



The Plumbers and Fitters UA Local 675

1109 Bethel Street, Lower Level, Honolulu, Hawai`i 96813

'A'ohe hana nui ke alu 'ia

March 3, 2026

State House of Representatives- Committee on Judiciary and Hawaiian Affairs

Representative David A. Tarnas, Chair and Representative Mahina Poepoe, Vice Chair

Reference: **HB1721, H.D. 1, Relating to Housing**

Hearing: Thursday, March 5, 2026, Room 325 at 2:00 pm

The Plumbers and Fitters UA Local 675 ("Local 675") are one of three licensed crafts in Hawai'i's construction industry. Its member apprentices and journeymen are guided by and licensed in accordance with the Uniform Plumbing Code ("UPC"), published by the International Association of Plumbing and Mechanical Officials ("IAPMO") who's primary

Local 675 OPPOSES House Bill 1721, H.D. 1 as written, which purports to clarify insurance, indemnification, and certain certificate of occupancy requirements for purposes of expedited permits and respectfully requests consideration of the amendments provided below.

Although we support efforts to improve the timeframe by which permits are issued, we are very concerned that HB 1721 H.D. 1 eliminates required inspections to ensure that construction is actually built according to design. This component of construction is critical to maintaining the integrity of building codes and standards and protecting the health, safety, and welfare of the public.

We are open to supporting this measure if the following amendments to subsection (e) of section 46-90, Hawaii Revised Statutes, are included and adopted in a subsequent draft of HB 1721 H.D. 1 to address our concerns.

Section 46-90 (e) is amended to read:

(e) After approval, the licensed professional on record or county shall ensure that the project construction is in compliance with the approved plans under the expedited permit, including but not limited to the requirements under chapter 6E and all applicable ordinances regarding land use, set-back, height, and site development requirements for the project site. State ~~[and]or~~ county inspectors shall ~~[not be precluded from entering and inspecting]~~inspect all projects~~[-sites]~~ with expedited permits. Licensed professionals and contractors shall address any defects in construction identified by state or county inspectors; provided that the defects in construction are consistent with the specifications in the approved plans. If the defects are not consistent with the approved plans, the licensed professional shall note the disagreement and assume review responsibility as the approving authority or initiate a change to the plans to address the defect. Consistent with the requirements and time periods established by each county, all licensed contractors and the licensed professional or the licensed contractors' or licensed professional's successor agents shall maintain a record of inspected structural, civil, plumbing, and electrical systems after a certificate of occupancy is issued and provide a copy of that record to the applicant and the county.

Mahalo for the opportunity to testify on this measure.

March 5, 2026

TO: Chair Tarnas and Members of the House Judiciary and Hawaiian Affairs
Committee
RE: HB 1721 HD1, Relating to Housing

Dear Chair Tarnas and Committee Members,

Housing Hawai'i's Future is a nonprofit dedicated to creating opportunities for Hawai'i's next generation by ending the workforce housing shortage.

We support House Bill 1721 HD1. This bill clarifies insurance, indemnification, and certain certificate of occupancy requirements for purposes of expedited permits.

Act 295 (2025) was enacted to address one of the most significant drivers of housing cost in Hawai'i: permitting delays. The law created a pathway for expedited permitting for single-family and multi-family housing projects, streamlining what have been some of the longest permitting times in the country.

For that framework to succeed, the underlying standards around liability, insurance coverage, indemnification, and certificate of occupancy requirements must be clear and administratively workable.

This bill provides that clarity, specifying expectations related to insurance and indemnification, reducing uncertainty, and limiting liability for design professionals like architects and engineers. **Please advance HB1721 HD1.**

Thank you,



Lee Wang
Executive Director
Housing Hawai'i's Future
lee@hawaiisfuture.org



Perry Arrasmith
Director of Policy
Housing Hawai'i's Future
perry@hawaiisfuture.org

March 5, 2026, 2 p.m.
Hawaii State Capitol
Conference Room 325 and Videoconference

To: House Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

From: Grassroot Institute of Hawaii
Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB1721 HD1 — RELATING TO HOUSING

Aloha chair, vice chair and other committee members,

The Grassroot Institute of Hawaii **supports** [HB1721 HD1](#), which would clarify liability rules for professionals participating in the self-certification program established by Act 295 (2025).

