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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 [†]304A-  
21          2159[†].



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1        (d) At the end of any fiscal year in which the balance in  
 2 the University of Hawaii tuition and fees special fund exceeds  
 3 \$ \_\_\_\_\_, the funds in excess of that amount shall lapse to  
 4 the credit of the general fund. During the next regular session  
 5 following a fiscal year in which the special fund incurs a lapse  
 6 of funds, the legislature shall appropriate funds to the  
 7 university for the following fiscal year that are not less than  
 8 the amount of the lapsed funds."

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 Statutory material to be repealed is bracketed  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

11        SECTION 3. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:

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# H.B. NO. 541

**Report Title:**

UH; Special Fund

**Description:**

Requires lapse of excess funds in the UH tuition and fees special fund under certain circumstances. Requires appropriation of at least the same amount lapsed to the university in the following fiscal year.

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

