

JAN 23 2026

A BILL FOR AN ACT

RELATING TO 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 either hit
6 or directly affect Hawaii. Previously, Hawaii had been
7 protected by cooler waters around the State and by wind shear,
8 which mitigated the threat of hurricanes. However, ocean
9 temperatures around the State have grown warmer, reducing the
10 number of days during which the State experiences trade winds
11 from two hundred ninety-one in 1973 to two hundred ten in 2009.
12 This reduction in trade winds has dramatically decreased the
13 protection provided by wind shear, thereby raising the risk of
14 future hurricanes.

15 The legislature also finds warmer seas have increased the
16 intensity of hurricanes globally. Crucially, Category 5
17 hurricanes have become increasingly common, with some achieving



1 wind speeds of over two hundred miles per hour. Category 5
2 hurricanes have caused extensive damage to buildings and
3 residential structures. Notably, when hurricane Melissa hit
4 Jamaica in 2025, over one hundred thousand structures were
5 severely damaged by the storm.

6 The legislature additionally notes that the number of
7 adequate shelters in the State is limited. In 2022, the city
8 and county of Honolulu had sufficient shelter capacity for only
9 one hundred thousand people, due to the county's lack of
10 shelters that meet the appropriate criteria in the event of a
11 hurricane. This lack of shelter space, combined with the high
12 risk of damage to residential structures, leaves the State
13 vulnerable to hurricanes and other severe storms. If a
14 hurricane of Category 3 or higher were to directly affect the
15 State, many residents could be left without shelter.

16 The legislature further finds that singly family homes and
17 apartment buildings that are constructed to withstand Category
18 3, 4, and 5 hurricanes or that have safe rooms that will
19 withstand Category 5 hurricanes could serve as locations for
20 residents and their families and friends to take refuge, thereby
21 reducing the number of individuals needing public shelters.



1 The legislature finds that people usually need to shelter
2 for twelve to seventy-two hours during a hurricane, and thus a
3 safe room needs to be large enough, at least one hundred
4 twenty-eight square feet, for people to be comfortable and to
5 lie down, and must have an attached, accessible bathroom, both
6 of which must be able to withstand winds of two hundred miles
7 per hour or more.

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

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

19 Therefore, the purpose of this Act is to amend the state
20 building codes to require that all new single family homes and



1 apartment buildings built after January 1, 2027, in the State
2 that are located within:

3 (1) The one hundred thirty mile per hour wind level be
4 built to withstand at least a Category 3 hurricane and
5 contain a residential safe room that is at least one
6 hundred twenty-eight square feet in size, with
7 attached bathroom, both of which can withstand winds
8 over two hundred miles per hour and meet the
9 International Code Council and National Storm Shelter
10 Association's Standard for the Design and Construction
11 of Storm Shelters; and

12 (2) The one hundred forty mile per hour wind level be
13 built to withstand at least a Category 5 hurricane and
14 contain a residential safe room that is at least one
15 hundred twenty-eight square feet in size, with
16 attached bathroom, both of which can withstand winds
17 over two hundred miles per hour and meet the
18 International Code Council and National Storm Shelter
19 Association's Standard for the Design and Construction
20 of Storm Shelters.



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

4 **"S107- Hurricane protection; safe room. (a)**

5 Notwithstanding any law to the contrary, beginning January 1,
6 2027, all newly constructed single family residences and
7 apartment buildings shall:

8 (1) Be built to withstand:

9 (A) A Category 3 hurricane on the Saffir-Simpson
10 scale when located in an area that is expected to
11 experience sustained wind speeds of one hundred
12 thirty miles per hour during a hurricane or other
13 high wind event; and

14 (B) A Category 5 hurricane on the Saffir-Simpson
15 scale when located in an area that is expected to
16 experience sustained wind speeds of one hundred
17 forty miles per hour or higher during a hurricane
18 or other high wind event; and

19 (2) Contain a residential safe room that:

20 (A) Is at least one hundred twenty-eight square feet;
21 (B) Includes an attached bathroom;



1 (C) Can withstand winds of two hundred miles per hour
2 or higher; and

3 (D) Meets the International Code Council and National
4 Storm Shelter Association's Standard for the
5 Design and Construction of Storm Shelters.

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

11 (c) For the purposes of this section:
12 "Apartment building" shall have the same meaning as section
13 521-8.
14 "Single family residence" shall have the same meaning as
15 section 521-8."

16 SECTION 2. Section 107-25, Hawaii Revised Statutes, is
17 amended to read as follows:

18 **"§107-25 Hawaii state building codes; requirements.** There
19 is established the Hawaii state building codes applicable to all
20 construction in the State of Hawaii. The Hawaii state building
21 codes shall be based upon:



- (1) The state fire code as adopted by the state fire council;
- (2) The Uniform Plumbing Code, as copyrighted and published by the International Association of Plumbing and Mechanical Officials, including its appendices;
- (3) The International Building Code, the International Residential Code, and the International Energy Conservation Code, as published by the International Code Council;
- (4) The National Electrical Code, as published by the National Fire Protection Association;
- (5) Hawaii design standards implementing the criteria pursuant to Act 5, Special Session Laws of Hawaii, 2005, as applicable to:
 - (A) Emergency shelters built to comply with hurricane resistant criteria, including enhanced hurricane protection areas capable of withstanding a five hundred-year hurricane event as well as other storms and natural hazards; and
 - (B) Essential government facilities requiring continuity of operations; [and]



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

9 SECTION 3. Section 107-28, Hawaii Revised Statutes, is
10 amended by amending subsection (a) to read as follows:

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



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY: Mike Gabbard



Report Title:

Hurricanes; Category 3; Category 5; Single Family Residences; Apartment Buildings; Residential Safe Rooms

Description:

Requires all single family residences and apartment buildings built after 1/1/2027 include a safe room that can withstand winds of two hundred miles per hour or higher. Requires single-family residences and apartment buildings built after 1/1/2027 be built to withstand Category 3 hurricanes when located in an area with winds of one hundred thirty miles per hour and a Category 5 hurricane when located in an area with winds of one hundred forty miles per hour or higher.

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