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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:**

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

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

**(b) All projects exempted under subsection (a) shall be 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)

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

