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# A BILL FOR AN ACT

RELATING TO REDUCTION OF NOISE FROM HELICOPTER OPERATIONS.

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

1           SECTION 1. Chapter 235, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§235- Helicopter noise-canceling technology system tax  
5 credit. (a) Each year during the credit period, there shall be  
6 allowed to each qualified taxpayer subject to the taxes imposed  
7 by this chapter, a helicopter noise-canceling technology system  
8 tax credit that shall be applied to the taxpayer's net income  
9 tax liability, if any, imposed by this chapter for the taxable  
10 year in which the credit is properly claimed.

11           (b) The amount of the tax credit shall be \$           for  
12 each helicopter noise-canceling technology system installed by  
13 the qualified taxpayer; provided that a qualified taxpayer shall  
14 not claim more than one tax credit per helicopter.

15           (c) If the tax credit under this section exceeds the  
16 qualified taxpayer's net income tax liability, the excess of the  
17 credit over liability may be used as a tax credit against the



1 taxpayer's net income tax liability in subsequent years until  
2 exhausted. All claims for a tax credit under this section,  
3 including amended claims, shall be filed on or before the end of  
4 the twelfth month following the close of the taxable year for  
5 which the tax credit may be claimed. Failure to comply with the  
6 foregoing provision shall constitute a waiver of the right to  
7 claim the tax credit.

8 (d) The director of taxation shall prepare any forms that  
9 may be necessary to claim a credit under this section. The  
10 director may also require the qualified taxpayer to furnish  
11 information to ascertain the validity of the claim for credit  
12 made under this section and may adopt rules necessary to  
13 effectuate the purposes of this section pursuant to chapter 91.

14 (e) A taxpayer claiming a tax credit pursuant to this  
15 section shall submit to the department of taxation a  
16 certification from a qualified inspector or other qualified  
17 person that the helicopter and the helicopter's noise-canceling  
18 technology system meet the requirements of this section.

19 (f) For the purpose of this section:

20 "Helicopter noise-canceling technology system" means any  
21 modification or equipment that is installed onto a helicopter



1 with the effect of reducing the amount of noise emitted from the  
2 helicopter to a maximum sound level of \_\_\_\_\_ dBA as measured  
3 \_\_\_\_\_ feet from the helicopter.

4 "Qualified taxpayer" means a taxpayer who installs a  
5 helicopter noise-canceling technology system on a helicopter  
6 owned by the taxpayer and which is operated primarily within the  
7 State during the taxable year.

8 (g) The tax credit allowable in this section shall be  
9 available for taxable years beginning after December 31, 2019,  
10 and ending before January 1, 2022."

11 SECTION 2. Chapter 237, Hawaii Revised Statutes, is  
12 amended by adding two new sections to be appropriately  
13 designated and to read as follows:

14 "§237- \_\_\_\_\_ Tour helicopter surcharge. (a) There shall be  
15 levied, assessed, and collected on all gross proceeds and gross  
16 income taxable under this chapter a tour helicopter surcharge on  
17 every commercial helicopter business. The tour helicopter  
18 surcharge shall be as follows:

19 (1) For \_\_\_\_\_ passengers transported within a calendar  
20 month \$ \_\_\_\_\_ ; and



1           (2) For \_\_\_\_\_ passengers transported within a calendar  
2           month \$ \_\_\_\_\_ ;

3           (b) The director of taxation shall revise the general  
4 excise tax forms to provide for the clear and separate  
5 designation of the imposition and payment of the tour helicopter  
6 surcharge.

7           (c) The tour helicopter surcharge shall be collected by  
8 the director of taxation and shall be paid into the helicopter  
9 noise-canceling technology system special fund, established  
10 pursuant to section 237- \_\_\_\_\_ .

11           §237- \_\_\_\_\_ Helicopter noise-canceling technology system  
12 special fund. (a) There is established in the state treasury  
13 the helicopter noise-canceling technology system special fund,  
14 into which shall be deposited all proceeds from the tour  
15 helicopter surcharge, pursuant to section 237- \_\_\_\_\_ .

16           (b) The director of taxation shall administer the  
17 helicopter noise-canceling technology system special fund.

18           (c) All moneys paid into the helicopter noise-canceling  
19 technology system special fund shall be appropriated, applied,  
20 or expended by the department for the administration of the



1 helicopter noise-canceling technology system tax credit,  
2 pursuant to section 235- .

3 SECTION 4. If any provision of this Act, or the  
4 application thereof to any person or circumstance, is held  
5 invalid, the invalidity does not affect other provisions or  
6 applications of the Act that can be given effect without the  
7 invalid provision or application, and to this end the provisions  
8 of this Act are severable.

9 SECTION 5. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

Helicopters; Noise-Canceling Technology Systems; Installation;  
Tax Credit; Tours; Commercial Flights; Surcharge; Special Fund

**Description:**

Establishes a tax credit for taxpayers who install a helicopter noise-canceling technology system on a helicopter owned by the taxpayer and operated primarily within the State during the taxable year. Establishes a tour helicopter surcharge. Establishes a helicopter noise-canceling technology system special fund. (SB1069 HD1)

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

