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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII TUITION AND FEES SPECIAL FUND.

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

1 SECTION 1. Section 304A-2153, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§304A-2153[+] University of Hawaii tuition and fees  
4 special fund. (a) There is established the University of  
5 Hawaii tuition and fees special fund into which shall be  
6 deposited all revenue collected by the university for regular,  
7 summer, and continuing education credit tuition, tuition-related  
8 course and fee charges, and any other charges to students,  
9 except as provided by law. Moneys deposited into the fund shall  
10 be expended to maintain or improve the university's programs and  
11 operations and shall not be:

12 (1) Used as a justification for reducing any budget  
13 request or allotment to the university unless the  
14 university requests such a reduction;

15 (2) Transferred unless otherwise authorized by the  
16 legislature; and



1 (3) Restricted by the governor or the director of finance  
2 without the prior approval of the legislature.

3 Any rule, policy, or action of any agency or individual in  
4 contravention of this subsection shall be void as against public  
5 policy.

6 (b) Any law to the contrary notwithstanding, the board of  
7 regents may authorize expenditures of up to \$3,000,000 annually,  
8 excluding in-kind services, from this fund for the purposes of  
9 promoting alumni relations and generating private donations for  
10 deposit into the University of Hawaii Foundation for the  
11 purposes of the university. Any expenditure authorized pursuant  
12 to this subsection shall be for a public purpose and shall not  
13 be subject to chapters 42F, 103, 103D, and 103F. The university  
14 shall submit a comprehensive report to the legislature detailing  
15 the use of any funds authorized by the board under this  
16 subsection no later than twenty days prior to the convening of  
17 each regular session.

18 The report shall:

19 (1) Identify each department of the University of Hawaii  
20 Foundation supported by moneys from the fund;



- 1           (2) Describe the purposes and activities of each  
2           department identified in paragraph (1) and how it  
3           participates in fundraising activities and benefits  
4           the university;
- 5           (3) Provide the total expenditures of each department  
6           identified in paragraph (1) by primary expense  
7           categories;
- 8           (4) Identify all moneys from the fund transferred to any  
9           fund of the university and provide a justification of  
10          how these moneys are used to benefit the university;
- 11          (5) Provide a financial summary of the operating  
12          activities of the University of Hawaii Foundation,  
13          including revenues and expenditures by major reporting  
14          categories; and
- 15          (6) Identify amounts and purposes of all expenditures from  
16          the University of Hawaii support fund.
- 17          (c) Any law to the contrary notwithstanding, the  
18          university may transfer funds from the University of Hawaii  
19          tuition and fees special fund into the scholarship and  
20          assistance special fund established pursuant to section [H]304A-  
21          2159 [H].



1        (d) In estimating its quarterly budget requirements, each  
2 campus of the University of Hawaii shall prepare a plan for the  
3 fiscal year for the operation of each of the programs that it is  
4 responsible for administering. The operations plan shall be:

5        (1) In such form and content as the vice president for  
6 budget and finance and chief financial officer of the  
7 University of Hawaii may prescribe; and

8        (2) Submitted, together with the estimated quarterly  
9 budget requirements, to the vice president for budget  
10 and finance and chief financial officer on such date  
11 as the vice president for budget and finance and chief  
12 financial officer may prescribe.

13        (e) At the end of each fiscal year, the moneys in the  
14 University of Hawaii tuition and fees special fund for each  
15 campus shall lapse to the credit of program identification  
16 number UOH900 (University of Hawaii, system wide support). The  
17 president and vice president for budget and finance and chief  
18 financial officer of the University of Hawaii shall:

19        (1) Review the operations plan for each campus to  
20 determine if:



- 1           (A) It is consistent with the policy decisions of the  
2           board of regents and appropriations by the  
3           legislature;
- 4           (B) It reflects proper planning and efficient  
5           management methods; and
- 6           (C) Appropriations have been made for the planned  
7           purpose and will not be exhausted before the end  
8           of the fiscal year;
- 9           (2) Approve the operations plan for each campus if they  
10           determine that the operations plan meets the  
11           requirements of paragraph (1); or
- 12           (3) Modify or withhold the planned expenditures at any  
13           time during the appropriations period if the vice  
14           president for budget and finance and chief financial  
15           officer finds that:
- 16           (A) The expenditures exceed those necessary to  
17           execute the programs at the level authorized by  
18           the governor and legislature; or
- 19           (B) The receipts and surpluses of the University of  
20           Hawaii will be insufficient to meet the  
21           authorized expenditure levels."



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

3 SECTION 3. This Act shall take effect on July 1, 2050.



**Report Title:**

University of Hawaii; Special Fund

**Description:**

Requires each University of Hawaii campus to prepare an operations plan, to be reviewed by the president and vice president for budget and finance and chief financial officer of the University of Hawaii, for each fiscal year. Requires the moneys in the University of Hawaii tuition and fees special fund for each University of Hawaii campus to lapse to the credit of program identification no. UOH900 (University of Hawaii, system wide support). Effective 7/1/2050. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

