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# A BILL FOR AN ACT

RELATING TO THE STATE BUILDING CODES.

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

1           SECTION 1. The legislature finds that with warmer ocean  
2 temperatures caused by climate change, the development zone for  
3 hurricanes in the eastern and central Pacific has moved  
4 northward, significantly increasing the potential for stronger  
5 storms and hurricanes crossing the Pacific ocean to affect  
6 Hawaii with extreme winds and precipitation. Previously, Hawaii  
7 had been protected by cooler waters and by the effect of  
8 southwest-headed tradewinds beneath northeast-headed winds in  
9 the opposite direction, also known as wind shear, which would  
10 tear hurricanes apart.

11           The legislature further finds that ocean temperatures  
12 around the State have increased and, having lost two days of  
13 tradewinds each year for the past fifty years, Hawaii now  
14 experiences the protection provided by wind shear during only  
15 about half the year. Because of these climate changes, the grim  
16 reality is that there is great potential for the development of  
17 more category three, four, and five hurricanes that will impact



1 Hawaii. Currently, the world experiences a category five  
2 hurricane, with winds over two hundred miles per hour, every  
3 eight years. However, by 2080, experts predict that the world  
4 will experience one category five hurricane each year, and the  
5 majority of these hurricanes are expected to occur in the  
6 northern Pacific, which includes Hawaii.

7 The legislature also finds that the State's investments in  
8 hurricane safety measures have not improved and that its  
9 vulnerability to hurricane damage continues to worsen each year  
10 with aging infrastructure, buildings, and facilities. Hawaii  
11 contains approximately one hundred eighty-seven thousand wooden  
12 homes, and most will be damaged or destroyed during even a  
13 category one hurricane.

14 The legislature additionally notes that a very limited  
15 number of refuge sites exists on each island. For instance,  
16 Oahu has merely thirty-two refuge areas that will accommodate  
17 only one hundred thousand individuals. The department of  
18 emergency management of the city and county of Honolulu  
19 estimates that two hundred thousand individuals will seek  
20 shelter during even a category one hurricane. Hawaii island has  
21 only one shelter that can withstand a category four hurricane.



1 Besides that facility, the State has no shelters that are able  
2 to withstand a category three, four, or five hurricane.

3 Furthermore, the legislature notes that when such a  
4 powerful hurricane strikes, there will be very few, if any, safe  
5 places for anyone to take shelter. Single-family homes and  
6 apartment buildings that are constructed to withstand category  
7 three, four, or five hurricanes could serve as locations for  
8 residents and their families and friends to take refuge, thereby  
9 reducing the number of individuals needing public shelters.

10 Moreover, the legislature finds that during a hurricane or  
11 other high-wind incident, winds become stronger at higher  
12 elevations. Most homes in Hawaii are located within what is  
13 commonly referred to as the "one hundred thirty miles per hour  
14 wind level". At higher elevations, homes could be located  
15 within the "one hundred forty miles per hour wind level" or "the  
16 "one hundred fifty miles per hour wind level".

17 The legislature further finds that the current generation  
18 has a deep moral obligation to itself and to future generations  
19 to begin now to build all structures, including homes, to  
20 withstand the highest category of hurricane that owners can  
21 afford.



1       Therefore, the purpose of this Act is to amend the state  
2 building codes to require that all new single-family homes and  
3 apartment buildings in the State that are located:

4       (1) Within the "one hundred thirty miles per hour wind  
5 level" be built to withstand at least a category three  
6 hurricane and contain a residential safe room with  
7 attached bathroom; and

8       (2) Within the "one hundred forty miles per hour wind  
9 level" or above be built to withstand at least a  
10 category five hurricane and contain a residential safe  
11 room with attached bathroom.

12       SECTION 2. Chapter 107, Hawaii Revised Statutes, is  
13 amended by adding a new section to part II to be appropriately  
14 designated and to read as follows:

15       "§107-       Hurricane protection. (a) Notwithstanding any  
16 law to the contrary, beginning on January 1, 2026:

17       (1) All newly constructed single-family residences and  
18       apartment buildings located within the one hundred  
19       thirty miles per hour wind level shall be built to  
20       withstand at least a category three hurricane and



1           contain a residential safe room with attached  
2           bathroom; and

3       (2) All newly constructed single-family residences and  
4       apartment buildings located within the one hundred  
5       forty miles per hour wind level or above shall be  
6       built to withstand at least a category five hurricane  
7       and contain a residential safe room with attached  
8       bathroom.

