
A BILL FOR AN ACT

RELATING TO PERMITS.

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

1 SECTION 1. The legislature finds that although most
2 counties already exempt state agencies from certain permitting
3 requirements, it is essential to ensure that all facilities
4 under the jurisdiction of the department of education,
5 university of Hawaii, and school facilities authority are also
6 granted this exemption. Eliminating the permitting process for
7 repetitive construction projects for state departments and
8 agencies will also accelerate the timeline for essential repairs
9 and improvements, addressing critical infrastructure needs more
10 efficiently across the State.

11 The purpose of this Act is to:

12 (1) Establish an exemption from applicable county permit
13 requirements for repetitive construction projects for
14 facilities under the control of any state department
15 or agency; and

16 (2) Clarify that, except for projects in special flood
17 hazard areas, contracts for the construction,



1 renovation, or repair of facilities under the control
 2 of the department of education, university of Hawaii,
 3 or school facilities authority shall be exempt from
 4 county permitting requirements that related off-site
 5 improvements be made by the contracting government
 6 agency as a condition to the issuance of any permit.

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

10 "§46- County permit exemption; repetitive construction
 11 projects. (a) A contract for repetitive construction projects
 12 of facilities under the control of any state department or
 13 agency shall be exempt from any applicable county permit
 14 requirement due to any county agency having jurisdiction over
 15 the proposed action; provided that no contract for repetitive
 16 construction projects shall be exempt from federal, state, or
 17 county floodplain management development standards or statutes,
 18 codes, ordinances, rules, or regulations with which compliance
 19 is required under the National Flood Insurance Program.

20 (b) For the purposes of this section, "repetitive
 21 construction project" means a construction project that consists



1 of one-for-one replacements or minor repair and maintenance,
2 does not increase the plumbing or electrical demand, and does
3 not require engagement with external agencies."

4 SECTION 3. Section 103-39.5, Hawaii Revised Statutes, is
5 amended to read as follows:

6 "**§103-39.5 Construction, renovation, or repair of school**
7 **facilities; county permit exemption.** Any contract for the
8 construction, renovation, or repair of [~~public school~~]
9 facilities under the control of the department of education,
10 university of Hawaii, or school facilities authority shall be
11 exempt from any county requirement [~~of a county~~] that related
12 off-site improvements be made by the contracting government
13 agency as a condition to the issuance of any permit[-]; provided
14 that this section shall not apply to a project that is within a
15 special flood hazard area as delineated on flood maps issued by
16 the Federal Emergency Management Agency."

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

County Permit Exemptions; Repetitive Construction Projects;
State Departments; Off-site Improvements

Description:

Establishes an exemption from applicable county permit requirements for repetitive construction projects for facilities under the control of any state department or agency, under certain conditions. Clarifies that, except for projects in special flood hazard areas, contracts for the construction, renovation, or repair of facilities under the control of the Department of Education, University of Hawaii, or School Facilities Authority shall be exempt from county permitting requirements that related off-site improvements be made by the contracting government agency as a condition to the issuance of any permit. Effective 7/1/3000. (HD1)

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