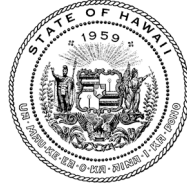


JOSH GREEN M.D.
GOVERNOR

SYLVIA LUKE
LT. GOVERNOR



STATE OF HAWAII
DEPARTMENT OF TAXATION

Ka 'Oihana 'Auhau

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GARY S. SUGANUMA
DIRECTOR

KRISTEN M.R. SAKAMOTO
DEPUTY DIRECTOR

**TESTIMONY OF
GARY S. SUGANUMA, DIRECTOR OF TAXATION**

TESTIMONY ON THE FOLLOWING MEASURE:

H.B. No. 1535, H.D.2, Relating to Automated External Defibrillators

BEFORE THE:

Senate Committee on Commerce and Consumer Protection

DATE: Wednesday, March 18, 2026
TIME: 9:30 a.m.
LOCATION: State Capitol, Conference Room 229

Chair Keohokalole, Vice-Chair Fukunaga, and Members of the Committee:

The Department of Taxation (DOTAX) offers the following comments regarding H.B. 1535, H.D.2, for your consideration.

The bill amends chapter 235, Hawaii Revised Statutes (HRS), by adding a new section that establishes an “automated external defibrillator subsidization tax credit” for a “qualified taxpayer” who installs such a device in a “place of public accommodation.”

A “qualified taxpayer” is defined as a taxpayer subject to the tax imposed by this chapter who, “operates a place of public accommodation located in the State with twenty-five or more employees,” while “a place of public accommodation” is defined to mean the same as used in section 489-2, HRS.

“Automated external defibrillator” is defined as “a medical device designed to analyze the heart rhythm and deliver an electric shock to victims of ventricular fibrillation to restore the heart rhythm to normal.”

The credit amount is \$500 per device “installed and placed in service during the

taxable year in a place of public accommodation located in the State with twenty-five or more employees operated by the qualified taxpayer” in the taxable year for which the tax credit is properly claimed. The total credit claimed per qualified taxpayer is limited to an unspecified maximum amount per taxable year.

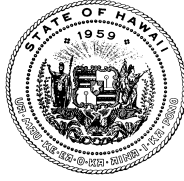
Further, the credit must be claimed against the taxpayer’s income tax liability on or before the end of the twelfth month following the close of the taxable year. If the credit exceeds the taxpayer’s income tax liability in a given taxable year, a taxpayer may carry forward any excess of the credit for the five years following the taxable year in which the tax credit was properly claimed until exhausted.

DOTAX is authorized to prepare necessary forms, require the taxpayer to furnish information to ascertain the validity of a claim for the credit, and to adopt rules necessary to effectuate the purpose of the bill.

The bill has a defective effective date of July 1, 3000, and applies to taxable years beginning after, July 1, 3000.

DOTAX recommends the bill be amended to apply to taxable years beginning after December 31, 2026, to allow time for form and instruction changes, and notification to taxpayers.

Thank you for the opportunity to provide comments on this measure.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

Testimony COMMENTING on (HB1535-H.D. 2)
RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS

SENATOR JARRETT KEOHOKALOLE, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Wednesday, March 18, 2026 at 9:30 AM | Room Number: 229

- 1 **Fiscal Implications:** Undetermined.
- 2 **Department Position:** The Department of Health (“Department”) supports the intent and
- 3 respectfully offers the following comments.
- 4 **Department Testimony:** The Emergency Medical Services & Injury Prevention System Branch
- 5 (EMSIPSB) provides this testimony on behalf of the Department with comments and
- 6 recommended admendments.
- 7 The Department appreciates the Legislature’s intent to improve public access to automated
- 8 external defibrillators (AEDs). Early defibrillation is a critical component of the chain of survival
- 9 and significantly improves outcomes in out-of-hospital cardiac arrest. Expanding AED
- 10 availability in places of public accommodation may strengthen community readiness and
- 11 reduce time to first shock.
- 12 While the measure encourages purchase and installation, it does not specify expectations for
- 13 maintenance, inspection, or documentation. AEDs require routine upkeep, including battery
- 14 and electrode replacement, to ensure functionality. Clarifying maintenance and oversight
- 15 responsibilities would help ensure devices remain operational when needed.

1 The Department also notes that Hawai'i does not currently maintain a statewide AED registry or
2 location reporting system to assist emergency responders. Most states have implemented AED
3 registries or require notification of device locations to EMS agencies, specifically, all states
4 except seven: Alabama, Alaska, Hawai'i, Idaho, Mississippi, Montana, and Wyoming.

