

ACT 120

H.B. NO. 1436

A Bill for an Act Relating to Awarded Federal Emergency Management Agency Hazard Mitigation Grant.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. In 2007, the state building code council was created to review and adopt current, nationally-recognized building codes and standards to ensure compliance with requirements of building safety, the National Flood Insurance Program, hurricane and earthquake resiliency standards, energy efficiency, fire safety, and technological advances in building materials and methods.

The legislature finds that since funding was never provided to the state building code council for staff and operational expenses, the effectiveness of the council's eleven voting members has been limited.

The state building code council applied for federal funds that were available through the Federal Emergency Management Agency Hazard Mitigation Grant Program to fund the adoption of the hurricane and earthquake resiliency standards in the 2012 international building code and Hawaii-specific amendments approved by the council.

In November 2016, the department of accounting and general services received notification that the Federal Emergency Management Agency Hazard Mitigation Grant Program awarded the State a reimbursement grant for a project entitled "Hawaii state building code administrative rules to implement updated statewide standards for hurricane mitigation". Under terms of the reimbursement grant, the department of accounting and general services is required to use its operating funds to accomplish the project and, after a review, the Federal Emergency Management Agency will reimburse the State up to \$75,000. The \$75,000 award amount comprises:

- (1) \$60,000 for a consultant to provide services to assist the state building code council with the timely performance of all tasks required to complete the Hawaii rulemaking process under chapter 91, Hawaii Revised Statutes, including publication and advertising costs required for a public hearing; and
- (2) \$15,000 for management of the consultant contract by the department of accounting and general services.

The volunteer members of the state building code council will also provide an additional in-kind soft match of \$25,000 for the State. The Federal Emergency Management Agency hazard mitigation grant will enable the state building code council to fulfill its statutory obligation to update the state building code once every six years. The latest update occurred in 2010 and was based on the 2006 international building code, which is four versions behind the latest version. Hawaii is among the last few states using an obsolete building code that

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is considered inadequate by the Federal Emergency Management Agency and this situation jeopardizes timely, Federal Emergency Management Agency post-disaster aid to Hawaii.

The purpose of this Act is to appropriate funds for the state building code council to update the state building code standards for hurricane mitigation and secure a reimbursement grant from the Federal Emergency Management Agency Hazard Mitigation Grant Program.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$75,000 or so much thereof as may be necessary for fiscal year 2017-2018 for the state building code council to update the state building code standards for hurricane mitigation and secure a reimbursement grant from the Federal Emergency Management Agency Hazard Mitigation Grant Program; provided that all reimbursements from the Federal Emergency Management Agency grant described in this section for any portion of the sum appropriated under this section shall be deposited into the general fund.

The sum appropriated shall be expended by the department of accounting and general services for the purposes of this Act.

SECTION 3. This Act shall take effect on July 1, 2017.

(Approved July 10, 2017.)