STAND. COM. REP. NO. Honolulu, Hawaii FEB 12, 2025 RE: H.B. No. 949 H.D. 2

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Economic Development & Technology, to which was referred H.B. No. 949, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE LOW-INCOME HOUSING TAX CREDIT,"

begs leave to report as follows:

The purpose of this measure is to:

- Clarify that a partner or member that is a partnership or limited liability company that has been allocated a Low-Income Housing Tax Credit may either further allocate the credit or transfer, sell, or assign all or a portion of the credit to any taxpayer; and
- (2) Extend the sunset date of Act 129, Session Laws of Hawaii 2016, relating to the Low-Income Housing Tax Credit.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation and Chamber of Commerce Hawaii. Your Committee received comments on this measure from the Department of Taxation and Tax Foundation of Hawaii.

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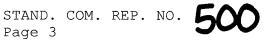
Your Committee finds that there is an urgent need to increase the availability of low-income housing in the State and encourage the development of these projects. Your Committee further finds that the Low-Income Housing Tax Credit should be amended to make the credit more accessible to investors and encourage greater private sector participation in affordable housing projects. This measure addresses this need by allowing partnerships and limited liability companies to transfer, sell, or assign credits to any person and extending the sunset date for the Low-Income Housing Tax Credit to 2032.

Your Committee has amended this measure by:

- Clarifying that a partner or member may allocate the credit or transfer, sell, or assign the credit to any person;
- (2) Clarifying that the transferee must have received the transfer or assignment of the tax credit prior to the date a tax return claiming the tax credit is filed;
- (3) Requiring the transferor to notify the Department of Taxation, in a manner prescribed by the Department, of the transfer, sale, or assignment at least thirty days prior to the transferee claiming the tax credits;
- (4) Specifying that it shall apply to taxable years beginning after December 31, 2025; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development & Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 949, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 949, H.D. 2.





Respectfully submitted on behalf of the members of the Committee on Economic Development & Technology,

ILAGAN, Chair

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State of Hawaii House of Representatives The Thirty-third Legislature



Record of Votes of the Committee on Economic Development & Technology

Bill/Resolution No.: HB 949 HD1 Committee Referral: HSG, ECD, FIN Date: 2725				
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
ECD Members	Ayes	Ayes (WR)	Nays	Excused
1. ILAGAN, Greggor (C)				
2 HUSSEY Haito (VC)				
2. HUSSEY, Ikaika (VC)				
3. HOLT, Daniel				
4. TAM, Adrian K.				
5. TEMPLO, Shirley Ann				
6. TODD, Chris				
			t a Con Eggi	
7. MATSUMOTO, Lauren				
TOTAL (7)	7	-		_
The recommendation is: Image: Adopted lif joint referral, did not support recommendation. committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				