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# A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLES VII AND X OF THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY AND VISITOR ACCOMMODATIONS TO INCREASE FUNDING FOR PUBLIC EDUCATION.

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

1           SECTION 1. The legislature finds that Hawaii's public  
2 schools are underfunded. Compared to school districts of  
3 similar size in other states, Hawaii ranks two hundred twenty-  
4 seventh in per-pupil funding before adjusting for cost of  
5 living. At \$11,823 per student, Hawaii education spending  
6 trails major private schools, which average \$15,173 in per-pupil  
7 spending. Hawaii also ranks last nationally in capital  
8 improvement expenditures for public schools, appropriating about  
9 \$300 per pupil, compared to averages in other states of \$1,200  
10 to \$1,500.

11           The legislature further finds that chronic underfunding of  
12 public schools undermines the State's goal of providing a public  
13 education to all of Hawaii's children. Specifically,  
14 insufficient education funding results in delayed repairs to  
15 school facilities; overheated classrooms; higher class sizes; a



1 lack of adequate classroom supplies; elimination of arts,  
2 career, and technical education courses; budget cuts for special  
3 education and English language learner programs; and an  
4 increasing number of vacant teacher positions throughout the  
5 State.

6 The purpose of this Act is to propose amendments to the  
7 Constitution of the State of Hawaii to advance the State's goal  
8 of providing a public education for the children of Hawaii by  
9 authorizing the legislature to establish a surcharge on  
10 residential investment property and visitor accommodations.

11 SECTION 2. Article VII of the Constitution of the State of  
12 Hawaii is amended by adding a new section to be appropriately  
13 designated and to read as follows:

14 "SURCHARGE ON RESIDENTIAL INVESTMENT PROPERTY

15 Section Notwithstanding any provision of this  
16 constitution to the contrary, the State shall not be prohibited  
17 from establishing a surcharge on residential investment property  
18 pursuant to Article X, Section 1."

19 SECTION 3. Article X, section 1, of the Constitution of  
20 the State of Hawaii is amended to read as follows:



"PUBLIC EDUCATION

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2       **Section 1.** The State shall provide for the establishment,  
3 support and control of a statewide system of public schools free  
4 from sectarian control, a state university, public libraries and  
5 such other educational institutions as may be deemed desirable,  
6 including physical facilities therefor. There shall be no  
7 discrimination in public educational institutions because of  
8 race, religion, sex or ancestry; nor shall public funds be  
9 appropriated for the support or benefit of any sectarian or  
10 nonsectarian private educational institution, except that  
11 proceeds of special purpose revenue bonds authorized or issued  
12 under section 12 of Article VII may be appropriated to finance  
13 or assist:

14       1. Not-for-profit corporations that provide early  
15 childhood education and care facilities serving the general  
16 public; and

17       2. Not-for-profit private nonsectarian and sectarian  
18 elementary schools, secondary schools, colleges and  
19 universities.

20       The legislature may establish, as provided by law, a  
21 surcharge on residential investment property and visitor



1 accommodations to fund a public education for all of Hawaii's  
2 children."

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

5 "Shall the legislature be authorized to establish, as  
6 provided by law, a surcharge on residential investment  
7 property and visitor accommodations to fund a public  
8 education for all of Hawaii's children?"

9 SECTION 5. New constitutional material is underscored.

10 SECTION 6. This amendment shall take effect upon  
11 compliance of the Constitution of the State of Hawaii.



**Report Title:**

Public Education; Residential Investment Property Surcharge;  
Visitor Accommodation Surcharge; Constitutional Amendment

**Description:**

Proposes amendments to the Constitution of the State of Hawaii to advance the State's goal of providing a public education for the children of Hawaii by authorizing the legislature to establish, as provided by law, a surcharge on residential investment property and visitor accommodations. (SB683 HD1)

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