

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 as follows:

3 1. By amending subsection (c) to read:

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

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

11 (2) The ordinance shall be adopted prior to [~~March 31,~~
12 ~~2019,~~] December 31, 2020; and

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

16 A county electing to exercise the authority granted under
17 this subsection shall notify the director of taxation within ten



1 days after the county has adopted a surcharge on state tax
2 ordinance. Beginning on January 1, 2019, [~~or~~] January 1, 2020,
3 or January 1, 2021, as applicable pursuant to sections 237-8.6
4 and 238-2.6, the director of taxation shall levy, assess,
5 collect, and otherwise administer the county surcharge on state
6 tax.

7 2. By amending subsection (f) to read:

8 "(f) Each county with a population equal to or less than
9 five hundred thousand that adopts a county surcharge on state
10 tax ordinance pursuant to this section shall use the surcharges
11 received from the State for:

12 (1) Operating or capital costs of public transportation
13 within each county for public transportation systems,
14 including public roadways or highways, public buses,
15 trains, ferries, pedestrian paths or sidewalks, or
16 bicycle paths; [~~and~~]

17 (2) Expenses in complying with the Americans with
18 Disabilities Act of 1990 with respect to paragraph

19 (1) [~~-~~]; or

20 (3) Disaster relief."



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

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

8 (1) Prior to:

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

12 (B) January 1, 2019, if the county surcharge on state
13 tax was established by the adoption of an
14 ordinance after June 30, 2015, but prior to
15 June 30, 2018; or

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

20 (D) January 1, 2021, if the county surcharge on state
21 tax was established by the adoption of an



1 ordinance on or after March 31, 2019, but prior
2 to December 31, 2020; and

3 (2) After December 31, 2030."

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

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

10 (1) Prior to:

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

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

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



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

5 (2) After December 31, 2030."

6 SECTION 4. Statutory material to be repealed is bracketed
 7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2020.

9

INTRODUCED BY:

~~AC. [unclear]~~

Rosely de Baker

J. Kahl Eghor

Lorraine R. Prunty



S.B. NO. 2686

Report Title:

General Excise Tax; County Surcharge on State Tax; Extension;
Disaster Relief

Description:

Extends the period that a county may adopt a surcharge on state tax, under certain conditions, from March 31, 2019, to December 31, 2020. Allows a county with a population equal to or less than five hundred thousand that adopts a surcharge on state tax to use surcharge revenues for disaster relief.

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

