
A BILL FOR AN ACT

RELATING TO TAXATION.

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

1 SECTION 1. The legislature notes that section 5-7.5,
2 Hawaii Revised Statutes, encourages state government officials
3 to exercise their duties and responsibilities in consideration
4 of the Aloha Spirit. The Aloha Spirit is the coordination of
5 the mind and heart within each person, which brings each person
6 to the self. The traits of character emblematic of the Aloha
7 Spirit, ahakai, lokahi, oluolu, haahaa, and ahonui, are also the
8 traits of character that express the charm, warmth, and
9 sincerity of Hawaii's people. These principles are important in
10 how visitors are welcomed to Hawaii. These principles are also
11 important for the maintenance of good health, education, clean
12 air, safe streets, and nurtured families within Hawaii's
13 communities.

14 The intent of this Act is to begin to apply the Aloha
15 Spirit to the visitor accommodations industry through increased
16 data reporting and transparency with respect to transient
17 accommodations and to mitigate the impact of certain transient



1 accommodations on Hawaii's communities by dedicating some of the
2 tax revenue they generate to services and initiatives for the
3 homeless. These innovations will aid the counties with
4 enforcement of local land use regulations, protect the health of
5 Hawaii's communities, and preserve affordable housing for
6 Hawaii's residents. This Act recognizes that, under certain
7 circumstances, allowing a transient accommodations broker to act
8 as a tax collection agent will ease the State's burden of
9 collecting taxes and increase tax revenues.

10 Section 237-9, Hawaii Revised Statutes, allows a person
11 engaged in network marketing, multi-level marketing, or other
12 similar business to enter into an agreement with the department
13 of taxation to act as a tax collection agent on behalf of its
14 direct sellers. The legislature finds that similarly allowing a
15 transient accommodations broker to act as a tax collection agent
16 on behalf of providers of transient accommodations that utilize
17 the services of the transient accommodations broker will
18 facilitate the collection of transient accommodations taxes and
19 general excise taxes.

20 The legislature further finds that, to increase
21 transparency and ensure the veracity of the taxes being



1 collected, transient accommodations brokers acting as tax
2 collectors must provide pertinent information to the department
3 of taxation about the operators and plan managers on whose
4 behalf they collect taxes.

5 The purpose of this Act is to implement innovative
6 solutions to mitigate community and social impacts of certain
7 transient accommodations in the state by:

- 8 (1) Allowing transient accommodations brokers to register
9 to act as tax collection agents with respect to
10 transient accommodations taxes and general excise
11 taxes for its operators and plan managers in a manner
12 that recognizes the dynamic changes that are occurring
13 in the transient accommodations business; and
14 (2) Dedicating the transient accommodations tax revenues
15 derived from these transient accommodations to the
16 counties for enforcement of their own land use laws
17 and to initiatives to help the homeless statewide.

18 This Act is not intended to preempt or otherwise limit the
19 authority of the counties to adopt, monitor, and enforce local
20 land use regulations, nor is this Act intended to transfer the



1 authority to monitor and enforce such regulations away from the
2 counties.

3 SECTION 2. Chapter 237, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§237- Transient accommodations broker as tax collection
7 agent. (a) The director may permit a transient accommodations
8 broker to register as a tax collection agent on behalf of all of
9 its operators and plan managers by entering into a tax
10 collection agreement with the director or by submitting a
11 transient accommodations broker tax collection agent
12 registration statement to the director. Any tax collection
13 agreement entered into pursuant to this section shall be subject
14 to and in accordance with all applicable provisions of state and
15 local law and shall not permit a transient accommodations broker
16 tax collection agent, nor any operator or plan manager
17 conducting business through the transient accommodations broker
18 tax collection agent, to opt out of any requirements or
19 obligations under state or local law.

20 The director may deny an application for registration as a
21 transient accommodations broker tax collection agent under this



1 section for any cause authorized by law, including but not
2 limited to any violation of this chapter, chapter 237D, or rules
3 adopted pursuant thereto, violation of any prior tax collection
4 agreement, or failure to meet minimum criteria that may be set
5 forth by the department in rules adopted pursuant to chapter 91.

6 The director shall issue a certificate of registration or
7 letter of denial within thirty days after a transient
8 accommodations broker submits to the director a completed and
9 signed transient accommodations broker tax collection agent
10 registration statement, in a form prescribed by the department.
11 The registration shall be valid only for the transient
12 accommodations broker tax collection agent in whose name it is
13 issued, and for the website or platform designated therein, and
14 shall not be transferable.

