
A BILL FOR AN ACT

RELATING TO TAXATION.

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

1 SECTION 1. The legislature finds that assessing a tax on
2 producers and importers of fossil fuels has been successful in
3 countries around the world in reducing the consumption of fossil
4 fuels. The effect of the tax, which is commonly known as a
5 carbon price or carbon tax, has been to reduce the emission of
6 greenhouse gases, leading to a more sustainable environment and
7 reducing local air pollution.

8 Dozens of eminent economists have endorsed a policy that
9 taxes carbon and returns revenues, commonly known as dividends,
10 to households. The University of Hawai'i Economic Research
11 Organization (UHERO) conducted a study on a carbon tax that was
12 released in April 2021 entitled, "Carbon Pricing Assessment for
13 Hawai'i: Economic and Greenhouse Gas Impacts". The study
14 explored how a carbon tax and dividend policy would affect
15 Hawai'i and found that it would substantially reduce the
16 consumption of fossil fuels while financially benefiting most



1 Hawai'i households. Low-income households would experience the
2 greatest financial benefit.

3 As of 2022, a total of 3,623 economists had signed a
4 statement on carbon dividends endorsing a carbon tax, including
5 twenty-eight Nobel Laureate economists, four former Chairs of
6 the Federal Reserve, and fifteen former Chairs of the Council of
7 Economic Advisors. The statement reads, in part: "A carbon tax
8 offers the most cost-effective lever to reduce carbon emissions
9 at the scale and speed that is necessary." The statement goes
10 on to say that the carbon tax should be increased until emission
11 reduction goals are met. It continues by stating: "To maximize
12 the fairness and political viability of a rising carbon tax, all
13 the revenue should be returned directly to U.S. citizens through
14 equal lump-sum rebates. The majority of American families,
15 including the most vulnerable, will benefit financially by
16 receiving more in 'carbon dividends' than they pay in increased
17 energy prices."

18 The legislature additionally finds that more than forty
19 countries have adopted a carbon tax or other carbon pricing
20 policy, and even more are considering it. The World Bank
21 asserts that "carbon pricing is the most effective way to reduce



1 emissions, and all jurisdictions must go further and faster in
2 using carbon pricing policies as part of their climate policy
3 packages." The level of pricing is key, and according to the
4 World Bank, fossil fuels must be priced between \$50 and \$100 per
5 ton of carbon dioxide emissions in the next few years to put the
6 world on the path to achieving the goals of the Paris Agreement.
7 The Group of 20, which includes the United States, the European
8 Union, China, India, and Russia, representing ninety per cent of
9 the world's economy, encourages the appropriate use of carbon
10 pricing when used among a wide set of tools to control climate
11 change.

12 Carbon pricing bills have been introduced in the State for
13 the past several sessions. Basic economics explains how carbon
14 pricing would reduce the consumption of fossil fuels. Though
15 some have questioned the financial impacts of carbon pricing on
16 Hawai'i's families, particularly on those in the lowest income
17 bracket, this concern was addressed in the UHERO study.

18 Additionally, the UHERO study examined two levels of carbon
19 taxes: a low tax scenario and a high tax scenario. The study
20 also examined two uses of the tax revenue: one with all of the
21 tax revenue used to finance government programs and the other



1 with most of the tax revenue distributed to Hawai'i's households.
2 The study concluded that the consumption of fossil fuels would
3 be substantially reduced in both tax scenarios. The study also
4 concluded that distributing most of the tax revenue to Hawai'i's
5 households in the low tax scenario would create a net financial
6 benefit to most of Hawai'i's households, with the largest net
7 financial benefit to low-income households.

8 Further, the study found that the dividend makes the carbon
9 tax and dividend model progressive rather than regressive. This
10 model addresses the concerns of those who had questioned the
11 effect of a carbon tax on low-income families. Under this
12 model, in the low tax scenario, low-income households would
13 benefit financially, on average, because their dividend would be
14 larger than their increased spending resulting from the carbon
15 tax. This Act incorporates many of the elements of the low tax
16 scenario of the UHERO study and distributes most of the tax
17 revenue to Hawai'i's households in the form of refundable tax
18 credits. The level of taxation is within the range that the
19 World Bank has determined would achieve the goals of the Paris
20 Agreement.



