

JAN 24 2013

SB. NO. 1204

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# A BILL FOR AN ACT

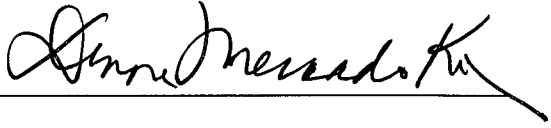
RELATING TO ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAW.

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

1           SECTION 1. The purpose of this Act is to conform Hawaii  
2 estate and generation-skipping transfer tax law to the Internal  
3 Revenue Code amendments made by Public Law 112-240, also known  
4 as the American Taxpayer Relief Act of 2012.

5           SECTION 2. Chapter 236E, Hawaii Revised Statutes, is  
6 amended to effectuate the purpose of this Act.

7           SECTION 3. This Act shall take effect upon its approval.

8  
9   INTRODUCED BY: 

10   BY REQUEST

S.B. NO. 1204

**Report Title:**

Estate and Generation-Skipping Transfer Tax; Conformity to Certain Internal Revenue Code Provisions; Public Law 112-240

**Description:**

Provides a vehicle for conforming amendments to the Hawaii estate and generation-skipping transfer tax law based upon amendments to the Internal Revenue Code made by Public Law 112-240.

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

JUSTIFICATION SHEET

DEPARTMENT: Taxation

TITLE: A BILL FOR AN ACT RELATING TO ESTATE AND GENERATION-SKIPPING TRANSFER TAX LAW.

PURPOSE: To amend Hawaii's estate and generation-skipping transfer tax law to conform with changes to the Internal Revenue Code made by Public Law 112-240.

MEANS: Amend Chapter 236E, Hawaii Revised Statutes (HRS), by adding a new section.

JUSTIFICATION: Public Law 112-240 was signed by the President of the United States and enacted on January 2, 2013. These amendments cannot be conformed to under sections 236E-3 and 236E-4, HRS, because those sections refer to the Internal Revenue Code as it exists on December 31 of the previous year.

Impact on the public: Conformity through amendments to the operative provisions of the Internal Revenue Code will minimize the burden on taxpayers to comply with the requirements of Hawaii's estate and generation-skipping transfer tax law.

Impact on the department and other agencies: Conforming Hawaii's estate and generation-skipping transfer tax law to that of the Internal Revenue Code will increase consistency between the state and federal jurisdictions.

GENERAL FUND: Pending.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: None.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.