15 (b) In addition to its own responsibilities under this
16 chapter, a registered transient accommodations broker tax
17 collection agent shall report, collect, and pay over the taxes
18 due under this chapter on behalf of all of its operators and
19 plan managers from the date of registration until the
20 registration is canceled as provided in subsection (h); provided
21 that the registered transient accommodations broker tax



1 collection agent's obligation to report, collect, and pay taxes
2 on behalf of all of its operators and plan managers shall apply
3 solely to transient accommodations in the State arranged or
4 booked directly through the registered transient accommodations
5 broker tax collection agent.

6 (c) The registered transient accommodations broker tax
7 collection agent's operators and plan managers shall obtain
8 licensure under this chapter and remain subject to the
9 requirements of title 14; provided that the registered transient
10 accommodations broker tax collection agent shall report,
11 collect, and pay the taxes under this chapter on behalf of the
12 operators and plan managers for business activity conducted
13 directly through the agent as set forth in this section, from
14 the date of registration until the registration is canceled as
15 provided in subsection (h). For purposes of any other business
16 activity, the operators and plan managers shall be subject to
17 all requirements of title 14 and all local laws, ordinances, and
18 rules regulating short-term rentals, vacation rentals, or bed
19 and breakfast lodging within their jurisdiction as if this
20 section did not exist.



1 A registered transient accommodations broker tax collection
2 agent shall be issued separate licenses under this chapter with
3 respect to taxes payable on behalf of its operators and plan
4 managers in its capacity as a registered transient
5 accommodations broker tax collection agent and, if applicable,
6 with respect to any taxes payable under this chapter for its own
7 business activities.

8 (d) If the registered transient accommodations broker tax
9 collection agent fails to report or pay the taxes under this
10 chapter on behalf of its operators and plan managers, as set
11 forth in this section, the registered transient accommodations
12 broker tax collection agent and the operator or plan manager
13 shall be jointly and severally liable for the taxes due under
14 this chapter including penalties and interest as provided by law
15 with respect to business activities conducted directly through
16 the registered transient accommodations broker tax collection
17 agent from the date of registration until the registration is
18 canceled as provided in subsection (h).

19 (e) A registered transient accommodations broker tax
20 collection agent shall be personally liable for the taxes
21 imposed by this chapter that are due and collected on behalf of



1 operators and plan managers if taxes are collected but not
2 reported or paid, together with penalties and interest as
3 provided by law.

4 (f) Except as provided in subsection (g), all returns and
5 other information provided by a registered transient
6 accommodations broker tax collection agent, including the
7 application for registration as a transient accommodations
8 broker tax collection agent or any tax collection agreement,
9 shall be confidential, and disclosure thereof shall be
10 prohibited as provided in section 237-34.

11 (g) A registered transient accommodations broker tax
12 collection agent shall file periodic returns in accordance with
13 section 237-30 and annual returns in accordance with section
14 237-33. Each periodic return required pursuant to section
15 237-30 shall be accompanied by an electronic cover sheet, in a
16 form prescribed by the department, that includes the following
17 information:

18 (1) For each operator and plan manager on whose behalf the
19 registered transient accommodations broker tax
20 collection agent is required to report, collect, and
21 pay over taxes due under this chapter, the operator's



1 or plan manager's name, address, and license

2 identification number; and

3 (2) For each transient accommodation rented through the
4 registered transient accommodations broker tax
5 collection agent or the website or platform designated
6 in the certificate of registration issued pursuant to
7 chapter 237D and for which taxes are being remitted
8 pursuant to this chapter:

9 (A) The address of the transient accommodation;

10 (B) The number of nights for which each transient
11 accommodation was rented, the number of visitors
12 per night, and the rate or price per night at
13 which each transient accommodation was rented;
14 and

15 (C) The amount of tax being remitted pursuant to this
16 chapter and the amount of any federal form 1099
17 income that was derived from each transient
18 accommodation.

19 Upon request by the director or the mayor of the applicable
20 county, a registered transient accommodations broker tax
21 collection agent shall disclose any of the information contained



1 in the returns or cover sheets required by this subsection to
2 the director or any county official designated by the mayor to
3 receive such information. Notwithstanding any law to the
4 contrary, including section 237-34, the director and county
5 official designated to receive information pursuant to this
6 subsection may examine and copy the returns and cover sheets to
7 ensure compliance with this section, state and local tax laws
8 and ordinances, and any applicable land use laws and ordinances.

9 (h) The registration provided for under this section shall
10 be effective until canceled in writing.

