
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 with an adjustable gross income
14 of less than \$50,000, or less than \$100,000 in the case of a
15 joint return, who is in compliance with all applicable federal,
16 state, and county statutes, rules, and regulations and has
17 donated one or more of the taxpayer's human organs for the
18 purpose of an organ transplant during the taxable year; provided



1 that this section shall not apply to organs sold for monetary or
2 other consideration.

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

6 (1) Travel expenses;

7 (2) Lodging expenses; and

8 (3) Lost wages.

9 (d) The tax credit shall not exceed:

10 (1) \$ _____ per taxpayer per year; and

11 (2) \$ _____ for all taxpayers per year.

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

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



- 1 (g) The director of taxation:
- 2 (1) Shall prepare forms as may be necessary to claim a tax
- 3 credit under this section;
- 4 (2) May require proof of the claim for the tax credit;
- 5 (3) Shall make the allocation of tax credits under this
- 6 section to qualified taxpayers on a first-to-file,
- 7 first-served basis; and
- 8 (4) May adopt rules pursuant to chapter 91 to effectuate
- 9 the purposes of this section.

10 (h) For the purposes of this section:

11 "Full-time resident of the state" means an individual who

12 has resided in the state for twelve months of the taxable year

13 in which the tax credit under this section is claimed.

14 "Human organ" or "organ" means all or part of a human

15 liver, pancreas, kidney, intestine, or lung and also includes

16 bone marrow."

17 SECTION 2. New statutory material is underscored.

18 SECTION 3. This Act shall:

- 19 (1) Take effect on July 1, 2020;
- 20 (2) Apply to taxable years beginning after December 31,
- 21 2007, and ending before January 1, 2013; and
- 22 (3) Be repealed on June 30, 2014.



Report Title:

Tax Credit; Organ Donation

Description:

Provides a tax credit for expenses related to an organ donation.
(HB2137 HD2)

