
A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE OF HAWAII TO AUTHORIZE THE LEGISLATURE TO ESTABLISH A SURCHARGE ON REAL PROPERTY TO FUND INFRASTRUCTURE IMPROVEMENTS NEAR RAPID TRANSIT STATIONS.

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

1 SECTION 1. The purpose of this Act is to propose an
2 amendment to the Constitution of the State of Hawaii to
3 authorize the state legislature to establish a surcharge on real
4 property near rapid transit stations for the purpose of funding
5 infrastructure improvements near those rapid transit stations.

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

8 "TAXATION AND FINANCE

9 Section 3. The taxing power shall be reserved to the
10 State, except so much thereof as may be delegated by the
11 legislature to the political subdivisions, and except that all
12 functions, powers and duties relating to the taxation of real
13 property shall be exercised exclusively by the counties, with
14 the exception of the county of Kalawao[-]; provided that the
15 legislature may establish, as provided by law, a surcharge on



1 real property taxes for real property parcels located within one
2 mile at their nearest point of any rapid transit station to fund
3 infrastructure improvements needed to support or accommodate the
4 transit station or new residential or commercial development
5 resulting from proximity to the transit station; provided
6 further that a surcharge on any such real property parcel shall
7 be established solely to fund improvements in the area of the
8 transit station which makes the parcel eligible for the
9 surcharge. The legislature shall have the power to apportion
10 state revenues among the several political subdivisions."

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

13 "Shall the exclusive authority of the counties to tax real
14 property provided in the constitution be amended to also
15 provide authority to the state legislature to establish a
16 surcharge on real property taxes for real property located
17 near rapid transit stations for the purpose of funding
18 infrastructure improvements in those areas?"

19 SECTION 4. Constitutional material to be repealed is
20 bracketed and stricken. New constitutional material is
21 underscored.



1 SECTION 5. This amendment shall take effect upon
2 compliance with article XVII, section 3, of the Constitution of
3 the State of Hawaii.



S.B. NO. 2074
S.D. 1

Report Title:

Transit-oriented Development; Infrastructure Improvement; Real Property; Taxation; Surcharge; Constitutional Amendment

Description:

Proposes an amendment to the Constitution of the State of Hawaii to authorize the State legislature to establish a surcharge on taxation of real property near rapid transit stations for the purpose of funding infrastructure improvements in those areas.
(SD1)

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