



1           **§ -B Imposition of tax.** (a) There is hereby imposed  
2 and shall be levied, collected, and paid, an empty homes tax as  
3 hereinafter provided, on all transfers or conveyances of a  
4 vacant residential real property or any interest therein, by way  
5 of deeds, leases, subleases, assignments of lease, agreements of  
6 sale, assignments of agreement of sale, instruments, writings,  
7 and any other document, whereby any lands, interests in land,  
8 tenements, or other realty sold shall be granted, assigned,  
9 transferred, or otherwise conveyed to, or vested in, the  
10 purchaser or purchasers, lessee or lessees, sublessee or  
11 sublessees, assignee or assignees, or any other person or  
12 persons, by the person's or their direction.

13           (b) The tax shall be equal to five per cent of the county  
14 real property tax assessed value of the unit per year.

15           **§ -C Return and payments.** On or before the twentieth  
16 day of each calendar month, every person taxable under this  
17 chapter during the preceding calendar month shall file a sworn  
18 return with the director in a form the director shall prescribe  
19 together with a remittance for the amount of the tax required by  
20 section -B. Sections 237-30 and 237-32 shall apply to



1 returns and penalties made under this chapter to the same extent  
2 as if the sections were set forth specifically in this section.

3       **§ -D Disposition of taxes.** All taxes collected under  
4 this chapter shall be paid into the state treasury to the credit  
5 of the dwelling unit revolving fund established pursuant to  
6 section 201H-191.

7       **§ -E Appeals.** Any person aggrieved by any assessment of  
8 the tax imposed by this chapter may appeal from the assessment  
9 in the manner and within the time and in all other respects as  
10 provided in the case of income tax appeals by section 235-114.

11       **§ -F Records to be kept; examination.** Every person  
12 shall keep in the English language within the State, and  
13 preserve for a period of three years, suitable records relating  
14 to the empty homes tax levied and assessed under this chapter,  
15 and other books, records of account, and invoices as may be  
16 required by the department, and all those books, records, and  
17 invoices shall be open for examination at any time by the  
18 department or the Multistate Tax Commission pursuant to chapter  
19 255, or the authorized representative thereof.



1           **§ -G Administration and enforcement; rules.** (a) The  
2 director shall administer and enforce this chapter in respect  
3 of:

- 4           (1) The examination of books and records of taxpayers and  
5                 other persons;
- 6           (2) Procedure and powers upon failure or refusal by a  
7                 person to make a return or proper return; and
- 8           (3) The general administration of this chapter.

9           (b) All of the provisions of chapter 237 not inconsistent  
10 with this chapter and which may appropriately be applied to the  
11 taxes, persons, circumstances, and situations involved in this  
12 chapter, including (without prejudice to the generality of the  
13 foregoing) provisions as to penalties and interest, and  
14 provisions granting administrative powers to the department, and  
15 provisions for the assessment, levy, and collection of taxes,  
16 shall be applicable to the taxes imposed by this chapter, and to  
17 the assessment, levy, and collection thereof.

18           (c) The director may adopt, amend, or repeal rules under  
19 chapter 91 to carry out this chapter."

20           SECTION 2. Section 231-8.5, Hawaii Revised Statutes, is  
21 amended by amending subsection (b) to read as follows:



1           "(b) If the requirements of subsection (c) are satisfied,  
2 the department may require electronic filing of any tax return,  
3 application, report, or other document required under the  
4 provisions of title 14 administered by the department for the  
5 following taxpayers:

- 6           (1) For withholding tax filings required under chapter  
7           235, only employers whose total tax liability under  
8           sections 235-61 and 235-62 for the calendar or fiscal  
9           year exceeds \$40,000;
- 10          (2) For income tax filings required under chapter 235,  
11          only taxpayers who are subject to tax under section  
12          235-71, 235-71.5, or 235-72;
- 13          (3) For general excise tax filings required under chapter  
14          237, only taxpayers whose total tax liability under  
15          chapter 237 for the calendar or fiscal year exceeds  
16          \$4,000;
- 17          (4) For transient accommodations tax filings required  
18          under chapter 237D, only operators and plan managers  
19          whose total tax liability under chapter 237D for the  
20          calendar or fiscal year exceeds \$4,000; and



- 1 (5) For filings required under the following chapters, all
- 2 taxpayers subject to tax under those chapters:
- 3 (A) 236E;
- 4 (B) 239;
- 5 (C) 241;
- 6 (D) 243;
- 7 (E) 244D;
- 8 (F) 245; [~~and~~]
- 9 (G) 251[~~-~~]; and
- 10 (H) \_\_\_\_\_."

11 SECTION 3. In codifying the new sections added by section  
12 1 of this Act, the revisor of statutes shall substitute  
13 appropriate section numbers for the letters used in designating  
14 the new sections in this Act.

15 SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Empty Homes Tax; Dwelling Unit Revolving Fund; Fair Market Rent

**Description:**

Establishes an empty homes conveyance tax against certain residential property owners who own a vacant residential unit in the State. 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.*

