

ACT 44

S.B. NO. 1192

A Bill for an Act Relating to Payment of Taxes by Electronic Funds Transfer.

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

SECTION 1. Section 231-9.9, Hawaii Revised Statutes, is amended by amending subsections (c) and (d) to read as follows:

“(c) If a person who is required under subsection (a)[, or who elects under subsection (b),] to remit taxes by one of the means of electronic funds transfer approved by the department fails to remit the taxes using an approved method on or before the date prescribed therefor, unless it is shown that the failure is due to reasonable cause and not to neglect, there shall be added to the tax required to be so remitted a penalty of two per cent of the amount of the tax. The penalty under this subsection is in addition to any penalty set forth in section 231-39.

(d) No later than twenty days prior to the convening of each regular session, the department shall submit a report to the legislature containing:

- (1) The number of taxpayers who were assessed the two per cent penalty pursuant to [[subsection (c)]]; and
- (2) The amounts of each assessment; and
- (3) The total amount of assessments collected for the previous year.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 3. Statutory material to be repealed is bracketed.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 26, 2001.)