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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

1           SECTION 1. The legislature finds that Act 115, Session  
2 Laws of Hawaii 1998, was enacted in response to the economic  
3 revitalization task force's principal recommendation to provide  
4 greater autonomy to the University of Hawaii in the fulfillment  
5 of its constitutional role and the administration of its  
6 constitutionally-designated assets and public trust  
7 undertakings. Unlike most state agencies, the university has  
8 the authority to transfer appropriated funds and positions among  
9 programs and between fiscal quarters without legislative  
10 authorization. The university is currently required to account  
11 for these transfers in fiscal year-end reports to the  
12 legislature.

13           The legislature further finds that as a matter of statewide  
14 concern, the university's financial flexibility should be  
15 transparent and subject to more frequent reporting to the  
16 legislature.



1           The purpose of this Act is to require the University of  
2 Hawaii to report these types of transfers to the legislature  
3 within thirty days of each transfer to increase the transparency  
4 and oversight of the university.

5           SECTION 2. Section 37-74, Hawaii Revised Statutes, is  
6 amended by amending subsection (d) to read as follows:

7           "(d) No appropriation transfers or changes between  
8 programs or agencies shall be made without legislative  
9 authorization; provided that:

10           (1) Authorized transfers or changes, when made, shall be  
11 reported to the legislature;

12           (2) Except with respect to appropriations to fund  
13 financing agreements under chapter 37D, the University  
14 of Hawaii may transfer appropriated funds and  
15 positions for the operating cost category among  
16 programs, among cost elements in a program, and  
17 between quarters, as applicable; except with respect  
18 to appropriations to fund financing agreements under  
19 chapter 37D, the department of education may transfer  
20 appropriated funds and positions for the operating  
21 cost category among programs and among cost elements



1 in a program, and between quarters, as applicable; and  
2 the Hawaii health systems corporation and its regional  
3 system boards may transfer special fund appropriations  
4 among regional system hospital facilities as  
5 applicable and as mutually agreed to by the  
6 corporation and the respective regional system board;  
7 provided that the Hawaii health systems corporation  
8 and the regional system boards shall maintain the  
9 integrity and services of each individual regional  
10 system and shall not transfer appropriations out of  
11 any regional system that would result in a reduction  
12 of services offered by the regional system, with due  
13 regard for statutory requirements, changing  
14 conditions, the needs of the programs, and the  
15 effective utilization of resources; [~~and~~]

16 (3) The university and the department of education shall  
17 account for each transfer implemented under this  
18 subsection in quarterly reports to the governor and  
19 annual reports at the end of each fiscal year to the  
20 legislature and the governor, which shall be prepared  
21 in the form and manner prescribed by the governor and



1 shall include information on the sources and uses of  
2 the transfer~~[+]~~; and

3 (4) The university shall also account for each transfer  
4 implemented under this subsection in a report to the  
5 legislature within thirty days of the transfer."

6 SECTION 3. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2030.



**Report Title:**

Government; Budget; UH

**Description:**

Requires the University of Hawaii to submit a report to the Legislature within thirty days of certain appropriation transfers or changes between programs. Effective 7/1/2030.  
(SD1)

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

