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# A BILL FOR AN ACT

RELATING TO MASS TRANSPORTATION.

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

1 SECTION 1. Chapter 51, Hawaii Revised Statutes, is amended  
2 by adding a new section to be appropriately designated and to  
3 read as follows:

4 "§51- Mass transportation service; no charge for users;  
5 operation and maintenance. (a) No county that provides mass  
6 transportation service, whether directly, jointly, or under  
7 contract with private parties, shall charge a fee to users of  
8 that service for the operation or maintenance of that service.

9 (b) Pursuant to section 237D-6.5(b)(5), the sum of  
10 \$5,000,000 shall be allocated to each of the following counties:

11 (1) County of Hawaii;

12 (2) City and county of Honolulu;

13 (3) County of Kauai; and

14 (4) County of Maui,

15 to be used solely for the operation or maintenance, including  
16 for purposes of cleanliness and safety, of mass transportation  
17 service within each respective county."



1 SECTION 2. 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) \$16,500,000 shall be allocated to the convention  
19 center enterprise special fund established under  
20 section 201B-8;



1           (3) \$79,000,000 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 \$79,000,000 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; and  
14           (ii) 0.5 per cent of the \$79,000,000 shall be  
15           transferred to a sub-account in the tourism  
16           special fund to provide funding for a safety  
17           and security budget, in accordance with the  
18           Hawaii tourism strategic plan 2005-2015; and  
19          (C) Of the revenues remaining in the tourism special  
20           fund after revenues have been deposited as  
21           provided in this paragraph and except for any sum



1 authorized by the legislature for expenditure  
2 from revenues subject to this paragraph,  
3 beginning July 1, 2007, funds shall be deposited  
4 into the tourism emergency special fund,  
5 established in section 201B-10, in a manner  
6 sufficient to maintain a fund balance of  
7 \$5,000,000 in the tourism emergency special fund;  
8 (4) \$103,000,000 shall be allocated as follows: Kauai  
9 county shall receive 14.5 per cent, Hawaii county  
10 shall receive 18.6 per cent, city and county of  
11 Honolulu shall receive 44.1 per cent, and Maui county  
12 shall receive 22.8 per cent; provided that commencing  
13 with fiscal year 2018-2019, a sum that represents the  
14 difference between a county public employer's annual  
15 required contribution for the separate trust fund  
16 established under section 87A-42 and the amount of the  
17 county public employer's contributions into that trust  
18 fund shall be retained by the state director of  
19 finance and deposited to the credit of the county  
20 public employer's annual required contribution into  
21 that trust fund in each fiscal year, as provided in



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1 section 87A-42, if the respective county fails to  
2 remit the total amount of the county's required annual  
3 contributions, as required under section 87A-43; [~~and~~]  
4 (5) Pursuant to section 51- , \$5,000,000 per county  
5 shall be allocated to the county of Hawaii, city and  
6 county of Honolulu, county of Kauai, and county of  
7 Maui, to be used solely for the operation or  
8 maintenance, including for purposes of cleanliness and  
9 safety, of mass transportation service within each  
10 respective county; and  
11 [~~+5~~] (6) \$3,000,000 shall be allocated to the special land  
12 and development fund established under section 171-19;  
13 provided that the allocation shall be expended in  
14 accordance with the Hawaii tourism authority strategic  
15 plan for:  
16 (A) The protection, preservation, maintenance, and  
17 enhancement of natural resources, including  
18 beaches, important to the visitor industry;  
19 (B) Planning, construction, and repair of facilities;  
20 and



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1 (C) Operation and maintenance costs of public lands,  
2 including beaches, connected with enhancing the  
3 visitor experience.

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

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

11 SECTION 3. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect on January 1, 2022.

14

INTRODUCED BY:



JAN 22 2021



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**Report Title:**

Free Mass Transportation Service; Counties; TAT

**Description:**

Prohibits counties with mass transportation service from charging a fee to users of that service for the operation or maintenance of that service. Appropriates an additional \$5,000,000 in transient accommodations taxes to each county to be used solely for the operation or maintenance, including for purposes of cleanliness and safety, of mass transportation service. Takes effect 1/1/2022.

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

