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# A BILL FOR AN ACT

RELATING TO GENERAL FUND BUDGET APPROPRIATIONS FOR THE  
UNIVERSITY OF HAWAII.

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

1           SECTION 1. The legislature finds that section  
2 304A-2101(a), Hawaii Revised Statutes, states, "[t]he general  
3 fund budget appropriations for the university shall be an amount  
4 not less than three times and not greater than five times the  
5 amount of regular tuition and related fee revenues estimated for  
6 that fiscal year."

7           The legislature further finds that, like many other  
8 provisions of law facially requiring that a particular amount or  
9 range of funds be appropriated, the language of section  
10 304A-2101(a), Hawaii Revised Statutes, does not mandate the  
11 current legislature to appropriate funds of any amount because  
12 one legislature may not bind a successor legislature. The  
13 legislature therefore concludes that the language in section  
14 304A-2101(a), Hawaii Revised Statutes, merely provides guidance  
15 or an expression of intent from a previous legislature to the  
16 current legislature regarding the general fund appropriation to



1 the University of Hawaii. Accordingly, to clarify the  
2 appropriation process and to prevent future confusion, the  
3 provision should be repealed.

4 The purpose of this Act is to repeal the provision  
5 providing guidance on the legislature's appropriation to the  
6 University of Hawaii.

7 SECTION 2. Section 304A-2101, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 " ~~[+]§304A-2101[+]~~ General fund budget ~~[appropriations,]~~  
10 appropriation formulation. ~~[-(a)-The general fund budget~~  
11 ~~appropriations for the university shall be an amount not less~~  
12 ~~than three times and not greater than five times the amount of~~  
13 ~~regular tuition and related fee revenues estimated for that~~  
14 ~~fiscal year.~~

15 ~~-(b)-]~~ (a) Any general fund budget appropriation for the  
16 university for operating purposes for any fiscal year shall  
17 include the consideration of:

- 18 (1) The fiscal condition of the State;  
19 (2) Enrollment;  
20 (3) Access to educational opportunity;  
21 (4) The mix of resident and nonresident students; and



1           (5) Community service and noninstruction programs.  
2           [~~e~~] (b) No revenue received by the university pursuant  
3 to the University of Hawaii tuition and fees special fund  
4 established under section [~~+~~]304A-2153[~~+~~] may be used by the  
5 governor or the director of finance as a justification for  
6 reducing any budget request or allotment to the university  
7 unless the university requests such a reduction."

8           SECTION 3. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10          SECTION 4. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: *Dan Ahlert*



# S.B. NO. 835

**Report Title:**

UH; General Fund Budget Appropriation

**Description:**

Repeals the requirement that the annual general fund budget appropriation for the University of Hawaii shall be 3 to 5 times the estimated regular tuition and related fee revenues for that year.

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

