



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-THIRD LEGISLATURE, 2025**

ON THE FOLLOWING MEASURE:
S.B. NO. 120, RELATING TO BUILDING CODES.

BEFORE THE:
SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

DATE: Friday, January 24, 2025 **TIME:** 3:00 p.m.

LOCATION: State Capitol, Room 225 and Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Stella M.L. Kam, Deputy Attorney General

Chair Elefante and Members of the Committee:

The Department of the Attorney General provides the following comments on this bill.

This bill would amend the duties of the State Building Code Council (SBCC) to repeal its authority to adopt state building codes and, instead, would authorize the SBCC to: (1) conduct a financial analysis of all proposed new codes; (2) determine which codes are for the protection of public safety and which are not; (3) hire or appoint persons who are not members of the SBCC to conduct the financial analyses of the proposed new codes and standards; (4) consult with commercial and residential project developers as well as general building contractor associations and building trade associations to gather information and recommendations on construction practices, training, and cost implications relating to building codes and standards; and (5) provide recommendations and financial analyses to the governing body of each county on which building codes and standards should be adopted, amended, or updated by the county within two years of the official publication date of the code or standard. Under this bill, the governing body of the counties would adopt the building codes pursuant to chapter 92, Hawaii Revised Statutes (HRS) (i.e., at a public meeting), and be exempt from the requirements of chapter 91, HRS (administrative rule-making process). If the SBCC does not make a recommendation to the county within the two-year time period, the

governing body of the county may consider that the SBCC recommended adoption of the code.

Although the bill would repeal the SBCC's authority to adopt state building codes currently set forth in section 107-24(c), HRS, it does not repeal the wording in section 107-24(a), HRS, which states that "[a]ny law to the contrary notwithstanding, the council shall establish the Hawaii state building codes." To avoid conflicting subsections within section 107-24, HRS, subsection (a) must also be repealed to coordinate with the repeal of the authority to adopt state building codes in subsection (c). In addition, the following provisions in chapter 107, HRS, need to be amended to reflect the proposed change to the SBCC's authority: section 107-21 (definition of "Hawaii state building codes"); section 107-26; section 107-27(a); and the last sentence in section 107-28(a).

We respectfully ask the Committee to consider these recommended amendments.



January 23, 2024

RE: International Code Council Opposition to SB120 – RELATING TO BUILDING CODES.

Members of the Senate Committee on Public Safety and Military Affairs:

The International Code Council (ICC) is a U.S. based non-profit public benefit corporation with members in Hawai'i and across the world including architects, engineers, contractors, manufacturers, and government officials. ICC is dedicated to helping the building safety community, local and state governments, and the construction industry provide safe, sustainable, resilient, energy-efficient, affordable, and accessible homes, businesses and public buildings through the development of model codes and standards. Amended versions of ICC's codes and standards have been adopted by the State of Hawai'i and each of its counties.

We are writing in **opposition to SB120**. Passage of the bill has the potential to delay the state's adoption of current building standards and jeopardize the health and safety of residents of Hawai'i by eliminating the required regular SBCC building code adoption cycle within 2 years after a new model code is published, and adoption by counties within an additional 2 years.

ICC updates model building codes every 3 years to keep pace with technological advancements, improvements in building science, methods, and best practices, and incorporate lessons learned after disasters. The model codes provide for new cost-saving materials and techniques and help protect residents through important measures such as requiring protection against windborne debris, integrating updated loading requirements to best protect structures from wind, rain, tsunami, and wildfire risks, and elevating structures and critical systems to avoid damage from flooding.

Numerous studies confirm the adoption and implementation of current model building codes is one of the best mitigation strategies for natural hazards. The National Institute of Building Sciences (NIBS) estimates that building to modern building codes saves **\$11 for every \$1 invested** through earthquake, flood, and wind mitigation benefits, with an up to \$8 to \$1 return in wildfire mitigation savings.¹ The Federal Emergency Management Agency (FEMA) projects that if all future construction adhered to current codes, the nation would avoid more than \$600 billion in cumulative losses from floods, hurricanes, and earthquakes by 2060.² Advancements in

¹ NIBS, [National Hazards Mitigation Saves](#) (2019).

² FEMA, [Building Codes Save: A Nationwide Study](#) (2020).

codes to date in Hawai'i have already helped reduce the risk of loss from earthquake hazards by 25%.³

Fueled by these findings, FEMA has been clear in its endorsement of jurisdictions adopting modern building codes. For example, on January 6, 2025, FEMA published a Notice of Funding Opportunity (NOFO) for the Building Resilient Infrastructure and Communities (BRIC) grants totaling \$750 million for states, local, Tribal, and territorial governments to mitigate natural disaster risk and increase community resilience, including \$112 million for states and territories for Building Code Plus-Up projects. In recognition of the recent publishing of the 2024 codes, the NOFO grandfathered in jurisdictions that have adopted the 2018 codes, but the BRIC grant scoring system generally **penalizes applications from jurisdictions that are not on the two most recent code cycles, placing future applications in jeopardy.**

In addition to mitigation funds, FEMA recently announced an interim policy increasing the federal share for post-disaster reconstruction of public facilities by 10% for jurisdictions that have adopted the two most recent codes (2021 or 2024). For comparison, in recent disasters that increase would have meant:

1. Over **\$100 million** in additional funds to aid Florida's recovery from Hurricane Michael.
2. **~\$26 million** in additional funds to aid California's recovery from the Camp Fire and 2018 wildfire season.
3. **\$70 million** in additional funding for Nebraska's recovery from severe storms in 2019.
4. **\$11 million** in additional funding for Pennsylvania's recovery from flooding in 2018.

Modern codes also mitigate the cost of insurance. The Insurance Services Office Building Code Effectiveness Grading Schedule (BCEGS) provides an opportunity for savings. BCEGS evaluates adopted code editions, staffing to permitting loads, as well as staff training and experience, and scores communities on commercial and residential construction. Top BCEGS scores can lead to insurance credits of as much as 25%. A low BCEGS has a negative impact on both insurance premiums and a jurisdiction's BRIC grant scoring.⁴

FEMA's Community Rating System (CRS) program employs a similar model to BCEGS.⁵ CRS is a voluntary incentive that recognizes community flood hazard mitigation efforts through reductions in National Flood Insurance Program (NFIP) premiums. Like BCEGS, CRS classifies communities between 1 and 10, with 1 being the highest. Each improved class corresponds with a 5% boost in insurance discounts provided to that community's residents. A Class 9 community's residents would receive a 5% discount, Class 8 a 10% discount, etc.