1 This Act establishes carbon tax rates that are derived from
2 the low tax scenario of the UHERO study. This Act initiates the
3 tax in 2024 (one year earlier than the UHERO date) with a
4 modified tax rate. By 2026, the tax rates will be equivalent to
5 those in the study and the equivalency will continue through
6 2036. As it is difficult to make accurate projections about
7 revenues and the resulting tax credits for 2037 and beyond, this
8 Act charges the office of planning and sustainable development,
9 in consultation with the department of taxation, with
10 recommending future tax rates and credits. To ease
11 implementation, this Act uses the same units of measure as the
12 existing environmental response, energy, and food security tax,
13 commonly known as the barrel tax, specifically: dollars per
14 barrel for crude oil and refined petroleum products and dollars
15 per million British thermal units for coal and natural gas.

16 To convert from dollars per metric ton of carbon dioxide
17 equivalent to dollars per unit of fuel, this Act uses the United
18 States Environmental Protection Agency's emission factors for
19 greenhouse gas inventories. For petroleum and refined petroleum
20 products, this Act utilizes the metric tons of emissions for
21 carbon dioxide, methane, and nitrous oxide per gallon of fuel.



1 For coal and natural gas, this Act utilizes the metric tons of
2 emissions for carbon dioxide, methane, and nitrous oxide per one
3 million British thermal units of fuel. The emissions of carbon
4 dioxide, methane, and nitrous oxide can be combined into
5 emissions of carbon dioxide equivalent by multiplying the amount
6 of carbon dioxide, methane, and nitrous oxide by their one
7 hundred-year global warming potential.

8 The legislature also finds that this same methodology can
9 be used to derive the carbon dioxide equivalent emissions rate
10 for all fossil fuels. These emission rates can then be used to
11 convert carbon tax rates to tax rates in more familiar units.

12 In Hawai'i, a carbon tax would very likely have the effect
13 of raising the selling prices of fossil fuels. Such an increase
14 would move fossil fuel prices closer to their true unsubsidized
15 prices as the fossil fuel industry receives both direct and
16 indirect subsidies. Fossil fuel prices do not include the
17 social cost of degradation of the environment that results from
18 the burning of fossil fuels and the resulting damage to human
19 health and welfare. A recent report by the International
20 Monetary Fund estimates total United States fossil fuel
21 subsidies and social costs to be \$649,000,000,000 a year.



1 This Act distributes an amount equivalent to most of the
2 tax revenue to individuals who file Hawai'i income tax in the
3 form of refundable tax credits. The refundable tax credit is
4 the same amount for each category of taxpayer. For example, all
5 taxpayers filing as single or married filing separately are
6 eligible for the same amount. This methodology is consistent
7 with the UHERO study in distributing most of the tax revenue to
8 Hawai'i's households.

9 Interest in a carbon tax is growing in the United States at
10 all levels of government because it is effective and can be used
11 with other efforts to control carbon emissions. Recently United
12 States Secretary of the Treasury Janet Yellen signed a
13 commitment to the Group of 7 to meet net zero goals and
14 environmental objectives by making "the optimal use of the range
15 of policy levers to price carbon." Secretary Yellen emphasized
16 its positive effect on jobs, growth, competitiveness and
17 fairness.

18 Accordingly, the purpose of this Act is to establish the
19 carbon cashback program, which sets a carbon tax on fossil fuels
20 and returns an equivalent amount of the money generated by the



1 carbon tax, less administrative costs, to qualified taxpayers in
2 the form of a refundable tax credit or cash payment.

3 SECTION 2. Chapter 235, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§235- Tax credit; carbon emissions tax. (a) There
7 shall be allowed to each qualified taxpayer subject to the tax
8 imposed under this chapter, a refundable income tax credit that
9 shall be deductible from the taxpayer's net income tax
10 liability, if any, imposed by this chapter for the taxable year
11 in which the credit is properly claimed.

