

**"CHAPTER 240
PUBLIC UTILITIES; FRANCHISE TAX**

Section

- 240-1 Electric light and power companies, tax on
- 240-1.5 Surcharge amounts exempt
- 240-1.6 Cable surcharge amounts exempt
- 240-2 Books, papers, etc.

" **§240-1 Electric light and power companies, tax on.** Every person operating in the State an electric light or power business as a public utility, whose franchise does not provide for the payment to the county in which the public utility operates of a tax, or a tax of less than two and one-half per cent, based upon the gross receipts of such person from all electric light or power furnished to consumers during each calendar year, shall file with the director of finance of the county in which the public utility operates, within one month after the expiration of each calendar year, a detailed statement showing all gross receipts from all electric light or power furnished to consumers during the preceding calendar year. Such person shall, at the same time pay to the director of finance, for and on behalf of such county, in addition to any and all other payments required to be made by law, two and one-half per cent of the gross receipts; or, if such person's franchise provides for a tax of less than two and one-half per cent of the gross proceeds, the difference between the tax required under such franchise and two and one-half per cent of the gross receipts, of such person from all electric light or power furnished to consumers during the preceding calendar year. [L 1937, c 105, pt of §1; RL 1945, pt of §5681; RL 1955, §131-1; HRS §240-1; am L 1982, c 167, §1]

" **[\$240-1.5] Surcharge amounts exempt.** Amounts received in the form of a monthly surcharge by a utility acting on behalf of an affected utility under section 269-16.3 shall not be gross receipts for the acting utility for purposes of this chapter. Any amounts retained by the acting utility for collection or other costs shall not be included in this exemption. [L 1993, c 337, §3]

" **[\$240-1.6] Cable surcharge amounts exempt.** Amounts received in the form of a cable surcharge by an electric utility company acting on behalf of an affected certified cable company under section 269-134 shall not be deemed gross receipts for that electric utility company for purposes of this chapter; provided that any amounts retained by that electric utility company for collection or other costs shall not be included in this exemption. [L 2012, c 165, §4]

" **§240-2 Books, papers, etc.** All books, papers, records, and accounts of such person shall at all reasonable times be open to inspection by the director of finance of such county, or the director's agents appointed for such purpose. [L 1937, c

105, pt of §1; RL 1945, pt of §5681; RL 1955, §131-2; HRS §240-2; gen ch 1985]

Revision Note

Reference to director of finance substituted for treasurer to conform to county charters.