
A BILL FOR AN ACT

RELATING TO OHANA HOUSING.

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- Ohana housing; income tax credit. (a) Each
5 resident individual taxpayer who files an individual income tax
6 return for a taxable year and who is not claimed or is not
7 otherwise eligible to be claimed as a dependent by another
8 taxpayer for federal or Hawaii state individual income tax
9 purposes may claim an ohana housing tax credit against the
10 resident taxpayer's individual income tax liability for the
11 taxable year for which the individual income tax return is being
12 filed. The amount of the credit shall be deductible from the
13 resident individual taxpayer's net income tax liability imposed
14 by this chapter for the taxable year in which the credit is
15 properly claimed.

16 (b) Each resident individual taxpayer may claim an ohana
17 housing tax credit for per cent of the total construction
18 cost of any residential addition or expansion built to house



1 individuals who reside in an emergency or transitional shelter
2 as defined in section 346-361, or who are on a waiting list for
3 an emergency or transitional shelter or public housing.

4 (c) To claim a tax credit under this section, the resident
5 individual taxpayer shall have duly obtained a building permit
6 according to county regulations, and shall ensure that all
7 construction proceeded according to applicable county building
8 codes.

9 (d) If the tax credit under this section exceeds the
10 resident individual taxpayer's income tax liability, the excess
11 of the credit over liability shall be refunded to the taxpayer;
12 provided that no refunds or payment on account of the tax credit
13 under this section shall be made for amounts less than \$1. All
14 claims for a tax credit under this section, including amended
15 claims, shall be filed on or before the end of the twelfth month
16 following the close of the taxable year for which the tax credit
17 may be claimed. Failure to comply with the foregoing provision
18 shall constitute a waiver of the right to claim the tax credit.

19 (e) The director of taxation shall prepare any forms that
20 may be necessary to claim a credit under this section. The
21 director may also require the taxpayer to furnish information to
22 ascertain the validity of the claim for the tax credit made



1 under this section and may adopt rules necessary to effectuate
2 the purposes of this section pursuant to chapter 91."

3 SECTION 2. New statutory material is underscored.

4 SECTION 3. This Act shall take effect on July 1, 2011;
5 provided that section 2 shall apply to taxable years beginning
6 after December 31, 2011.



Report Title:

Ohana Housing; Tax Credit

Description:

Provides for an Ohana Housing Tax Credit to a resident individual taxpayer for a percentage of the total construction cost of any residential addition or expansion built to house individuals who reside in an emergency or transitional shelter as defined in section 346-361, or who are on a waiting list for an emergency or transitional shelter or public housing. Applies to taxable years beginning after December 31, 2011. Effective July 1, 2011. (HB1586 HD1)

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