12 (b) The amount of the tax credit shall be equal to the sum
13 of:

14 (1) The following applicable amount:

15 (A) For taxpayers filing as single or married filing
16 separately:

17 \$65 for 2024

18 \$210 for 2025

19 \$360 for 2026

20 \$380 for 2027

21 \$420 for 2028



1 \$440 for 2029
2 \$440 for 2030
3 \$440 for 2031
4 \$440 for 2032
5 \$450 for 2033
6 \$460 for 2034
7 \$470 for 2035
8 \$480 for 2036;
9 (B) For taxpayers filing as head of household:
10 \$65 for 2024
11 \$210 for 2025
12 \$360 for 2026
13 \$380 for 2027
14 \$420 for 2028
15 \$440 for 2029
16 \$440 for 2030
17 \$440 for 2031
18 \$440 for 2032
19 \$450 for 2033
20 \$460 for 2034
21 \$470 for 2035



1 \$480 for 2036;
2 (C) For taxpayers filing a joint return or as a
3 surviving spouse:
4 \$130 for 2024
5 \$420 for 2025
6 \$720 for 2026
7 \$760 for 2027
8 \$850 for 2028
9 \$880 for 2029
10 \$880 for 2030
11 \$880 for 2031
12 \$880 for 2032
13 \$900 for 2033
14 \$920 for 2034
15 \$940 for 2035
16 \$960 for 2036; and
17 (2) For each qualifying dependent:
18 \$30 for 2024
19 \$100 for 2025
20 \$180 for 2026
21 \$190 for 2027



- 1 \$201 for 2028
- 2 \$220 for 2029
- 3 \$220 for 2030
- 4 \$220 for 2031
- 5 \$220 for 2032
- 6 \$220 for 2033
- 7 \$230 for 2034
- 8 \$230 for 2035
- 9 \$240 for 2036.

10 (c) If the tax credit claimed by the taxpayer under this
11 section exceeds the amount of the income tax payments due from
12 the taxpayer, the excess of credit over payments due shall be
13 refunded to the taxpayer; provided that the tax credit properly
14 claimed by a taxpayer who has no income tax liability shall be
15 paid to the taxpayer; provided further that no refunds or
16 payments on account of the tax credit allowed by this section
17 shall be made for amounts less than \$1.

18 All claims for the tax credit under this section, including
19 amended claims, shall be filed on or before the end of the
20 twelfth month following the close of the taxable year for which
21 the credit may be claimed. Failure to comply with the foregoing



1 provision shall constitute a waiver of the right to claim the
2 credit.

3 (d) The director of taxation:

4 (1) Shall prepare any forms that may be necessary to claim
5 a tax credit under this section;

6 (2) May require the taxpayer to furnish reasonable
7 information to ascertain the validity of the claim for
8 the tax credit made under this section; and

9 (3) May adopt rules under chapter 91 as may be necessary
10 to effectuate the purposes of this section.

11 (e) All of the provisions relating to assessments and
12 refunds under this chapter and under section 231-23(c)(1) shall
13 apply to the tax credit under this section.

14 (f) As used in this section:

15 "Qualified taxpayer" means a taxpayer who files an
16 individual income tax return.

17 "Qualifying dependent" means a minor who:

18 (1) Resides with the qualified taxpayer; and

19 (2) Is claimed as a dependent by the qualified taxpayer."

20 SECTION 3. Section 128D-2, Hawaii Revised Statutes, is
21 amended by amending subsection (a) to read as follows:



1 "(a) There is created within the state treasury an
2 environmental response revolving fund, which shall consist of
3 moneys appropriated to the fund by the legislature, moneys paid
4 to the fund as a result of departmental compliance proceedings,
5 moneys paid to the fund pursuant to court-ordered awards or
6 judgments, moneys paid to the fund in court-approved or out-of-
7 court settlements, all interest attributable to investment of
8 money deposited in the fund, moneys deposited in the fund from
9 the environmental response, energy, carbon emissions, and food
10 security tax pursuant to section 243-3.5, and moneys allotted to
11 the fund from other sources."