FEMA provides credit points for a range of activities organized under four categories: public information activities, mapping and regulations, flood damage reduction activities, and warning and response. To earn a Class 5 or 6, in addition to the credit points required, **CRS requires residential and commercial BCEGS scores of 5 or above.** In states where communities do not

³ *Id.*

⁴ <https://msplans.com/mwua/wind-mitigation-programs>

⁵ <https://www.fema.gov/floodplain-management/community-rating-system>

adopt rigorous building standards, potential CRS community benefits are effectively capped at 15%, forgoing as much as an additional 30% premium reduction.⁶

Residents of Hawai'i pay on average \$717 in annual NFIP premiums, up 3% over the past year. **The current adoption timeline in Hawai'i already risks forfeiting \$215 in NFIP premium reductions per policy per year**, with Hawai'i and Maui County, both CRS class 7 communities, ineligible for further NFIP premium reductions. SB120 would serve to further delay that process.

The benefits of resilient codes are not just measured in insurance savings and avoided damage, but also the environmental impact of that damage and necessary reconstruction. Failure to adopt resilient codes will result in damage to structures resulting in significant environmental costs that are associated with building new replacement infrastructure and repairing existing infrastructure. Buildings built to strong energy codes that are highly energy efficient or even net zero energy will not realize climate benefits if they are damaged or destroyed because they were not constructed to withstand hazard risk. The principal investigator for the NIBS report estimated that incorporating wildfire resistant codes nationwide has the annual equivalent value of preserving about 4,800 new homes and avoiding 500,000 metric tons of CO₂ emissions.⁷

Despite these benefits, research shows that modern model building codes have no appreciable implications for housing affordability. **No peer-reviewed research has found otherwise**. One study considering the role of government regulation on home prices found that construction costs, including labor and materials, were flat from 1980 to 2013.⁸ ICC was formed in 1994, the initial model codes were adopted across the country in the early 2000s, and several significant advancements to mitigate structures against natural hazards were integrated into the codes during the period studied. None of these code activities meaningfully impacted construction costs.⁹

Given their benefits to public safety and the savings they provide in avoiding what would otherwise be much more substantial disaster response costs, the federal government has increasingly incentivized the adoption and implementation of current codes and standards. This approach was advanced during the previous Trump administration's National Mitigation Investment Strategy¹⁰ and continued through the Biden administration's National Initiative to Advance Building Codes.¹¹

The Hawai'i State Building Code Council currently faces a lack of funding that exacerbates existing challenges to updating state codes in a timely manner and to have the codes implemented by counties. **A delay in adopting current codes already hurts the state's access**

⁶<https://nfpiservices.floodsmart.gov/reports-flood-insurance-data>; <https://www.fema.gov/floodplain-management/community-rating-system#participating>

⁷ Cf. Porter, K. *Do Disaster-Resistant Buildings Deliver Climate Benefits?* SPA Risk LLC (2021) (conducting an analogous calculation concerning alternative hazards).

⁸ Gyourko, J. & Molloy, R., *Regulation and Housing Supply*, Handbook of Regional and Urban Economics, Volume 5B Chapter 19 (2015).

⁹ See, e.g., Porter, K. *Do Disaster-Resistant Buildings Deliver Climate Benefits?* SPA Risk LLC (2021).

¹⁰ U.S. Department of Homeland Security (DHS), Mitigation Framework Leadership Group (MitFLG), *National Mitigation Investment Strategy* (2019).

¹¹ White House, *Fact Sheet: Biden-Harris Administration Launches Initiative to Modernize Building Codes, Improve Climate Resilience, and Reduce Energy Costs* (2022).

to federal funding. SB120 could potentially put substantial mitigation and recovery dollars at risk, as FEMA offers increased funding for communities that prioritize resiliency through the adoption and effective implementation of up-to-date codes.

During a disaster, outdated building codes lead to additional deaths, injuries, property damage, emergency response costs, family displacement, longer recovery times, and business closures that could otherwise have been avoided or mitigated.

Faced with extreme weather that is only expected to increase in frequency and severity, SB 120 worsens the state's already lagging code update process and creates a dangerous disconnect between safe building practices and the measures necessary to advance it safely. **ICC opposes SB120.**

Thank you.

Bryan Imai
Government Relations Regional Manager
International Code Council
bimai@iccsafe.org

Jan. 24, 2025, 3 p.m.
Hawaii State Capitol
Conference Room 225 and Videoconference

To: Committee on Public Safety and Military Affairs
Sen. Brandon Elefante, Chair
Sen. Glenn Wakai, Vice Chair

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

RE: SB120 — RELATING TO BUILDING CODES

Aloha Chair Elefante, Vice-Chair Wakai and members of the Committee,

The Grassroot Institute of Hawaii **supports** [SB120](#), which would change the State Building Code Council's responsibilities from adopting state codes to advising the counties on which model codes to adopt.

The bill would also require the State Building Code Council to conduct a financial review of the potential impact of any code changes it recommends to the counties for adoption.

Grassroot believes this measure would help fix the state's convoluted building code-adoption process, since it would balance the objectives of safety and cost while streamlining a broken system.

State law currently requires the State Building Code Council to adopt every iteration of the International Building Code and related codes within two years of their release; the counties have an additional two years to adopt and make their amendments to the state code.

But the Council and counties often struggle to meet these deadlines. For example, it was only in April 2021 that the State Building Code Council adopted the 2018 Interim Building Code¹ and not until early 2023 that Honolulu fully adopted those amendments.²

¹ "[State Building Code Adoption](#)," State Building Code Council, April 20, 2021, p. 1.

² "[Interim Building Code \(2018 IBC\) Takes Effect](#)," Honolulu Department of Planning and Permitting, April 20, 2023.

