
A BILL FOR AN ACT

RELATING TO THE ECONOMIC SECURITY OF THE ELDERLY.

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

1 SECTION 1. The legislature finds that article IX, section
2 4, of the Constitution of the State of Hawaii grants the State
3 "the power to provide for the security of the elderly by
4 establishing and promoting programs to assure their economic and
5 social well-being." Elderly people are a significant segment of
6 modern society, and it is projected that by 2030, twenty-three
7 per cent of the population will be aged sixty or over. In
8 addition, many elderly persons become disabled as they age.

9 The purpose of this Act is to promote the health, safety,
10 welfare, well-being, and economic security of physically
11 disabled individuals, many of whom are either elderly or will
12 become elderly within the coming years. The legislature
13 believes that these individuals have a right to live and age in
14 place, and this measure is intended to protect their ability to
15 access residential dwelling units.

16 This Act prohibits the state building code council and
17 county councils from establishing disabled accessibility or



1 usability standards for residential buildings that are lower
2 than those established by the most recent editions of the
3 International Building Code and the International Residential
4 Code.

5 This Act is not intended to address the accessibility of
6 nonresidential transient accommodations or similar commercial
7 operations.

8 SECTION 2. Section 107-26, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§107-26 Hawaii state building codes; prohibitions.** In
11 adopting the Hawaii state building codes, the council shall not
12 adopt provisions that:

13 (1) Relate to administrative, permitting, or enforcement
14 and inspection procedures of each county; [~~or~~]

15 (2) Conflict with chapters 444 and 464[~~-~~]; or

16 (3) Establish disabled accessibility or usability
17 standards for residential buildings that are lower
18 than those established by the most recent editions of
19 the International Building Code and the International
20 Residential Code, as published by the International
21 Code Council."



1 SECTION 3. Section 107-28, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§107-28 County authority to amend and adopt the Hawaii
4 state building codes without council approval[-]; restriction.

5 (a) The governing body of each county shall amend, adopt, and
6 update the Hawaii state building codes as they apply within
7 their respective jurisdiction, in accordance with section 46-
8 1.5(13), without approval of the council. Each county shall
9 amend and adopt the Hawaii state building codes and standards
10 listed in section 107-25, as the referenced Hawaii state
11 building codes and standards for its respective county building
12 code ordinance, no later than two years after the adoption of
13 the Hawaii state building codes.

14 (b) If a county does not amend the Hawaii state building
15 codes within the two-year time frame, the Hawaii state building
16 codes shall become applicable as an interim county building
17 code.

18 (c) No county shall establish disabled accessibility or
19 usability standards for residential buildings that are lower
20 than those established by the most recent editions of the



1 International Building Code and the International Residential
2 Code, as published by the International Code Council."

3 SECTION 4. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

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

8 SECTION 6. This Act shall take effect upon its approval.

9

INTRODUCED BY:

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H.B. NO. 2241

Report Title:

Elderly; Economic Security; Building Code; Standards; Counties

Description:

Prohibits the State Building Code Council and county councils from establishing disabled accessibility or usability standards for residential buildings that are lower than those established by the most recent editions of the International Building Code and the International Residential Code.

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