This self-certification program has the opportunity to streamline the permitting process for single-family and multifamily homes, because it allows licensed architects and engineers to sign off on their own permits if the county permitting agency does not approve them within a certain time frame.

Streamlining this process is critical because Hawaii suffers from chronic permitting delays, which were reported by the Economic Research Organization at the University of Hawai'i to have been 188 days for single-family homes and 410 days for multifamily homes, on average, over the last five years.¹

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

¹ Daniela Bond-Smith, Trey Gordner and Rachel Inafuku et al., "[The Hawaii Housing Factbook 2025](#)," Economic Research Organization at the University of Hawai'i, May 14, 2025, p. 27.



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

**HEARING BEFORE THE HOUSE COMMITTEE ON JUDICIARY & HAWAIIAN AFFAIRS
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 325
THURSDAY, MARCH 5, 2026 AT 2:00 P.M.**

To The Honorable Representative David A. Tarnas, Chair
The Honorable Representative Mahina Poepoe, Vice Chair
Members of the Committee on Judiciary & Hawaiian Affairs

SUPPORT FOR HB1721 HD1 RELATING TO HOUSING

Housing has been one of the Maui Chamber of Commerce's top priorities for years, given the current housing crisis. The Maui Chamber of Commerce supports HB1721 HD1, which clarifies insurance, indemnification, and certificate of occupancy requirements for expedited permits, because permitting delays directly impact the delivery and affordability of new homes for local residents.

Streamlining permitting is essential to reducing costs and accelerating the timeline for housing projects, especially those serving working families and individuals in need of affordable options. By clarifying the requirements for insurance and indemnification, this bill provides greater certainty for developers and contractors, reducing administrative barriers that can stall projects. Ensuring that certificate of occupancy procedures are clear within the expedited permitting context further supports the timely completion and occupancy of new units.

Mahalo for the opportunity to share our support of HB1721 HD1.

Sincerely,

Pamela Tumpap
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.



TESTIMONY FOR HB 1721, HD1

Relating to Housing

Before the House Committee on Judiciary & Hawaiian Affairs
Rep. David A. Tarnas, Chair
Rep. Mahina Poepoe, Vice Chair

March 4, 2026

Submitted by:
Legislative Advocacy Group
American Institute of Architects, Hawai'i State Council

Position: Support with Comments

The American Institute of Architects

AIA Hawaii State Council
828 Fort Street Mall, Suite 100
Honolulu, HI 96813

T (808) 628-7243
contact@aiahonolulu.org
aiahonolulu.org/AIAHawaiiStateCouncil

Dear Chair, Vice Chair, and Members of the Committee:

The American Institute of Architects Hawai'i State Council (AIA Hawai'i), representing over 800 architects statewide, appreciates the opportunity to provide testimony in **support with comments** on HB 1721 HD1.

AIA Hawai'i supported the intent of **Act 295 (2025)**, which established an expedited permitting process to help address Hawai'i's housing shortage. However, since its enactment, design professionals and their insurers have raised concerns that certain provisions related to insurance, indemnification, and certification could create **uninsurable conditions** for architects and engineers participating in the expedited permitting process.

HB 1721 HD1 is an important step toward clarifying these provisions and ensuring that design professionals are not required to assume liabilities beyond what their professional liability insurance can reasonably cover. Addressing these issues will help encourage participation in the expedited permitting pathway and support the State's broader housing production goals.

AIA Hawai'i respectfully offers the following comments for further clarification:

Additional Insured Requirement. The statute should clearly specify that the additional insured requirement applies to the licensed professional's **commercial general liability policy**, as professional liability policies typically cannot provide additional insured endorsements.

