HOUSE OF REPRESENTATIVES THIRTY-SECOND LEGISLATURE, 2024 STATE OF HAWAII

H.B. NO. ²⁴⁸⁴ H.D. 1 S.D. 1 C.D. 1

1

A BILL FOR AN ACT

RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE.

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

SECTION 1. The purpose of this Act is to conform Hawaii
 income and estate and generation-skipping transfer tax laws to
 the Internal Revenue Code.

4 SECTION 2. Section 235-2.3, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) For all taxable years beginning after December 31, 7 [2022,] 2023, as used in this chapter, except as provided in 8 this section and sections 235-2.35, 235-2.4, and 235-2.45, 9 "Internal Revenue Code" means subtitle A, chapter 1, of the 10 federal Internal Revenue Code of 1986, as amended as of December 11 31, [2022,] 2023, as it applies to the determination of gross 12 income, adjusted gross income, ordinary income and loss, and 13 taxable income, except those provisions of the Internal Revenue 14 Code which, pursuant to this chapter, do not apply or are 15 otherwise limited in application.

16 Sections 9672(1) (relating to tax treatment of targeted 17 EIDL advances) and 9673(1) (relating to tax treatment of 18 restaurant revitalization grants) of Public Law 117-2 shall be 2024-3015 HB2484 CD1 HMSO Page 2

H.B. NO. ²⁴⁸⁴ H.D. 1 S.D. 1 C.D. 1

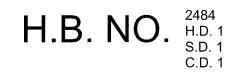
operative for purposes of this chapter. No amount received
 under section 9601 (relating to 2021 recovery rebates to
 individuals) of Public Law 117-2 shall be included in gross
 income for purposes of this chapter.

5 Sections 276(b)(1) (relating to subsequent paycheck 6 protection program loans), 277 (relating to emergency financial 7 aid grants), 278(b)(1) (relating to emergency EIDL grants and 8 targeted EIDL advances), 278(c)(1) (relating to subsidy for 9 certain loan payments), and 278(d)(1) (relating to grants for 10 shuttered venue operators) of Division N of Public Law 116-260 11 shall be operative for purposes of this chapter. Sections 213 12 (relating to modification of limitations on charitable 13 contributions) and 214 (relating to temporary special rules for 14 health and dependent care flexible spending arrangements) of 15 Division EE of Public Law 116-260 shall be operative for 16 purposes of this chapter. Sections 301, 302, and 304 (relating 17 to disaster tax relief) of Division EE of Public Law 116-260 18 shall be operative for purposes of this chapter. No amount 19 received under section 272 (relating to additional 2020 recovery 20 rebates for individuals) of Division N of Public Law 116-260 21 shall be included in gross income for purposes of this chapter.

2024-3015 HB2484 CD1 HMSO

2

Page 3



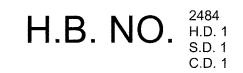
1	Sections 1106(i) (relating to exclusion of loan forgiveness
2	from gross income), 2202(b) (relating to loans from retirement
3	plans), and 2205 (relating to charitable contributions) of
4	Public Law 116-136 shall be operative for purposes of this
5	chapter. No amount received under section 2201 (relating to
6	recovery rebates) of Public Law 116-136 shall be included in
7	gross income for purposes of this chapter.
8	Section 2202(a) (relating to tax-favored withdrawals from
9	retirement plans) of Public Law 116-136 shall be operative for
10	purposes of this chapter and shall apply to taxable years
11	beginning after December 31, 2019.
12	Prior law shall continue to be used to determine:
13	(1) The basis of property, if a taxpayer first determined
14	the basis of property in a taxable year to which prior
15	law applies; and
16	(2) Gross income, adjusted gross income, ordinary income
17	and loss, and taxable income for a taxable year to
18	which prior law applies."
19	SECTION 3. Section 236E-3, Hawaii Revised Statutes, is
20	amended to read as follows:

2024-3015 HB2484 CD1 HMSO

3

.

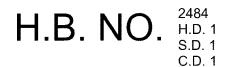
Page 4



1	"§236E-3 Conformance to the Internal Revenue Code; general
2	application. For all decedents dying, or transfers occurring,
3	after December 31, [2022,] <u>2023,</u> as used in this chapter,
4	"Internal Revenue Code" means subtitle B of the federal Internal
5	Revenue Code of 1986, as amended as of December 31, [2022,]
6	2023, as it applies to the determination of gross estate,
7	adjusted gross estate, federal taxable estate, and
8	generation-skipping transfers, except those provisions of the
9	Internal Revenue Code and federal public laws that, pursuant to
10	this chapter, do not apply or are otherwise limited in
11	application."
12	SECTION 4. Statutory material to be repealed is bracketed
13	and stricken. New statutory material is underscored.
14	SECTION 5. This Act shall take effect upon its approval;
15	provided that:
16	(1) Section 2 shall apply to taxable years beginning after
17	December 31, 2023; and
18	(2) Section 3 shall apply to decedents dying or taxable
19	transfers occurring after December 31, 2023.

2024-3015 HB2484 CD1 HMSO

4



Report Title:

Conformity to the Internal Revenue Code for 2023; Income Tax; Estate and Generation-Skipping Transfer Tax

Description:

Conforms Hawaii income and estate and generation-skipping transfer tax laws to the Internal Revenue Code of 1986, as amended as of 12/31/2023. (CD1)

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

