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# A BILL FOR AN ACT

RELATING TO THE CONVEYANCE TAX.

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

1           SECTION 1. Section 247-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§247-2 Basis and rate of tax.** The tax imposed by section  
4 247-1 shall be based on the actual and full consideration  
5 (whether cash or otherwise, including any promise, act,  
6 forbearance, property interest, value, gain, advantage, benefit,  
7 or profit), paid or to be paid for all transfers or conveyance  
8 of realty or any interest therein, that shall include any liens  
9 or encumbrances thereon at the time of sale, lease, sublease,  
10 assignment, transfer, or conveyance, and shall be at the  
11 following rates:

12           (1) Except as provided in paragraph (2):

13                   (A) Ten cents per \$100 for properties with a value of  
14                   less than \$600,000;

15                   (B) Twenty cents per \$100 for properties with a value  
16                   of at least \$600,000, but less than \$1,000,000;



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- 1           (C) Thirty cents per \$100 for properties with a value
- 2                   of at least \$1,000,000, but less than \$2,000,000;
- 3           (D) Fifty cents per \$100 for properties with a value
- 4                   of at least \$2,000,000, but less than \$4,000,000;
- 5           (E) Seventy cents per \$100 for properties with a
- 6                   value of at least \$4,000,000, but less than
- 7                   \$6,000,000;
- 8           (F) Ninety cents per \$100 for properties with a value
- 9                   of at least \$6,000,000, but less than
- 10                  \$10,000,000; and
- 11           (G) One dollar per \$100 for properties with a value
- 12                   of \$10,000,000 or greater; [~~and~~]
- 13       (2) For the sale of a condominium or single family
- 14           residence for which the purchaser is ineligible for a
- 15           county homeowner's exemption on property tax:
- 16           (A) Fifteen cents per \$100 for properties with a
- 17                   value of less than \$600,000;
- 18           (B) Twenty-five cents per \$100 for properties with a
- 19                   value of at least \$600,000, but less than
- 20                   \$1,000,000;



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- 1 (C) Forty cents per \$100 for properties with a value  
2 of at least \$1,000,000, but less than \$2,000,000;
- 3 (D) Sixty cents per \$100 for properties with a value  
4 of at least \$2,000,000, but less than \$4,000,000;
- 5 (E) Eighty-five cents per \$100 for properties with a  
6 value of at least \$4,000,000, but less than  
7 \$6,000,000;
- 8 (F) One dollar and ten cents per \$100 for properties  
9 with a value of at least \$6,000,000, but less  
10 than \$10,000,000; and
- 11 (G) One dollar and twenty-five cents per \$100 for  
12 properties with a value of \$10,000,000 or  
13 greater[~~7~~]; and
- 14 (3) In addition to the rate established by paragraph (1)  
15 or (2), for the sale of a condominium or single family  
16 residence: One dollar per \$100 for properties with a  
17 value of more than \$1,000,000,
- 18 of such actual and full consideration; provided that in the case  
19 of a lease or sublease, this chapter shall apply only to a lease  
20 or sublease whose full unexpired term is for a period of five  
21 years or more, and in those cases, including (where appropriate)



1 those cases where the lease has been extended or amended, the  
2 tax in this chapter shall be based on the cash value of the  
3 lease rentals discounted to present day value and capitalized at  
4 the rate of six per cent, plus the actual and full consideration  
5 paid or to be paid for any and all improvements, if any, that  
6 shall include on-site as well as off-site improvements,  
7 applicable to the leased premises; and provided further that the  
8 tax imposed for each transaction shall be not less than \$1."

9 SECTION 2. Section 247-7, Hawaii Revised Statutes, is  
10 amended to read as follows:

11 "§247-7 **Disposition of taxes.** All taxes collected under  
12 this chapter shall be paid into the state treasury to the credit  
13 of the general fund of the State, to be used and expended for  
14 the purposes for which the general fund was created and exists  
15 by law; provided that of the taxes collected each fiscal year:

16 (1) Ten per cent of the revenue accruing from application  
17 of the rates established in paragraphs (1) and (2) of  
18 section 247-2, or \$6,800,000, whichever is less, shall  
19 be paid into the land conservation fund established  
20 pursuant to section 173A-5; [~~and~~]



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- 1           (2) Fifty per cent of the revenue accruing from  
2           application of the rates established in paragraphs (1)  
3           and (2) of section 247-2, or \$38,000,000, whichever is  
4           less, shall be paid into the rental housing revolving  
5           fund established by section 201H-202[-]; and
- 6           (3) One hundred per cent of the revenue in each county  
7           accruing from the rate established in paragraph (3) of  
8           section 247-2 shall be allocated to the county's  
9           affordable housing fund and shall only be used to  
10           increase the supply of affordable housing by the  
11           following means:
- 12           (A) The purchase of existing housing units and other  
13           interests in real property;
- 14           (B) The planning, design, or construction of housing  
15           units;
- 16           (C) Making grants or loans to nonprofit  
17           organizations, including community land trusts;  
18           or
- 19           (D) Investment in public infrastructure."

20           SECTION 3. Statutory material to be repealed is bracketed  
21           and stricken. New statutory material is underscored.



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1           SECTION 4. This Act shall take effect upon its approval  
2 and shall be repealed on June 30, 2022; provided that sections  
3 247-2 and 247-7, Hawaii Revised Statutes, shall be reenacted in  
4 the form in which those sections existed on the day prior to the  
5 effective date of this Act.

6  
INTRODUCED BY:



By Request

JAN 20 2017



# H.B. NO. 331

**Report Title:**

Maui County Package; Conveyance Tax; Affordable Housing

**Description:**

Establishes an additional conveyance tax rate for the sale of a condominium or single family residence. Requires that one hundred per cent of the revenue in each county from the additional conveyance tax rate be allocated to the county's affordable housing fund.

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

