

JAN 23 2020

A BILL FOR AN ACT

RELATING TO RESIDENTIAL PROPERTY.

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

1 SECTION 1. The legislature finds that asbestos is a
2 naturally occurring mineral that was used in building materials
3 for its fire retardant and sound proofing properties. However,
4 microscopic asbestos fibers are barbed shaped and can lodge in
5 the soft tissues of the lungs. Over time, scar tissue develops
6 around the fibers, and for those with acute exposure the airways
7 can become blocked, a condition known as asbestosis. Because of
8 the health risks, a national ban was imposed on the use of
9 asbestos as a building material beginning in the 1970s; despite
10 the national ban, it is believed that, due to left over material
11 stock, asbestos-containing material was still used in
12 construction of residential properties in Hawaii until the mid-
13 1980s.

14 The legislature further finds that there are two categories
15 of asbestos: friable and non-friable. Friable asbestos can be
16 released into the air by disturbing it by hand, while non-
17 friable asbestos is typically mixed into vinyl or glue,



1 encapsulating it. Examples of friable asbestos that are most
2 harmful to human health include popcorn ceiling texturing and
3 the backing of sheet vinyl flooring.

4 Although the harmful impacts of asbestos are widely known,
5 asbestos has escaped regulation in Hawaii. As a result,
6 families and workers are being exposed to potentially serious
7 health risks when demolishing or renovating residential
8 properties in the State.

9 The purpose of this Act, therefore, is to require each
10 county to establish a procedure to ensure that an asbestos
11 survey and any necessary abatement are performed prior to the
12 issuance of any permit for the renovation or demolition of a
13 residential property.

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

17 "§46- Permitting for residential properties; asbestos
18 survey and abatement. Each county shall establish a process to
19 ensure an asbestos survey and any necessary abatement are
20 completed prior to the issuance of any permit for the renovation
21 or demolition of a residential property."



1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect on July 1, 2020.

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S.B. NO. 2937

Report Title:

Asbestos; Residential Property Permitting; Counties

Description:

Requires each county to establish a procedure to ensure that an asbestos survey and any necessary abatement are performed prior to the issuance of any permit for the renovation or demolition of a residential property.

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