

March 19, 2026

TO: Chair Wakai and Members of the Senate Energy and Intergovernmental Affairs
Committee
Chair Chang and Members of the Senate Housing Committee
RE: HB 1721 HD2, Relating to Housing

Dear Chairs Wakai, Chang 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 HD2. 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 clarity, specifying expectations related to insurance and indemnification, reducing uncertainty, and limiting liability for design professionals like architects and engineers. **Please advance HB1721 HD2.**

Thank you,



Lee Wang
Executive Director
Housing Hawai'i's Future
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Perry Arrasmith
Director of Policy
Housing Hawai'i's Future
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ACEC

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March 17, 2026

Senate Committee on Energy & Intergovernmental Affairs Senate Committee on Housing Hearing Date: Thursday, March 19, 2026, 3:02 p.m.

**Subject: HB 1721, HD2, Relating to Housing
Testimony in Strong Support**

Dear Chairs Wakai and Chang 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. The revised language corrects these concerns. Revising the language will encourage more design professionals to conduct this work and is in the State's interest.

We note that we've identified a typographical error in Section (A)(i) that should be corrected in the State's interest and to accurately reflect the applicability of the insurance. Insurance carriers can name third parties, like the State and County, as "additional insureds" on the design professional's general liability policy. These entities wouldn't be classified as "additional insurers". The language should be revised to read:

(i) Name the State and county as additional insure[r]ds[;] under a commercial general liability policy;

Respectfully submitted,

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII



Charles Jury, P.E.
President



The Plumbers and Fitters UA Local 675

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

'A'ohe hana nui ke alu 'ia

March 19, 2026

Joint Senate Committee on Energy and Intergovernmental Affairs and Housing

Senator(s) Wakai/Chang, Chair(s) and Senator(s) Chang/Hashimoto, Vice Chair(s)

Reference: **HB1721, H.D. 2, Relating to Housing**

Hearing: Thursday, March 19, 2026, Room 224 at 3:02 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 state purpose is providing minimum requirements and standards for the protection of public health, safety, and welfare.

Local 675 OPPOSES House Bill 1721, H.D. 2, which proposes to clarify insurance, indemnification, and certain certificate of occupancy requirements for purposes of expedited permits and respectfully requests that this measure be deferred in favor of its senate companion bill, SB2378, SD2 which includes amendments that achieve the underlying objective of clarifying expedited permits while addressing health, safety, and welfare concerns.

Although we support efforts to improve the timeframe by which permits are issued, we are very concerned that HB 1721 H.D. 2 eliminates required inspections that ensures as-built construction is consistent with approved designs, which often times is not the case in the construction industry. This component of construction is critical to maintaining the integrity of the construction industry and protecting the health, safety, and welfare of the public.

Such exclusions coupled with broadly applied indemnifications provided in the bill, unduly burdens the homeowner(s) and/or occupant(s), as well as the contractors with unknown future liability and life safety concerns that could

have otherwise been prevented.

For these reasons, we respectfully ask that this measure be deferred. However, should this committee choose to move this measure forward, we respectfully request that you amend HB1721 H.D. 2 to include subsection (e) of section 46-90 (HRS), and include the following proposed amendments 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 19, 2026, 3:02 p.m.
Hawaii State Capitol
Conference Room 224 and Videoconference

To: Senate Committee on Energy and Intergovernmental Relations

Sen. Glenn Wakai, Chair

Sen. Stanley Chang, Vice Chair

Senate Committee on Housing

Sen. Stanley Chang, Chair

Sen. Troy Hashimoto, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: TESTIMONY IN SUPPORT OF HB1721 HD2 — RELATING TO HOUSING

Aloha Chairs, Vice Chairs and other Committee Members,

The Grassroot Institute of Hawaii **supports** [HB1721 HD2](#), 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.



**TESTIMONY FOR HB 1721, HD2
Relating to Housing**

**Committee on Energy and Intergovernmental Affairs
Senator Glenn Wakai, Chair
Senator Stanley Chang, Vice Chair**

**Committee on Housing
Senator Stanley Chang, Chair
Senatro Troy Hashimoto, Vice Chair**

March 18, 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 Committees:

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** of HB 1721 HD2.

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 HD2 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:

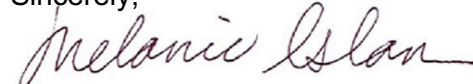
Additional Insured Requirement. The statute should clearly specify that the additional insured requirement applies to the licensed professional's **commercial general liability policy**, as professional liability policies typically cannot provide additional insured endorsements.

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 agrees with ACECH Testimony that indemnification applies **only to the extent caused by the licensed professional’s negligence**, which matches that of language contained in SB 2378 SD1.

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".

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



MAUI

CHAMBER OF COMMERCE

VOICE OF BUSINESS

**HEARING BEFORE THE SENATE COMMITTEE ON ENERGY & INTERGOVERNMENTAL
AFFAIRS AND THE COMMITTEE ON HOUSING
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 224
THURSDAY, MARCH 19, 2026 AT 3:02 P.M.**

To The Honorable Senator Glenn Wakai, Chair
The Honorable Senator Stanley Chang, Vice Chair
Members of the Committee on Energy & Intergovernmental Affairs

To The Honorable Senator Stanley Chang, Chair
The Honorable Senator Troy N. Hashimoto, Vice Chair
Members of the Committee on Housing

SUPPORT FOR HB1721 HD2 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 H21, 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 HD2.

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.

HB-1721-HD-2

Submitted on: 3/17/2026 1:53:22 PM

Testimony for EIG on 3/19/2026 3:02:00 PM

Submitted By	Organization	Testifier Position	Testify
Ikaika Kincaid	Individual	Support	Written Testimony Only

Comments:

Aloha Chair Wakai and Chang and Committee Members!

I've been a licensed engineer for the last 20 years it is important for our engineering community and firms that will be supporting this bill and expedited permitting initiative to ensure that we can obtain the proper insurance to work on these projects!

Therefore, this change is required for engineers to engage in this effort.

Mahalo for allowing me to submit my testimony.