

ACT 177

H.B. NO. 217

A Bill for an Act Relating to Home Renovations.

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

SECTION 1. The legislature finds that the costs of housing renovations in Hawaii are extremely high. These costs have further increased due to the impact of the coronavirus disease 2019 pandemic on building materials and supply chains. Hawaii's geographic location also adds to the cost of simple renovations due to shipping and high labor costs.

The legislature further finds that making a house accessible, renovating a bathroom, or modernizing a kitchen adds to home renovation costs and requires a licensed professional engineer or architect for the renovation based on certain cost amounts for work on a particular structure. The legislature also finds that the cost valuations for work on buildings, which are established by statute, are outdated and have not been updated since 1979.

The legislature recognizes that while safeguards for life, health, and property are critical, simple renovations should not require the approval of a licensed professional engineer or licensed architect. This work can be done proficiently by a professional draftsman, engineering technician, or architectural technician. Past legislatures recognized the need to exempt certain building projects of lower

values from chapter 464, Hawaii Revised Statutes (chapter 464), which regulates the practices of professional engineering, architecture, land surveying, and landscape architecture in the State. The legislature therefore finds that it is necessary to update the statute to reflect current valuation costs for work on buildings to qualify for an exemption from chapter 464.

In addition, the legislature finds that chapter 464 does not exempt building permit applicability, although the counties comply with the International Building Code and related codes as adopted by the state building code council. The codes include structural, electrical, and plumbing requirements. To help reduce the high costs of living in the State, updating the cost valuations of work on buildings should save homeowners between \$2,000 and \$6,000 on any given renovation project.

The purpose of this Act is to:

- (1) Update the cost valuations of work on certain residences for the work to qualify for an exemption from the requirement under chapter 464 for plans and specifications to be prepared by a licensed engineer or architect; and
- (2) Clarify work that is not exempt from the requirements of chapter 464.

SECTION 2. Section 464-13, Hawaii Revised Statutes, is amended to read as follows:

**“§464-13 Structures exempted from provisions of chapter.** (a) The provisions of this chapter shall not apply to work in respect to any privately owned or privately controlled one-storied building~~[-dwelling,]~~ or structure, the estimated cost of which does not exceed \$40,000, nor to any privately controlled two-storied building~~[-dwelling,]~~ or structure, the estimated cost of which does not exceed \$35,000. ~~[However, no structure, dwelling, or building in which the principal structural members consist of reinforced concrete or structural steel having riveted, bolted, or welded connections shall be exempted from this chapter.]~~

(b) The provisions of this chapter shall not apply to work in respect to any privately owned or privately controlled one-storied ~~[structure, which is used primarily as a]~~ residence, the estimated cost of which does not exceed ~~[\$50,000,]~~ \$180,000, nor to any privately owned or privately controlled two-storied ~~[structure, which is used primarily as a]~~ residence, the cost of which does not exceed ~~[\$45,000,]~~ \$162,000.

(c) Whenever the exemption provided for in subsection (b) is applied to the construction of a new ~~[building,]~~ residence, it shall be noted and recorded with the bureau of conveyances.

(d) Notwithstanding subsections (a) and (b), the following work shall not be exempt from the requirements of this chapter:

- (1) Any building, structure, or residence in which the principal structural members consist of reinforced concrete or structural steel having riveted, bolted, or welded connections;
- (2) Any structure or improvement for which the State, a county, or political subdivision requires the use of an appropriately licensed design professional, including but not limited to:
  - (A) Structures within special management areas, flood hazard areas, and special design districts; or
  - (B) Improvements resulting from conditional use or other discretionary zoning permits, code compliances or variances, and building permit expediting procedures; and

- (3) Any improvement resulting from rules established by a landowner or an association of owners for private property owned by the landowner or association of owners.”

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

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

(Approved July 3, 2023.)