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# A BILL FOR AN ACT

RELATING TO THE STATE OF HAWAII FILM COMMISSION.

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

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

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

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

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

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

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

(2) Invest in and manage film studios and production 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;





(2) Workforce development, including initiatives that expand the skills and capabilities of Hawaii's resident workforce in film production, digital media, and related technical fields;

(3) Industry promotion and marketing, including efforts to attract film production, investment, and business opportunities in Hawaii; and

(4) Infrastructure and facility support, including repair, maintenance, and related costs for state-managed public facilities that directly support film industry workforce and business development."

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

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

"Authority" means the Hawaii film authority.

"Board" means the Hawaii film authority board.

"Creative industries" means those sectors that comprise Hawaii's creative economy, including [~~media,~~] arts, culture, 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.*

