
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that, during the regular
2 session of 2025, the legislature passed Act 295 to address the
3 State's housing shortage. The purpose of Act 295 (2025) was to
4 establish procedures and requirements for single-family and
5 multi-family housing projects to apply for an expedited permit.

6 The legislature further finds that, since the enactment of
7 Act 295 (2025), codified as section 46-90, Hawaii Revised
8 Statutes, amendments are necessary to provide clarity on
9 insurance matters to encourage more participation in the
10 expedited permit process.

11 Accordingly, the purpose of this Act is to clarify the
12 insurance requirements for participation in the expedited
13 permitting process for single-family and multi-family housing
14 projects.

15 SECTION 2. Section 46-90, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (b) to read:



1 "(b) An applicant or the applicant's agent may submit a
2 request to the county for an expedited permit if sixty business
3 days have lapsed after the application was considered complete
4 by the relevant agency and the application has not received full
5 approval by the county. The request by the applicant or the
6 applicant's agent shall include:

- 7 (1) A full and complete set of plans;
- 8 (2) Statements or evidence from the relevant permitting
9 agencies that adequate infrastructure capacity is
10 available to service the project site and specified
11 improvements;

12 (3) The following information from all licensed
13 professionals on record:

14 (A) Policies of insurance that:

- 15 (i) Name the State and county as additional
16 ~~[insurers]~~ insureds for general liability
17 insurance;

18 (ii) Are in amounts equivalent to at least
19 \$2,000,000; and



1 (iii) Specifically allow coverage for the
2 completed project for the period under
3 section 657-8; and
4 (B) A statement that indemnifies and holds harmless
5 the State, its officers, agents, and employees
6 and the county, its officers, agents, and
7 employees[+] from and against claims, damages,
8 losses, and expenses, including attorneys' fees,
9 to the extent caused by a licensed professional's
10 negligence;
11 (4) A statement that sixty business days have lapsed
12 without approval since the application would have been
13 considered complete by the relevant agency; and
14 (5) The required county contractor's statement."
15 2. By amending subsections (e) and (f) to read:
16 "(e) After approval, the licensed professional on record
17 or county shall ensure that the project construction is in
18 compliance with the approved plans under the expedited permit,
19 including but not limited to the requirements under chapter 6E
20 and all applicable ordinances regarding land use, set-back,
21 height, and site development requirements for the project site.



1 State [~~and~~] or county inspectors shall [~~not be precluded from~~
2 ~~entering and inspecting project sites~~] inspect all projects with
3 expedited permits. Licensed professionals and contractors shall
4 address any defects in construction identified by state or
5 county inspectors; provided that the defects in construction are
6 consistent with the specifications in the approved plans. If
7 the defects are not consistent with the approved plans, the
8 licensed professional shall note the disagreement and assume
9 review responsibility as the approving authority or initiate a
10 change to the plans to address the defect. Consistent with the
11 requirements and time periods established by each county, all
12 licensed contractors and the licensed professional or the
13 licensed contractors' or licensed professional's successor
14 agents shall maintain a record of inspected structural, civil,
15 plumbing, and electrical systems after a certificate of
16 occupancy is issued and provide a copy of that record to the
17 applicant and the county.

18 (f) [~~Upon completion of construction, the licensed~~
19 ~~professional shall certify in writing to the county that a~~
20 ~~certificate of occupancy is warranted and all laws, rules,~~
21 ~~ordinances, and conditions governing permitted construction have~~



1 ~~been met, along with any necessary as-built drawings consistent~~
2 ~~with the requirements of each county.]~~ The county shall issue
3 [the] a certificate of occupancy to the applicant and may notate
4 that the certificate is approved by the licensed professional
5 under an agreement pursuant to an expedited permit, and not a
6 county official."

7 SECTION 3. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect on July 1, 2050.



S.B. NO. 2378
S.D. 2

Report Title:

Counties; Housing; Expedited Permitting; Insurance; Inspections

Description:

Clarifies insurance requirements for single-family and multi-family housing projects to obtain expedited permitting from county agencies. Clarifies that state or county inspectors shall inspect all projects with expedited permits. Effective 7/1/2050. (SD2)

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