
A BILL FOR AN ACT

RELATING TO GENERAL EXCISE TAX.

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

1 SECTION 1. The legislature finds that SMG is the operator
2 under contract with the Hawaii tourism authority to operate the
3 Hawaii convention center. As such, the operator is paid only
4 \$500,000 to operate and market the Hawaii convention center but
5 recently received \$16,000,000 in advances for the costs of
6 operating and marketing the Hawaii convention center. The
7 department of taxation considers the reimbursement of the
8 \$16,000,000 in costs and advances to the operator as gross
9 income on which the general excise tax is to be levied in the
10 amount of \$700,000 because the operator receives additional
11 monetary consideration in the form of the \$500,000 payment. In
12 effect, this means that \$700,000 of the costs and advances
13 cannot be used for operating and marketing the Hawaii convention
14 center. However, pursuant to section 201B-8(b), Hawaii Revised
15 Statutes, the costs and advances for the operation and marketing
16 of the Hawaii convention center are an obligation of the
17 convention center enterprise special fund and not compensation
18 for personal services to the operator.



1 Accordingly, the purpose of this Act is to exempt from the
2 general excise tax amounts received by the operator of the
3 Hawaii convention center for reimbursement of costs or advances
4 made pursuant to contract with the Hawaii tourism authority.

5 SECTION 2. Section 237-24.75, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "~~§~~237-24.75~~§~~ **Additional exemptions.** In addition to
8 the amounts exempt under section 237-24, this chapter shall not
9 apply to ~~amounts~~:

- 10 (1) Amounts received as a beverage container deposit
11 collected under chapter 342G, part VIII[-]; and
12 (2) Amounts received by the operator of the Hawaii
13 convention center for reimbursement of costs or
14 advances made pursuant to a contract with the Hawaii
15 tourism authority under section 201B-7."

16 SECTION 3. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

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



Report Title:

General Excise Tax; Hawaii Convention Center Operation

Description:

Exempts from the general excise tax amounts received by the operator of the Hawaii convention center for reimbursement of costs or advances made pursuant to contract with the Hawaii tourism authority. (SD1)