5 The Department respectfully recommends that, in addition to the proposed tax credit, the
6 Legislature consider establishing a statewide AED registry within the Emergency Medical
7 Services Section of the Department of Health and integrate the registry with 9-1-1 dispatch,
8 public service answering points (PSAP), and medical communications (MEDICOM) systems
9 statewide . This would support real-time identification of nearby AEDs during cardiac arrest
10 events. Funding could be supported through the State of Hawai'i 9-1-1 Special Fund.

11 The Department stands ready to work with the Legislature and stakeholders to strengthen
12 Hawai'i's cardiac arrest response system and improve access to life-saving defibrillation
13 statewide.

14 **Offered Amendments:**

15 SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be
16 appropriately designated and to read as follows:

17 "§321- Automated external defibrillator registry." (a) The department of health
18 emergency medical systems of care, pursuant to this chapter, shall establish and maintain a
19 statewide automated external defibrillator registry for automated external defibrillators
20 located in places of public accommodation.

21 (b) The registry shall collect and maintain information including, but not limited to:

22 (1) The name of the facility, organization, or entity responsible for the
23 automated external defibrillator;

24 (2) The physical address of the facility where the device is located;

1 (3) The specific placement location of the device within the facility;

2 (4) The name and contact information of the automated external defibrillator
3 program coordinator or responsible individual;

4 (5) The manufacturer, model, and serial number of the device;

5 (6) The date the device was placed into service;

6 (7) The operational status of the device, including battery and electrode pad
7 expiration dates, where available;

8 (8) The accessibility of the device, including whether the device is publicly
9 accessible and hours of availability, where applicable; and

10 (9) Any additional information the department determines necessary to support
11 emergency medical response, quality improvement, and public health
12 monitoring.

13 (c) The owner or operator of an automated external defibrillator located in a place of public
14 accommodation shall register the device with the department in a form and manner prescribed
15 by the department.

16 (d) Registration pursuant to this section shall be provided without cost to the owner or
17 operator.

18 (e) The owner or operator of an automated external defibrillator shall:

19 (1) Maintain the device in accordance with the manufacturer's guidelines;

20 (2) Conduct periodic inspections to ensure the device is operational;

21 (3) Maintain records of inspection and maintenance activities;

1 (4) Replace batteries, electrode pads, and other consumable components prior
2 to expiration; and

3 (5) Ensure the device remains accessible and clearly identifiable within the
4 facility.

5 (f) Any use of an automated external defibrillator in response to a suspected cardiac arrest shall
6 be reported to the department in a form and manner prescribed by the department. The report
7 may include:

8 (1) The date and location of use;

9 (2) Whether a shock was delivered;

10 (3) The number of shocks delivered, if known;

11 (4) Whether emergency medical services were activated; and

12 (5) Any device malfunction or operational issue.

13 (g) The department shall coordinate the AED registry with emergency medical services
14 agencies, public safety answering points, and 911 dispatch systems to support real-time
15 identification of the nearest available automated external defibrillator during suspected cardiac
16 arrest emergencies.

17 (h) Notwithstanding any law to the contrary, the department shall request moneys from the
18 state of Hawai'i 9-1-1 special fund to be expended for:

19 (1) The establishment of an AED registry coordinator to implementation, and
20 maintenance of the AED registry;

21 (2) Integration of the registry with 911 dispatch systems and public safety
22 answering points; and

1 (3) Technology, infrastructure, and operational support necessary to enable real-
2 time access to automated external defibrillator location data during emergency
3 response.

4 (i) The department may adopt rules pursuant to chapter 91 to implement this section.

5 (j) To qualify for any tax credit established pursuant to §235-_____ , the taxpayer shall
6 demonstrate that any automated external defibrillator purchased has been registered with the
7 statewide automated external defibrillator registry.

8 (k) Nothing in this section shall be construed to limit or modify the immunity protections
9 provided under §663-1.5.

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act, upon its approval, shall apply beginning after _____ .

TAX FOUNDATION OF HAWAII

735 Bishop Street, Suite 417

Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: INCOME, Tax Credit for Automated External Defibrillator Devices in Places of Public Accommodation

BILL NUMBER: HB 1535 HD 2

INTRODUCED BY: FIN

EXECUTIVE SUMMARY: Establishes an income tax credit for the purchase and installation of automated external defibrillator devices by certain places of public accommodation.

SYNOPSIS: Adds a new section to chapter 235, HRS, to establish an automated external defibrillator subsidization tax credit. The amount of the credit is \$500 per device purchased and installed in a place of public accommodation with 25 or more employees operated by the taxpayer, up to a maximum of \$_____ per qualified taxpayer.

The credit is nonrefundable but may be carried forward for 5 years until exhausted.

All claims for the tax credit under this section, including amended claims, shall be filed on or before the end of the twelfth month following the close of the taxable year for which the tax credit may be claimed. Failure shall constitute a waiver of the right to claim the tax credit.