12 SECTION 4. Section 201-12.8, Hawaii Revised Statutes, is
13 amended by amending subsection (a) to read as follows:

14 "(a) There is created within the state treasury an energy
15 security special fund, which shall consist of:

16 (1) The portion of the environmental response, energy,
17 carbon emissions, and food security tax specified
18 under section 243-3.5;

19 (2) Moneys appropriated to the fund by the legislature;

20 (3) All interest attributable to investment of money
21 deposited in the fund; and



1 (4) Moneys allotted to the fund from other sources,
2 including under section 196-6.5."

3 SECTION 5. Section 243-3.5, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "**§243-3.5 Environmental response, energy, carbon**
6 **emissions, and food security tax; uses.** (a) In addition to any
7 other taxes provided by law, subject to the exemptions set forth
8 in section 243-7, there is hereby imposed a state environmental
9 response, energy, carbon emissions, and food security tax on
10 each barrel or fractional part of a barrel of petroleum product
11 sold by a distributor to any retail dealer or end user of
12 petroleum product, other than a refiner. The tax [~~shall be~~
13 ~~\$1.05~~] on each barrel or fractional part of a barrel of
14 petroleum product [~~that is not aviation fuel; provided that of~~
15 ~~the tax collected pursuant to this subsection:] shall be in the
16 amounts provided in the following table:~~

17	<u>Product</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
18	<u>Butane</u>	<u>\$4.26</u>	<u>\$10.86</u>	<u>\$17.73</u>	<u>\$18.40</u>
19	<u>Propane</u>	<u>\$3.80</u>	<u>\$ 9.46</u>	<u>\$15.35</u>	<u>\$15.93</u>
20	<u>Gasoline</u>	<u>\$5.27</u>	<u>\$13.96</u>	<u>\$23.00</u>	<u>\$23.89</u>
21	<u>Diesel</u>	<u>\$5.95</u>	<u>\$16.06</u>	<u>\$26.57</u>	<u>\$27.60</u>



1	<u>Kerosene</u>	<u>\$5.93</u>	<u>\$15.97</u>	<u>\$26.42</u>	<u>\$27.44</u>
2	<u>Aviation gas</u>	<u>\$3.99</u>	<u>\$12.22</u>	<u>\$20.77</u>	<u>\$21.61</u>
3	<u>Jet Fuel</u>	<u>\$4.68</u>	<u>\$14.33</u>	<u>\$24.37</u>	<u>\$25.35</u>
4	<u>No. 6 Fuel Oil</u>	<u>\$6.46</u>	<u>\$17.62</u>	<u>\$29.22</u>	<u>\$30.35</u>
5	<u>LPG</u>	<u>\$3.78</u>	<u>\$ 9.41</u>	<u>\$15.26</u>	<u>\$15.83</u>
6	<u>Other</u>	<u>\$5.99</u>	<u>\$16.18</u>	<u>\$26.76</u>	<u>\$27.80</u>
7					
8	<u>Product</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>
9	<u>Butane</u>	<u>\$19.09</u>	<u>\$19.81</u>	<u>\$20.55</u>	<u>\$21.30</u>
10	<u>Propane</u>	<u>\$16.52</u>	<u>\$17.14</u>	<u>\$17.77</u>	<u>\$18.42</u>
11	<u>Gasoline</u>	<u>\$24.80</u>	<u>\$25.74</u>	<u>\$26.71</u>	<u>\$27.71</u>
12	<u>Diesel</u>	<u>\$28.66</u>	<u>\$29.75</u>	<u>\$30.88</u>	<u>\$32.04</u>
13	<u>Kerosene</u>	<u>\$28.50</u>	<u>\$29.58</u>	<u>\$30.70</u>	<u>\$31.86</u>
14	<u>Aviation gas</u>	<u>\$22.48</u>	<u>\$23.37</u>	<u>\$24.28</u>	<u>\$25.23</u>
15	<u>Jet Fuel</u>	<u>\$26.37</u>	<u>\$27.41</u>	<u>\$28.49</u>	<u>\$29.60</u>
16	<u>No. 6 Fuel Oil</u>	<u>\$31.53</u>	<u>\$32.73</u>	<u>\$33.98</u>	<u>\$35.26</u>
17	<u>LPG</u>	<u>\$16.42</u>	<u>\$17.03</u>	<u>\$17.66</u>	<u>\$18.31</u>
18	<u>Other</u>	<u>\$28.87</u>	<u>\$29.98</u>	<u>\$31.11</u>	<u>\$32.28</u>
19					
20	<u>Product</u>	<u>2032</u>	<u>2033</u>	<u>2034</u>	<u>2035</u>
21	<u>Butane</u>	<u>\$22.08</u>	<u>\$22.89</u>	<u>\$23.72</u>	<u>\$24.57</u>



