
A BILL FOR AN ACT

RELATING TO THE HOMELESS.

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

1 SECTION 1. Homelessness continues to be a major concern
2 for the State. Although there has been some success providing
3 shelters and services for the homeless, there appears to be an
4 identifiable segment of the homeless population that has had
5 difficulties transitioning into those shelters. These
6 independent individuals prefer the freedom and openness of the
7 outdoors and are drawn in growing numbers to local parks and
8 beaches.

9 The legislature finds that providing the financing to
10 acquire and maintain parks to serve this segment of the homeless
11 population will reduce many of the problems evident in several
12 parks and beaches across the State.

13 The purpose of this Act is to increase the conveyance tax
14 on the sale of homes valued at \$1,200,000 or more to finance the
15 purchase, acquisition, design, and maintenance of county parks
16 to serve the homeless population.



1 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to be appropriately designated and to
3 read as follows:

4 "§46- Parks for homeless special fund. (a) There is
5 established in the state treasury, the parks for homeless
6 special fund, into which shall be deposited the designated
7 portion of the conveyance tax under section 247-7.

8 Each county shall be required to provide matching funds,
9 which shall be deposited into the parks for homeless special
10 fund.

11 (b) Moneys in the parks for homeless special fund shall be
12 administered by the finance department of any county that
13 receives funds under this section, and shall be used to acquire,
14 convert, or maintain parks under the jurisdiction of each county
15 to service the homeless at those parks.

16 (c) Services for the homeless provided under this section
17 shall include the provision of:

18 (1) Open structures or shelters to protect park users from
19 the wind and rain;

20 (2) Basic services such as showers, toilets, drinking
21 fountains, coin-operated washers and dryers, and

22 lockers; and



1 (3) Accommodations for overnight camping, one shopping
2 cart per person for personal possessions, and not more
3 than one small pet.

4 Park users shall relinquish the park for maintenance from 9:00
5 a.m. to 4:30 p.m. daily during which time tents shall be
6 removed."

7 SECTION 3. Section 247-2, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "**§247-2 Basis and rate of tax.** The tax imposed by section
10 247-1 shall be based on the actual and full consideration
11 (whether cash or otherwise, including any promise, act,
12 forbearance, property interest, value, gain, advantage, benefit,
13 or profit), paid or to be paid for all transfers or conveyance
14 of realty or any interest therein, that shall include any liens
15 or encumbrances thereon at the time of sale, lease, sublease,
16 assignment, transfer, or conveyance, and shall be at the
17 following rates:

18 (1) Except as provided in paragraph (2):

19 (A) ~~[Ten]~~ 10 cents per \$100 for properties with a
20 value of less than \$600,000;



- 1 (B) [~~Twenty~~] 20 cents per \$100 for properties with a
2 value of at least \$600,000, but less than
3 \$1,000,000;
- 4 (C) [~~Thirty~~] 30 cents per \$100 for properties with a
5 value of at least \$1,000,000, but less than
6 [~~\$2,000,000,~~] \$1,200,000;
- 7 (D) 34.5 cents per \$100 for properties with a value
8 of at least \$1,200,000, but less than \$2,000,000;
- 9 [~~(D) Fifty~~] (E) 57.5 cents per \$100 for properties
10 with a value of at least \$2,000,000, but less
11 than \$4,000,000;
- 12 [~~(E) Seventy~~] (F) 80.5 cents per \$100 for properties
13 with a value of at least \$4,000,000, but less
14 than \$6,000,000;
- 15 [~~(F) Ninety~~] (G) \$1 and 3.5 cents per \$100 for
16 properties with a value of at least \$6,000,000,
17 but less than \$10,000,000; and
- 18 [~~(G) One dollar~~] (H) \$1 and 15 cents per \$100 for
19 properties with a value of \$10,000,000 or
20 greater; and



