

ACT 141

H.B. NO. 637

A Bill for an Act Relating to the State Building Codes.

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

SECTION 1. For centuries, Hawaii has been blessed with consistent rainfall and, due to its geology, with high-quality fresh water. Recently, however, scientists, farmers, and others have observed signs that threaten the long-term fresh water security of the Hawaiian islands.

The Pacific Islands Regional Climate Assessment reports that throughout the Pacific region, warmer and drier conditions will result in drought and rising temperatures, thus causing a decrease of fresh water supplies.

Hawaii needs to make changes that will increase its ability to capture, store, and efficiently use fresh water. Among the least expensive and most efficient ways to increase the supply of fresh water are water conservation and reuse. An important component in the conservation and reuse of water is the timely

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adoption of amendments to the state building codes, which include the Uniform Plumbing Code, to encourage water resource conservation, improvements to water distribution systems, and recovery of used water.

The purpose of this Act is to expedite the review, updating, and adoption of appropriate updates to the state building codes.

SECTION 2. Section 107-24, Hawaii Revised Statutes, is amended to read as follows:

“§107-24 Authority and duties of the council. (a) Any law to the contrary notwithstanding, the council shall establish the Hawaii state building codes.

(b) The council shall appoint a subcommittee comprising the four council members representing county building officials, whose duty shall be to recommend any necessary or desirable state amendments to the codes and standards identified in section 107-25. Any recommended state amendments shall require the unanimous agreement of the subcommittee.

(c) The council shall adopt, amend, or update codes and standards identified in section 107-25 on a staggered basis~~;~~ as established by the council; provided that ~~[the adoption, amendment, or update of any]~~ adoption of a code or standard shall be:

- ~~(1) At least once every six years; and~~
- ~~(2) Based upon a review and evaluation of the utility of the code or standard at the time each respective edition is published;~~

within two years of the official publication date of the code or standard, pursuant to chapter 92, and exempt from the requirements of chapter 91. If the council does not adopt a code or standard identified in section 107-25 within the two-year time period, that code or standard shall automatically become part of the Hawaii state building code until superseded by the adoption of an amended version of the code or standard by the council pursuant to this subsection.

(d) The council may appoint other investigative, technical expertise committees, which may include council members.

(e) The council shall consult with general building contractor associations and building trade associations to gather information and recommendations on construction practices and training relevant to building codes and standards.

~~[(f) The council shall review and adopt, as appropriate, new model building codes within eighteen months of the official publication date.~~

~~(g)~~ (f) The council may make expenditures for technical references, equipment and supplies, and other operating expenses, and may contract for the conduct of research studies and other technical services.

~~[(h)]~~ (g) The council may provide education and technical training and administrative assistance in the form of services or grants at the state and county levels relating to the implementation and enforcement of the Hawaii state building codes adopted pursuant to this part.

~~[(i)]~~ (h) At the end of each fiscal year, the council shall submit a written report to the governor on the council's activities, including the codes and standards adopted, amended, or updated by the council.”

SECTION 3. Section 107-27, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) No later than one year after the adoption of ~~[rules under this chapter,]~~ codes or standards pursuant to section 107-24(c), the design of all state building construction shall be in compliance with the Hawaii state building codes, except state building construction shall be allowed to be exempted from:

- (1) County codes that have not adopted the Hawaii state building codes;
- (2) Any county code amendments that are inconsistent with the minimum performance objectives of the Hawaii state building codes or the objectives enumerated in this part; or
- (3) Any county code amendments that are contrary to code amendments adopted by another county.”

SECTION 4. For fiscal year 2017-2018, the state building code council may receive and expend private funds to support activity related to the adoption of amendments to the state building codes.

SECTION 5. There is appropriated out of the general revenues of the State of Hawaii the sum of \$60,000 or so much thereof as may be necessary for fiscal year 2017-2018 and the same sum or so much thereof as may be necessary for fiscal year 2018-2019 for the state building code council to carry out its duties including the hiring of one full-time equivalent (1.00 FTE) position to effectuate the purposes of this Act; provided that for fiscal year 2017-2018, no funds shall be made available under this Act unless \$60,000 in private sources provide a dollar for dollar match of funds for the purposes for which this sum is appropriated.

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

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect on July 1, 2017.

(Approved July 10, 2017.)