
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 requirements; state
5 projects; exemption; report. (a) Notwithstanding any other law
6 to the contrary, state projects may be exempt from county
7 building permit requirements when compliant with applicable
8 building codes or county, national, or international
9 prescriptive construction standards, including construction,
10 electrical, energy conservation, plumbing, and sidewalk
11 standards, as applicable; provided that the state project is not
12 located within a special flood hazard area as identified on the
13 Federal Emergency Management Agency's current Flood Insurance
14 Rate Maps.

15 (b) All projects exempted under subsection (a) shall be
16 included in a report that is regularly made available to the



1 public, such as in a board report or list of monthly
2 environmental exemption notifications.

3 (c) When a state agency undertakes a project that is to be
4 dedicated to a county and desires to be exempt from county
5 building permit requirements, the state agency may prepare a
6 programmatic or project-specific agreement with the county that
7 establishes requirements and standards for review and acceptance
8 by the county, such as inspection and certificate of occupancy
9 requirements and management of construction record
10 documentation.

11 (d) Nothing in this section shall relieve any state
12 project from the laws, ordinances, rules, and regulations of the
13 State and county or any departments or boards thereof with
14 respect to the construction, operation, and maintenance of the
15 state project, compliance with master plans or zoning laws or
16 regulations, compliance with building and health codes and other
17 laws, ordinances, or rules and regulations of similar nature
18 applicable to the state project.

19 (e) As used in this section:

20 "Building permit" means an authorization required and
21 issued by a county to perform within the jurisdiction of the



1 county, specified work governed by the county's building,
2 construction, electrical, energy conservation, plumbing, or
3 sidewalk codes, as applicable.

4 "State agency" means any office, department, board,
5 commission, bureau, division, public corporation, agency, or
6 instrumentality of the State.

7 "State lands" means all land owned by the State through any
8 state agency.

9 "State project" means any undertaking of work or
10 improvement of state lands or any interest therein, developed,
11 acquired, constructed, reconstructed, rehabilitated, improved,
12 altered, or repaired by a state agency."

13 SECTION 2. (a) Any state agency desiring to utilize
14 exemptions from county permitting processes may establish a
15 cooperative working group with the counties and other
16 stakeholders to identify any collective needs at the state level
17 to support the identification of infrastructure adequacy, site
18 development reviews, building permits, inspections, certificates
19 of occupancy, and management of construction records. The
20 cooperative working group may:



- 1 (1) Identify state resources that may be needed to
- 2 coordinate and integrate such processes with the
- 3 counties and other stakeholders;
- 4 (2) Consider other actions that may be needed to support
- 5 state construction activities, such as the
- 6 establishment of a state development or zoning agency;
- 7 and
- 8 (3) Be established as a committee or permitted interaction
- 9 group of an existing board or interagency council.

10 (b) Each cooperative working group established pursuant to

11 subsection (a) shall be subject to the requirements of chapter

12 92, Hawaii Revised Statutes, and submit at least one interim

13 progress report to the legislature no later than twenty days

14 prior to the convening of the regular session of 2026.

15 SECTION 3. This Act does not affect rights and duties that

16 matured, penalties that were incurred, and proceedings that were

17 begun before its effective date.

18 SECTION 4. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on May 13, 2040.



Report Title:

State Agencies; Counties; State Projects; County Building Permit Requirements; Exemption; Public Disclosure; Programmatic or Project-Specific Agreements; Cooperative Working Groups; Report

Description:

Allows state projects to be exempt from county building permit requirements under certain conditions. Requires all exempted state projects to be included in a report that is regularly made available to the public. Allows state agencies that undertake projects to be dedicated to a county to prepare programmatic or project-specific agreements that establish requirements and standards for review and acceptance if the agency wants the project to be exempted. Allows state agencies that want to be exempted from county permitting processes to establish a cooperative working group. Requires cooperative working groups to submit an interim report to the Legislature before the Regular Session of 2026. Effective 5/13/2040. (SD1)

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