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# A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1       SECTION 1. Section 37-74, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:

3       "(d) No appropriation transfers or changes between  
4 programs or agencies shall be made without legislative  
5 authorization; provided that:

6       (1) Authorized transfers or changes, when made, shall be  
7 reported to the legislature;

8       (2) Except with respect to appropriations to fund  
9 financing agreements under chapter 37D, the University  
10 of Hawaii shall have the flexibility to transfer  
11 appropriated funds and positions for the operating  
12 cost category among programs, among cost elements in a  
13 program, and between quarters, as applicable; [~~except~~]

14       (3) Except with respect to appropriations to fund  
15 financing agreements under chapter 37D, the department  
16 of education shall have the flexibility to transfer  
17 appropriated funds and positions for the operating  
18 cost category among programs and among cost elements



1 in a program, and between quarters, as applicable;  
2 [and the] provided that appropriations to the EDN 100  
3 school-based budgeting program identifier shall not be  
4 transferred to any other program identifier of the  
5 department of education unless all of the following  
6 apply:

7 (A) The department has received unanticipated federal  
8 grant funds appropriated for the EDN 100 school-  
9 based budgeting program identifier;

10 (B) The transfer is of general funds that do not  
11 exceed the amount of the federal grant in  
12 subparagraph (A); and

13 (C) The transfer is necessary to address an  
14 unforeseen funding shortfall in any other program  
15 within the department;

16 (4) The Hawaii health systems corporation and its regional  
17 system boards shall have the flexibility to transfer  
18 special fund appropriations among regional system  
19 hospital facilities as applicable and as mutually  
20 agreed to by the corporation and the respective  
21 regional system board; provided further that the  
22 Hawaii health systems corporation and the regional



1 system boards shall maintain the integrity and  
2 services of each individual regional system and shall  
3 not transfer appropriations out of any regional system  
4 that would result in a reduction of services offered  
5 by the regional system, with due regard for statutory  
6 requirements, changing conditions, the needs of the  
7 programs, and the effective utilization of resources;  
8 and

9 [~~3~~] (5) The university and the department of education  
10 shall account for each transfer implemented under this  
11 subsection in quarterly reports to the governor and  
12 annual reports at the end of each fiscal year to the  
13 legislature and the governor, which shall be prepared  
14 in the form and manner prescribed by the governor and  
15 shall include information on the sources and uses of  
16 the transfer."

17 SECTION 2. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2050.



**Report Title:**

Department of Education; Appropriation Limitation; Transfer Funds

**Description:**

Provides that appropriations to the EDN 100 school-based budgeting program identifier shall not be transferred to any other program identifier of DOE; provides exceptions under certain circumstances. Effective 7/1/2050. (SD2)

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

