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## A BILL FOR AN ACT

RELATING TO ENERGY EFFICIENCY.

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

1           SECTION 1. The legislature finds that energy efficiency is  
2 the most cost-effective way to reduce emissions associated with  
3 electricity generation and consumption. Maximizing efficiency  
4 and thereby reducing demand for power generation is a necessary  
5 component of reaching the State's goal of one hundred per cent  
6 renewable energy by 2045.

7           By establishing and regularly updating uniform building  
8 energy conservation codes, states and local governments can  
9 ensure that building design, construction, and operation address  
10 important societal concerns, including public health and safety,  
11 environmental protection, and consumer protection against costly  
12 monthly utility bills.

13           Building energy codes set minimum requirements for energy-  
14 efficient design and construction for new and renovated  
15 buildings that impact energy use and emissions for the life of  
16 the building. The primary function of energy codes is to reduce  
17 energy consumption in buildings, which reduces greenhouse gas



1 emissions and pollution from burning fossil fuels. Energy codes  
2 can also lessen peak energy demand and reduce the State's  
3 reliance on imported energy sources, which increases utility  
4 system reliability and energy security, respectively. Moreover,  
5 energy codes create a more comfortable living and working  
6 environment through improved indoor air quality and also help  
7 occupants save money by reducing energy bills, which stimulates  
8 the economy.

9 States across the country, including Hawaii, model their  
10 energy conservation codes based upon national model codes, such  
11 as the International Energy Conservation Code published by the  
12 International Code Council, which produces an updated version of  
13 the code through a democratic and deliberative process every  
14 three years.

15 The legislature further finds that Hawaii has historically  
16 lagged behind other jurisdictions with respect to updating its  
17 state building energy conservation codes. The most recent  
18 version adopted by the State was based upon the 2015  
19 International Energy Conservation Code, which replaced the  
20 previous state code that was based upon the 2006 version. The  
21 adoption at the county level has lagged even further. The city



1 and county of Honolulu did not formally update its modified  
2 version of the 2015 International Energy Conservation Code until  
3 June 2020. The lag in adoption of current building energy codes  
4 results in outdated buildings that will stay in the State's  
5 building stock for decades, increased costs for occupants and  
6 residents, and unnecessary carbon emissions.

7 The legislature also finds that the process of updating  
8 model codes every three years is optimal to ensure new  
9 technologies, materials, and methods, as well as better  
10 approaches to health and safety, can be incorporated into the  
11 next generation of buildings with sufficient time for proof of  
12 performance.

13 The purpose of this Act is to:

- 14 (1) Require that the state building code council include  
15 voting members with experience and knowledge in  
16 building energy efficiency standards and sustainable  
17 building, design, construction, and operation; and
- 18 (2) Require that the counties amend or adopt their  
19 respective building codes and standards based upon the  
20 International Energy Conservation Code no later than  
21 one year after the adoption of the Hawaii state



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1 building energy conservation code to bring Hawaii's  
2 code adoption process in alignment with the three-year  
3 national code update cycle.

4 SECTION 2. Section 107-22, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6 "(a) There is established a state building code council.  
7 The council shall be placed within the department of accounting  
8 and general services for administrative purposes only. The  
9 council shall consist of eleven voting members and one nonvoting  
10 member, who shall be the comptroller or the comptroller's  
11 designee. The council members shall serve four-year terms. The  
12 voting members shall include:

- 13 (1) One county building official from each of the four  
14 counties appointed by the mayor;
- 15 (2) One member representing the state fire council;
- 16 (3) One member representing the department of labor and  
17 industrial relations who has significant experience in  
18 elevator safety;
- 19 (4) One member representing the state energy office of the  
20 department of business, economic development, and  
21 tourism;



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- 1 (5) One member representing the Structural Engineers  
2 Association of Hawaii;
- 3 (6) One member representing the American Institute of  
4 Architects, Hawaii State Council;
- 5 (7) One member representing the Building Industry  
6 Association of Hawaii or the General Contractors  
7 Association of Hawaii, who has significant experience  
8 with building codes, with alternating four-year terms  
9 between the two organizations and the first four-year  
10 term to be served by the Building Industry Association  
11 of Hawaii; and
- 12 (8) One member representing the Subcontractors'  
13 Association of Hawaii who has significant experience  
14 with building codes[-];
- 15 provided that at least one voting member shall be experienced  
16 and knowledgeable in building energy efficiency standards;  
17 provided further that at least one voting member shall be  
18 experienced and knowledgeable in sustainable building, design,  
19 construction, and operation."

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



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1           "**§107-28 County authority to amend and adopt the Hawaii**  
2 **state building codes without council approval.** (a) The  
3 governing body of each county shall amend, adopt, [~~and~~] or  
4 update the Hawaii state building codes as they apply within  
5 their respective jurisdiction, in accordance with section 46-  
6 1.5(13), without approval of the council. Each county shall  
7 amend [~~and~~] or adopt the Hawaii state building codes and  
8 standards listed in section 107-25, as the referenced Hawaii  
9 state building codes and standards for its respective county  
10 building code ordinance, no later than two years after the  
11 adoption of the Hawaii state building codes[~~-~~], except for  
12 Hawaii state building codes based upon the International Energy  
13 Conservation Code, as published by the International Energy  
14 Council, which each county shall amend or adopt for its  
15 respective county building energy conservation code ordinance no  
16 later than one year after the adoption of the Hawaii state  
17 building energy conservation code.

18           (b) If a county does not amend or adopt the Hawaii state  
19 building codes, except for the Hawaii state building energy  
20 conservation code, within the two-year time frame, the Hawaii



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1 state building codes shall become applicable as an interim  
2 county building code.

3 (c) If a county does not amend or adopt the Hawaii state  
4 building energy conservation code within a one-year time frame,  
5 the Hawaii state building energy conservation code shall become  
6 applicable as an interim county building code."

7 SECTION 4. Any members on the state building code council  
8 serving on the effective day of this Act shall continue to serve  
9 the remainder of their term, after which any vacancies shall be  
10 filled to meet the requirements of section 2 of this Act.

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

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

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INTRODUCED BY: \_\_\_\_\_



JAN 22 2021



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**Report Title:**

Energy Efficiency; Building Code; State Building Code Council;  
Counties

**Description:**

Requires that the state building code council include voting members with experience and knowledge in building energy efficiency standards and sustainable building, design, construction, and operation. Requires that the counties amend or adopt their respective building codes and standards based upon the International Energy Conservation Code no later than one year after the adoption of the Hawaii state building energy conservation code.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

