

JAN 25 2012

A BILL FOR AN ACT

RELATING TO TAXATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 231, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§231- Annual reports on tax credits or exemptions
5 relating to economic development; posting on department website.
6 (a) For every authorized state tax credit or exemption that has
7 a purpose related to economic development, the state agency
8 required to certify or otherwise administer the tax credit or
9 exemption shall submit a report to the department of taxation.
10 If no agency is required to certify or administer the tax credit
11 or exemption, or if certification or administration of the tax
12 credit or exemption is not otherwise required, the department
13 shall prepare the report. The department shall identify the
14 relevant authority and notify the respective agencies of the
15 requirements of this section no later than August 1 of each
16 year.



1 (b) Each report shall include the following information,
2 if it is already available in an existing database maintained by
3 the agency or the department:

4 (1) The name of each taxpayer approved for the tax credit
5 or exemption;

6 (2) The address of the taxpayer;

7 (3) The total amount of credit against tax liability,
8 reduction in taxable income, or exemption from
9 property taxation granted to the taxpayer;

10 (4) Specific outcomes or results required by the tax
11 credit or exemption and information about whether the
12 taxpayer meets the requirements. The information
13 shall be based on data already collected and analyzed
14 by the agency in administering the tax credit or
15 exemption. If statistics are provided, a description
16 of the methodology used in generating the statistics
17 shall be included;

18 (5) An explanation of the agency's certification decision
19 for the taxpayer, if applicable;

20 (6) Any other information submitted by the taxpayer and
21 relied upon by the agency in its certification
22 determination;



1 (7) Any other information that the agency deems valuable
2 as providing context for the information required in
3 this subsection; and

4 (8) Any other information required by the department.

5 (c) The information required by subsection (b) shall not
6 include proprietary information or any other information exempt
7 from disclosure as determined by the department.

8 (d) No later than September 30 of each year, an agency
9 subject to subsection (a) shall submit to the department the
10 information required under subsection (b) regarding applications
11 for the tax credits or exemptions approved by the agency during
12 the prior fiscal year. The information shall be posted on the
13 department's website no later than December 31 and shall be
14 accessible in the format and manner required by the department.
15 The reports shall be separate from the report on tax credits
16 required by section 231-3.4.

17 (e) The department shall adopt rules pursuant to chapter
18 91 to implement this section."

19 SECTION 2. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on July 1, 2012.

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INTRODUCED BY: David Y. Ige

S.B. NO. 2947

Report Title:

Taxation; Tax Credits and Exemptions Relating to Economic Development; Reports; Posting on Department of Taxation Website

Description:

Requires state agencies or the department of taxation to prepare reports relating to authorized tax credits or exemptions that have a purpose related to economic development. Requires the department of taxation to post the reports on its website.

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