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## A BILL FOR AN ACT

RELATING TO THE ISSUANCE OF SPECIAL PURPOSE REVENUE BONDS.

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

1           SECTION 1. In 1990, Congress created the Immigration Act  
2 of 1990, which included a fifth employment-based category  
3 ("EB-5") for immigrants seeking to enter the United States to  
4 engage in a commercial enterprise that will benefit the United  
5 States economy and directly create at least ten full-time jobs.  
6 The minimum qualifying investment amount is \$500,000 for  
7 commercial enterprises located within a rural area or targeted  
8 employment area, and is otherwise \$1,000,000. As Hawaii's  
9 economy continues to rebound, foreign investors have renewed  
10 their interest in investing in Hawaii. In particular, investors  
11 from Asia find Hawaii's culture, climate, and quality of life  
12 very desirable and are eager to become EB-5 investors.

13           The legislature finds that there continues to be a  
14 desideratum to diversify Hawaii's economy, and to encourage job  
15 creation in rural areas. To further encourage EB-5 investments  
16 and create jobs in rural sectors and targeted employment areas,  
17 special purpose revenue bonds need to be made available for



1 certain project categories. Furthermore, if authorized, the  
2 special purpose revenue bonds intending to encourage EB-5  
3 investments should receive high priority.

4 Therefore, the legislature finds and declares that the  
5 issuance of special purpose revenue bonds under this Act is in  
6 the public interest and for the public health, safety, and  
7 general welfare.

8 SECTION 2. Pursuant to part III, chapter 39A, Hawaii  
9 Revised Statutes, the department of budget and finance, with the  
10 approval of the governor, is authorized to issue special purpose  
11 revenue bonds in a total amount not to exceed \$ , in  
12 one or more series, for the purpose of assisting manufacturing  
13 enterprises in Hawaii and encouraging foreign investment and job  
14 creation in the State through the United States Citizenship and  
15 Immigration Service designated EB-5 Immigrant Investment  
16 Program. The legislature hereby finds and determines that  
17 assisting manufacturing enterprises in Hawaii constitutes a  
18 project as defined in part III, chapter 39A, Hawaii Revised  
19 Statutes, and the financing thereof is assistance to  
20 manufacturing enterprises.



1 SECTION 3. Pursuant to part IV, chapter 39A, Hawaii  
 2 Revised Statutes, the department of budget and finance, with the  
 3 approval of the governor, is authorized to issue special purpose  
 4 revenue bonds in a total amount not to exceed \$ , in  
 5 one or more series, for the purpose of assisting processing  
 6 enterprises in Hawaii and encouraging foreign investment and job  
 7 creation in the State through the United States Citizenship and  
 8 Immigration Service designated EB-5 Immigrant Investment  
 9 Program. The legislature hereby finds and determines that  
 10 assisting processing enterprises constitutes a project as  
 11 defined in part IV, chapter 39A, Hawaii Revised Statutes, and  
 12 the financing thereof is assistance to processing enterprises.

13 SECTION 4. Pursuant to part VI, chapter 39A, Hawaii  
 14 Revised Statutes, the department of budget and finance, with the  
 15 approval of the governor, is authorized to issue special purpose  
 16 revenue bonds in a total amount not to exceed \$ , in  
 17 one or more series, for the purpose of assisting utilities  
 18 serving the general public in providing electric energy or gas,  
 19 or telecommunications in Hawaii and encouraging foreign  
 20 investment and job creation in the State through the United  
 21 States Citizenship and Immigration Service designated EB-5



1 Immigrant Investment Program. The legislature hereby finds and  
 2 determines that assisting utilities serving the general public  
 3 in providing electric energy or gas, or telecommunication in  
 4 Hawaii, constitutes a project as defined in part VI, chapter  
 5 39A, Hawaii Revised Statutes, and the financing thereof is  
 6 assistance to utilities serving the general public in providing  
 7 electric energy or gas, or telecommunications.

8 SECTION 5. Pursuant to part X, chapter 39A, Hawaii Revised  
 9 Statutes, the department of budget and finance, with the  
 10 approval of the governor, is authorized to issue special purpose  
 11 revenue bonds in a total amount not to exceed \$ , in  
 12 one or more series, for the purpose of assisting agricultural  
 13 enterprises serving important agricultural lands in Hawaii and  
 14 encouraging foreign investment and job creation in the State  
 15 through the United States Citizenship and Immigration Service  
 16 designated EB-5 Immigrant Investment Program. The legislature  
 17 hereby finds and determines that assisting agricultural  
 18 enterprises serving important agricultural lands constitutes a  
 19 project as defined in part X, chapter 39A, Hawaii Revised  
 20 Statutes, and the financing thereof is assistance to an  
 21 agricultural enterprise serving important agricultural lands.



1 SECTION 6. The special purpose revenue bonds and the  
2 refunding special purpose revenue bonds issued under this Act  
3 shall be issued pursuant to parts III, IV, VI, and X, chapter  
4 39A, Hawaii Revised Statutes, relating to the power to issue  
5 special purpose revenue bonds to assist manufacturing  
6 enterprises, processing enterprises, utilities serving the  
7 general public in providing electric energy or gas, or  
8 telecommunications, and agricultural enterprises serving  
9 important agricultural lands.

10 SECTION 7. The department of budget and finance is  
11 authorized, from time to time, including times subsequent to  
12 June 30, 2019, to issue special purpose revenue bonds in  
13 whatever principal amounts the department shall determine to be  
14 necessary to refund the special purpose revenue bonds authorized  
15 in sections 2, 3, 4, and 5, and to refund special purpose  
16 revenue bonds authorized in this section, regardless of whether  
17 the outstanding special purpose revenue bonds or refunding  
18 special purpose revenue bonds have matured or are the subject of  
19 redemption or whether the refunding special purpose revenue  
20 bonds shall be bonds for the multi-project programs described in  
21 sections 2, 3, 4, and 5. In making this determination, the



# H.B. NO. 1323

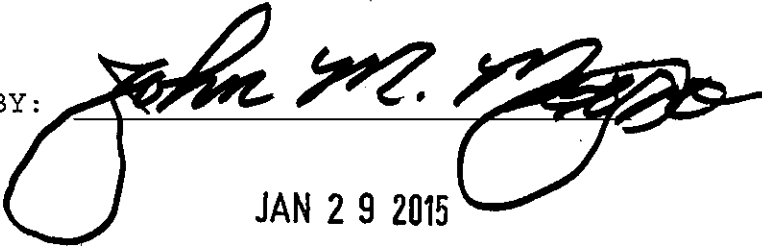
1 department shall comply with federal law relating to the  
2 exemption from federal income taxation of the interest on bonds  
3 of the nature authorized by this section.

4 SECTION 8. The authorization to issue special purpose  
5 revenue bonds under this Act shall lapse on June 30, 2019.

6 SECTION 9. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:



JAN 29 2015



# H.B. NO. 1323

**Report Title:**

Special Purpose Revenue Bonds; United States Citizenship and Immigration Service; EB-5 Investments

**Description:**

Authorizes the issuance of special purpose revenue bonds to encourage EB-5 investments and create jobs in rural sectors and targeted employment areas.

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

