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# A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

**PART I**

1  
2 SECTION 1. Section 304A-2153, Hawaii Revised Statutes, is  
3 amended by amending subsection (a) to read as follows:

4 "(a) There is established the University of Hawaii tuition  
5 and fees special fund into which shall be deposited all revenue  
6 collected by the university for regular, summer, and continuing  
7 education credit tuition, tuition-related course and fee  
8 charges, and any other charges to students, except as provided  
9 by law. Moneys deposited into the fund shall be expended to  
10 maintain or improve the university's programs and operations and  
11 shall not be:

12 (1) Used as a justification for reducing any budget  
13 request or allotment to the university unless the  
14 university requests such a reduction;

15 (2) Transferred unless otherwise authorized by the  
16 legislature; [~~and~~]

17 (3) Restricted by the governor or the director of finance  
18 without the prior approval of the legislature[~~-~~]; and





1 the director of finance, moneys received from the federal  
2 government for research, training, and other related purposes of  
3 a transitory nature and moneys in trust, special, or revolving  
4 funds administered by the university may be deposited in  
5 depositories other than the state treasury; provided that the  
6 university informs the director of finance of the depositories  
7 in which moneys from the funds have been deposited and submits  
8 copies of annual statements from each of the depositories in  
9 which the moneys from the funds are deposited. All income from  
10 tuition and fees charged for regular courses of instruction and  
11 tuition related course and fee charges against students shall be  
12 deposited to the credit of the [~~University of Hawaii tuition and~~  
13 ~~fees special fund pursuant to section [304A-2153].~~] general  
14 fund. Income from university projects as defined and described  
15 in section [304A-2167.5] and sections [304A-2671] to  
16 [304A-2684], may be credited to special or other funds."

17 SECTION 3. Section 304A-2101, Hawaii Revised Statutes, is  
18 amended to read as follows:

19 "**[304A-2101] General fund budget appropriations;**  
20 **formulation.** (a) The general fund budget appropriations for  
21 the university shall be an amount not less than three times and



1 not greater than five times the amount of regular tuition and  
2 related fee revenues estimated for that fiscal year.

3 (b) Any general fund budget appropriation for the  
4 university for operating purposes for any fiscal year shall  
5 include the consideration of:

6 (1) The fiscal condition of the State;

7 (2) Enrollment;

8 (3) Access to educational opportunity;

9 (4) The mix of resident and nonresident students; and

10 (5) Community service and noninstruction programs.

11 ~~[(c) No revenue received by the university pursuant to the~~  
12 ~~University of Hawaii tuition and fees special fund established~~  
13 ~~under section [304A-2153] may be used by the governor or the~~  
14 ~~director of finance as a justification for reducing any budget~~  
15 ~~request or allotment to the university unless the university~~  
16 ~~requests such a reduction.] "~~

17 SECTION 4. Section 304A-2159, Hawaii Revised Statutes, is  
18 amended by amending subsection (b) to read as follows:

19 " (b) Revenues deposited into this fund shall include but  
20 not be limited to state, federal, and private funds, [funds  
21 transferred by the university from the tuition and fees special  
22 fund pursuant to section [304A-2153],] and appropriations for



1 the state scholars program; provided that state funds  
2 appropriated for any scholarship program, including but not  
3 limited to the B Plus scholarship program, the Hawaii state  
4 scholars program, and the workforce development scholarship  
5 program, shall be kept in a separate and distinct account."

6 SECTION 5. Section 304A-2162, Hawaii Revised Statutes, is  
7 amended by amending subsection (b) to read as follows:

8 "(b) The special fund may include deposits from:

9 ~~[(1) The University of Hawaii tuition and fees special fund~~  
10 ~~established in section {304A-2153},~~

11 ~~+(2)]~~ (1) Tuition, fees, and charges for affiliated  
12 instructional, training, and public service courses  
13 and programs; and

14 ~~+(3)]~~ (2) Fees, fines, and other money collected for:

15 (A) Student health;

16 (B) Transcript and diploma;

17 (C) Library;

18 (D) Facility use;

19 (E) Child care;

20 (F) Auxiliary enterprises;

21 (G) Alumni; and

22 (H) Other related activities."



1 SECTION 6. Section 304A-2153, Hawaii Revised Statutes, is  
2 repealed.

3 ~~["§304A-2153] University of Hawaii tuition and fees~~  
4 ~~special fund. (a) There is established the University of~~  
5 ~~Hawaii tuition and fees special fund into which shall be~~  
6 ~~deposited all revenue collected by the university for regular,~~  
7 ~~summer, and continuing education credit tuition, tuition related~~  
8 ~~course and fee charges, and any other charges to students,~~  
9 ~~except as provided by law. Moneys deposited into the fund shall~~  
10 ~~be expended to maintain or improve the university's programs and~~  
11 ~~operations and shall not be:~~

12 ~~(1) Used as a justification for reducing any budget~~  
13 ~~request or allotment to the university unless the~~  
14 ~~university requests such a reduction;~~

15 ~~(2) Transferred unless otherwise authorized by the~~  
16 ~~legislature; and~~

17 ~~(3) Restricted by the governor or the director of finance~~  
18 ~~without the prior approval of the legislature.~~

19 ~~Any rule, policy, or action of any agency or individual in~~  
20 ~~contravention of this subsection shall be void as against public~~  
21 ~~policy.~~



1       ~~(b) Any law to the contrary notwithstanding, the board of~~  
2 ~~regents may authorize expenditures of up to \$3,000,000 annually,~~  
3 ~~excluding in-kind services, from this fund for the purposes of~~  
4 ~~promoting alumni relations and generating private donations for~~  
5 ~~deposit into the University of Hawaii Foundation for the~~  
6 ~~purposes of the university. Any expenditure authorized pursuant~~  
7 ~~to this subsection shall be for a public purpose and shall not~~  
8 ~~be subject to chapters 42F, 103, 103D, and 103F. The university~~  
9 ~~shall submit a comprehensive report to the legislature detailing~~  
10 ~~the use of any funds authorized by the board under this~~  
11 ~~subsection no later than twenty days prior to the convening of~~  
12 ~~each regular session.~~

13       ~~The report shall:~~

- 14       ~~(1) Identify each department of the University of Hawaii~~  
15       ~~Foundation supported by moneys from the fund;~~  
16       ~~(2) Describe the purposes and activities of each~~  
17       ~~department identified in paragraph (1) and how it~~  
18       ~~participates in fundraising activities and benefits~~  
19       ~~the university;~~  
20       ~~(3) Provide the total expenditures of each department~~  
21       ~~identified in paragraph (1) by primary expense~~  
22       ~~categories;~~







1 SECTION 9. This Act shall take effect on July 1, 2014;  
2 provided that part II shall take effect on July 1, 2017.



**Report Title:**

University of Hawaii; Tuition and Fees

**Description:**

Prohibits the University of Hawaii from using moneys in the tuition and fees special fund for purposes related to university projects, university systems, or networks or any combination thereof, constructed or maintained through revenue bonds. Repeals the University of Hawaii tuition and fees special fund and transfers remaining unencumbered balance to the general fund effective July 1, 2017. Provides for the deposit of University of Hawaii tuition and related student fees into the general fund on June 30, 2017. (SD1)

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