11 A registered transient accommodations broker tax collection
12 agent may cancel its registration under this section by
13 delivering written notice of cancellation to the director and
14 each of its operators and plan managers furnishing transient
15 accommodations in the State not later than ninety days prior to
16 the effective date of cancellation.

17 The director may cancel or suspend a transient
18 accommodations broker tax collection agent's registration under
19 this section for any cause, including but not limited to any
20 violation of this chapter, chapter 237D, or rules adopted
21 pursuant thereto, or for violation of any applicable tax



1 collection agreement, by delivering written notice of
2 cancellation to the transient accommodations broker tax
3 collection agent not later than ninety days prior to the
4 effective date of cancellation.

5 (i) All registered transient accommodations broker tax
6 collection agents, prior to facilitating any booking or
7 reservation of a transient accommodation or placing an
8 advertisement, including an online advertisement, on the
9 availability of a property for lease or rent, on behalf of an
10 operator or plan manager:

11 (1) Shall notify the operator or plan manager that the
12 subject property is required to be in compliance with
13 applicable state and county land use laws prior to
14 retaining the services of the transient accommodations
15 broker;

16 (2) Shall require the operator or plan manager to provide
17 the transient accommodations broker with the operator
18 or plan manager's transient accommodation tax
19 registration identification number and local contact
20 information required under section 237D-4;



1 (3) Shall require the operator or plan manager to provide
2 the transient accommodations broker with verification
3 of compliance with state and county land use laws in
4 the form of a written certification, verification, or
5 permit issued by the appropriate county agency; and

6 (4) Shall require the operator or plan manager to provide
7 a statement confirming compliance with all applicable
8 land use laws.

9 A transient accommodations broker shall not facilitate the
10 booking or reservation of a transient accommodation located in
11 the State, and shall remove any advertisement, including an
12 online advertisement, for a transient accommodation located in
13 the State, for which the operator or plan manager fails to
14 comply with paragraph (2), (3), or (4), or for which the
15 transient accommodations broker has received written notice from
16 a state or local governmental authority that the operator or
17 plan manager has failed to comply with applicable land use,
18 zoning, or tax requirements.

19 (j) Each county shall establish a process for verifying
20 operators and plan managers' compliance with county land use
21 ordinances and rules to be approved by the director. After



1 approval, the director shall transfer to the county per
2 cent of general excise tax revenue collected each fiscal year
3 from transient accommodations subject to this section in the
4 applicable county to offset the cost to the county of
5 establishing and maintaining the verification process.

6 (k) Nothing in this section shall be construed to preempt
7 or prohibit the authority of a unit of local government in the
8 State, including counties and any other political subdivisions
9 of the State, to adopt, monitor, and enforce local land use and
10 transient accommodations regulations, nor to transfer the
11 authority to monitor and enforce such regulations away from the
12 counties.

13 (l) For the purposes of this section:

14 "Director" means the director of taxation.

15 "Operator" has the same meaning as in section 237D-1.

16 "Plan manager" has the same meaning as in section 237D-1.

17 "Transient accommodation" has the same meaning as in
18 section 237D-1.

19 "Transient accommodations broker" has the same meaning as
20 in section 237D-1."



SECTION 3. Chapter 237D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§237D- Transient accommodations broker as tax collection agent. (a) The director may permit a transient accommodations broker to register as a tax collection agent on behalf of all of its operators and plan managers by entering into a tax collection agreement with the director or by submitting a transient accommodations broker tax collection agent registration statement to the director. Any tax collection agreement entered into pursuant to this section shall be subject to and in accordance with all applicable provisions of state and local law and shall not permit a transient accommodations broker tax collection agent, nor any operator or plan manager conducting business through the transient accommodations broker tax collection agent, to opt out of any requirements or obligations under state or local law.

The director may deny an application for registration as a transient accommodations broker tax collection agent under this section for any cause authorized by law, including but not limited to any violation of this chapter, chapter 237, or rules



1 adopted pursuant thereto, violation of any prior tax collection
2 agreement, or failure to meet minimum criteria that may be set
3 forth by the department in rules adopted pursuant to chapter 91.

4 The director shall issue a certificate of registration or
5 letter of denial within thirty days after a transient
6 accommodations broker submits to the director a completed and
7 signed transient accommodations broker tax collection agent
8 registration statement, in a form prescribed by the department.

9 The registration shall be valid only for the transient
10 accommodations broker tax collection agent in whose name it is
11 issued, and for the website or platform designated therein, and
12 shall not be transferable.

