STAND. COM. REP. NO. 757 -22

Honolulu, Hawaii FEB 15 ' <sup>2022</sup>

RE: H.B. No. 2226 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Economic Development, to which was referred H.B. No. 2226 entitled:

"A BILL FOR AN ACT RELATING TO THE TAX CREDIT FOR RESEARCH ACTIVITIES,"

begs leave to report as follows:

The purpose of this measure is to amend the tax credit for research activities by:

- Adding a cap for an eligible taxpayer and its related entities per taxable year;
- (2) Consolidating the survey and certification requirements for the tax credit;
- (3) Amending the annual aggregate cap; and
- (4) Requiring certification on a first-come, first-served basis.

Your Committee received testimony in support of this measure from the Hawaii Technology Development Corporation; Oceanit; and Nalu Scientific, LLC. Your Committee received comments on this measure from the Department of Taxation, Department of Budget and Finance, and Tax Foundation of Hawaii.



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Your Committee finds that the tax credit for research activities is important to the success of local research and high technology companies, as it allows these companies to remain competitive with mainland companies. This measure provides further clarity and consistency in the administration of the tax credit to foster job growth and diversify the State's economy.

Your Committee has amended this measure by:

- Clarifying that the determination of when the Department of Business, Economic Development, and Tourism certifies a credit is based on the date, rather than the date and time, a completed application is received;
- (2) Clarifying that the Department of Business, Economic Development, and Tourism shall certify any remaining credits on a pro rata first-come, first-served basis if the total amount of allowable certified credits is not expended within the first twenty-four hours that applications are made available; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Economic Development that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2226, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2226, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Economic Development,

SEAN JUINLAN, Chair



## State of Hawaii



## **Record of Votes of the Committee on Economic Development**

Bill/Resolution No.:	Committee Referral:	Date		
HB 2226		FIN	219122	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: □ Pass, unamended (as is) <b>Y</b> Pass, with amendments (HD) □ Hold   □ Pass short form bill with HD to recommit for future public hearing (recommit)				
ECD Members	Ayes	Ayes (WR)	Nays	Excused
1. QUINLAN, Sean (C)				
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2. HOLT, Daniel (VC)				
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3. BELATTI, Della Au				
4. KOBAYASHI, Dale T.				
KODATASIII, Jak I.				
5. ONISHI, Richard H.K.		1		<u>a an a' san ak</u> sa kalunta na kaluntakan kala sa kalingan ka
6. SAYAMA, Jackson D.				···· ··· ··· ··· · · · · · · · · · · ·
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7. TAKAYAMA, Gregg				
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8. OKIMOTO, Val				
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TOTAL (8)	8	0	D	$\bigcirc$
The recommendation is: Adopted I Not Adopted				
If joint referral, did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution:   Original (White) - Committee   Duplicate (Yellow) - Chief Clerk's Office   Duplicate (Pink) - HMSO				