

A Bill for an Act Relating to Inheritance Taxation.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 236-27, Hawaii Revised Statutes, is amended to read:

“§236-27 Returns; department’s determination. The personal representative or other person or fiduciary charged with the care of the decedent’s estate shall file a return in such form as the department of taxation shall prescribe showing all property known to him, the transfer of which is subject to tax under this chapter, whether or not the personal representative, person or fiduciary has such property in charge, with the deductions and exemptions applicable thereto, and such other information as the department may require. The completed return shall be filed within eighteen months from the date of death of the decedent and shall be accompanied by the amount of the tax computed and payable thereon. The tax shall be computed at the rate or rates prescribed in this chapter. The department shall audit such return and shall have all of the powers granted to it for the making of audits and the determination of the correct amount of taxes, including, without prejudice to the generality of the foregoing, the power to examine, and require the production of, all account books, bank books, bank statements, records, vouchers, and other documents and evidences relevant to the determination of the tax under this chapter. From such return, and from the best information available, the department shall make its determination of the values of all inheritances, devises, bequests, or other interests, and the taxes to which the same are liable; and the department shall, by mail or otherwise, give notice thereof to the personal representative and to any interested person who has filed a request for such notice with the department. Prior to the giving of the final receipt provided for by section 236-31, or the entry of the order provided for in section 236-28, as the case may be, the department may redetermine such values and amounts of taxes. Nothing in this section shall be deemed to impose any tax liability on the personal representative, other than as set forth in other provisions of this chapter.”

SECTION 2. New material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 26, 1982.)