13 A registered transient accommodations broker tax collection
14 agent shall be issued separate certificates of registration
15 under this chapter with respect to taxes payable on behalf of
16 its operators and plan managers in its capacity as a registered
17 transient accommodations broker tax collection agent and, if
18 applicable, with respect to any taxes payable under this chapter
19 for its own business activities.

20 (b) In addition to its own responsibilities under this
21 chapter, a registered transient accommodations broker tax



1 collection agent shall report, collect, and pay over the taxes
2 due under this chapter on behalf of all of its operators and
3 plan managers from the date of registration until the
4 registration is canceled as provided in subsection (h); provided
5 that the registered transient accommodations broker tax
6 collection agent's obligation to report, collect, and pay taxes
7 on behalf of all of its operators and plan managers shall apply
8 solely to transient accommodations in the State arranged or
9 booked directly through the registered transient accommodations
10 broker tax collection agent.

11 (c) The registered transient accommodations broker tax
12 collection agent's operators and plan managers shall obtain
13 registration under this chapter and remain subject to the
14 requirements of title 14; provided that the registered transient
15 accommodations broker tax collection agent shall report,
16 collect, and pay the taxes under this chapter on behalf of the
17 operators and plan managers for business activity conducted
18 directly through the agent as set forth in this section, from
19 the date of registration until the registration is canceled as
20 provided in subsection (h). For purposes of any other business
21 activity, the operators and plan managers shall be subject to



1 all requirements of title 14 and all local laws, ordinances, and
2 rules regulating short-term rentals, vacation rentals, or bed
3 and breakfast lodging within their jurisdiction as if this
4 section did not exist.

5 (d) If the registered transient accommodations broker tax
6 collection agent fails to report or pay the taxes under this
7 chapter on behalf of its operators and plan managers, as set
8 forth in this section, the registered transient accommodations
9 broker tax collection agent and the operator or plan manager
10 shall be jointly and severally liable for the taxes due under
11 this chapter including penalties and interest as provided by law
12 with respect to their business activities conducted directly
13 through the registered transient accommodations broker tax
14 collection agent from the date of registration until the
15 registration is canceled as provided in subsection (h).

16 (e) A registered transient accommodations broker tax
17 collection agent shall be personally liable for the taxes
18 imposed by this chapter that are due and collected on behalf of
19 operators and plan managers if taxes are collected but not
20 reported or paid, together with penalties and interest as
21 provided by law.



1 (f) Except as provided in subsection (g), all returns and
2 other information provided by a registered transient
3 accommodations broker tax collection agent, including the
4 application for registration as a transient accommodations
5 broker tax collection agent or any tax collection agreement,
6 shall be confidential, and disclosure thereof shall be
7 prohibited as provided in section 237D-13.

8 (g) A registered transient accommodations broker tax
9 collection agent shall file periodic returns in accordance with
10 section 237D-6 and annual returns in accordance with section
11 237D-7. Each periodic return required pursuant to section
12 237D-6 shall be accompanied by an electronic cover sheet, in a
13 form prescribed by the department, that includes the following
14 information:

15 (1) For each operator and plan manager on whose behalf the
16 registered transient accommodations broker tax
17 collection agent is required to report, collect, and
18 pay over taxes due under this chapter, the operator's
19 or plan manager's name, address, and transient
20 accommodations registration identification number; and



1 (2) For each transient accommodation rented through the
2 registered transient accommodations broker tax
3 collection agent or the website or platform designated
4 in the certificate of registration issued pursuant to
5 subsection (a) and for which taxes are being remitted
6 pursuant to this chapter:

7 (A) The address of the transient accommodation;

8 (B) The number of nights for which each transient
9 accommodation was rented, the number of visitors
10 per night, and the rate or price per night at
11 which each transient accommodation was rented;
12 and

13 (C) The amount of tax being remitted pursuant to this
14 chapter and the amount of any federal form 1099
15 income that was derived from each transient
16 accommodation.

17 Upon request by the director or the mayor of the applicable
18 county, a registered transient accommodations broker tax
19 collection agent shall disclose any of the information contained
20 in the returns or cover sheets required by this subsection to
21 the director or any county official designated by the mayor to



1 receive such information. Notwithstanding any law to the
2 contrary, including section 237D-13, the director and county
3 official designated to receive information pursuant to this
4 subsection may examine and copy the returns and cover sheets to
5 ensure compliance with this section, state and local tax laws
6 and ordinances, and any applicable land use laws and ordinances.