Insurance Coverage Amount. The bill requires policies of insurance in amounts equivalent to **\$2,000,000**. Many design professionals carry professional liability policies with limits of **\$1,000,000**, which is consistent with industry practice. Requiring higher limits may discourage participation in the expedited permitting program.

Coverage Period Language. The requirement that policies “specifically allow coverage for the completed project for the period under section 657-8” may be confusing, as professional liability policies are typically **claims-made policies renewed annually**. Clarification may be needed to better reflect how these policies operate.

Indemnification Language. While the bill appropriately limits indemnification to negligent acts, errors, or omissions, the phrase “arising out of or resulting from” may be interpreted broadly. AIA Hawai‘i recommends clarifying that indemnification applies **only to the extent caused by the negligent acts, errors, or omissions of the licensed professional**.

Thank you for the opportunity to provide testimony on this measure. AIA Hawai‘i looks forward to continuing to work with the Legislature and stakeholders to support housing production while maintaining appropriate professional standards.

Sincerely,

A handwritten signature in cursive script that reads "Melanie Islam". The signature is written in a dark ink and is positioned above the printed name.

Melanie Islam, AIA
AIA Hawai‘i State Council, President

ACEC

AMERICAN COUNCIL OF ENGINEERING COMPANIES
of Hawaii

50 Years of Excellence

2025-2026 Board of Directors

President

Charles Jury, P.E.
Okahara and Associates, Inc.
Ph: (808) 524-1124

President-Elect

Kealohi Sandefur, P.E.
Yogi Kwong Engineers, LLC
Ph: (808) 942-0001

Treasurer

Tim Goshi, P.E.
KAI Hawaii, Inc.
Ph: (808) 791-3966

Secretary

George Takase, P.E.
Ronald N.S. Ho & Associates
Ph: (808) 941-0577

Past President

Shannon Holman, P.E.
Orion Engineers & Associates
Ph: (808) 282-7986

National Director

Nimr Tamimi, P.E.
Engineering Partners, Inc.
Ph: (808) 930-7823

Directors

Dayna Nemoto-Shima, P.E.
Pacific Geotechnical Engineers, Inc.
Ph: (808) 678-8024 x808

Simone Simbeck
Haley & Aldrich, Inc.
Ph: (808) 369-0729

Scott Hayashi
SSFM International
Ph: (808) 531-1308

Ginny M. Wright
Executive Director
350 Ward Ave. Ste. #160-83
Honolulu, Hawaii 96814
Ph: (808) 741-4772
Email: gwright@acechawaii.org

Website: www.acechawaii.org

March 4, 2026

House Committee on Judiciary & Hawaiian Affairs Hearing Date: Thursday, March 5, 2026, 2 p.m.

Honorable Chair Tarnas, Vice Chair Poepoe, and Members of the House Committee on Judiciary & Hawaiian Affairs

Subject: HB 1721, HD1, Relating to Housing Testimony in Support

Dear Chair Tarnas, Vice Chair Poepoe, and Committee Members:

The American Council of Engineering Companies of Hawaii (ACECH) represents 68 member firms with over 2,000 employees throughout Hawaii. ACECH member firm projects directly affect the quality of the water we drink and the food we eat; the safety of our buildings, highways, bridges, and infrastructure; and the quality of the environment in which we work and play. ACECH strongly supports this measure to clarify language related to insurance in Act 295, passed by the legislature in 2025.

After the passage of Act 295, Legislative Session of 2025, ACECH was alerted by professional liability insurance brokers that the new law inadvertently provides uninsurable conditions, as well as inaccurate citation regarding professional liability insurance. These concerns are likely to limit the design professionals willing to engage in the expedited permit process enacted last year.

Revising the language will encourage more design professionals to conduct this work and is in the State's interest. However, we recently noticed that the House version of this bill had a slight variation on the language we requested and that is included in the Senate version, SB 3478. Therefore, we respectfully request that the Committee revise the language in this bill as shown on the following page.

