
A BILL FOR AN ACT

RELATING TO THE STATE OF HAWAII FILM COMMISSION.

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

1 SECTION 1. Chapter 201, Hawaii Revised Statutes, is
2 amended by adding seven new sections to part IX to be
3 appropriately designated and to read as follows:

4 "§201-A Hawaii film authority; established; purpose. (a)

5 There is established a Hawaii film authority within the
6 department for administrative purposes only.

7 (b) The purpose of the authority shall be to promote and
8 develop the film industries in the State, with a focus on
9 creating jobs, fostering economic development, supporting local
10 cultural productions, and enhancing the State's global
11 competitiveness in the film industries.

12 §201-B Hawaii film authority; powers; duties. (a) The
13 authority shall:

14 (1) Develop and promote infrastructure to support film
15 production;

16 (2) Invest in and manage film studios and production
17 facilities;



1 (3) Collaborate with educational institutions to develop
2 workforce training programs;

3 (4) Partner with local and international film companies to
4 increase production opportunities; and

5 (5) Serve as an assistant producer and invest in local
6 film productions to generate revenues for the State.

7 (b) The authority may:

8 (1) Enter into partnerships to develop film production
9 facilities;

10 (2) Invest in film projects and receive returns from the
11 investments; and

12 (3) Serve as a co-producer or assistant producer in film
13 projects that promote local culture and industry
14 growth.

15 (c) The authority may adopt rules pursuant to chapter 91
16 to effectuate the purposes of this part except in relation to
17 section 201-115.

18 **§201-C Development and support of cultural productions.**

19 The authority shall prioritize the development and support of
20 facilities that expand local and cultural film productions. The



1 authority may partner with cultural organizations and provide
2 grants to promote indigenous storytelling.

3 **§201-D Hawaii film authority; annual report.** The
4 authority shall submit a report of its findings and
5 recommendations, including any proposed legislation, to the
6 legislature no later than twenty days prior to the convening of
7 each regular session, detailing:

- 8 (1) Progress on strategic objectives;
- 9 (2) Workforce initiatives, including the development and
10 implementation of the five-year strategic plan
11 required pursuant to section 201-E(b) (1);
- 12 (3) Tax incentive impacts; and
- 13 (4) Revenue generated by film production.

14 **§201-E Hawaii film authority board; established;**
15 **responsibilities; composition.** (a) There is established within
16 the authority the Hawaii film authority board.

- 17 (b) The board shall:
- 18 (1) Develop a five-year film strategic plan integrating
19 workforce development business incentives and
20 infrastructure expansion;



- 1 (2) Provide policy recommendations on improving tax
- 2 incentives and diversifying the State's film
- 3 production industry;
- 4 (3) Establish partnerships with local and global film
- 5 industries;
- 6 (4) Serve as the coordinating agency among state, county,
- 7 and private entities to streamline the film permitting
- 8 and production processes; and
- 9 (5) Foster indigenous storytelling initiatives in
- 10 collaboration with the State's creative communities.
- 11 (c) The board shall consist of the following members,
- 12 subject to section 78-4 as applicable:
- 13 (1) The director of business, economic development, and
- 14 tourism, or the director's designee, who shall serve
- 15 as:
- 16 (A) Chairperson of the board; and
- 17 (B) An ex officio, voting member;
- 18 (2) The chief executive officer of the office of Hawaiian
- 19 affairs, or the chief executive officer's designee,
- 20 who shall serve as an ex officio, voting member;



1 provided that the designee shall have expertise in
2 Hawaiian culture;

3 (3) The chairperson of the board of land and natural
4 resources, or the chairperson's designee, who shall
5 serve as an ex officio, nonvoting member; provided
6 that the designee shall have expertise in permitting;

7 (4) One member from the department of education, nominated
8 by the superintendent of education to promote the
9 interests of the film industry's workforce and
10 appointed by the governor pursuant to section 26-34;

11 (5) One member from the university of Hawaii, nominated by
12 the president of the university of Hawaii to promote
13 the interests of the film industry's workforce and
14 appointed by the governor pursuant to section 26-34;

15 (6) One member from a county film office, who shall serve
16 a term of two years in the following order by county:

17 (A) County of Hawaii;

18 (B) County of Maui;

19 (C) City and county of Honolulu; and

20 (D) County of Kauai;



- 1 (7) One member nominated by the president of the senate
2 and appointed by the governor pursuant to section 26-
3 34, who shall serve as a nonvoting member;
- 4 (8) One member nominated by the speaker of the house of
5 representatives and appointed by the governor pursuant
6 to section 26-34, who shall serve as a nonvoting
7 member;
- 8 (9) Two members representing labor unions that represent
9 members from the film industry, who shall serve a term
10 of two years, appointed by the governor pursuant to
11 section 26-34 from a list of nominees; provided that
12 each labor union in the State that represents members
13 of the film industry shall submit one individual for
14 the list of nominees; and
- 15 (10) Two members from the film production industry
16 appointed by the governor pursuant to section 26-34
17 from a list of nominees; provided that the Motion
18 Picture Association, the Hawaii International Film
19 Festival, and each Hawaii-based non-profit film
20 organization shall each submit one individual for the
21 list of nominees;



1 provided that no individual appointed as a member pursuant to
2 paragraphs (6) to (10) shall serve consecutive terms as a member
3 of the board.

