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# A BILL FOR AN ACT

RELATING TO FUNDING ADJUSTMENTS FOR STATE PROGRAMS.

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

1       SECTION 1. In prior years, the respective budget acts  
2 contained budget special provisions similar to sections 50, 51,  
3 and 81 of Act 88, Session Laws of Hawaii 2021, the General  
4 Appropriations Act of 2021, which permitted departments to  
5 transfer funds between their projects and established a protocol  
6 fund as a separate account to be expended at the discretion of  
7 the executive head of departments or agencies. However, Act  
8 164, Session Laws of Hawaii 2023, the General Appropriations Act  
9 of 2023, as amended by Act 230, Session Laws of Hawaii 2024, the  
10 Supplemental Appropriations Act of 2024, does not include the  
11 special provisions. Consequently, although funds were  
12 appropriated to various state departments for their capital  
13 improvement program projects for fiscal biennium 2023-2025, the  
14 omission of the special provisions has caused operational  
15 limitations by limiting the ability of departments to supplement  
16 allotments and transfer funds between projects to address  
17 changing conditions.



1       The purpose of this Act is to address the omission of the  
2       special provisions that authorize supplemental allotments and  
3       transfer of unrequired balances for capital improvement program  
4       projects and that also establish a protocol fund as a separate  
5       account to be expended at the discretion of the executive head  
6       of departments.

7       SECTION 2. Part VII of Act 164, Session Laws of Hawaii  
8       2023, as amended by Act 230, Session Laws of Hawaii 2024, is  
9       amended by adding a new section to read as follows:

10       "SECTION 15.2. If the authorized appropriations specified  
11       for capital improvement projects listed in this Act are  
12       insufficient and where the source of funding is designated as  
13       special funds, general obligation bond fund with debt service  
14       cost to be paid from special funds, revenue bond funds, or  
15       revolving funds, the governor may make supplemental allotments  
16       from the special fund or revolving fund responsible for cash or  
17       debt service payments for the projects or transfer unrequired  
18       balances from other unlapsed projects in this Act or prior  
19       appropriation acts that authorized the use of special funds,  
20       general obligation bond fund with debt service costs to be paid  
21       from special funds, revenue bond funds, or revolving funds;



1 provided that the supplemental allotments shall not be used to  
2 increase the scope of the project; provided further that the  
3 supplemental allotments shall not impair the ability of the fund  
4 to meet the purposes for which it was established."

5 SECTION 3. Part VII of Act 164, Session Laws of Hawaii  
6 2023, as amended by Act 230, Session Laws of Hawaii 2024, is  
7 amended by adding a new section to read as follows:

8 "SECTION 15.3. If the authorized appropriations specified  
9 for capital improvement projects listed in this Act are  
10 insufficient and where the source of funding is designated as  
11 airport passenger facility charge funds, the governor may make  
12 supplemental allotments from the airport revenue fund or airport  
13 revenue bond funds, or transfer unrequired balances from other  
14 unlapsed projects in this Act or prior appropriation acts that  
15 authorized the use of airport passenger facility charge funds;  
16 provided that the supplemental allotments shall not be used to  
17 increase the scope of the project; provided further that the  
18 supplemental allotments shall not impair the ability of the fund  
19 to meet the purposes for which it was established; provided  
20 further that the governor, at the governor's discretion, may  
21 increase the passenger facility charge fund authorization



1 ceiling for the program to accommodate the expenditure of the  
2 funds."

3 SECTION 4. Part VII of Act 164, Session Laws of Hawaii  
4 2023, as amended by Act 230, Session Laws of Hawaii 2024, is  
5 amended by adding a new section to read as follows:

6 "SECTION 15.4. Of the respective operating appropriation  
7 authorized in part II of this Act for each principal state  
8 department as defined by section 26-4, Hawaii Revised Statutes,  
9 the sum of \$7,000 in fiscal year 2024-2025 shall be made  
10 available in each department to be established as a separate  
11 account for a protocol fund to be expended at the discretion of  
12 the executive head of the department (i.e., director,  
13 chairperson, comptroller, adjutant general, superintendent,  
14 president, or attorney general)."

15 SECTION 5. If any portion of this Act or its application  
16 to any person, entity, or circumstance is held to be invalid for  
17 any reason, then the legislature declares that the remainder of  
18 the Act and each and every other provision thereof shall not be  
19 affected thereby. If any portion of a specific appropriation is  
20 held to be invalid for any reason, the remaining portion shall



1 be expended to fulfill the objective of such appropriation to  
2 the extent possible.

3 SECTION 6. New statutory material is underscored.

4 SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

Budget Special Provisions; Supplemental Allotments; Transfers;  
Protocol Funds

**Description:**

Authorizes supplemental allotments and transfers of unrequired  
balances for capital improvement program projects and  
establishes a protocol fund with a cap of \$7,000 for each state  
principal department. Effective 7/1/3000. (HD1)

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not legislation or evidence of legislative intent.*

