

---

---

## A BILL FOR AN ACT

PROPOSING AMENDMENTS TO THE CONSTITUTION OF THE STATE OF HAWAII  
TO AUTHORIZE THE BOARD OF EDUCATION TO IMPOSE A SURCHARGE  
ON REAL PROPERTY TAXES TO FUND PUBLIC SCHOOL CAPITAL  
IMPROVEMENT PROJECTS.

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

1           SECTION 1. The purpose of this Act is to propose  
2 amendments to the Hawaii Constitution to authorize the board of  
3 education to impose a surcharge on real property taxes to fund  
4 public school capital improvement projects.

5           SECTION 2. Article VIII, section 3, of the Constitution of  
6 the State of Hawaii is amended to read as follows:

7           "Section 3. The taxing power shall be reserved to the  
8 State, except so much thereof as may be delegated by the  
9 legislature to the political subdivisions, and except that all  
10 functions, powers and duties relating to the taxation of real  
11 property shall be exercised exclusively by the counties, with  
12 the exception of the county of Kalawao[-]; provided that the  
13 board of education shall not be prohibited from imposing a  
14 surcharge on real property taxes pursuant to Section 3 of



1 Article X. The legislature shall have the power to apportion  
2 state revenues among the several political subdivisions."

3 SECTION 3. Article X, section 3, of the Constitution of  
4 the State of Hawaii is amended to read as follows:

5 "Section 3. The board of education shall have the power,  
6 as provided by law, to [~~formulate~~]:

7 (1) Formulate statewide educational policy and appoint the  
8 superintendent of education as the chief executive  
9 officer of the public school system[-]; and

10 (2) Impose a surcharge on real property taxes to fund  
11 public school capital improvement projects."

12 SECTION 4. The question to be printed on the ballot shall  
13 be as follows:

14 "Shall the board of education be authorized to impose a  
15 surcharge on real property taxes to fund public school  
16 capital improvement projects?"

17 SECTION 5. Constitutional material to be repealed is  
18 bracketed and stricken. New constitutional material is  
19 underscored.



# H.B. NO. 2065

1 SECTION 6. This amendment shall take effect upon  
 2 compliance with article XVII, section 3, of the Constitution of  
 3 the State of Hawaii.

4

INTRODUCED BY:

*[Handwritten Signature]*  
*John A. Sautti*

*John A. Sautti*  
*DM*

~~*[Handwritten Signature]*~~

*[Handwritten Signature]*

*[Handwritten Signature]*

*[Handwritten Signature]*

*[Handwritten Signature]*

JAN 22 2016



# H.B. NO. 2065

**Report Title:**

Constitutional Amendment; Real Property Taxes; Board of Education

**Description:**

Proposes amendments to the Hawaii Constitution to authorize the board of education to impose a surcharge on real property taxes to fund public school capital improvement projects.

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

