

A Bill for an Act Relating to the Passenger Facility Charge Special Fund.

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

SECTION 1. Section 261-5.5, Hawaii Revised Statutes, is amended to read as follows:

“**§261-5.5 Passenger facility charge special fund.** (a) There is established in the state treasury the passenger facility charge special fund, into which shall be deposited all proceeds from the passenger facility charge.

~~[(b) Moneys in the passenger facility charge special fund shall be used for airport capital improvement program projects approved by the legislature.~~

~~(e)]~~ (b) The director of transportation shall administer the passenger facility charge special fund.

(c) The passenger facility charge shall be a charge for the use and services of an undertaking for the purposes and within the meaning of section 39-61(a) (1) and (3).

(d) All moneys paid into the passenger facility charge special fund shall be appropriated, applied, or expended by the department for airport capital improvement program projects approved by the legislature and as permitted under the Aviation Safety and Capacity Expansion Act of 1990, codified as 49 United States Code Section 40117, as amended from time to time.

(e) Any resolution or certificate authorizing any issue of bonds relating to the use of the passenger facility charge for an airport capital improvement program project approved by the legislature may establish other accounts within the passenger facility charge special fund and require the transfer of the passenger facility charge into the other accounts to pay debt service on the related bonds.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2009.

(Approved June 24, 2009.)