
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 [†]304A-
- 21 2159 [†].



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) The president and vice president for budget and
14 finance and chief financial officer of the University of Hawaii
15 shall:

16 (1) Review the operations plan for each campus to
17 determine if:

18 (A) It is consistent with the policy decisions of the
19 board of regents and appropriations by the
20 legislature;



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



1 campus shall lapse to the credit of program identification
2 number UOH900 (University of Hawaii, system wide support)."

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 Statutory material to be repealed is bracketed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

5 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. (SD2)

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