Because of this staggered adoption process, county building officials and architects must constantly re-learn the building code's requirements. The almost-constant nature of the building code updates also stresses already understaffed county planning and permitting departments.

Requiring the State Building Code Council to advise the counties on the potential financial effects of code changes also makes sense.

Construction costs for new single-family homes, apartments, condominiums and other residential dwellings have increased dramatically in Hawaii in recent years.

As measured by the Honolulu Construction Cost Index, the cost for single-family homes in 2024 was 2.6 times higher than the cost in 2020. For highrises, the cost was 2.5 times higher.³

The state's strict land-use, zoning and permitting rules are a key driver of these costs. The Economic Research Organization at the University of Hawai'i has estimated that regulations comprise 58% of the cost of new condominium construction.⁴

The National Association of Home Builders already reviews the financial effects of certain code changes, and could serve as a resource for the State Building Code Council to adapt to Hawaii's specific climate, topographical and other concerns. NAHB's review of the 2024 International Residential Code, for example, identified a number of changes that would lower costs and others that would increase them.⁵

A final note for your consideration: The current draft of the bill does not change Hawaii Revised Statutes §107-28, which contains a reference to the state building codes this bill seeks to remove. The language of that section should be changed to reflect the changes proposed here.

Thank you for the opportunity to testify.

Ted Kefalas
Director of Strategic Campaigns
Grassroot Institute of Hawaii

³ ["Quarterly Statistical and Economic Report, 4th Quarter 2024,"](#) Department of Business, Economic Development & Tourism, pp. 107-108.

⁴ Justin Tyndall and Emi Kim, ["Why are Condominiums so Expensive in Hawai'i?"](#) Economic Research Organization at the University of Hawai'i, May 2024, p. 11.

⁵ ["Estimated Costs of the 2024 IRC Code Changes,"](#) Home Innovation Research Labs prepared for the National Association of Home Builders, July 2, 2024.



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M. Dennis Knight
2024-2025 ASHRAE President

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January 23, 2025

The Honorable Glenn Wakai
The Honorable Brandon Elefante
Senate Committee on Public Safety, Intergovernmental and Military Affairs
Hawai'i State Capitol
415 South Beretania St.
Honolulu, HI 96813

RE: Opposition to Senate Bill 120 "Relating To Building Codes"

Dear Senator Wakai and Senator Elefante:

I am writing on behalf of ASHRAE, the American Society of Heating, Refrigerating, and Air Conditioning Engineers. We are a professional and technical society of more than 54,000 members dedicated to energy efficiency, indoor air quality, resiliency, and sustainability in the built environment. Through our Society's research, standards writing, publishing, certification, and continuing education, ASHRAE shapes tomorrow's global built environment today. As one of the premier subject matter experts on the built environment, and on behalf of our 250 members in the state of Hawai'i, we wish to convey our opposition to Hawai'i Senate Bill 120 and advocate for its tabling in your committee.

While well intentioned, as we certainly sympathize with the stated goal of bringing down housing costs in Hawai'i, we believe that this legislation will weaken any future attempts to update the state's energy codes. The idea underpinning this legislation, that Hawai'i's adoption of modern building codes and energy standards is responsible for high housing costs, and that ceasing to adopt up-to-date building codes and energy standards will bring down housing costs, is incorrect. The actual outcome of this legislation would be a failure to update the International Energy Conservation Code and ASHRAE's Standard 90.1 *Energy Standard for Buildings Except Low-Rise Residential Buildings*, which are published on a three-year cycle that syncs up with HI's code updates, and in turn would cause:

- Energy efficiency gains to be left on the table along with the opportunity for operating cost reductions
- Business owners, homeowners, and tenants to pay in sum nearly \$3 million in higher utility bills every year.
- Thousands of tons of greenhouse gas emissions to go unmitigated.
- Greater difficulty meeting HI's 2030 and 2045 climate targets.
- Failure to create jobs associated with energy code adoption.
- No significant reduction in housing purchase costs.

There are four separate but complementary reasons why we believe this legislation will lead to fewer building code and energy standard updates.

First, this legislation removes the language that causes the state's building codes to be updated on a regular basis. This is a radical departure from the nationally recognized best practice that Hawai'i currently follows.

Second, this legislation will lead to fewer codes being updated less often in HI, which will negatively impact building occupants. By eliminating the appointment of a subcommittee comprised of county building officials whose duties are to recommend changes, authority is taken away from Hawai'i's county building officials, the very people who are experts on building code updates. Instead, the bill would require consultation with developers that have financial interests and who do not have to face the long-term implications of buildings that are not built to modern building codes. Rather than focusing on cost implications to developers, it is more important to consider the resiliency and safety of building projects and impacts on occupants.

Third, the Hawai'i Building Codes Council is under resourced. They currently struggle to fulfil their duties, and they lack the administrative and financial support that they are empowered by statute to receive. Adding additional administrative requirements without additional resources will serve as a de facto barrier to future code and standard adoption.

Lastly, requiring cost/benefit analysis consultation with developers, contractors, and builders, and requiring the inclusion of a report from the same groups regarding code and standard updates is a departure from the current balanced and fair process. Privileging the voices of one coalition in this complex process could throw future energy standard and building code updates into jeopardy. An amendment requiring additional consultation with energy efficiency advocates and building science and technology organizations such as ASHRAE would help the Council remain balanced but would still impose burdensome administrative work on the group.

We also wish to inform you that rigorous studies on the financial and environmental impact of energy code and standard adoption are already produced by the United States Department of Energy and the Pacific Northwest National Laboratory. These reports are an unbiased, science-based analysis of the costs and benefits of updating Hawai'i's energy codes and standards. The two most relevant reports for your attention are:

- [Cost-Effectiveness of ANSI/ASHRAE/IES Standard 90.1-2019 for Hawai‘i](#): this study shows the costs and benefits of updating the state’s commercial building energy code. In summary, no increase in construction costs are expected.
- [Cost-Effectiveness of the 2021 IECC for Residential Buildings in Hawai‘i](#): this study shows the costs and benefits of updating the state’s residential building energy code. In summary, homeowners can expect to be cashflow positive inside the first year.

