STAND. COM. REP. NO. 296

Honolulu, Hawaii

FEB 1 3 2019

RE: S.B. No. 1269

S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1269 entitled:

"A BILL FOR AN ACT RELATING TO TAX APPEALS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Replace the tax boards of review with a single tax appeal review panel comprised of members serving on a full-time basis; and
- (2) Amend the grounds on which an appeal to the administrative appeals and dispute resolution program may be made by disallowing appeals of proposed assessments.

Your Committee received testimony in support of this measure from the Department of Taxation.

Your Committee finds that the system of tax boards of review is impractical due to the difficulty of recruiting a sufficient pool of qualified members. Your Committee further finds that a significant number of tax appeals have been unable to be heard or have been substantially delayed due to the boards' inability to constitute quorum. This measure will replace the tax boards of review system with a single tax appeal review panel comprised of

2019-1761 SSCR SMA.doc

members serving on a full-time basis who are empowered to hear and decide cases individually.

Your Committee has amended this measure by:

- (1) Allowing any person who has already filed an appeal with a board of review to choose to either continue their appeal with the board of review or withdraw and re-file their appeal with the tax appeal review panel until January 1, 2021, at which point all remaining appeals before a board of review automatically transfer to the tax appeal review panel; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1269, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1269, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

2019-1761 SSCR SMA.doc

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral: Date:				
581269	JDC, WAM 2/8/19				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye /	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		<b>V</b> /		,	
WAKAI, Glenn (VC)		$\vee$			
GABBARD, Mike					V
KIM, Donna Mercado					
FEVELLA, Kurt					$\bigvee$
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TOTAL		3	P	Ø	2
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Office Drafting Agency Committee File Copy					

\*Only one measure per Record of Votes