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March 16, 2026

**House Committee on Housing**

**Hearing Date: Wednesday, March 18, 2026, 9:00 am**

Honorable Chair Evslin, Vice Chair Miyake, and Members of the House Committee on Housing

**Subject: SB 2378 SD2, Relating to Housing  
Testimony in Strong Support**

Dear Chair Evslin, Vice Chair Miyake, 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.

We note that, in the House Judiciary & Hawaiian Affairs Committee hearing for the House companion to this bill, HB 1721, the American Institute of Architects (AIA) Hawaii Chapter and Matt Terry, a professional liability insurance industry representative, recommended additional changes to further clarify insurance requirements and to encourage more small businesses to participate in this important program. JHA adopted those recommendations, and we respectfully request this House Committee to do the same. The changes are as follows:

- (A) (ii) Insurance Coverage: Act 295 requires a minimum of \$2 Million insurance coverage. We recognize that many local small businesses may be able to obtain only \$1 Million in coverage and agree with reducing the amount to allow more of our local small firms to participate. The revised language contained in HB 1721, HD2, and indicated below, corrects this concern:  
**“Are in amounts equivalent to at least [\$2,000,000;] \$1,000,000; and”**
- (A) (iii) Coverage Period Language: We agree with the AIA Hawai‘i and Matt Terry comments that the Act 295 language could confuse the issue of which insurance would cover a claim following completion of the work. The revised language contained in HB1721, HD2, and indicated below, clarify this matter.  
**“Specifically [allow coverage for the completed project for the period] require that the licensed professional maintain professional liability insurance that provides coverage for claims arising out of the completed project, so long as the claim is first made and reported in accordance with the terms of the policy during the period allowed under section 657-8; and”**

(B) Indemnification Clause: Both the HD2 and SD2 versions are acceptable to ACECH; however, for consistency and ease in reconciling the two bills, we request the following change in the language to match the HD2 language:

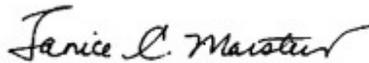
**“A statement that indemnifies and holds harmless the State, its officers, agents, and employees, and the county, its officers, agents, and employees[;], from and against claims, damages, losses, and expenses, including attorney's fees, only to the extent caused by the negligent acts, errors, or omissions of the licensed professional;”**

Again, we reiterate that clarifying these insurance matters will encourage more design professionals to participate in this expedited permit process and is in the State’s interest.

We appreciate the opportunity to testify and are available to answer questions.

Respectfully submitted,

AMERICAN COUNCIL OF ENGINEERING COMPANIES OF HAWAII

A handwritten signature in black ink that reads "Janice A. Marsters".

Janice Marsters  
Chair, ACECH Legislative Committee  
808.371.8504

March 18, 2026, 9:00 a.m.  
Hawaii State Capitol  
Conference Room 430 and Videoconference

**To: House Committee on Housing**  
**Rep. Luke Evslin, Chair**  
**Rep. Tyson Miyake, Vice Chair**

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

RE: TESTIMONY IN SUPPORT OF SB2378 SD2 — RELATING TO HOUSING

Aloha Chair, Vice Chair and other Committee Members,

The Grassroot Institute of Hawaii **supports** [SB2378 SD2](#), which would clarify liability rules for professionals participating in the self-certification program established by Act 295 (2025).

Self-certification 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, reported by the Economic Research Organization at the University of Hawai'i to have been 188 days for single-family homes and 410 for multifamily homes, on average, over the past five years.<sup>1</sup>

Thank you for the opportunity to testify.

Ted Kefalas  
Director of Strategic Campaigns  
Grassroot Institute of Hawaii

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<sup>1</sup> 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 HOUSING  
HAWAII STATE CAPITOL, HOUSE CONFERENCE ROOM 430  
TUESDAY, MARCH 18, 2026 AT 9:00 A.M.**

To The Honorable Representative Luke A. Evslin, Chair  
The Honorable Representative Tyson K. Miyake, Vice Chair  
Members of the Committee on Housing

**SUPPORT FOR SB2378 SD2 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 SB2378 SD2, 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 SB2378 SD2.

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.