There are many causes of high housing costs, and it would be outside our area of professional expertise to speak authoritatively on them. However, we can point to many counter examples of states that adopt the newest energy standard on cycle and have substantially lower housing and construction costs than Hawai‘i, indicating that at most energy standards and codes are a marginal factor in Hawai‘i’s housing crisis. For example, Montana, Florida, and Oregon all update to the newest edition of ASHRAE’s 90.1 energy standard every three years. This legislation cites the median price of a single-family home in Hawai‘i as \$825,000. This can be compared to \$609,900 in Montana, \$405,00 in Florida, and \$490,200 in Oregon.¹ More generally, we know that there is a substantial return on investment when it comes to building codes: up to date model building codes save \$11 for every \$1 invested through disaster mitigation benefits.² Additionally, a study has shown that the lower utility bills delivered by using up-to-date energy codes reduce mortgage default rates by about a third. Finally, numerous case studies have shown that updating to modern and more stringent building safety codes and energy codes is not associated with an increase in housing and construction costs.^{3,4,5}

In conclusion, ASHRAE opposes HI SB 120, and urges the swift dismissal of this legislation in the Senate Committee on Public Safety, Intergovernmental and Military Affairs. We are at your disposal to answer any questions, and to address any comments or concerns you might have. We also wish to make ourselves available to you at any time if you find yourself in need of subject matter expertise on building sciences and the built environment. We can be reached at GovAffairs@ashrae.org. On behalf of our 54,000 members worldwide and our 250 members in HI, thank you for your consideration of our comments.

¹ McMillin, David. 2024. “Median Home Prices in Every State.” Bankrate. January 3, 2024.

<https://www.bankrate.com/real-estate/median-home-price/#median-price-by-state>.

² “PROTECTING COMMUNITIES AND SAVING MONEY The Case for Adopting Building Codes.” FEMA, November 2020. Accessed January 23, 2025. https://www.fema.gov/sites/default/files/2020-11/fema_building-codes-save_brochure.pdf.

³ National Institute of Standards and Technology. “Cost Analyses and Benefit Studies for Earthquake-Resistant Construction in Memphis, Tennessee.” NEHRP, December 2013. Accessed January 23, 2025.

https://nehrp.gov/pdf/NIST%20GCR%2014-917-26_CostAnalysesandBenefitStudiesforEarthquake-ResistantConstructioninMemphisTennessee.pdf.

⁴ Simmons, Kevin M., and Paul Kovacs. 2018. “Real Estate Market Response to Enhanced Building Codes in Moore, OK.” *International Journal of Disaster Risk Reduction* 27 (March): 85–93.

<https://doi.org/10.1016/j.ijdr.2017.09.040>.

⁵ Quarles, Stephen, Ph.D., and Kelly Pohl M.Sc. “Building a Wildfire-Resistant Home: Codes and Costs.” *Headwater Economics*, November 2018. <https://headwaterseconomics.org/wp-content/uploads/building-costs-codes-report.pdf>.

Sincerely,

A handwritten signature in blue ink that reads "M. Dennis Knight". The signature is fluid and cursive, with the first name "M." and last name "Knight" clearly legible.

M. Dennis Knight
2024-2025 ASHRAE President

A handwritten signature in black ink that reads "Joshua McDonough". The signature is highly stylized and cursive, with the first name "Joshua" and last name "McDonough" clearly legible.

Joshua McDonough
2024-2025 ASHRAE Hawai'i Chapter President

A handwritten signature in black ink that reads "Kevin Luoma". The signature is cursive and somewhat stylized, with the first name "Kevin" and last name "Luoma" clearly legible.

Kevin Luoma
2024-2025 ASHRAE Hawai'i Chapter Govt. Affairs Committee Chair



INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 EMPOWERING THE PACIFIC

THIRTY-THIRD LEGISLATURE, 2025, Committee on Public Safety and Military Affairs

HEARING DATE: Tuesday, January 24, 2025

TIME: 3:00 p.m.

PLACE: Senate Committee Room 225

RE: Senate Bill 120 Related to Building Codes

Aloha Honorable Chair Elefante, Vice-Chair Wakai, and Committee Members;

The International Brotherhood of Electrical Workers Local 1260 (IBEW 1260) would like to offer the following testimony in OPPOSITION to Senate Bill 120.

IBEW 1260, is comprised of approximately 3,000 members throughout Hawaii and Guam and consists of a diverse and highly-skilled workforce that supports the electric utility infrastructure across our state as well as government service contracts and broadcasting. It's our duty to serve and to protect the well-being of our members, but beyond that, it is incumbent upon all of us to serve and protect the well-being of our island home.

SB120 Amends responsibilities of the State Building Code Council by making several amendments to Chapter 107 (HRS)

A building code provides rules and standards for the design, construction, alteration, materials, maintenance, and performance of buildings. The main purpose of building codes is to protect public health, safety, and general welfare in the construction and occupancy of buildings. Building codes are adopted and enforced by state, local, tribal, and territorial (SLTT) entities.¹

We understand the concern that building codes may add to the cost of construction and overall cost of housing, however we believe the building codes are vital to the public's best interest and do not support placing cost before public health, safety, and welfare. Prior to the administration's emergency proclamation suspending the duties of the state building code council (SBCC), it is our position that the SBCC was serving its intent and purpose.

As such, we don't believe the amendments in SB120 are necessary. We do believe however that, Chapter 107 as written should be enforced and followed consistently. Further, we believe the administration's ongoing emergency proclamation suspending the duties of the SBCC have impacted the state and county's ability to timely amend and adopt the most current codes and standards according to county-specific conditions, which in itself may cause increases in cost and reduced efficiency, and therefore should be rescinded.

Mahalo for this opportunity to testify on this measure.

¹ Building Codes, Standards, and Regulations, Frequently Asked Questions, Congressional Research Service, Updated November 22, 2023.