Respectfully submitted,

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII

From the bill HB 1721, HD1:

Page 3

H.B. NO. 1721
H.D. 1

1 (ii) Are in amounts equivalent to at least
2 \$2,000,000; and
3 (iii) Specifically allow coverage for the
4 completed project for the period under
5 section 657-8; and
6 (B) A statement that indemnifies and holds harmless
7 the State, its officers, agents, and employees
8 and the county, its officers, agents, and
9 employees[+] from and against claims, damages,
10 losses, and expenses, including attorney's fees,
11 arising out of or resulting from the negligent
12 acts, errors, or omissions of the licensed
13 professional;

We respectfully request that the wording in Section (B), above, be revised as follows to match the language that is contained in SB 2378, SD1, and that is representative of the insurance coverage realities (professional insurance liability being tightly linked to negligence):

- (B) A statement that indemnifies and holds harmless the State, its officers, agents, and employees and the county, its officers, agents, and employees[;] from and against claims, damages, losses, and expenses, including attorney's fees, to the extent caused by a licensed professional's negligence;

HB-1721-HD-1

Submitted on: 3/4/2026 1:55:25 PM

Testimony for JHA on 3/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janice Marsters	Akala Consulting LLC	Support	Remotely Via Zoom

Comments:

I own a small business consulting firm on Maui, focused on environmental and civil engineering for Hawai'i essential infrastructure projects. This bill requires design professionals to carry professional and general liability insurance, but we have been cautioned by our insurance brokers that certain terms are not insurable. Uninsurable terms are particularly scary for small businesses, which comprise the majority of engineering firms in the state. I support the corrections contained in this bill, as well as the proposed revision in ACECH's testimony today, that will encourage more local small business design professionals to participate in this important program.

HB-1721-HD-1

Submitted on: 3/3/2026 10:00:03 PM

Testimony for JHA on 3/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
CHARLES JURY	Individual	Support	Written Testimony Only

Comments:

Aloha, I am licensed Professional Engineer and I support this bill. The proposed language in this bill is intended to align the insurance requirements with the insurance policies held by engineering firms. Without the proposed revisions, parts of the current language are not insurable, which may deter participation in this program.

HB-1721-HD-1

Submitted on: 3/4/2026 11:20:24 AM

Testimony for JHA on 3/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Terry	Individual	Comments	Written Testimony Only

Comments:

Hello, I am an account executive with Atlas Insurance specializing in providing insurance to local architects and engineers. I support the effort to amend the previous version of this bill because the prior version contained some language that would be uninsurable.

I do, however, have some notes on the proposed changes to this bill.

First, in section (A)(i) there appears to be a mistake. Insurance Carriers can name third parties, like the State and County, as "additional insureds" on the design professional's general liability policy. They wouldnt be claissified as "additional insurers". The sister bill in the senate has the correct wording.

Second, in (A)(ii) the selected limit is \$2,000,000. MOst local architects and engineers carry \$1,000,000 in coverage. In order to allow more participation in the program I would suggest the limit be reduced to \$1,000,000.

Third, in (A)(iii) the language could be misinterpreted to require the design professional to carry completed operations coverage to cover a project they are working on/have finished. This coverage is typically excluded under a design professionals general liability policy because a design professionals product/completed operation is their design service. That design service is covered by their professional liability policy. It might be better to change this language to make the design professional continue coverage of required insurance for the period under section 657-8.

Fourth, i think the sister bill in the senate has the more insurable language for this indemnity. Professional liability policies will pay for damages to the extent they are caused by the negligence of the design professional. The clause would be insurable if "arising out of or resulting from" is replaced with "To the extent caused by".

HB-1721-HD-1

Submitted on: 3/4/2026 1:50:19 PM

Testimony for JHA on 3/5/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dayna E Nemoto-Shima	Individual	Support	Written Testimony Only

Comments:

I am a civil engineer licensed in the state of Hawai'i with over 20 years of experience working for a local small business engineering firm. The original language this bill is correcting includes terms that are not insurable. I support the corrections in this bill that will encourage more local small business design professionals to participate in this program.