

JAN 18 2024

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# A BILL FOR AN ACT

RELATING TO FIRE CODE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the Lahaina fires of  
2 August 2023, identified as the worst natural disaster in  
3 Hawaii's history, caused significant loss of life, property  
4 damage, and environmental harm, underscoring the necessity for  
5 comprehensive and proactive measures at both the state and  
6 county level to address the threat of wildfires. The  
7 legislature also finds that the state is committed to fostering  
8 resilient and fire-safe communities and recognizes that  
9 effective county-planning is integral in preventing catastrophic  
10 wildfires in the future.

11           The legislature further finds that there is an inherent  
12 responsibility of each county to enforce fire codes and  
13 implement mitigation planning strategies to reduce the  
14 likelihood and impact of wildfires. The legislature also finds  
15 that it is essential to establish a framework for enhanced  
16 collaboration and accountability between the State and its



1 counties to ensure that county zoning and development plans  
2 prioritize fire safety.

3 The purpose of this Act is to require each county to submit  
4 an annual report to the legislature that includes fire code  
5 enforcement updates and fire mitigation planning.

6 SECTION 2. Chapter 132, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9 "§132- Counties; annual reports. (a) Each county in  
10 the State shall submit a detailed report to the legislature no  
11 later than thirty days before the convening of each regular  
12 session. The report shall outline the counties fire code  
13 enforcement efforts and the status of its fire mitigation plan.

14 (b) The report shall include but not be limited to:

15 (1) An assessment of current fire safety measures;

16 (2) Identification of high-risk areas; and

17 (3) Proposed strategies to enhance fire prevention,  
18 preparedness, and response capabilities.

19 (c) The division of forestry and wildlife of the  
20 department of land and natural resources, in collaboration with  
21 the state fire council and relevant county authorities, shall



1 develop guidelines to assist counties in strengthening their  
2 zoning and development plans to address wildfire prevention and  
3 mitigation.

4 (d) The legislature shall review the submitted reports  
5 and, if necessary, consider additional legislation or funding to  
6 address identified gaps in fire safety planning and  
7 enforcement."

8 SECTION 3. In accordance with section 9 of article VII of  
9 the Hawaii State Constitution and sections 37-91 and 37-93,  
10 Hawaii Revised Statutes, the legislature has determined that the  
11 appropriations contained in Act 164, Regular Session of 2023,  
12 and this Act will cause the state general fund expenditure  
13 ceiling for fiscal year 2024-2025 to be exceeded by  
14 \$ or per cent. This current declaration takes  
15 into account general fund appropriations authorized for fiscal  
16 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
17 only. The reasons for exceeding the general fund expenditure  
18 ceiling are that:

19 (1) The appropriation made in this Act is necessary to  
20 serve the public interest; and



1 (2) The appropriation made in this Act meets the needs  
2 addressed by this Act.

3 SECTION 4. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2024-2025 as a  
6 grant-in-aid for the counties to submit reports to the  
7 legislature pursuant to section 2 of this Act.

8 The sum appropriated shall be expended by the counties for  
9 the purposes of this Act, in the following amounts:

- 10 City and county of Honolulu \$
- 11 County of Hawaii \$
- 12 County of Kauai \$
- 13 County of Maui \$ .

14 SECTION 5. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2024.

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INTRODUCED BY: *Devin Gray*



# S.B. NO. 2145

**Report Title:**

Fire Code; Fire Enforcement; Annual Reports; Expenditure Ceiling; Appropriation

**Description:**

Requires the counties to submit annual reports on fire code enforcement updates and fire mitigation planning to the Legislature. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

