

## A BILL FOR AN ACT

RELATING TO BUILDING PERMITS.

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

1           SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended  
2   by adding a new section to be appropriately designated and to  
3   read as follows:

4           "§46- Maintenance and repairs; group U structures;  
5   remodeling; exemptions from building permit requirements. (a)  
6   Notwithstanding any law to the contrary, the following shall be  
7   exempt from the requirement to obtain a county building permit:

8           (1) Repairs that involve the replacement of component  
9           parts of existing work with like-for-like materials  
10          for the purpose of maintenance, without regard to the  
11          value of the materials or labor; provided that the  
12          repairs do not involve any electrical, plumbing, or  
13          mechanical installations;

14          (2) Group U occupancies that do not exceed 1,000 square  
15          feet; and

16          (3) Interior remodeling that does not affect building  
17          square footage or the number of rooms or bathrooms and



1           does not modify the location of rooms, walls, or  
2           windows.

3           (b) Notwithstanding subsection (a) (1) or (a) (2), an owner  
4           or occupier that intends to:

5           (1) Perform exempt repairs and maintenance on any dwelling  
6           larger than 3,000 square feet or structure larger than  
7           5,000 square feet that has group A, B, E, F, H, I or M  
8           occupancy under the International Building Code; or

9           (2) Install a structure larger than 1,000 square feet with  
10           group U occupancy,  
11           shall provide written notice to the appropriate county agency  
12           about the type of proposed work.

13           (c) No work shall commence until the appropriate county  
14           agency has determined that a building permit for the proposed  
15           work is not required to comply with county, state, or federal  
16           floodplain management development standards, ordinances, codes,  
17           statutes, rules, or regulations pursuant to National Flood  
18           Insurance Program requirements.

19           (d) The appropriate county agency shall certify the work  
20           within thirty calendar days upon the receipt of the written  
21           notice from the owner or occupier, pursuant to subsection (b).



1        (e) The applicable county fire department and county  
2 building permitting agency may enter the property, upon  
3 reasonable notice to the owner or occupant, to investigate  
4 exempted work for compliance with the requirements of this  
5 section.

6        If entry is refused after reasonable notice is given, the  
7 applicable county fire department or agency may apply to the  
8 district court of the circuit in which the property is located  
9 for a warrant, directed to any police officer of the circuit,  
10 commanding the police officer to provide sufficient aid and to  
11 assist the county fire department or agency in gaining entry  
12 onto the property to investigate exempted work for compliance,  
13 pursuant to the requirements of this section.

14        (f) This section shall not apply to buildings, work, or  
15 structures otherwise exempted from building permitting or  
16 building code requirements by applicable county ordinance.

17        (g) This section shall not be construed to supersede  
18 public or private lease conditions.

19        (h) The State and counties shall not be liable for claims  
20 arising from the performance of work described in this section,



1 unless the claim arises out of gross negligence or intentional  
2 misconduct by the State or the applicable county.

3 (i) This section shall not be construed to exempt any new  
4 or existing buildings, structures, related appurtenances, or  
5 other work from building permit requirements and other  
6 requirements of county, state, or federal floodplain management  
7 development standards, ordinances, codes, statutes, rules, or  
8 regulations, pursuant to National Flood Insurance Program  
9 requirements.

10 (j) Any failure to comply with this section shall result  
11 in penalties that are consistent with those imposed by the  
12 applicable county building permitting agency.

13 (k) As used in this section, "group U occupancy" includes  
14 uninhabited structures, including but not limited to  
15 agricultural buildings, aircraft hangars, accessory to a one- or  
16 two-family residence, barns, carports, communication equipment  
17 structures, fences, grain silos, livestock shelters, private  
18 garages, retaining walls, sheds, stables, tanks, and towers."

19 SECTION 2. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on January 1, 2026.

21



H.B. NO. 367

INTRODUCED BY: 2MC

JAN 16 2025



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**Report Title:**

Building Permits; Exemptions

**Description:**

Allows for building permit exemptions for certain kinds of activities. Effective 1/1/2026.

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