1	<u>Propane</u>	<u>\$19.09</u>	<u>\$19.78</u>	<u>\$20.49</u>	<u>\$21.22</u>
2	<u>Gasoline</u>	<u>\$28.74</u>	<u>\$29.80</u>	<u>\$30.88</u>	<u>\$32.01</u>
3	<u>Diesel</u>	<u>\$33.23</u>	<u>\$34.46</u>	<u>\$35.73</u>	<u>\$37.03</u>
4	<u>Kerosene</u>	<u>\$33.04</u>	<u>\$34.27</u>	<u>\$35.53</u>	<u>\$36.82</u>
5	<u>Aviation gas</u>	<u>\$26.20</u>	<u>\$27.20</u>	<u>\$28.23</u>	<u>\$29.29</u>
6	<u>Jet Fuel</u>	<u>\$30.74</u>	<u>\$31.91</u>	<u>\$33.12</u>	<u>\$34.37</u>
7	<u>No. 6 Fuel Oil</u>	<u>\$36.57</u>	<u>\$37.93</u>	<u>\$39.33</u>	<u>\$40.77</u>
8	<u>LPG</u>	<u>\$18.97</u>	<u>\$19.66</u>	<u>\$20.36</u>	<u>\$21.09</u>
9	<u>Other</u>	<u>\$33.48</u>	<u>\$34.72</u>	<u>\$36.00</u>	<u>\$37.31</u>
10					
11	<u>Product</u>	<u>2036 and each year thereafter</u>			
12	<u>Butane</u>	<u>\$25.44</u>			
13	<u>Propane</u>	<u>\$21.97</u>			
14	<u>Gasoline</u>	<u>\$33.16</u>			
15	<u>Diesel</u>	<u>\$38.37</u>			
16	<u>Kerosene</u>	<u>\$38.15</u>			
17	<u>Aviation gas</u>	<u>\$30.39</u>			
18	<u>Jet Fuel</u>	<u>\$35.65</u>			
19	<u>No. 6 Fuel Oil</u>	<u>\$42.25</u>			
20	<u>LPG</u>	<u>\$21.84</u>			
21	<u>Other</u>	<u>\$38.66</u>			



1 The tax for each year referenced above shall take effect on
2 January 1 of that year and shall continue until the effective
3 date of the next increment.

4 The tax imposed by this subsection shall be paid by the
5 distributor of the petroleum product.

6 (b) Tax revenues collected pursuant to subsection (a)
7 shall be distributed in the following priority each fiscal year,
8 with the excess revenues to be deposited into the general fund:

9 (1) ~~[5 cents of the tax on each barrel]~~ \$1,116,000 shall
10 be deposited into the environmental response revolving
11 fund established under section 128D-2;

12 (2) ~~[4 cents of the tax on each barrel]~~ \$892,800 shall be
13 deposited into the energy security special fund
14 established under section 201-12.8;

15 (3) ~~[5 cents of the tax on each barrel]~~ \$1,116,000 shall
16 be deposited into the energy systems development
17 special fund established under section 304A-2169.1;

18 (4) ~~[3 cents of the tax on each barrel]~~ \$669,600 shall be
19 deposited into the electric vehicle charging system
20 subaccount established pursuant to section 269-33(e);

21 [~~and~~]



1 (5) ~~[3 cents of the tax on each barrel]~~ \$669,600 shall be
2 deposited into the hydrogen fueling system subaccount
3 established pursuant to section 269-33(f) ~~[.];~~

4 (6) All taxes paid on gasoline or other aviation fuel sold
5 for use in or used for airplanes shall be deposited in
6 the airport revenue fund established under section
7 248-8; and

8 (7) All taxes paid on gasoline, diesel, or other fuel sold
9 for use in or used for small boats shall be deposited
10 in the boating special fund established under section
11 248-8.

