leasing services, including operation and
10 maintenance and lease buyback processing pursuant to
11 subsection (d) of public buildings, for departments of
12 the State;
- 13 (7) Undertake the functions of the state surveyor;
- 14 (8) Establish accounting and internal control systems;
- 15 (9) Have the discretion to employ persons within the
16 comptroller's office who shall be exempt from chapters
17 76 and 89 in support of communications, change
18 management, and business process improvement programs
19 as part of the State's information technology
20 modernization efforts; provided that the persons shall
21 be members of the state employees' retirement system



1 and shall be eligible to receive the benefits of any
2 state employee benefit program generally applicable to
3 officers and employees of the State;

4 (10) Provide centralized computer information management
5 and processing services through the chief information
6 officer;

7 (11) Establish a program to provide a means for public
8 access to public information and develop an
9 information network for state government;

10 (12) Assume administrative responsibility for the office of
11 information practices; [~~and~~]

12 (13) Approve state fleet acquisitions; provided that:

13 (A) Beginning January 1, 2022, all new light-duty
14 motor vehicles that are passenger cars purchased
15 for the State's fleet shall be zero-emission
16 vehicles;

17 (B) Beginning as soon as practicable but no later
18 than January 1, 2030, all new light-duty motor
19 vehicles that are multipurpose passenger vehicles
20 and trucks for the State's fleet shall be zero-
21 emission vehicles; and



1 (C) The comptroller may authorize an exemption for
2 new fleet vehicle purchases if zero-emission
3 vehicles are demonstrated to be cost-prohibitive
4 on a lifecycle basis or unsuitable for the
5 vehicles' planned purpose, or if funds are
6 unavailable[-]; and

7 (14) Provide exclusive centralized design review services
8 for state construction projects and issue design
9 approvals through the state architect.

10 For the purposes of this subsection:

11 "Light-duty motor vehicle" has the same meaning as defined
12 in title 10 Code of Federal Regulations part 490.

13 "Multipurpose passenger vehicle" has the same meaning as
14 defined in title 49 Code of Federal Regulations section 571.3.

15 "Passenger car" has the same meaning as defined in title 49
16 Code of Federal Regulations section 571.3.

17 "Truck" has the same meaning as defined in title 49 Code of
18 Federal Regulations section 571.3.

19 "Zero-emission vehicle" has the same meaning as specified
20 in title 40 Code of Federal Regulations section 88.1."

21 PART II



1 SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§46- County building permit, inspection, and
5 certificate of occupancy requirements; exemption; state
6 construction projects. (a) Notwithstanding any other law to
7 the contrary, state construction projects shall be exempt from
8 county building permit, inspection, and certificate of occupancy
9 requirements when compliant with applicable building codes or
10 county, national, or international prescriptive construction
11 standards, including construction, electrical, energy
12 conservation, plumbing, and sidewalk standards, as applicable,
13 as determined by the State architect pursuant to chapter .

14 (b) Nothing in this section shall relieve any state
15 construction project from the laws, ordinances, rules, and
16 regulations of the State and county or any departments or boards
17 thereof with respect to the construction, operation, and
18 maintenance of the state construction project, compliance with
19 master plans or zoning laws or regulations, compliance with
20 building and health codes and other laws, ordinances, or rules



1 and regulations of similar nature applicable to the state
2 construction project.

3 (c) As used in this section:

4 "State agency" means any office, department, board,
5 commission, bureau, division, public corporation, agency, or
6 instrumentality of the State.

7 "State construction project" means any undertaking of work
8 or improvement of state lands or any interest therein,
9 developed, acquired, constructed, reconstructed, rehabilitated,
10 improved, altered, or repaired by a state agency.

11 "State lands" means all land owned by the State through any
12 state agency."

13 PART III

14 SECTION 4. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$ or so
16 much thereof as may be necessary for fiscal year 2025-2026 and
17 the same sum or so much thereof as may be necessary for fiscal
18 year 2026-2027 to be deposited into the design review special
19 fund.

20 SECTION 5. There is appropriated out of the design review
21 special fund the sum of \$ or so much thereof as may be



S.B. NO. 74

Report Title:

Governor; DAGS; Office of the State Architect; State Architect; State Construction Projects; Design Approvals; Design Review Special Fund; County Building Permit, Inspection, and Certificate of Occupancy Requirements; Exemptions; Report; Appropriations

Description:

Establishes the Office of the State Architect within the Department of Accounting and General Services to be headed by the State Architect. Authorizes the State Architect to organize, manage, and oversee the design review of all state construction projects and issue design approvals. Establishes the Design Review Special Fund. Requires the State Architect to submit a report to the Governor and Legislature. Authorizes DAGS to provide centralized design review services for state construction projects and issue design approvals through the State Architect. Exempts state construction projects from county building permit, inspection, and certificate of occupancy requirements, subject to certain conditions. Makes appropriations.

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