
SENATE CONCURRENT RESOLUTION

REQUESTING THE STATE ATTORNEY GENERAL TO INVESTIGATE WHETHER
TRANSIENT ACCOMMODATIONS AND GENERAL EXCISE TAXES ON THE
INTERNET SALE OF TRANSIENT ACCOMMODATIONS ARE BEING
ASSESSED, COLLECTED, AND REMITTED TO THE STATE AND TO TAKE
APPROPRIATE LEGAL ACTION, AS NECESSARY.

1 WHEREAS, internet travel services, such as Expedia, Orbitz,
2 Priceline, Travelocity, and numerous others have become
3 increasingly popular by offering competitive rates and ease of
4 purchase for travelers worldwide; and
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6 WHEREAS, these services may include package rates for
7 travel, lodging, and other amenities, which travelers arrange
8 and pay for online, not at their destination; and
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10 WHEREAS, these sales, if conducted in the State or by
11 travel agents, would include the imposition of the Transient
12 Accommodations Tax (TAT) and the General Excise Tax (GET); and
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14 WHEREAS, TAT and GET revenues support not only the
15 activities of Hawaii's visitor industry, but provide critical
16 financial support to the four counties as well; and
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18 WHEREAS, as Hawaii struggles to respond to and rebound from
19 the current economic downturn, TAT and GET revenues are a vital
20 part of that response; and
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22 WHEREAS, it is unclear whether internet travel service
23 providers are collecting and remitting to the State, Hawaii's
24 TAT and GET; and
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26 WHEREAS, as the chief legal officer of the State, the
27 Attorney General is charged with the responsibility to uphold
28 and enforce the laws of the State; now, therefore,
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1 BE IT RESOLVED by the Senate of the Twenty-fifth
2 Legislature of the State of Hawaii, Regular Session of 2010, the
3 House of Representatives concurring, that the Attorney General
4 is requested to investigate whether the TAT and GET on the
5 internet sale of transient accommodations in Hawaii are being
6 assessed, collected, and remitted to the State; and
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8 BE IT FURTHER RESOLVED that if the Attorney General
9 determines that legal action is warranted, then the Attorney
10 General is requested to take immediate legal action to ensure
11 the proper enforcement of the State's taxation laws; and
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13 BE IT FURTHER RESOLVED that the Attorney General is
14 requested to submit a report to the Legislature no later than
15 twenty days prior to the convening of the Regular Session of
16 2011, on:
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- 18 (1) The amount of TAT and GET assessed, collected, and
19 remitted for those internet sales in the previous two
20 fiscal years;
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- 22 (2) An estimate of the losses to the State for amounts not
23 assessed, collected, and remitted in the most recent
24 and current fiscal year; and
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- 26 (3) A description of the Attorney General's legal actions
27 to remedy nonpayment of TAT and GET on those internet
28 sales; and
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30 BE IT FURTHER RESOLVED that a certified copy of this
31 Concurrent Resolution be transmitted to the Attorney General.

