
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Chapter 235, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§235- Organ donation tax credit. (a) There shall be
5 allowed to each individual taxpayer who is not claimed, or is
6 not otherwise eligible to be claimed, as a dependent by another
7 taxpayer for federal or state income tax purposes a refundable
8 organ donation tax credit that shall be deductible from the
9 eligible taxpayer's net income tax liability imposed by this
10 chapter for the taxable year in which the tax credit is properly
11 claimed.

12 (b) To qualify for the tax credit, the taxpayer shall be a
13 full-time resident of the state who is in compliance with all
14 applicable federal, state, and county statutes, rules, and
15 regulations and has donated one or more of the taxpayer's human
16 organs for the purpose of an organ transplant during the taxable
17 year; provided that this section shall not apply to organs sold
18 for monetary or other consideration.



1 (c) A taxpayer may claim the tax credit only once per
2 lifetime for the following unreimbursed related expenses
3 incurred by the taxpayer:

4 (1) Travel expenses;

5 (2) Lodging expenses; and

6 (3) Lost wages;

7 (d) The tax credit shall not exceed:

8 (1) \$1,000 per taxpayer per year; and

9 (2) \$15,000 for all taxpayers per year.

10 (e) If the tax credit under this section exceeds the
11 taxpayer's net income tax liability, the amount of the excess
12 tax credit shall be paid to the eligible taxpayer; provided that
13 no refund or payment on account of the tax credit allowed by
14 this section shall be made for amounts less than \$1.

15 (f) Every claim, including amended claims, for the tax
16 credit under this section shall be filed on or before the end of
17 the twelfth month following the close of the taxable year for
18 which the tax credit may be claimed. Failure to meet the filing
19 requirements of this subsection shall constitute a waiver of the
20 right to claim the tax credit.

21 (g) The director of taxation:



1 (1) Shall prepare forms as may be necessary to claim a tax
2 credit under this section;

3 (2) May require proof of the claim for the tax credit;

4 (3) Make the allocation of tax credits under this section
5 to qualified taxpayers on a first-to-file, first-
6 served basis; and

7 (4) May adopt rules pursuant to chapter 91 to effectuate
8 the purposes of this section."

9 (h) For the purposes of this section:

10 "Full-time resident of the state" means residing in the
11 state for twelve months of the taxable year in which the tax
12 credit under this section is claimed.

13 "Human organ" or "organ" means all or part of a human
14 liver, pancreas, kidney, intestine, or lung and also includes
15 bone marrow."

16 SECTION 2. New statutory material is underscored.

17 SECTION 3. This Act shall:

18 (1) Take effect on July 1, 2008;

19 (2) Apply to taxable years beginning after December 31,
20 2007, and ending before January 1, 2013; and

21 (3) Be repealed on June 30, 2014.



Report Title:

Tax Credit; Organ Donation

Description:

Provides a \$1,000 tax credit for expenses related to an organ donation. (HB2137 HD1)

