

ACT 156

S.B. NO. 1006

A Bill for an Act Relating to the Estate and Generation-Skipping Transfer Taxes.

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

SECTION 1. Section 236E-8, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A state estate tax return shall be filed in the case of every decedent whose estate is required by the laws of the United States to file a federal estate tax return. This section shall apply to a decedent who, at the time of death was:

- (1) A resident of the State; or
- (2) A nonresident of the State whose gross estate includes any real property situated in the State or tangible personal property having a situs in the State. Where the decedent is the sole owner of a single member limited liability company that has not elected to be taxed as a corporation, the single member limited liability company shall be disregarded for purposes of this chapter and this chapter shall be applied as if the sole member is the owner of the property.”

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval and shall apply to decedents dying or taxable transfers occurring after December 31, 2016.

(Approved July 10, 2017.)