7 (h) The registration provided for under this section shall
8 be effective until canceled in writing.

9 A registered transient accommodations broker tax collection
10 agent may cancel its registration under this section by
11 delivering written notice of cancellation to the director and
12 each of its operators and plan managers furnishing transient
13 accommodations in the State not later than ninety days prior to
14 the effective date of cancellation.

15 The director may cancel or suspend a transient
16 accommodations broker tax collection agent's registration under
17 this section for any cause, including but not limited to any
18 violation of this chapter, chapter 237, or rules adopted
19 pursuant thereto, or for violation of any applicable tax
20 collection agreement, by delivering written notice of
21 cancellation to the transient accommodations broker tax



1 collection agent not later than ninety days prior to the
2 effective date of cancellation.

3 (i) All registered transient accommodations broker tax
4 collection agents, prior to facilitating any booking or
5 reservation of a transient accommodation or placing an
6 advertisement, including an online advertisement, on the
7 availability of a property for lease or rent, on behalf of an
8 operator or plan manager:

9 (1) Shall notify the operator or plan manager that the
10 subject property is required to be in compliance with
11 applicable state and county land use laws prior to
12 retaining the services of the transient accommodations
13 broker;

14 (2) Shall require the operator or plan manager to provide
15 the transient accommodations broker with the operator
16 or plan manager's transient accommodation tax
17 registration identification number and local contact
18 information required under section 237D-4;

19 (3) Shall require the operator or plan manager to provide
20 the transient accommodations broker with verification
21 of compliance with state and county land use laws in



1 the form of a written certification, verification, or
2 permit issued by the appropriate county agency; and

3 (4) Shall require the operator or plan manager to provide
4 a statement confirming compliance with all applicable
5 land use laws.

6 A transient accommodations broker shall not facilitate the
7 booking or reservation of a transient accommodation located in
8 the State, and shall remove any advertisement, including an
9 online advertisement, for a transient accommodation located in
10 the State, for which the operator or plan manager fails to
11 comply with paragraph (2), (3), or (4), or for which the
12 transient accommodations broker has received written notice from
13 a state or local governmental authority that the operator or
14 plan manager has failed to comply with applicable land use,
15 zoning, or tax requirements.

16 (j) Each county shall establish a process for verifying
17 operators and plan managers' compliance with county land use
18 ordinances and rules to be approved by the director. After
19 approval, the director shall transfer to the county per
20 cent of transient accommodations tax revenue collected each
21 fiscal year from transient accommodations subject to this



1 section in the applicable county to offset the cost to the
2 county of establishing and maintaining the verification process.

3 (k) Nothing in this section shall be construed to preempt
4 or prohibit the authority of a unit of local government in the
5 State, including counties and any other political subdivisions
6 of the State, to adopt, monitor, and enforce local land use and
7 transient accommodations regulations, nor to transfer the
8 authority to monitor and enforce such regulations away from the
9 counties."

10 SECTION 4. Chapter 346, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§346 Transient accommodations homeless initiative
14 special fund. There is established in the state treasury the
15 transient accommodations homeless initiative special fund, into
16 which shall be deposited a percentage of revenues collected
17 pursuant to section 237D- , as specified in section
18 237D-65(b)(7). Moneys in the transient accommodations homeless
19 initiative special fund shall be used by the department for the
20 development and implementation of homeless initiatives."



1 SECTION 5. Section 237D-6.5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Except for the revenues collected pursuant to section
4 237D-2(e), revenues collected under this chapter shall be
5 distributed in the following priority, with the excess revenues
6 to be deposited into the general fund:

7 (1) \$1,500,000 shall be allocated to the Turtle Bay
8 conservation easement special fund beginning July 1,
9 2015, for the reimbursement to the state general fund
10 of debt service on reimbursable general obligation
11 bonds, including ongoing expenses related to the
12 issuance of the bonds, the proceeds of which were used
13 to acquire the conservation easement and other real
14 property interests in Turtle Bay, Oahu, for the
15 protection, preservation, and enhancement of natural
16 resources important to the State, until the bonds are
17 fully amortized;

18 (2) \$26,500,000 shall be allocated to the convention
19 center enterprise special fund established under
20 section 201B-8;



1 (3) \$82,000,000 shall be allocated to the tourism special
2 fund established under section 201B-11; provided that:

3 (A) Beginning on July 1, 2012, and ending on June 30,
4 2015, \$2,000,000 shall be expended from the
5 tourism special fund for development and
6 implementation of initiatives to take advantage
7 of expanded visa programs and increased travel
8 opportunities for international visitors to
9 Hawaii;