4 (d) The chairperson shall select a vice chairperson from
5 among the members. The chairperson may select other leadership
6 positions from among the members as the chairperson deems
7 necessary, including but not limited to treasurer and secretary.

8 **§201-F Hawaii film authority; executive director; duties.**

9 (a) The board shall appoint an executive director, who shall be
10 exempt from chapter 76, to oversee daily operations of the
11 authority and report to the board.

12 (b) The executive director may hire other administrative
13 personnel necessary to assist in the performance of the
14 authority's duties.

15 (c) The executive director shall:

16 (1) Develop and implement the strategic plan pursuant to
17 section 201-E(b)(1); and

18 (2) Prepare an annual budget and allocate resources to
19 achieve strategic objectives, including coordinating
20 marketing and promotional activities to position the
21 State as a premier filming destination.



1 §201-G Film industry development special fund. (a) There
2 is established in the state treasury the film industry
3 development special fund into which shall be deposited:

4 (1) Appropriations by the legislature;

5 (2) Donations and contributions made by private
6 individuals or organizations for deposit into the film
7 fund;

8 (3) Grants provided by governmental agencies or any other
9 source;

10 (4) All revenues, fees, and charges from the processing of
11 the motion picture, digital media, and film production
12 income tax credit pursuant to section 235-17; and

13 (5) All revenues, fees, and income received by the
14 department from its management of public facilities
15 that support film production and workforce
16 development, excluding the Hawaii film studio.

17 (b) The film fund shall be used by the department for:

18 (1) Film production incentives and development, including
19 programs providing financial support and seed capital
20 for film productions that contribute to the local
21 economy and global visibility of Hawaii;



- 1 (2) Workforce development, including initiatives that
- 2 expand the skills and capabilities of Hawaii's
- 3 resident workforce in film production, digital media,
- 4 and related technical fields;
- 5 (3) Industry promotion and marketing, including efforts to
- 6 attract film production, investment, and business
- 7 opportunities in Hawaii; and
- 8 (4) Infrastructure and facility support, including repair,
- 9 maintenance, and related costs for state-managed
- 10 public facilities that directly support film industry
- 11 workforce and business development."

12 SECTION 2. Section 201-111, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§201-111 Definitions.** As used in this part[+], unless
 15 the context otherwise requires:

16 "Authority" means the Hawaii film authority.

17 "Board" means the Hawaii film authority board.

18 "Creative industries" means those sectors that comprise
 19 Hawaii's creative economy, including [~~media,~~] arts, culture,
 20 music, design, fashion, publishing, animation, interactive, and

1 emerging [~~media~~] industries; provided that "creative industries"
2 shall not include film.

3 "Creative industries fund" means the Hawaii creative
4 industries development special fund.

5 "Department" means the department of business, economic
6 development, and tourism.

7 [~~"Fund" means the Hawaii film and creative industries~~
8 ~~development special fund.~~

9 ~~"Media" means film,]~~

10 "Film" includes motion pictures, television, interactive,
11 over-the-top television productions, virtual reality, augmented
12 reality and other forms of emerging media, multi-player
13 videogame publishing, and other digitally-developed content for
14 theatrical or digital distribution via streaming, mobile, and
15 broadcast media.

16 "Film fund" means the film industry development special
17 fund."

18 SECTION 3. Section 201-113, Hawaii Revised Statutes, is
19 amended to read as follows:

20 **"§201-113 Hawaii [~~film and~~] creative industries**
21 **development special fund.** (a) There is established in the



1 state treasury the Hawaii [~~film and~~] creative industries
2 development special fund into which shall be deposited:

3 (1) Appropriations by the legislature;

4 (2) Donations and contributions made by private
5 individuals or organizations for deposit into the
6 creative industries fund;

7 (3) Grants provided by governmental agencies or any other
8 source; and

9 ~~[(4) Effective January 2, 2023, all revenues, fees, and~~
10 ~~charges from the processing of the motion picture,~~
11 ~~digital media, and film production income tax credit~~
12 ~~pursuant to section 235-17; and~~

13 ~~+(5)]~~ (4) Effective July 1, 2022, all existing and future
14 revenues, fees, and income received by the department
15 from its management of public facilities that support
16 ~~[media and entertainment workforce and business~~
17 ~~development, with the exception of the Hawaii film~~
18 ~~studio.]~~ creative industries.

