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## A BILL FOR AN ACT

RELATING TO COUNTY PERMITTING AND INSPECTION.

**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-     County building permit, inspection, and  
5 certificate of occupancy requirements; exemption; prohibition;  
6 state projects. (a) Notwithstanding any other law to the  
7 contrary, state projects shall be exempt from county building  
8 permit, inspection, and certificate of occupancy requirements  
9 when compliant with applicable building codes or county,  
10 national, or international prescriptive construction standards,  
11 including construction, electrical, energy conservation,  
12 plumbing, and sidewalk standards, as applicable.

13           (b) Each state agency responsible for a state project  
14 exempt from county building permit, inspection, and certificate  
15 of occupancy requirements pursuant to subsection (a) shall not  
16 apply for a county building permit.



1       (c) Each county shall accept the dedication of state  
2 projects exempt from county building permit, inspection, and  
3 certificate of occupancy requirements pursuant to subsection  
4 (a).

5       (d) Nothing in this section shall relieve any state  
6 project from the laws, ordinances, rules, and regulations of the  
7 State and county or any departments or boards thereof with  
8 respect to the construction, operation, and maintenance of the  
9 state project, compliance with master plans or zoning laws or  
10 regulations, compliance with building and health codes and other  
11 laws, ordinances, or rules and regulations of similar nature  
12 applicable to the state project.

13       (e) As used in this section:

14       "Building permit" means an authorization required and  
15 issued by a county to perform within the jurisdiction of the  
16 county, specified work governed by the county's building,  
17 construction, electrical, energy conservation, plumbing, or  
18 sidewalk codes, as applicable.

19       "State agency" means any office, department, board,  
20 commission, bureau, division, public corporation, agency, or  
21 instrumentality of the State.



1        "State lands" means all land owned by the State through any  
2 state agency.

3        "State project" means any undertaking of work or  
4 improvement of state lands or any interest therein, developed,  
5 acquired, constructed, reconstructed, rehabilitated, improved,  
6 altered, or repaired by a state agency."

7        SECTION 2. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10       SECTION 3. New statutory material is underscored.

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

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



JAN 17 2025



# H.B. NO. 761

**Report Title:**

County Building Permit, Inspection, and Certificate of Occupancy Requirements; Exemption; Prohibition; State Projects

**Description:**

Exempts state projects from county building permit, inspection, and certificate of occupancy requirements under certain conditions. Requires counties to accept the dedication of state projects exempt from the county permitting process. Prohibits state agencies responsible for state projects exempt from county building permit, inspection, and certificate of occupancy requirements from applying for county building permits. Defines building permit, state agency, state lands, and state project.

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

