

Honolulu, Hawaii

MAR 22 2024

RE: H.B. No. 2089  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Government Operations, to which was referred H.B. No. 2089, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE STATE BUILDING CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the State Building Code Council to adopt, amend, or update the International Building Code and International Residential Code within two years of every other official publication of the applicable code, rather than every publication; and
- (2) Specify that if a county does not adopt the Hawaii State Building Codes within two years, then the Hawaii State Building Codes become the applicable interim county building codes until superseded by the adoption of an amended version of the Hawaii State Building Codes.

Your Committee received testimony in support of this measure from Holomua Collaborative, NAIOP Hawaii, Grassroot Institute of Hawaii, National Association of Home Builders, aio, Hawaii Gas, Hawaiian Host Group, Hawai'i Community Foundation, Mana Up, Title Guaranty Hawaii, HPM Building Supply, and three individuals.



Your Committee received testimony in opposition to this measure from the Subcontractors Association of Hawaii; Sierra Club of Hawai'i; International Code Council; American Institute of Architects, Hawaii State Council; E Ola Kakou Hawai'i; Hawaii Chapter of 350.org; Sheet Metal Contractors Association Hawaii; Sheet Metal & Air Condition National Association, Hawaii Chapter; Kupuna for the Mo'opuna; and twenty individuals.

Your Committee received comments on this measure from the Hawai'i State Energy Office, Blue Planet, Building Industry Association of Hawaii, and Hawai'i Energy.

Your Committee finds that under the existing law, the Hawaii State Building Code Council (Council) must adopt, amend, or update certain widely recognized nationally published codes or standards identified under section 107-25, Hawaii Revised Statutes, within two years of any official publication date of a code or standard. Your Committee recognizes that the State continues to experience a housing shortage and that the State's strategic adoption of updated building codes and standards as provided in this measure will facilitate the construction of housing in the State while providing sufficient time for the Council, along with industry stakeholders, to adequately review the new codes or standards, assess potential changes and financial impacts to homeowners and builders, and adapt certain codes or standards to Hawaii's unique island environment.

Your Committee acknowledges the concerns raised in testimony that the Federal Emergency Management Agency uses timely code adoption as a criterion in its funding for disaster mitigation, resilience, and recovery projects and that noncompliance with national building codes could jeopardize opportunities for the State to receive federal funding. Your Committee further recognizes that the duty for the State Building Code Council to adopt building codes and standards is suspended when an emergency proclamation is in effect. Your Committee notes that a prolonged emergency proclamation may have a chilling effect on the timely adoption, amendment, and update on future State Building Codes. Your Committee further notes that a recent news report stated that the Maui County Department of Planning currently operates at a twenty-five percent vacancy rate and that there still may not be sufficient dedicated and trained staff available to adequately review, assess, and adapt building codes as provided in this



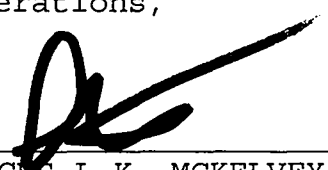
measure. Your Committee respectfully requests that these concerns be considered as this measure moves forward in the legislative process.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2491, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2089, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2089, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Government  
Operations,



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ANGUS L.K. MCKELVEY, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Government Operations**  
**GVO**

Bill / Resolution No.:*	Committee Referral:	Date:
HB2089 HD2	GVO, JOC	3.21.24

The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

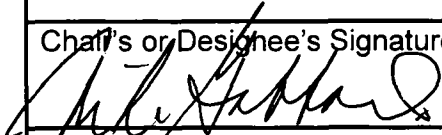
The Recommendation is:

Pass, unamended 2312    
 Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
MCKELVEY, Angus L.K. (C)	✓			
GABBARD, Mike (VC)		✓		
SAN BUENAVENTURA, Joy A.	✓			
WAKAI, Glenn	✓			
AWA, Brenton				✓
<b>TOTAL</b>	3	1	—	1

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature:



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\*Only one measure per Record of Votes