
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that delays in the
2 issuance of building permits for single-family and multi-family
3 housing projects create a roadblock to increasing Hawaii's
4 housing supply and contribute to high home prices in the State.
5 Project approvals in Hawaii have one of the longest processing
6 times for residential building permits. A study prepared by the
7 university of Hawaii economic research office in April 2022
8 found that, on average, Hawaii homebuilders wait three times
9 longer for permits than those in other states, which drives up
10 costs significantly and creates uncertainty, serving as a
11 disincentive to build new projects. Furthermore, the study
12 found that, compared to the most regulated markets in the
13 country, Hawaii's permit delays are almost two times longer,
14 meaning it can take between a year and a year and a half for a
15 permit to be approved.

16 Other states such as Texas and Florida use "shot clocks"
17 that mandate relevant county agencies issue a decision on



1 building permits within a certain time frame. If the agency
2 does not act on a land development within the time limit, the
3 permit is automatically deemed approved. The legislature finds
4 that implementing a "shot clock" in all of Hawaii's counties
5 would speed up building permit approvals and provide certainty
6 to applicants.

7 The purpose of this Act is to require counties to grant
8 building permits within sixty days if the application is stamped
9 and certified by a licensed engineer and architect and other
10 certain conditions are met.

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

14 **"§46- Building permit applications; certification;**
15 **review time limit.** (a) For single-family and multi-family
16 projects in each county, a building permit shall be issued
17 within sixty days of an application being filed that is stamped
18 by a duly licensed structural, civil, electrical, or mechanical
19 engineer and architect certifying that all plans and
20 specifications are in compliance with the applicable building
21 codes for the respective county. The certification shall



1 include a statement that adequate infrastructure capacity is
2 available to service the project site. During the sixty-day
3 period after the building permit application has been submitted,
4 the respective county shall ensure that the project is in
5 compliance with applicable ordinances regarding land use, set-
6 back, height, and site development requirements for the project
7 site; provided that non-compliance with any of the county's
8 discretionary approvals may delay the county's issuance of the
9 building permit. If a permit submitted under this section is
10 not approved by the county within sixty days of a complete
11 application being filed, it shall be deemed approved; provided
12 that the county did not notify the permit applicant within sixty
13 days of a complete application being filed that the application
14 was not in compliance with applicable state law or county
15 ordinances. Nothing in this section shall be construed to allow
16 any violation of federal, state, or county laws or rules.

17 (b) A county shall not consider an application complete
18 until:

19 (1) The developer submits documentation demonstrating a
20 reasonable and good faith determination that the
21 project does not have the potential to affect historic



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1 properties, archeological resources, or burial sites;
 2 and
 3 (2) The developer submits documentation evidencing that
 4 the proposed development does not encroach in Special
 5 Flood Hazard Areas identified as "A" or "V" zones on
 6 the Federal Emergency Management Agency's Flood
 7 Insurance Rate Maps, or has been reviewed for
 8 floodplain management compliance and has been issued a
 9 development permit for construction by the applicable
 10 community official."

11 SECTION 3. New statutory material is underscored.

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

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Report Title:

Housing; Building Permits; Shot Clock; Minority Caucus Package

Description:

Requires counties to grant building permits within sixty days if the application is stamped and certified by a licensed engineer and architect and other certain conditions are met.

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