

MAR 16 2026

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE STATE AUDITOR TO CONDUCT A PERFORMANCE AUDIT OF  
THE HAWAII STATE BUILDING CODE COUNCIL.

1           WHEREAS, the Hawaii State Building Code Council was  
2 established to adopt and maintain a statewide building code to  
3 promote public safety, uniform construction standards, and  
4 consistent county building regulations; and  
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6           WHEREAS, although the intent of the Hawaii State Building  
7 Code Council was to bring consistency to the county regulations,  
8 the practical impact has been the opposite, resulting in greater  
9 inconsistency and unpredictability across jurisdictions; and  
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11           WHEREAS, the Hawaii State Building Code Council is  
12 responsible for reviewing and adopting updated editions of  
13 national model building codes, including the International  
14 Building Code, International Residential Code, and related  
15 codes, to ensure that Hawaii's construction standards remain  
16 current and responsive to evolving safety and engineering  
17 practices; and  
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19           WHEREAS, the current mandate to adopt updated codes every  
20 three years is too frequent, creating an inefficient cycle in  
21 which codes are updated before prior code updates can be fully  
22 implemented and causing significant burdens to stakeholders and  
23 major disruptions to the construction industry; and  
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25           WHEREAS, the Hawaii State Building Code Council is also  
26 tasked with providing guidance to and coordination among the  
27 counties and state agencies regarding building code adoption and  
28 implementation; and  
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30           WHEREAS, on September 15, 2023, the Governor issued an  
31 emergency proclamation relating to affordable housing that  
32 suspended certain provisions of law relating to the Hawaii State



1 Building Code Council as part of emergency efforts to accelerate  
2 housing development in the State; and  
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4 WHEREAS, this suspension recognized that the Hawaii State  
5 Building Code Council was not operating efficiently and had  
6 become a barrier to housing production; and  
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8 WHEREAS, since the issuance of the proclamation, the Hawaii  
9 State Building Code Council has been effectively inactive; and  
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11 WHEREAS, the Hawaii State Building Code Council's extended  
12 dormancy provides an opportunity to evaluate whether the  
13 Council's functions are necessary, beneficial, or duplicative of  
14 responsibilities already carried out by counties or other  
15 agencies; and  
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17 WHEREAS, given the State's ongoing housing shortage and the  
18 need to streamline regulatory processes where appropriate, it is  
19 prudent for the Legislature to evaluate whether the structure,  
20 authority, and operations of the Hawaii State Building Code  
21 Council continue to serve the public interest; now, therefore,  
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23 BE IT RESOLVED by the Senate of the Thirty-third  
24 Legislature of the State of Hawaii, Regular Session of 2026, the  
25 House of Representatives concurring, that the State Auditor is  
26 requested to conduct a performance audit of the Hawaii State  
27 Building Code Council; and  
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29 BE IT FURTHER RESOLVED that the performance audit is  
30 requested to focus on:  
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- 32 (1) The statutory purpose, duties, and authorities of the  
33 Hawaii State Building Code Council;
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- 35 (2) The efficiency and practicality of the three-year code  
36 adoption cycle;
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- 38 (3) The impact of the Council on regulatory consistency  
39 among the counties;
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- 41 (4) The Council's historical performance in adopting and  
42 updating statewide building codes;



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- (5) The impacts of statewide code adoption on construction costs, permitting timelines, and housing production in Hawaii;
- (6) The current makeup of the Council;
- (7) Whether the Council has provided measurable benefits to public safety, regulatory consistency, and efficiency in the construction industry; and
- (8) The implications of the Council's inactivity since September 15, 2023, including the impact on the adoption and implementation of building codes during that period; and

BE IT FURTHER RESOLVED that the State Auditor is requested to include in the audit:

- (1) Data collection and analysis on whether the counties generate sufficient revenue through permitting and related fees to fully or partially fund the operations of a building code council;
- (2) An examination of the historical hesitancy of the State to fund an executive director position for the Hawaii State Building Code Council;
- (3) An assessment of whether the counties, as the direct administrators and enforcers of building codes, should be the primary drivers and funders of the Council;
- (4) Potential alternative governance structures for building code adoption in Hawaii, including whether any modifications to, restructuring of, or repeal of the Council should be considered; and
- (5) The viability of a model in which the counties manage, fund, and drive the code adoption process rather than the State; and