Defines "automated external defibrillator" as a medical device designed to analyze the heart rhythm and deliver an electric shock to victims of ventricular fibrillation to restore the heart rhythm to normal.

Defines "place of public accommodation" by reference to section 489-2, HRS.

Defines "qualified taxpayer" as a taxpayer subject to net income who operates a place of public accommodation with _____ or more employees."

EFFECTIVE DATE: Upon approval, applies to taxable years beginning after July 1, 3000.

STAFF COMMENTS: A nonrefundable credit to help a taxpayer buy something is handled much more efficiently outside the tax system. Appropriate some money to an applicable department, such as DLIR. That department then can handle claims for the subsidy, enforce limits, and then stop when the appropriation runs out. That way, the State knows what it's buying and how much it is paying, neither of which can be known with any credit program, refundable or not.

Digested: 3/13/2026



March 13, 2026

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection
Hawaii State Legislature

Support for HB1535 HD2

Dear Chair Keohokalole, Vice Chair Fukunaga and Members of the Senate Committee on Commerce and Consumer Protection,

On behalf of the Kohala Coast Resort Association (KCRA) thank you for providing us with the opportunity to provide our **SUPPORT of HB1535 HD2** creating an income tax credit program for the purchase and installation of automated external defibrillators (AED) by certain places of public accommodation.

Since our former Hawaii County Mayor Mitch Roth experienced a health event in January 2021, we have worked diligently to expand the number and location of AED devices at our properties along the Kohala Coast. Our Hawaii Island Safety and Security Association (HISSPA) has also worked closely with our Hawaii County Fire Department to make sure those devices are listed on the PulsePoint app, so that those rushing to assist someone needing an AED know where to find one. We've also sponsored annual training for our members on how to successfully use an AED.

We would love to see these important life-saving devices have an even more visible presence across our state.

We urge the Hawaii State Legislature to consider adding language that not only provides a tax credit for the initial purchase costs, **but also for the training, maintenance and upkeep of these important life-saving devices.**

Sincerely,

A handwritten signature in black ink that reads "Stephanie P. Donoho".

Stephanie Donoho, Administrative Director, Kohala Coast Resort Association

Craig Anderson, Mauna Kea Resort –President
Charlie Parker, Four Seasons Hualalai – Vice President
Mark Goldrup, Waikoloa Beach Marriott – Secretary
Pete Alles, Mauna Lani, Auberge Resorts Collection – Treasurer
Pat Fitzgerald, Mauna Lani and Hualalai Resort - Board of Directors
Daniel Scott, Rosewood Kona Village – Board of Directors
Samantha Jones, Fairmont Orchid – Board of Directors
Scott Head, Waikoloa Land Company – Board of Directors
Nick Kuhns, Hilton Waikoloa Village – Board of Directors
Rob Gunthner, Hilton Grand Vacations – Board of Directors



Advancing the Commercial Real Estate Industry through Education, Networking and Advocacy

Senate Commerce and Consumer Protection Committee:

Date: March 18, 2026

Time: 9:30 AM

Place: Conference Room 229

RE: HB 1535 HD2, Relating to Automated External Defibrillators

Aloha Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee,

Thank you for the opportunity to submit testimony in **support** of HB 1535 HD2, Relating to Automated External Defibrillators (AED). This bill establishes an income tax credit for the purchase and installation of automated external defibrillator devices by certain places of public accommodation.

Sudden cardiac arrest can occur without warning, and immediate access to an AED significantly increases the chance of survival. Commercial buildings, including office towers, shopping centers, and mixed-use properties—serve thousands of workers, residents, and visitors each day. Ensuring that AEDs are readily available in these high-traffic environments is a practical and lifesaving measure. However, the cost of purchasing, installing, and maintaining AED equipment can be a barrier for some property owners, particularly small and locally owned businesses. The proposed tax credit would provide meaningful financial support and encourage broader adoption of these critical devices.

By incentivizing proactive safety measures, HB 1535 HD2 strengthens public health preparedness across Hawai'i's commercial real estate sector. This measure aligns with BOMA Hawaii's commitment to promoting safe, well-managed buildings and responsible stewardship of the built environment. W BOMA Hawaii, a regional affiliate of BOMA International, focuses on enhancing the management practices and operations of commercial real estate in Hawaii by providing education, advocacy, and networking opportunities for property managers and building owners. Since its establishment, it has played a key role in shaping industry standards, promoting sustainable practices, and fostering professional growth within the local real estate community.

BOMA Hawaii and its members would like to serve as a resource to the legislature, offering collective expertise and insights on issues affecting the commercial real estate industry and the wider community.

Mahalo for the opportunity to testify on this important measure.