

JAN 18 2008

A BILL FOR AN ACT

RELATING TO TAXATION.

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- Public school teacher income tax credit. (a)

5 For purposes of this section:

6 "Professional development and training expenses" means
7 expenses for any course in any subject in which the eligible
8 individual is certified to teach or becomes certified to teach
9 within one year after completing the course.

10 "Qualifying educational institution" means any public
11 school, as defined in section 302A-101, that provides education
12 for students in grades kindergarten to twelve, or any part
13 thereof.

14 "Teacher" means a taxpayer who:

15 (1) Holds a license or credential issued by the Hawaii
16 teacher standards board under chapter 302A or by the



1 department of education under any predecessor statute;
2 or
3 (2) Meets requirements equivalent to those for a license
4 or credential;
5 and whose responsibilities involve providing not less than
6 seventy per cent of the teacher's formal employment time in the
7 direct classroom instruction of students at a qualifying
8 educational institution.

9 (b) There shall be allowed to each teacher who teaches at
10 a qualifying educational institution and who is not claimed or
11 is not otherwise eligible to be claimed as a dependent by
12 another taxpayer for federal or Hawaii state individual income
13 tax purposes, a public school teacher income tax credit for
14 professional development and training expenses incurred during
15 the taxable year. The tax credit shall be deductible from the
16 taxpayer's net income tax liability imposed by this chapter for
17 the taxable year in which the tax credit is properly claimed.

18 (c) The tax credit shall only apply to a teacher who was
19 employed at a qualifying educational institution for the entire
20 school year in which the tax credit is claimed. The amount of
21 the tax credit shall be one hundred per cent of the professional
22 development and training expenses incurred by a teacher employed



1 at a qualifying educational institution during the taxable year;
2 provided that this amount shall not exceed \$.

3 (d) If the tax credit under this section exceeds the
4 taxpayer's net income tax liability under this chapter, any
5 excess of the tax credit may be used as a credit against the
6 taxpayer's income tax liability in subsequent taxable years
7 until exhausted.

8 (e) Every claim, including amended claims, for the tax
9 credit under this section shall be filed on or before the end of
10 the twelfth month following the close of the taxable year for
11 which the tax credit may be claimed. Failure to meet the filing
12 requirements of this subsection shall constitute a waiver of the
13 right to claim the tax credit.

14 (f) The director of taxation shall prepare such forms as
15 may be necessary to claim a tax credit under this section, may
16 require proof of the claim for the tax credit, and may adopt
17 rules pursuant to chapter 91 to effectuate the purposes of this
18 section. The department of education shall certify to the
19 department of taxation as to which teachers qualify for the tax
20 credit allowed under this section.

21 (g) The department of taxation shall report to the
22 legislature annually, no later than twenty days prior to the



1 convening of each regular session, on the number of taxpayers
2 claiming the tax credit and the total cost of the tax credit to
3 the State during the past year."

4 SECTION 2. New statutory material is underscored.

5 SECTION 3. This Act, upon its approval, shall apply to
6 taxable years beginning after December 31, 2007.

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INTRODUCED BY: Norman Sakamoto

Carole J. ...
4-12-08



Report Title:

Teachers; Professional Development; Tax Credit

Description:

Provides a tax credit to teachers for professional development and training expenses.