9       (b) This section shall apply to all newly constructed  
10      single-family residences and apartment buildings in the State.  
11      Notwithstanding section 107-28, no county shall amend, adopt, or  
12      update the Hawaii state building codes in a manner that  
13      conflicts with this section.

14       (c) As used in this section:

15       "Apartment building" means a structure containing one or  
16      more dwelling units, except:

17       (1) A single-family residence; or

18       (2) A structure in which all tenants are roomers or  
19       boarders.

20       "Category five hurricane" means a category five hurricane  
21      according to the Saffir-Simpson Hurricane Scale.



1       "Category three hurricane" means a category three hurricane  
 2       according to the Saffir-Simpson Hurricane Scale.

3       "One hundred forty miles per hour wind level or above"  
 4       means a geographical area that is expected to experience  
 5       sustained wind speeds of one hundred forty miles per hour or  
 6       more during a hurricane or other high-wind event.

7       "One hundred thirty miles per hour wind level" means a  
 8       geographical area that is expected to experience sustained wind  
 9       speeds of up to one hundred thirty miles per hour during a  
 10       hurricane or other high-wind event."

11       SECTION 3. Section 107-25, Hawaii Revised Statutes, is  
 12       amended to read as follows:

13       **"§107-25 Hawaii state building codes; requirements.** There  
 14       is established the Hawaii state building codes applicable to all  
 15       construction in the State of Hawaii. The Hawaii state building  
 16       codes shall be based upon:

- 17       (1) The state fire code as adopted by the state fire  
 18       council;
- 19       (2) The Uniform Plumbing Code, as copyrighted and  
 20       published by the International Association of Plumbing  
 21       and Mechanical Officials, including its appendices;



# H.B. NO. 352

- 1           (3) The International Building Code, the International  
2           Residential Code, and the International Energy  
3           Conservation Code, as published by the International  
4           Code Council;
- 5           (4) The National Electrical Code, as published by the  
6           National Fire Protection Association;
- 7           (5) Hawaii design standards implementing the criteria  
8           pursuant to Act 5, Special Session Laws of Hawaii,  
9           2005, as applicable to:
- 10           (A) Emergency shelters built to comply with hurricane  
11           resistant criteria, including enhanced hurricane  
12           protection areas capable of withstanding a five  
13           hundred-year hurricane event as well as other  
14           storms and natural hazards; and
- 15           (B) Essential government facilities requiring  
16           continuity of operations; ~~and~~
- 17           (6) Code provisions based on nationally published codes or  
18           standards that include but are not limited to  
19           residential and hurricane resistant standards related  
20           to loss mitigation standards in accordance with  
21           section 431P-12, elevator, mechanical, flood and



1           tsunami, existing buildings, and onsite sewage  
2           disposal[.]; and

3           (7) The requirements of section 107- ."

4           SECTION 4. Section 107-28, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6           "(a) [~~The~~] Except as provided in section 107- , the  
7 governing body of each county shall amend, adopt, and update the  
8 Hawaii state building codes as they apply within their  
9 respective jurisdiction, in accordance with section 46-1.5(13),  
10 without approval of the council. Each county shall amend and  
11 adopt the Hawaii state building codes and standards listed in  
12 section 107-25, as the referenced Hawaii state building codes  
13 and standards for its respective county building code ordinance,  
14 no later than two years after the adoption of the Hawaii state  
15 building codes."

16           SECTION 5. Statutory material to be repealed is bracketed  
17 and stricken. New statutory material is underscored.

18           SECTION 6. This Act shall take effect on January 1, 2026.





H.B. NO. 352

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INTRODUCED BY: *Nella A. Salotti*  
JAN 16 2025



# H.B. NO. 35C

**Report Title:**

State Building Codes; Hurricane Protection

**Description:**

Requires all newly constructed single-family residences and apartment buildings located within specified geographic areas to be built to withstand certain categories of hurricanes and to contain residential safe rooms with attached bathrooms.  
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.*

