

MAR 16 2026

S.R. NO. 64

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

BE IT FURTHER RESOLVED that the State Auditor is requested to consult with the Department of Accounting and General Services, the Office of the Governor's Housing Team, the Planning Department of the County of Hawaii, the Planning Department of the County of Maui, the Planning Department of the

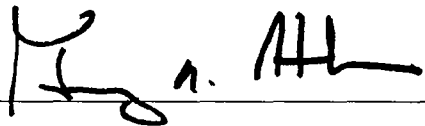


1 County of Kauai, the Department of Planning and Permitting of
2 the City and County of Honolulu, members of the construction
3 industry, and other relevant stakeholders in preparing the
4 audit; and
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6 BE IT FURTHER RESOLVED that the State Auditor is requested
7 to submit to the Legislature a report of its findings and
8 recommendations, including any proposed legislation, no later
9 than twenty days prior to the convening of the Regular Session
10 of 2027; and
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12 BE IT FURTHER RESOLVED that certified copies of this
13 Resolution be transmitted to the Governor, State Auditor,
14 Comptroller, Director of the Planning Department of the County
15 of Hawaii, Director of the Planning Department of the County of
16 Maui, Director of the Planning Department of the County of
17 Kauai, and Director of the Department of Planning and Permitting
18 of the City and County of Honolulu.
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OFFERED BY:

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