10 (B) Of the \$82,000,000 allocated:

11 (i) \$1,000,000 shall be allocated for the
12 operation of a Hawaiian center and the
13 museum of Hawaiian music and dance at the
14 Hawaii convention center; and

15 (ii) 0.5 per cent of the \$82,000,000 shall be
16 transferred to a sub-account in the tourism
17 special fund to provide funding for a safety
18 and security budget, in accordance with the
19 Hawaii tourism strategic plan 2005-2015; and

20 (C) Of the revenues remaining in the tourism special
21 fund after revenues have been deposited as



1 provided in this paragraph and except for any sum
2 authorized by the legislature for expenditure
3 from revenues subject to this paragraph,
4 beginning July 1, 2007, funds shall be deposited
5 into the tourism emergency special fund,
6 established in section 201B-10, in a manner
7 sufficient to maintain a fund balance of
8 \$5,000,000 in the tourism emergency special fund;

9 (4) \$103,000,000 shall be allocated as follows: Kauai
10 county shall receive 14.5 per cent, Hawaii county
11 shall receive 18.6 per cent, city and county of
12 Honolulu shall receive 44.1 per cent, and Maui county
13 shall receive 22.8 per cent; provided that commencing
14 with fiscal year 2018-2019, a sum that represents the
15 difference between a county public employer's annual
16 required contribution for the separate trust fund
17 established under section 87A-42 and the amount of the
18 county public employer's contributions into that trust
19 fund shall be retained by the state director of
20 finance and deposited to the credit of the county
21 public employer's annual required contribution into



1 that trust fund in each fiscal year, as provided in
2 section 87A-42, if the respective county fails to
3 remit the total amount of the county's required annual
4 contributions, as required under section 87A-43; [and]

5 (5) \$3,000,000 shall be allocated to the special land and
6 development fund established under section 171-19;
7 provided that the allocation shall be expended in
8 accordance with the Hawaii tourism authority strategic
9 plan for:

10 (A) The protection, preservation, maintenance, and
11 enhancement of natural resources, including
12 beaches, important to the visitor industry;

13 (B) Planning, construction, and repair of facilities;
14 and

15 (C) Operation and maintenance costs of public lands,
16 including beaches, connected with enhancing the
17 visitor experience[-];

18 (6) Beginning on January 1, 2019, per cent of
19 revenues collected pursuant to section 237D- , each
20 fiscal year shall be distributed to each county that
21 establishes a process, approved by the director, to



1 verify operators' and plan managers' compliance with
2 county land use ordinances and rules pursuant to
3 section 237D- (j); and

4 (7) Beginning on January 1, 2019, per cent of the
5 revenues collected pursuant to section 237D- , shall
6 be allocated to the transient accommodations homeless
7 initiative special fund established under section
8 346- .

9 All transient accommodations taxes shall be paid into the
10 state treasury each month within ten days after collection and
11 shall be kept by the state director of finance in special
12 accounts for distribution as provided in this subsection.

13 As used in this subsection, "fiscal year" means the twelve-
14 month period beginning on July 1 of a calendar year and ending
15 on June 30 of the following calendar year."

16 SECTION 6. By January 1, 2019, the director of taxation
17 shall make available to transient accommodations brokers a form
18 of application for registration as a transient accommodations
19 broker tax collection agent under the new section of chapter
20 237, Hawaii Revised Statutes, added by section 3 of this Act,



1 and under the new section of chapter 237D, Hawaii Revised
2 Statutes, added by section 4 of this Act.

3 SECTION 7. If any provision of this Act, or the
4 application thereof to any person or circumstance, is held
5 invalid, the invalidity does not affect other provisions or
6 applications of the Act that can be given effect without the
7 invalid provision or application, and to this end the provisions
8 of this Act are severable.

9 SECTION 8. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 9. This Act shall take effect on July 1, 2018, and
12 shall apply to taxable years beginning after December 31, 2018.

13

INTRODUCED BY:

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JAN 24 2018



H.B. NO. 2597

Report Title:

Transient Accommodations Brokers; General Excise Tax; Transient Accommodations Tax; Homeless Initiative Special Fund

Description:

Authorizes transient accommodations brokers to register as agents to report, collect, and remit transient accommodations tax and general excise tax due from operators and plan managers subject to verification of compliance with tax and land use laws. Allocates a portion of tax revenues collected by registered agents to counties that verify compliance with county land use laws and to Department of Human Services for homeless initiatives.

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

