

ACT 80

S.B. NO. 1402

A Bill for an Act Relating to the Loss Mitigation Grant Fund.

Be It Enacted by the Legislature of the State of Hawaii:

PART I

SECTION 1. During the special session of 2005, the legislature directed the department of defense to develop Hawaii public shelter and residential safe room design criteria. The legislature also amended the definition of “wind resistive devices” in section 431:22-101, Hawaii Revised Statutes, to include the safe room design criteria developed by the department of defense. The public shelter and residential safe room design criteria have been developed.

The purpose of this part is to encourage private construction of safe rooms by including residential safe rooms within the meaning of “wind resistive devices” and making them eligible for grants under the loss mitigation grant program.

SECTION 2. Section 431:22-101, Hawaii Revised Statutes, is amended by amending the definition of “wind resistive devices” to read as follows:

““Wind resistive devices” means devices [and], techniques, and residential safe rooms, as identified and determined in accordance with section 431:22-104(b), that increase a building’s or structure’s resistance to damage from wind forces. [~~The term shall also include safe rooms that are defined and built pursuant to design standards of the department of defense’s civil defense division that are adopted pursuant to chapter 91.~~]”

SECTION 3. Section 431:22-104, Hawaii Revised Statutes is amended by amending subsection (b) to read as follows:

- “(b) Grants shall be awarded for the installation of the following:
- (1) Uplift restraint ties at roof ridges and roof framing members to wall or beam supports;
- (2) Additional fastening of roof sheathing and roof decking for high wind uplift;
- (3) Impact and pressure resistant exterior opening protective devices; [and]
- (4) Wall to foundation uplift restraint connections strengthening for wood foundation posts on footings[-]; and
- (5) Residential safe rooms.

The description, specifications, guidelines, and requirements for these wind resistive devices shall be further developed and determined by the commissioner in the commissioner’s sole discretion. The commissioner, in the commissioner’s sole

discretion, may amend, narrow, or expand the definitions, description, specifications, and requirements of the wind resistive devices.”

PART II

SECTION 4. There is appropriated out of the loss mitigation grant fund the sum of \$2,000,000, or so much thereof as may be necessary for fiscal year 2007-2008, for the purposes of the loss mitigation grant program under chapter 431, article 22, Hawaii Revised Statutes.

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.

PART III

SECTION 5. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2007.

(Approved May 21, 2007.)