- 1 (2) For the sale of a condominium or single family
2 residence for which the purchaser is ineligible for a
3 county homeowner's exemption on property tax:
- 4 (A) [~~Fifteen~~] 15 cents per \$100 for properties with a
5 value of less than \$600,000;
- 6 (B) [~~Twenty-five~~] 25 cents per \$100 for properties
7 with a value of at least \$600,000, but less than
8 \$1,000,000;
- 9 (C) [~~Forty~~] 40 cents per \$100 for properties with a
10 value of at least \$1,000,000, but less than
11 [~~\$2,000,000,~~] \$1,200,000;
- 12 (D) 46 cents per \$100 for properties with a value of
13 at least \$1,200,000, but less than \$2,000,000;
- 14 [~~(D) Sixty~~] (E) 69 cents per \$100 for properties with
15 a value of at least \$2,000,000, but less than
16 \$4,000,000;
- 17 [~~(E) Eighty-five~~] (F) 97.75 cents per \$100 for
18 properties with a value of at least \$4,000,000,
19 but less than \$6,000,000;
- 20 [~~(F) One-dollar-and-ten~~] (G) \$1 and 26.5 cents per
21 \$100 for properties with a value of at least
22 \$6,000,000, but less than \$10,000,000; and



1 [~~(G) One dollar and twenty-five~~] (H) \$1 and 43.75
2 cents per \$100 for properties with a value of
3 \$10,000,000 or greater,
4 of such actual and full consideration; provided that in the case
5 of a lease or sublease, this chapter shall apply only to a lease
6 or sublease whose full unexpired term is for a period of five
7 years or more, and in those cases, including (where appropriate)
8 those cases where the lease has been extended or amended, the
9 tax in this chapter shall be based on the cash value of the
10 lease rentals discounted to present day value and capitalized at
11 the rate of six per cent, plus the actual and full consideration
12 paid or to be paid for any and all improvements, if any, that
13 shall include on-site as well as off-site improvements,
14 applicable to the leased premises; and provided further that the
15 tax imposed for each transaction shall be not less than \$1."

16 SECTION 4. Section 247-7, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§247-7 **Disposition of taxes.** All taxes collected under
19 this chapter shall be paid into the state treasury to the credit
20 of the general fund of the State, to be used and expended for
21 the purposes for which the general fund was created and exists
22 by law; provided that ten per cent of all taxes collected under



1 section 247-2 (1) (D) to (H) and (2) (D) to (H) shall be deposited
2 into the parks for homeless special fund under section 46- ;
3 and provided further that of the remaining taxes collected each
4 fiscal year:

- 5 (1) Ten per cent shall be paid into the land conservation
6 fund established pursuant to section 173A-5;
- 7 (2) Twenty-five per cent from July 1, 2009, until June 30,
8 2012, and thirty per cent in each fiscal year
9 thereafter shall be paid into the rental housing trust
10 fund established by section 201H-202; and
- 11 (3) Twenty per cent from July 1, 2009, until June 30,
12 2012, and twenty-five per cent in each fiscal year
13 thereafter shall be paid into the natural area reserve
14 fund established by section 195-9; provided that the
15 funds paid into the natural area reserve fund shall be
16 annually disbursed by the department of land and
17 natural resources in the following priority:
- 18 (A) To natural area partnership and forest
19 stewardship programs after joint consultation
20 with the forest stewardship committee and the
21 natural area reserves system commission;



1 (B) Projects undertaken in accordance with watershed
2 management plans pursuant to section 171-58 or
3 watershed management plans negotiated with
4 private landowners, and management of the natural
5 area reserves system pursuant to section 195-3;
6 and

7 (C) The youth conservation corps established under
8 chapter 193."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Homelessness; Conveyance Tax; Parks

Description:

Increases by 15% the conveyance tax on the sale of homes valued at \$1,200,000 and more to finance the purchase and maintenance of parks under the jurisdiction of the counties to serve the homeless. Requires the counties to provide matching funds. (HB2488 HD1).

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

