

STAND. COM. REP. NO.

34

Honolulu, Hawaii

FEB 08 , 2021

RE: H.B. No. 1043
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Labor & Tourism, to which was referred H.B. No. 1043 entitled:

"A BILL FOR AN ACT RELATING TO TRANSIENT ACCOMMODATIONS TAX,"

begs leave to report as follows:

The purpose of this measure is to amend chapter 237D, Hawaii Revised Statutes, relating to the transient accommodations tax (TAT) by:

- (1) Repealing the misdemeanor criminal penalty for failing to register under that chapter and replacing it with a monetary fine structure;
- (2) Replacing references to operator or plan manager with person or taxpayer;
- (3) Clarifying that a certificate of registration is required for persons who post advertisements for the furnishing of a transient accommodation;
- (4) Making the personal liability provision under the general excise tax law applicable to the TAT; and
- (5) Making various other technical amendments.

2021-1286 HB1043 HD1 HSCR HMSO



Your Committee received testimony in support of this measure from the Department of Taxation and one individual. Your Committee received comments on this measure from the Tax Foundation of Hawaii.

Your Committee finds that this measure seeks to create parity between certain provisions of the general excise tax and the TAT and will assist the Department of Taxation in closing loopholes in the imposition of the TAT.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Labor & Tourism that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1043, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1043, H.D. 1, and be referred to your Committee on Economic Development.

Respectfully submitted on
behalf of the members of the
Committee on Labor & Tourism,



RICHARD H.K. ONISHI, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature **HSCR 34**

Record of Votes of the Committee on Labor & Tourism

Bill/Resolution No.: HB1043	Committee Referral: LAT, ECD, FIN	Date: 02-04-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAT Members	Ayes	Ayes (WR)	Nays	Excused
1. ONISHI, Richard H.K. (C)	✓			
2. SAYAMA, Jackson D. (VC)	✓			
3. BELATTI, Della Au	✓			
4. HOLT, Daniel	✓			
5. KOBAYASHI, Dale T.	✓			
6. QUINLAN, Sean				✓
7. TAKAYAMA, Gregg	✓			
8. OKIMOTO, Val	✓			
TOTAL (8)	7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Jackson Sayama</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				