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# A BILL FOR AN ACT

RELATING TO THE STATE FIRE CODE.

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

1           SECTION 1. The legislature finds that the state fire code  
2 is among the building codes and standards that compose the state  
3 building code. The state building code also includes the  
4 building, residential, plumbing, electrical, energy, and  
5 elevator codes. Pursuant to chapter 107, Hawaii Revised  
6 Statutes, the state fire code is first adopted by the state fire  
7 council and is then adopted by the state building code council,  
8 a body composed of experts representing designers, contractors,  
9 industry representatives, and county building, fire, and other  
10 state regulatory code officials. The state building code  
11 council is administratively attached to the department of  
12 accounting and general services. Currently, the department of  
13 accounting and general services is required to adopt  
14 administrative rules pursuant to chapter 91, Hawaii Revised  
15 Statutes, after the building codes are adopted by the state  
16 building code council. Section 132-3, Hawaii Revised Statutes,  
17 requires the state fire code to be adopted after public hearings



1 are conducted pursuant to chapter 91, Hawaii Revised Statutes.  
2 The other building codes that make up the state building code  
3 are exempt from the requirement to conduct public hearings.  
4 Instead, these other building codes are adopted pursuant to  
5 chapter 92, Hawaii Revised Statutes, which requires stakeholders  
6 to meet and discuss the various building codes in an open forum.  
7 These state codes form a consistent basis for the adoption of  
8 building codes for designers, contractors, and the counties.

9 Accordingly, the purpose of this Act is to repeal the  
10 requirement that the state fire code be adopted after public  
11 hearings pursuant to chapter 91, Hawaii Revised Statutes, and  
12 instead require that the code be adopted pursuant to chapter 92,  
13 Hawaii Revised Statutes, in conformance with all other state  
14 building codes.

15 SECTION 2. Section 132-3, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§132-3 Adoption of state fire code.** The state fire  
18 council shall, [~~after public hearings pursuant to chapter 91,~~]  
19 pursuant to chapter 92 and exempt from the requirements of  
20 chapter 91, adopt a state fire code setting forth minimum



1 requirements relative to the protection of persons and property  
2 from fire loss, including without limitation:

- 3 (1) [~~the~~] The storage, handling, and use of hazardous  
4 substances, materials, and devices; and  
5 (2) [~~the~~] The control of conditions hazardous to life or  
6 property in the design, use, or occupancy of buildings  
7 and premises.

8 The state fire code shall become part of the Hawaii state  
9 building codes as provided in section 107-25. The state fire  
10 council shall meet annually to review and amend the state fire  
11 code."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.



S.B. NO. 2130  
S.D. 1  
H.D. 1

**Report Title:**

State Fire Council Package; State Fire Code; Process for Adoption; Sunshine Law

**Description:**

Requires the state fire code to be adopted pursuant to Hawaii's open meetings laws, and exempted from the public hearings laws, to be consistent with the process for adopting other Hawaii state building codes. (HD1)

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

SB2130 HD1 HMS 2020-2176