19 (b) The creative industries fund shall be used by the
20 department to provide for:



- 1 (1) A program to provide seed capital for [~~film, media,~~
2 ~~electronic sports, and~~] creative industries
3 intellectual property development projects for export,
4 as determined by the department;
- 5 (2) Programs that expand the skills of the State's resident
6 workforce in the [~~film, media, and~~] creative
7 industries;
- 8 (3) Marketing programs that attract business opportunities
9 in the [~~film, media, and~~] creative industries in the
10 State; [~~and~~]
- 11 (4) Repair, maintenance, and related costs of the
12 department's management of public facilities that
13 support [~~media and entertainment~~] the creative
14 industries workforce and business development[~~-~~]; and
- 15 (5) The support and development of facilities and other
16 initiatives to grow the State's creative industries."

17 SECTION 4. Section 235-17, Hawaii Revised Statutes, is
18 amended by substituting the term "film industry development
19 special fund", or similar term, wherever the term "Hawaii film
20 and creative industries development special fund", or similar
21 term, appears, as the context requires.



1 SECTION 5. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2025-2026 for
4 deposit into the film industry development special fund.

5 SECTION 6. There is appropriated out of the film industry
6 development special fund the sum of \$ or so much
7 thereof as may be necessary for fiscal year 2025-2026 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2026-2027 for the establishment and operation of the Hawaii film
10 authority, including the establishment of:

11 (1) full-time equivalent (FTE) executive
12 director of the Hawaii film authority position, who
13 shall be exempt from chapter 76, Hawaii Revised
14 Statutes; and

15 (2) full-time equivalent (FTE) administrative
16 positions to support the Hawaii film authority, who
17 shall be exempt from chapter 76, Hawaii Revised
18 Statutes.

19 The sums appropriated shall be expended by the department
20 of business, economic development, and tourism for the purposes
21 of this Act.



1 SECTION 7. All rights, powers, functions, and duties of
2 the Hawaii film office are transferred to the Hawaii film
3 authority.

4 All employees who occupy civil service positions and whose
5 functions are transferred to the Hawaii film authority by this
6 Act shall retain their civil service status, whether permanent
7 or temporary. Employees shall be transferred without loss of
8 salary, seniority (except as prescribed by applicable collective
9 bargaining agreements), retention points, prior service credit,
10 any vacation and sick leave credits previously earned, and other
11 rights, benefits, and privileges, in accordance with state
12 personnel laws and this Act; provided that the employees possess
13 the minimum qualifications and public employment requirements
14 for the class or position to which transferred or appointed, as
15 applicable; provided further that subsequent changes in status
16 may be made pursuant to applicable civil service and
17 compensation laws.

18 Any employee who, prior to this Act, is exempt from civil
19 service and is transferred as a consequence of this Act may
20 retain the employee's exempt status, but shall not be appointed
21 to a civil service position as a consequence of this Act. An



1 exempt employee who is transferred by this Act shall not suffer
2 any loss of prior service credit, vacation or sick leave credits
3 previously earned, or other employee benefits or privileges as a
4 consequence of this Act; provided that the employees possess
5 legal and public employment requirements for the position to
6 which transferred or appointed, as applicable; provided further
7 that subsequent changes in status may be made pursuant to
8 applicable employment and compensation laws. The director of
9 business, economic development, and tourism may prescribe the
10 duties and qualifications of these employees and fix their
11 salaries without regard to chapter 76, Hawaii Revised Statutes.

12 SECTION 8. All appropriations, records, equipment,
13 machines, files, supplies, contracts, books, papers, documents,
14 maps, and other personal property heretofore made, used,
15 acquired, or held by the Hawaii film office relating to the
16 functions transferred to the Hawaii film authority shall be
17 transferred with the functions to which they relate.

18 SECTION 9. In codifying the new sections added by section
19 1 of this Act, the revisor of statutes shall substitute
20 appropriate section numbers for the letters used in designating
21 the new sections in this Act.



1 SECTION 10. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 11. This Act shall take effect on July 1, 3000.



Report Title:

DBEDT; Hawaii Film Authority; Hawaii Film Authority Board;
Hawaii Film and Creative Industries Development Special Fund;
Workforce Development; Film; Media; Reports; Positions;
Appropriation

Description:

Establishes the Hawaii Film Authority within the Department of Business, Economic Development, and Tourism and transfers the rights, powers, functions, and duties of the Hawaii Film Office to the Authority. Establishes the Hawaii Film Authority Board within the Hawaii Film Authority. Establishes the Film Industry and Development Special Fund. Renames the Hawaii Film and Creative Industries Development Special Fund as the Hawaii Creative Industries Development Special Fund and excludes media and film from the definition of creative industries. Allows the Creative Industries Development Special Fund to be used for the support and development of facilities and other initiatives to grow the State's creative industries. Requires annual reports to the Legislature. Appropriates funds. Effective 7/1/3000.
(HD2)

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