**HAWAII STATE SENATE
COMMITTEE ON PUBLIC SAFETY & MILITARY AFFAIRS
Conference Room 225 & Videoconference
State Capitol
3:00 PM**

January 24, 2025

Subject: SB 120 - RELATING TO BUILDING CODES

Chair Elefante, Vice Chair Wakai, and members of the Committee:

My name is Geena Thielen, Chair of the Codes Committee of the Building Industry Association of Hawaii (BIA-Hawaii). Chartered in 1955, the Building Industry Association of Hawaii is a professional trade organization affiliated with the National Association of Home Builders, representing the building industry and its associates. BIA-Hawaii takes a leadership role in unifying and promoting the interests of the industry to enhance the quality of life for the people of Hawaii. Our members build the communities we all call home.

BIA-Hawaii is in strong support of Bill 120, Relating to Building Codes, with comments. This bill amends the responsibilities of the State Building Code Council (SBCC).

As the Legislature is aware, the current process of adopting building codes at the national, state and local level is broken and chaotic. The results of this process do not serve the purpose of the intent of building codes. This intent has always been to promote the minimum standards to be used in building to protect the public health and safety. Unfortunately, the process has been hijacked by special interest groups promoting their agenda at the expense of affordable housing.

The process also requires all parties, the regulators and the regulated, to engage in a never-ending process of code review and adoption. For example, the national non-governmental organizations (NGOs) creating codes are on the 2024 code. The state of Hawaii is on the 2021 code, and the counties are on the 2018 code. Rather than reduce confusion as originally intended, the State Building Code Statute causes greater confusion. By eliminating the State code from the process and changing the SBCC to a research and advisory body, we will reduce some of the friction in the system.

SB120 as drafted is a good start in this direction, however we would suggest modifications to make it truly effective. In addition to the existing language concerning section 107-24, we would suggest the deletion of section 107-25 in its entirety. We would also suggest striking the Hawaii State Building Code definition from 107-21.

We appreciate the opportunity to provide our comments on this matter.



SIERRA CLUB OF HAWAI'I

SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS

January 24, 2025

3:00 PM

Conference Room 225

In **OPPOSITION** to **SB120**: RELATING TO BUILDING CODES

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee,

On behalf of our over 20,000 members and supporters, the Sierra Club of Hawai'i **OPPOSES SB120**, which would burden residents, first responders, taxpayers, and our society at large with the significant, long-term costs of delayed or foregone building code updates, for the short-term benefit of building industry interests.

Our building codes are regularly updated based on international standards, developed through years of study and “lessons learned” from natural disasters, avoidable harms, technological innovations, and emerging environmental concerns, among others. As our climate crisis worsens, timely code updates are even more essential, to protect the safety of residents, first responders, and neighborhoods from avoidable harm, and to mitigate the damage and destruction arising from extreme climate events like hurricanes, floods, and fires.

Code updates can also provide across-the-board savings in water and energy use, relieving the financial burden on residents from ever more expensive utility bills, while also enhancing our overall water and energy security and reducing our carbon footprint.

Notably, up-to-date codes are also essential for our communities to access substantial amounts of federal funds, and can significantly reduce the cost of insurance premiums and the risk of insurers pulling out of the Hawai'i market.

By allowing building industry representatives to determine the “costs” of building code updates, this measure would focus the attention of decisionmakers and policymakers on the perceived short-term, up-front costs of these updates to developer profit margins, without consideration of the long-term cost savings and critical protections that such updates would otherwise provide to the public, and to our islands. **This in turn may lead to decisions to defer or reject code updates for the benefit of corporate interests and at the expense of the long-term financial, public health, public safety, and environmental needs of Hawai'i residents and taxpayers.**

Moreover, by eliminating the State Building Code Council's authority to update the state building code and removing the provision that keeps our state codes up-to-date in the case of Council inaction – such as during the Governor's emergency proclamation on housing – this measure would directly delay code updates, potentially indefinitely, creating significant opportunity costs and avoidable vulnerabilities for local residents that may persist for decades.



SIERRA CLUB OF HAWAI'I

Rather than advancing a measure that so substantially compromises the public interest, the Sierra Club urges the Committee and the Legislature to instead explore and directly address the noted causes of building permit review delays, namely the chronic understaffing of and lack of timely training for county planning departments, including through assessments of staff salaries and conditions affecting worker retention. In addition, we respectfully recommend an assessment of other much more significant barriers to local residents accessing housing, including water availability and sewer infrastructure; land, labor, energy, and material costs; land and real estate speculation including by real estate investment trusts and private equity firms; and interest rates that limit financing opportunities.

Accordingly, the Sierra Club of Hawai'i respectfully but strongly urges the Committee to **HOLD** SB120. Mahalo nui for the opportunity to testify.



January 23, 2025

TO: Honorable Brandon Elefante, Chair
Senate Committee on Public Safety and Military Affairs

Honorable Glenn Wakai, Vice Chair
Senate Committee on Public Safety and Military Affairs

FROM: Legislative Advocacy Committee
American Institute of Architects, Hawaii State Council

SUBJECT: **Senate Bill 120**
Relating to Building Codes

The American Institute of Architects

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Dear Chair Elefante and Vice Chair Wakai
and Members of the Committee,

The American Institute of Architects (AIA) Hawaii State Council and our Legislative Advocacy Committee strongly **OPPOSES** SB 120 based on the overall intent of the bill.

PERSISTENT FAILURE TO FUND SBCC

The intent of the bill to support housing projects Statewide fails to address the logistical needs of governing body (State Building Code Council) that mandates State Building code impacting design of housing projects. The bill further hamstrings the State Building Code Council (currently halted due to Governor's Housing EP) more than the Council has capacity for by requiring financial analysis, coordination with additional non-governmental entities, and hiring of consultants for financial analysis of codes with no funding.

According to International Code Council testimony, Hawaii is the only one of 50 states that provides no funding for its state building code council. AIA is proposing that the State release funding for the State building code council mainly for code amendment development and training for all County code officials Statewide prior to State code adoption.