12 ~~[The tax imposed by this subsection shall be paid by the~~
13 ~~distributor of the petroleum product.~~

14 ~~(b)]~~ (c) In addition to subsection (a), the environmental
15 response, energy, carbon emissions, and food security tax shall
16 also be imposed on each one million British thermal units of
17 fossil fuel sold by a distributor to any retail dealer or end
18 user, other than a refiner, of fossil fuel. The tax ~~[shall be~~
19 ~~19 cents]~~ on each one million British thermal units of fossil
20 fuel ~~[; provided that of the tax collected pursuant to this~~



1 ~~subsection:] shall be in the amounts provided in the following~~
2 table:

3	<u>Fuel</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>
4	<u>Coal (all</u>				
5	<u>forms)</u>	<u>\$1.29</u>	<u>\$3.55</u>	<u>\$5.90</u>	<u>\$6.13</u>
6	<u>Natural gas</u>				
7	<u>(including</u>				
8	<u>liquefied</u>				
9	<u>natural gas)</u>	<u>\$0.80</u>	<u>\$2.04</u>	<u>\$3.34</u>	<u>\$3.47</u>
10					
11	<u>Fuel</u>	<u>2028</u>	<u>2029</u>	<u>2030</u>	<u>2031</u>
12	<u>Coal (all</u>				
13	<u>forms)</u>	<u>\$6.37</u>	<u>\$6.61</u>	<u>\$6.87</u>	<u>\$7.13</u>
14	<u>Natural gas</u>				
15	<u>(including</u>				
16	<u>liquefied</u>				
17	<u>natural gas)</u>	<u>\$3.60</u>	<u>\$3.73</u>	<u>\$3.87</u>	<u>\$4.02</u>
18					
19	<u>Fuel</u>	<u>2032</u>	<u>2033</u>	<u>2034</u>	<u>2035</u>
20	<u>Coal (all</u>				
21	<u>forms)</u>	<u>\$7.39</u>	<u>\$7.67</u>	<u>\$7.95</u>	<u>\$8.24</u>



1 Natural gas
 2 (including
 3 liquefied
 4 natural gas) \$4.16 \$4.31 \$4.47 \$4.63

5
 6 Fuel 2036 and each year thereafter
 7 Coal (all
 8 forms) \$8.54

9 Natural gas
 10 (including
 11 liquefied
 12 natural gas) \$4.80

13 The tax for each year referenced above shall take effect on
 14 January 1 of that year and shall continue until the effective
 15 date of the next increment.

16 The tax imposed by this subsection shall be paid by the
 17 distributor of the fossil fuel.

18 (d) Tax revenues collected pursuant to subsection (c)
 19 shall be distributed in the following priority each fiscal year,
 20 with the excess revenues to be deposited into the general fund:



1 (1) [~~4.8 per cent of the tax on each one million British~~
2 ~~thermal units~~] \$49,000 shall be deposited into the
3 environmental response revolving fund established
4 under section 128D-2;

5 (2) [~~14.3 per cent of the tax on each one million British~~
6 ~~thermal units~~] \$147,000 shall be deposited into the
7 energy security special fund established under
8 section 201-12.8; and

9 (3) [~~9.5 per cent of the tax on each one million British~~
10 ~~thermal units~~] \$98,000 shall be deposited into the
11 energy systems development special fund established
12 under section 304A-2169.1.

