

**NOTICE OF PROPOSED CONSTITUTIONAL AMENDMENTS TO
THE CONSTITUTION OF THE STATE OF HAWAII**

During the Regular Session of 2018, Twenty-Ninth Legislature, one measure containing proposed constitutional amendments was adopted in conformance with the requirements specified in Article XVII, Section 3 of the Hawaii State Constitution.

S.B. No. 2922, SD 1, HD 1

A BILL FOR AN ACT PROPOSING AMENDMENTS TO ARTICLES VIII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE TO INCREASE FUNDING FOR PUBLIC EDUCATION.

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

SECTION 1. The purpose of this Act is to propose amendments to the Constitution of the State of Hawaii to authorize the legislature to establish, as provided by law, a surcharge on investment real property.

SECTION 2. Article VIII, section 3, of the Constitution of the State of Hawaii is amended to read as follows:

"TAXATION AND FINANCE

Section 3. The taxing power shall be reserved to the State, except so much thereof as may be delegated by the legislature to the political subdivisions, and except that all functions, powers and duties relating to the taxation of real property shall be exercised exclusively by the counties, with the exception of the county of Kalawaol[-]; provided that the legislature may establish, as provided by law, a surcharge on investment real property. The legislature shall have the power to apportion state revenues among the several political subdivisions."

SECTION 3. Article X, section 1, of the Constitution of the State of Hawaii is amended to read as follows:

"PUBLIC EDUCATION

Section 1. The State shall provide for the establishment, support and control of a statewide system of public schools free from sectarian control, a state university, public libraries and such other educational institutions as may be deemed desirable, including physical facilities therefor. There shall be no discrimination in public educational institutions because of race, religion, sex or ancestry; nor shall public funds be appropriated for the support or benefit of any sectarian or nonsectarian private educational institution, except that proceeds of special purpose revenue bonds authorized or issued under section 12 of Article VII may be appropriated to finance or assist:

1. Not-for-profit corporations that provide early childhood education and care facilities serving the general public; and
2. Not-for-profit private nonsectarian and sectarian elementary schools, secondary schools, colleges and universities.

Funding of public education shall be determined by the legislature; provided that revenues derived from a surcharge on investment real property pursuant to section 3 of article VIII shall be used to support public education."

SECTION 4. The question to be printed on the ballot shall be as follows:

"Shall the legislature be authorized to establish, as provided by law, a surcharge on investment real property to be used to support public education?"

SECTION 5. Constitutional material to be repealed is bracketed and stricken. New constitutional material is underscored.

SECTION 6. This amendment shall take effect upon compliance with article XVII, section 3, of the Constitution of the State of Hawaii.

Note: S.B. No. 2922, SD 1, HD 1 passed Third Reading in the House of Representatives on April 10, 2018, with 51 Members voting in the affirmative, and passed Final Reading in the Senate on April 23, 2018, with 23 Members voting in the affirmative.