Negative effect on HRS 107-24 intent for most current codes

AIA strongly supported original 2007 legislation intent on ensuring the state's building codes are current. A two year State building code and following two year County adoption cycle will realistically extend updated building code adoption further out, providing less public safety than the current code cycle. Further, language stating "staggered basis" of adoption of building code creates the

opportunity for outdated codes and major confusion between the suite of ICC codes and increasing the difficulties for County code officials, the construction industry, and the design industry,

Negative effect on FEMA standards

The “cardinal sin” for FEMA standards is failing to update to most current suite of codes. AIA strongly concurs with ¹Honolulu Star-Advertiser COMMENTARY by FEMA “insider” in 2024 that it is “unconscionable that the state legislature is quickly considering HB 2089 HD2 ... by arbitrarily preventing the state from keeping its building safety standards up to date. Consistent with similar efforts advanced by analogous lobbies in other states this bill puts the builder and developer interests ahead of Hawaii’s residents.” Over successive sessions, AIA has successfully waged series of legislative battles to keep pace with building technology and consumer protection. AIA aligns with SB120 testimony from the International Code Council (ICC) regarding the importance of updated building codes in regards to best case scenario of FEMA funding in the wake of natural disasters.

AIA is in favor of financial analysis on code updates / amendments, as well as the hiring of costing consultants to facilitate such analysis. The key is funding an operational and efficient State Building Code Council that supports each County with training of their staff code officials well in advance of the current State code cycle update. Thank you for the opportunity to offer our strategic thoughts in **OPPOSITION** to Senate Bill 120.

Sincerely,

AIA Legislative Advocacy Committee
American Institute of Architects, Hawaii State Council

¹Honolulu Star-Advertiser March 17, 2024.



MAUI
CHAMBER OF COMMERCE
VOICE OF BUSINESS

LATE

**HEARING BEFORE THE SENATE COMMITTEE ON PUBLIC SAFETY AND MILITARY AFFAIRS
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225
FRIDAY, JANUARY 24, 2025, 3:00 P.M.**

Senator Brandon J.C. Elefante, Chair
Senator Glenn Wakai, Vice Chair
Members of the Committee on Public Safety and Military Affairs

SUPPORT SB120 RELATING TO BUILDING CODES

The Maui Chamber of Commerce **SUPPORTS SB120**, which amends the process for the adoption of state building codes by streamlining the duties of the State Building Code Council.

The Chamber appreciates that this bill seeks to eliminate some of the more burdensome requirements placed on the council. Accordingly, the bill mandates that the council conduct a financial analysis of all newly proposed codes and standards, identify which are essential for public safety, and consult with developers of both commercial and residential projects.

Additionally, we believe the council's composition should reflect representation from each county, and we urge that this be explicitly stated in the law. County representatives would be best positioned to address local challenges related to building codes and how new proposals may specifically impact construction in their respective areas.

Furthermore, while we understand the financial and public safety analysis applies to future code changes, we also suggest that the council review and assess past code changes and make recommendations accordingly.

For these reasons, we **SUPPORT SB120** and, with our suggestions added, respectfully request its passage.

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.

LATE

SB-120

Submitted on: 1/23/2025 11:09:22 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dave Mulnix	Testifying for Our Revolution Hawaii	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Dave Mulnix, Statewide Organizer, Our Revolution Hawaii, and on behalf of our 5,000 members and supporters statewide, we stand in strong opposition to SB120, and its attempt to uplift developers' short-term costs over the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Mahalo for your kind attention,

Dave Mulnix, CoFounder & Statewide Organizer, Our Revolution Hawaii

LATE

SB-120

Submitted on: 1/24/2025 1:09:38 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
David Z. Arakawa	Testifying for Land Use Research Foundation of Hawaii	Support	Written Testimony Only

Comments:

The Land Use Research Foundation of Hawai'i (LURF) is a private, non-profit research and trade association whose members include major Hawai'i landowners, developers, and utility companies. One of LURF's missions is to advocate for reasonable, rational, and equitable land use planning, legislation and regulations that encourage well-planned economic growth and development, while safeguarding Hawai'i's significant natural and cultural resources and public health and safety.

Collectively, LURF Members include homebuilders, and architecture, engineering and legal experts that have helped to build the most affordable housing units in the State of Hawaii and continue to collaboratively with all state and county housing agencies to build more homes for Hawaii.

LURF is in **strong support of SB 120**, which amends the process for the adoption of state building codes by streamlining the duties of the State Building Code Council (SBCC).

Based on 2024 testimony by successful homebuilder and licensed structural engineers and architects who are experienced in building affordable housing projects, we understand that certain proposed building code requirements that exceed the health and safety standards, could unnecessarily increase the professional fees and construction costs of a single family home by between \$15,000 to \$30,000, and increase the costs of new residential condominium buildings by approximately \$500,000 to \$1,000,000. The Honolulu City Administration and City Council reviewed engineering, architectural, and safety information, analyzed the costs and health and safety benefits, and wisely did not include those excessive standards as building code requirements.

LURF understands that the county departments that review plans for compliance with the building codes are understaffed and sometimes lack the opportunity for code training and supervision, thus county employees spend significant time and resources on learning, understanding, and applying the code updates, and which diverts their time away from plan review, permit reviews, and inspections. Also, the constant amendments to the applicable codes results in many county staff and professionals being unfamiliar with the updates, leading to delays in preparation and submittal of plans; permit review and approval; and results in increased costs, and uncertainty in the construction process.

This measure would allow the SBCC to consider relevant information from licensed professionals experienced in homebuilding to address public health and safety concerns as well as the costs of new homes, which would allow more efficient review of construction plans and building permits for housing projects and provide more affordable housing through the state.

For the above reasons, LURF **strongly supports SB 120** and respectfully urges your favorable consideration.

Thank you for the opportunity to present testimony regarding this matter.

SB-120

Submitted on: 1/23/2025 9:53:54 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
William Reese Liggett	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is William Reese Liggett, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
William Reese Liggett

4947 Maunalani Circle

SB-120

Submitted on: 1/23/2025 9:59:27 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Peter Wilson	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Peter Wilson, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Peter Wilson

SB-120

Submitted on: 1/23/2025 10:01:05 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bo Breda	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Bo Breda, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Bo Breda

SB-120

Submitted on: 1/23/2025 12:06:18 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Gurewitsch	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Matthew Gurewitsch, and I've been a full-time resident of Maui for 14 years. I vigorously **oppose SB120**. Its purpose is:

1. to remove the State Building Code Council's (SBCC) authority to adjust the state building code in compliance with international standards,

and 2. to eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC.