13 [~~The tax imposed by this subsection shall be paid by the~~
14 ~~distributor of the fossil fuel.~~

15 ~~(e)]~~ (e) The tax imposed under subsection [~~(b)]~~ (c) shall
16 not apply to coal used to fulfill [~~a signed~~] an existing power
17 purchase agreement between an independent power producer and an
18 electric utility that is in effect as of June 30, 2015[-];
19 provided that this exemption from taxation shall not apply to
20 any extension of an existing power purchase agreement or to any
21 subsequent power purchase agreement. An independent power



1 producer shall be permitted to pass the tax imposed under
2 subsection [~~(b)~~] (c) on to an electric utility. In [~~which~~
3 ~~ease,~~] any case in which the tax is passed on, the electric
4 utility may recover the cost of the tax through an appropriate
5 surcharge to the end user that is approved by the public
6 utilities commission.

7 [~~(d)~~] (f) A gas utility shall be allowed to recover the
8 cost of the tax imposed under subsection [~~(b)~~] (c) as part of
9 its fuel cost in its fuel adjustment charge without further
10 approval by the public utilities commission.

11 [~~(e)~~] (g) Each distributor subject to the tax imposed by
12 subsection (a) or [~~(b)~~] (c), on or before the last day of each
13 calendar month, shall file, in the form and manner prescribed by
14 the department, a return statement of the tax under this section
15 for which the distributor is liable for the preceding month.

16 The form and payment of the tax shall be transmitted to the
17 department in the form and manner prescribed by the department.

18 [~~(f)~~] (h) Notwithstanding section 248-8 to the contrary,
19 the environmental response, energy, carbon emissions, and food
20 security tax collected under this section shall be paid over to



1 the director of finance for deposit as provided in subsection
2 [~~(a) or (b)~~], (b) or (d), as the case may be.

3 [~~(g)~~] (i) Every distributor shall keep in the State and
4 preserve for five years a record in a form as the department of
5 taxation shall prescribe showing the total number of barrels,
6 and the fractional part of barrels, of petroleum product or the
7 total number of one million British thermal units of fossil
8 fuel, as the case may be, sold by the distributor during any
9 calendar month. The record shall show any other data and
10 figures relevant to the enforcement and administration of this
11 chapter as the department may require.

12 [~~(h)~~] (j) For the purposes of this section:

13 "Barrel" may be converted to million British thermal units,
14 using the United States Department of Energy, Energy Information
15 Administration annual energy review or annual energy outlook.

16 "Fossil fuel" means a [~~hydrocarbon deposit~~], fuel, such as
17 coal, natural gas, or liquefied natural gas, derived from a
18 hydrocarbon deposit resulting from the accumulated remains of
19 ancient plants or animals [~~and used for fuel~~]; provided that the
20 term specifically does not include petroleum product."



1 SECTION 6. Section 304A-2169.1, Hawaii Revised Statutes,
2 is amended by amending subsection (b) to read as follows:

3 "(b) Deposits into the special fund may be from the
4 following:

5 (1) Appropriations from the legislature;

6 (2) A portion of the environmental response, energy,
7 carbon emissions, and food security tax pursuant to
8 section 243-3.5; and

9 (3) Investment earnings, gifts, donations, or other income
10 received by the Hawaii natural energy institute."

11 SECTION 7. The office of planning and sustainable
12 development, in consultation with the department of taxation,
13 shall recommend updates to the tax per fuel and the
14 corresponding tax credits, and shall submit a report of its
15 findings and recommendations, including any proposed
16 legislation, to the legislature no later than December 1 of the
17 year prior to the convening of the regular sessions of 2034,
18 2035, and 2036.

19 SECTION 8. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect on June 30, 3000;
2 provided that sections 2 and 5 shall apply to taxable years
3 beginning after December 31, 2023.

4



Report Title:

Environmental Response, Energy, Carbon Emissions, and Food Security Tax; Tax Credit; Office of Planning and Sustainable Development

Description:

Establishes a carbon emissions tax credit. Expands the environmental response, energy, and food security tax to include carbon emissions. Applies to taxable years beginning after 12/31/2023. Requires the Office of Planning and Sustainable Development, in consultation with the Department of Taxation, to recommend updates to the tax per fuel and corresponding tax credits. Effective 6/30/3000. (HD1)

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

