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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT,  
AND TOURISM.

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

1           SECTION 1. The legislature finds that the department of  
2 business, economic development, and tourism provides services  
3 and programs that promote economic development. Thus, the  
4 legislature finds that the continued operation of the department  
5 is imperative for the recovery of the economy of the State.

6           The legislature also finds that fees for business- and  
7 commerce-related permits and authorizations have a nexus to the  
8 business climate and economic performance of the State. The  
9 legislature believes, in general, that the success of the  
10 department of business, economic development, and tourism in  
11 promoting the economy logically should result in the increase of  
12 the business activities of most fee payers. Consequently, the  
13 legislature finds that imposing a surcharge upon certain  
14 business- and commerce-related permit fees to fund the  
15 department of business, economic development, and tourism is  
16 appropriate.

17           The purpose of this Act is to:



1 (1) Establish a new special fund for the operation of the  
2 department of business, economic development, and  
3 tourism; and

4 (2) Impose a surcharge on certain business- and commerce-  
5 related fees and require the surcharge revenues to be  
6 deposited into the special fund.

7 SECTION 2. Chapter 92, Hawaii Revised Statutes, is amended  
8 by adding a new section to be appropriately designated and to  
9 read as follows:

10 "§92- Surcharge upon fees for certain business- and  
11 commerce-related services by certain departments. (a)

12 Beginning July 1, 2011, and ending on June 30, 2015, there shall  
13 be added a surcharge of \$20 upon every fee charged by:

14 (1) The department of commerce and consumer affairs for  
15 the:

16 (A) Application, issuance, renewal, or reissuance of  
17 a license, permit, or other authorization for a  
18 profession, business, or occupation;

19 (B) Examination or audit of a person engaged in a  
20 profession, business, or occupation;

21 (C) Filing, registration, or renewal of a corporate  
22 or other business document;





- 1           (F) Liquid fuel;  
2           (G) Public service company; and  
3           (H) Bank and financial corporation.

4           For the purpose of this section, "fee" means a monetary  
5 amount charged by a department for a service specified in this  
6 subsection, no matter the nomenclature used to describe the  
7 amount charged.

8           (b) Each department or agency subject to subsection (a)  
9 shall impose and collect the appropriate surcharge and transmit  
10 the surcharge revenues to the director of finance for deposit  
11 into the department of business, economic development, and  
12 tourism operation special fund established under section 201-  
13 . The director of finance shall establish the deadlines by  
14 which the departments shall transmit the surcharge revenues to  
15 the director.

16           (c) No surcharge shall be added to the following:  
17           (1) Any service for which no fee is charged;  
18           (2) Any fine for a violation of a state law;  
19           (3) Any fee for the dissemination or copying of a public  
20           record; or  
21           (4) Any fee charged to a state, county, or federal  
22           agency. "



1 SECTION 3. Chapter 201, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I to be appropriately  
3 designated and to read as follows:

4 "§201- Department of business, economic development,  
5 and tourism operation special fund. (a) Beginning July 1,  
6 2011, and ending on June 30, 2015, there is established, within  
7 the treasury of the State, the department of business, economic  
8 development, and tourism operation special fund.

9 (b) Moneys required to be deposited into the special fund  
10 under section 92- shall be so deposited by the director of  
11 finance.

12 Any interest earned on moneys in the special fund shall be  
13 a realization of the general fund.

14 (c) Moneys in the special fund shall be expended for the  
15 operations of the department, including the salary and fringe  
16 benefit costs of department personnel.

17 (d) If, on June 30, 2015, there are unexpended and  
18 unencumbered moneys remaining in the special fund, the director  
19 of finance shall transfer those moneys to the general fund on  
20 July 1, 2015."

21 SECTION 4. New statutory material is underscored.

22 SECTION 5. This Act shall take effect on July 1, 2112.



**Report Title:**

DBEDT; Operation Special Fund

**Description:**

Establishes the department of business, economic development, and tourism operation special fund to support operations. Imposes a temporary surcharge on certain fees charged by certain departments for deposit into fund. Effective July 1, 2112.  
(HB782 HD1)

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