As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the spiraling threats of hurricanes, floods, wildfires, and other climate-related disasters.

Let's not build for yesterday. Let's build for tomorrow!

The need for building standards that protect residents' health and safety is urgent. Yet SB120 would subject code upgrades to indefinite delays, exposing homes, families, and first responders to ever-increasing risk in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings. Cutting corners for a quick buck is a foolish economy. Delaying updates now will expose us to exponentially higher costs in the future. And in the meantime, we'll be more vulnerable.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Matthew Gurewitsch

SB-120

Submitted on: 1/23/2025 10:41:45 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel G. Chun	Individual	Oppose	Written Testimony Only

Comments:

My name is Daniel Chun, personally involved in passing original 2007 statute. Purpose to create uniform basis for state-wide building code that is up to date with national model codes. At that time Hawaii County was still on UBC 1993; 14 years out of date with code no longer being published. Hence Senator Lorraine Roderer Inouye, former Mayor of Hawaii County, was strong advocate for the legislation.

SB 120 has many flaws. However, **Page 4 lines 15-20 eliminating subcommittee of four county building chiefs is the worst proposal** - deleting worthwhile mechanism toward uniform state-wide code. For this alone this bill must be held in Committee. There are other SBCC bills that do not propose such poisonous language.

In closing I urge the Committee to give strongest consideration to **OPPOSING** testimony of American Institute of Architects. AIA provides all-volunteer assistance that is vital toward studying local amendments to national model codes. Thank you for this opportunity to present testimony.

SB-120

Submitted on: 1/23/2025 11:09:36 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Patricia Blair	Individual	Oppose	Written Testimony Only

Comments:

No to developers short term profits over the health, safety, and economic interests of Hawaiian residents.

SB-120

Submitted on: 1/23/2025 11:14:00 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
John & Rita Shockley	Testifying for Free Access Coaliton	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs!

The Free Access Coalition is against SB120 which will affect building structure quality in sacrifice for Developer speed and cost reduction at the expense of housing and building structures that cannot withstand extreme weather conditions.

Paying for quality construction today will save the community disastrous rebuilding costs in the future.

Mahalo for your time.

SB-120

Submitted on: 1/23/2025 2:38:26 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Julio Magalhães	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

I oppose SB120 and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to HOLD SB120 and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Julio Magalhães

SB-120

Submitted on: 1/23/2025 2:42:56 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harriet Burkholder	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill.

SB-120

Submitted on: 1/23/2025 12:06:18 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Gurewitsch	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Matthew Gurewitsch, and I've been a full-time resident of Maui for 14 years. I vigorously **oppose SB120**. Its purpose is:

1. to remove the State Building Code Council's (SBCC) authority to adjust the state building code in compliance with international standards,

and 2. to eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC.

As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the spiraling threats of hurricanes, floods, wildfires, and other climate-related disasters.

Let's not build for yesterday. Let's build for tomorrow!

The need for building standards that protect residents' health and safety is urgent. Yet SB120 would subject code upgrades to indefinite delays, exposing homes, families, and first responders to ever-increasing risk in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings. Cutting corners for a quick buck is a foolish economy. Delaying updates now will expose us to exponentially higher costs in the future. And in the meantime, we'll be more vulnerable.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Matthew Gurewitsch

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Matthew Gurewitsch, and I've been a full-time resident of Maui for 14 years. I vigorously **oppose SB48**. Its purpose is to prioritize developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities. We must not let this happen. To do so would be a serious dereliction of our common kuleana.

The Lahaina fires alone would be reason enough to reject this bill. Unpredictable environmental and ecological changes in the future demand that our building codes remain responsive to new realities. Prudent use of resources today is a worthy goal--but not at the price of responsible stewardship moving forward. Please do not be blinded by self-serving short-term arguments. Keep your eyes open to the wide ranging benefits and values provided by responsibly researched and well-vetted building code updates.

To be clear: delaying or deferring building code updates will come at the expense of local residents and visitors, first responders, and taxpayers, potentially for decades to come. Protect the long-term economic, health and safety, and environmental well-being of our islands. The payoff will be protection for occupants of new housing, stable insurance rates, and mitigation of climate-disaster impacts on our emergency response and healthcare systems.

For all these reasons, I urge you to **HOLD SB48**.

Thank you for the opportunity to testify.

Sincerely,
Matthew Gurewitsch

LATE

SB-120

Submitted on: 1/23/2025 7:12:27 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary True	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Mary True, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Mary True

LATE

SB-120

Submitted on: 1/23/2025 5:50:51 PM
Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Harvey Arkin	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Harvey Arkin, and I **oppose SB120** and its attempt to uplift developers’ short-term costs above the long-term safety, financial security, and well-being of Hawai‘i’s residents and communities.

This bill would remove the State Building Code Council’s (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor’s emergency proclamations’ ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai‘i’s building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,

Harvey Arkin

Manoa 96822

SB-120

Submitted on: 1/23/2025 7:25:40 PM
Testimony for PSM on 1/24/2025 3:00:00 PM



Submitted By	Organization	Testifier Position	Testify
Diane Ware	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Diane Ware and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Diane Ware

99-7815 Kapoha Pl.

Volcano HI 96785

LATE

SB-120

Submitted on: 1/23/2025 7:29:53 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Millicent Cox	Individual	Oppose	Written Testimony Only

Comments:

I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

LATE

SB-120

Submitted on: 1/23/2025 9:18:58 PM
Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Furst	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Richard Furst, and I **oppose SB120** and its attempt to uplift developers’ short-term costs above the long-term safety, financial security, and well-being of Hawai‘i’s residents and communities. This bill would remove the State Building Code Council’s (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor’s emergency proclamations’ ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

As a licensed professional architect in Hawaii, I strongly believe that our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai‘i’s building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,

Richard Furst, AIA

LATE

SB-120

Submitted on: 1/23/2025 10:24:55 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sherry Pollack	Individual	Oppose	Written Testimony Only

Comments:

Aloha

I am writing in strong opposition to SB120 that would amend the process for the adoption of state building codes.

