

JAN 17 2020

A BILL FOR AN ACT

RELATING TO TAXATION.

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

1 SECTION 1. Section 46-16.8, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Each county that has not established a surcharge on
4 state tax prior to July 1, 2015, may establish the surcharge at
5 the rates enumerated in sections 237-8.6 and 238-2.6. A county
6 electing to establish this surcharge shall do so by ordinance;
7 provided that:

8 (1) No ordinance shall be adopted until the county has
9 conducted a public hearing on the proposed ordinance;

10 (2) The ordinance shall be adopted prior to ~~[March 31,~~
11 ~~2019]~~ June 30, 2021; and

12 (3) No county surcharge on state tax that may be
13 authorized under this subsection shall be levied prior
14 to January 1, 2019, or after December 31, 2030.

15 A county electing to exercise the authority granted under
16 this subsection shall notify the director of taxation within ten
17 days after the county has adopted a surcharge on state tax



1 ordinance. Beginning ~~[on]~~ no earlier than January 1, 2019, ~~[on~~
2 ~~January 1, 2020, as applicable]~~ pursuant to sections 237-8.6 and
3 238-2.6, the director of taxation shall levy, assess, collect,
4 and otherwise administer the county surcharge on state tax."

5 SECTION 2. Section 237-8.6, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Each county surcharge on state tax that may be
8 adopted or extended pursuant to section 46-16.8 shall be levied
9 beginning in a taxable year after the adoption of the relevant
10 county ordinance; provided that no surcharge on state tax may be
11 levied:

12 (1) Prior to:

13 (A) January 1, 2007, if the county surcharge on state
14 tax was established by an ordinance adopted prior
15 to December 31, 2005;

16 (B) January 1, 2019, if the county surcharge on state
17 tax was established by the adoption of an
18 ordinance after June 30, 2015, but prior to
19 June 30, 2018; ~~[on]~~

20 (C) January 1, 2020, if the county surcharge on state
21 tax was established by the adoption of an



ordinance on or after June 30, 2018, but prior to
March 31, 2019; [and]

(D) January 1, 2021, if the county surcharge on state
tax was established by the adoption of an
ordinance on or after March 31, 2019, but prior
to June 30, 2020; or

(E) January 1, 2022, if the county surcharge on state
tax was established by the adoption of an
ordinance on or after June 30, 2020, but prior to
June 30, 2021; and

(2) After December 31, 2030."

SECTION 3. Section 238-2.6, Hawaii Revised Statutes, is
amended by amending subsection (b) to read as follows:

"(b) Each county surcharge on state tax that may be
adopted or extended shall be levied beginning in a taxable year
after the adoption of the relevant county ordinance; provided
that no surcharge on state tax may be levied:

(1) Prior to:

(A) January 1, 2007, if the county surcharge on state
tax was established by an ordinance adopted prior
to December 31, 2005;



1 (B) January 1, 2019, if the county surcharge on state
2 tax was established by the adoption of an
3 ordinance after June 30, 2015, but prior to
4 June 30, 2018; ~~[or]~~

5 (C) January 1, 2020, if the county surcharge on state
6 tax was established by the adoption of an
7 ordinance on or after June 30, 2018, but prior to
8 March 31, 2019; ~~[and]~~

9 (D) January 1, 2021, if the county surcharge on state
10 tax was established by the adoption of an
11 ordinance on or after March 31, 2019, but prior
12 to June 30, 2020; or

13 (E) January 1, 2022, if the county surcharge on state
14 tax was established by the adoption of an
15 ordinance on or after June 30, 2020, but prior to
16 June 30, 2021; and

17 (2) After December 31, 2030."

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

2

INTRODUCED BY: ~~AC~~ *AC*
BY REQUEST OF ANOTHER PARTY



S.B. NO. 2685

Report Title:

County Surcharge; State Tax; Administration

Description:

Extends the authority of a county to adopt a surcharge on state tax from March 31, 2019, to June 30, 2021.

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

