

JAN 21 2022

A BILL FOR AN ACT

RELATING TO GRANTS.

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

1 SECTION 1. The legislature finds that, as a result of the
2 coronavirus disease 2019 (COVID-19) pandemic and its deleterious
3 impact on the economy, fiscal resources of the State are
4 limited. As a result, there is heightened scrutiny and greater
5 emphasis on the most efficient use of existing funds. The
6 legislature further finds that it is appropriate to impose more
7 stringent requirements on organizations applying for grants from
8 the State.

9 Accordingly, the purpose of this Act is to clarify existing
10 and establish new grant application process and eligibility
11 requirements for organizations, including nonprofit
12 organizations, that may receive a grant from the State.

13 SECTION 2. Section 42F-102, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "**§42F-102 Applications for grants.** (a) Requests for
16 grants shall be submitted to the appropriate standing committees



1 of the legislature at the start of each regular session of the
2 legislature. Each request shall state:

- 3 (1) The name of the requesting organization or individual;
- 4 (2) The public purpose for the grant;
- 5 (3) The services to be supported by the grant;
- 6 (4) The target group; and
- 7 (5) The cost of the grant and the budget.

8 (b) Each request for grants shall include the following
9 documentation:

10 (1) For an organization applying for a grant pursuant to
11 section 42F-103(b):

12 (A) A copy of the organization's bylaws or policies
13 describing the manner in which the activities or
14 services for which a grant is awarded shall be
15 conducted or provided;

16 (B) A valid certificate of vendor compliance in
17 accordance with section 42F-103(b)(1)(B);

18 (C) A current tax clearance from the department of
19 taxation; and



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1 (D) If applicable, proof that the organization is
2 current in the payment of real property taxes;
3 and

4 (2) For a nonprofit organization applying for a grant
5 pursuant to section 42F-103(c):

6 (A) A copy of the organization's exemption ruling
7 from the Internal Revenue Service evidencing that
8 the organization has been granted tax exempt
9 status under section 501(c)(3) of the Internal
10 Revenue Code;

11 (B) Proof that the organization currently maintains
12 its tax exempt status under section 501(c)(3) of
13 the Internal Revenue Code;

14 (C) If applicable, proof of the organization's
15 compliance with section 467B-2.1; and

16 (D) Copies of the organization's Form 990, 990-EZ,
17 990-PF, or 990-N filed with the Internal Revenue
18 Service for the organization's prior two taxable
19 years."

20 SECTION 3. Section 42F-103, Hawaii Revised Statutes, is
21 amended by amending subsections (b) and (c) to read as follows:



1 "(b) In addition, a grant [~~may~~] shall be [~~made~~] awarded
2 only to an organization [~~only if the organization:~~] that:

3 (1) Is [~~incorporated and~~] either:

4 (A) Incorporated under the laws of the State; or

5 (B) Registered with the department of commerce and
6 consumer affairs and in possession of a valid
7 certificate of vendor compliance issued by the
8 State and documenting the organization's
9 compliance and good standing with the United
10 States Internal Revenue Service, department of
11 taxation, department of labor and industrial
12 relations, and department of commerce and
13 consumer affairs;

14 (2) Has bylaws or policies that describe the manner in
15 which the activities or services for which a grant is
16 awarded shall be conducted or provided[-]; and

17 (3) If applicable, is current in the payment of real
18 property taxes.

19 (c) Further, a grant [~~may~~] shall be awarded only to a
20 nonprofit organization [~~only if the organization:~~] that:



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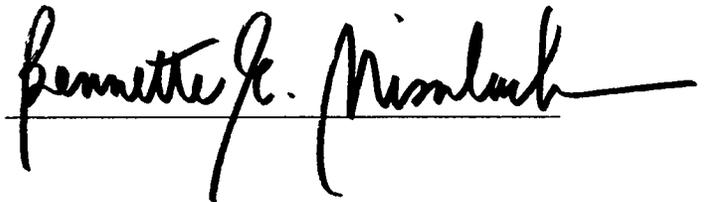
- 1 (1) Has been determined and designated to be, and
- 2 currently maintains its status as, a nonprofit
- 3 organization by the Internal Revenue Service; [and]
- 4 (2) Has a governing board whose members have no material
- 5 conflict of interest and serve without
- 6 compensation[-];
- 7 (3) If applicable, complies with section 467B-2.1; and
- 8 (4) Has filed Form 990, 990-EZ, 990-PF, or 990-N filed
- 9 with the Internal Revenue Service during the
- 10 organization's prior two taxable years."

11 SECTION 4. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

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

14

INTRODUCED BY:



S.B. NO. 2191

Report Title:

Grants; Requirements; Eligible Organizations; Eligible Nonprofit Organizations

Description:

Clarifies existing and establishes new grant application process and eligibility requirements for organizations, including nonprofit organizations, that may receive a grant from the State.

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