Safety should always be made a priority. However, this bill would prioritize developer’s short-term profits. This is simply egregious. Don’t put residents and families, as well as our first responders, at unnecessary risk. We must ensure that Hawaii’s building codes remain up to date to protect our homes and communities.

I urge you to **HOLD SB120**.

Thank you for the opportunity to testify.

LATE

SB-120

Submitted on: 1/23/2025 11:09:22 PM
Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Chai Blair-Stahn	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Chai Blair-Stahn, and I **oppose SB120** and its attempt to uplift developers’ short-term costs above the long-term safety, financial security, and well-being of Hawai‘i’s residents and communities.

This bill would remove the State Building Code Council’s (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor’s emergency proclamations’ ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai‘i’s building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,

Chai Blair-Stahn

LATE

SB-120

Submitted on: 1/24/2025 7:11:49 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Barbara Best	Individual	Oppose	Written Testimony Only

Comments:

This bill would remove the State Building Code Council’s (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor’s emergency proclamations’ ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai‘i’s building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.
Barbara Best



Friday, January 24, 2023, 3:00 pm,

Committee on Public Safety and Intergovernmental Affairs

SENATE BILL 120 – RELATING TO BUILDING CODES

Position: Oppose, with recommendation

Me ke Aloha, Chair Elefante, Vice-Chair Wakai, and Members of the Committee on Public Safety and Intergovernmental and Military Affairs.

SB120 amends responsibilities of the State Building Code Council to narrow its purview and boost its private representation, in the naked preservation of private profit, mistakenly in the name of boosting housing production – a legitimate aim, but in this case narrow and one-sided.

It is abundantly clear, from our experience in Lahaina and across the country, that the dangers rising from climate disruption are unprecedented and challenging to previously comfortable assumptions. One very clear realization across the country is the need to update building codes, both at the private and the public utility level.

Here in Hawaii, the main drivers of our housing crisis are the caving to high income earners, often based overseas, and the acquiescence to foreign ownership of property, driving up real estate costs to the delight of some and driving thousands of local families to move away. Added to our dependence on importation of virtually everything we use, Hawaii producers are sending local money abroad, with no recapture for the public welfare.

As the preamble states, the Council has been underfunded and understaffed, as too often is the cause of inability to perform according to public wishes and needs. Whether it needs more private representation is a distraction from the work that needs to be done, but perhaps a tilt toward sacrificing public interests in favor of private complaints. It is unbecoming for the Legislature to take this approach, when we know that the issues before us are truly broad and challenging.

Revisiting building codes is a far-reaching and comprehensive prospect to modernize Hawaii's preparedness for coming climate disasters, which are becoming more frequent and severe. Very serious efforts must explore the impacts on local implementation, as this bill purports to do. The typical way for governments to explore and assess important issues like this is through cost-benefit analysis. Understandably, this in itself poses serious costs to perform, given the scale of effort we can easily foresee.

While SB120 begins to address one aspect of this review, the expected results are all too obvious: we can guarantee that all changes will require up-front costs that need to be amortized. However, a quick glance at the likely benefits includes a dramatic avoidance of disaster costs easily multiple times the cost of preparedness. There is unanimous agreement among practitioners of public safety that preparedness is well worth the avoided costs. Given the tremendous burden of recovering from the Lāhainā experience, it seems more than timely to provide adequate funding for professionals to update our professional codes to meet new standards.

With the insurance industry buckling under these easily foreseen but short-sightedly avoided actions, a broader view is required to give this issue its fair due. We recommend holding this bill after inviting a broader discussion for a more comprehensive approach. The obviously global nature of this problem means that many practitioners will be exploring this issue, and broad adaptations, including the importance of public finance, will be much in evidence. It is also an opportunity to unleash innovation in technology and finance.

We are searching for the public good, not merely private burden. We are at the cusp of assuring that the general public is benefited by our actions, and that is our calling – not merely protection of private profit. Please explore this issue more deeply and more creatively.

Mahalo for the opportunity to address this issue,

/s/ Charley Ice, Hoā'āina; Co-chair of the Energy & Climate Action Committee of the Environmental Caucus, former Chair of O'ahu Democratic Party Region 5 ('Aiea-Pearl City); retired Hydrologist. Commission on Water Resource Management (25 years) and Planner at DHHL (10 years)

LATE

SB-120

Submitted on: 1/24/2025 10:42:22 AM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Roberta Foster	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Roberta Foster, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.
Mahalo,

Roberta Foster

LATE

SB-120

Submitted on: 1/24/2025 12:02:16 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sadie Green	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Sadie Green, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,

Sadie Green

LATE

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Laura Leonberger, and I **oppose SB120** and its attempt to uplift developers' short-term costs above the long-term safety, financial security, and well-being of Hawai'i's residents and communities.

This bill would remove the State Building Code Council's (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor's emergency proclamations' ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai'i's building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,

Laura Leonberger

Waikoloa, HI

LATE

SB-120

Submitted on: 1/24/2025 1:19:48 PM

Testimony for PSM on 1/24/2025 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
emily gambino	Individual	Oppose	Written Testimony Only

Comments:

Aloha Chair Elefante, Vice Chair Wakai, and Members of the Committee on Public Safety and Military Affairs,

My name is Emily Gambino, and I **oppose SB120** and its attempt to uplift developers’ short-term costs above the long-term safety, financial security, and well-being of Hawai‘i’s residents and communities.

This bill would remove the State Building Code Council’s (SBCC) authority to adjust the state building code pursuant to international standards, and eliminate the automatic updates that have kept our building standards current notwithstanding the Governor’s emergency proclamations’ ongoing suspension of the SBCC. As recognized by the insurance industry and federal disaster funds, code updates are essential for protecting us from the growing threats of hurricanes, floods, wildfires, and other climate-related disasters. Without updates, health, safety, and cost improvements for building standards could face indefinite delays, leaving homes, families, and first responders more vulnerable in the years and decades to come.

Our building codes should prioritize safety, resilience, and long-term savings—not short-term financial concerns. Delaying updates will cost us all more in the long run, both in dollars and in security.

I urge you to **HOLD SB120** and ensure that Hawai‘i’s building codes remain up to date to protect our homes, communities, and future.

Thank you for considering my testimony.

Sincerely,
Emily Gambino