
A BILL FOR AN ACT

RELATING TO TAXATION.

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- Personal emergency response system; income tax
5 credit. (a) There shall be allowed to each taxpayer subject to
6 the tax imposed by this chapter, a tax credit for the purchase
7 of a personal emergency response system; provided that the
8 credit shall only be available to a taxpayer whose federal
9 adjusted gross income does not exceed:

10 (1) \$45,000 for a person filing as single or as married
11 filing separately;

12 (2) \$67,500 for a person filing as head of household; and

13 (3) \$90,000 for a person filing as married filing jointly.

14 (b) The amount of the credit shall be equal to \$.

15 (c) The department of health shall:



- 1 (1) Maintain records of the total amount of costs incurred
- 2 for the purchase of a personal emergency response
- 3 system for each taxpayer claiming a credit;
- 4 (2) Verify the amount of the costs claimed;
- 5 (3) Total all costs claimed; and
- 6 (4) Certify the total amount of the tax credit for each
- 7 taxable year.

8 Upon each determination, the department of health shall issue a
9 certificate to the taxpayer verifying the costs incurred for the
10 purchase of a personal emergency response system and the credit
11 amount certified for each taxable year. For a taxable year, the
12 department of health may certify a credit for a taxpayer who
13 could have claimed the credit in a previous taxable year, but
14 chose not to because the maximum annual credit amount under
15 subsection (d) was reached in that taxable year.

16 The taxpayer shall file the certificate with the taxpayer's
17 tax return with the department of taxation. Notwithstanding the
18 department of health's certification authority under this
19 section, the director of taxation may audit and adjust
20 certification to conform to the facts.



1 (d) If in any taxable year the annual amount of certified
2 credits reaches \$ _____ in the aggregate, the department of
3 health shall immediately discontinue certifying credits and
4 notify the department of taxation. In no instance shall the
5 department of health certify a total amount of credits exceeding
6 \$ _____ per taxable year. To comply with this restriction,
7 the department of health shall certify credits on a first come,
8 first served basis.

9 The department of taxation shall not allow the aggregate
10 amount of credits claimed to exceed that amount per taxable
11 year.

12 (e) If the tax credit under this section exceeds the
13 taxpayer's income tax liability, the excess of the credit over
14 liability may be used as a credit against the taxpayer's income
15 tax liability in subsequent years until exhausted.

16 All claims, including any amended claims, for tax credits
17 under this section shall be filed on or before the end of the
18 twelfth month following the close of the taxable year for which
19 the credit may be claimed. Failure to comply with the foregoing
20 provision shall constitute a waiver of the right to claim the
21 credit.



- 1 (f) The director of taxation:
- 2 (1) Shall prepare any forms that may be necessary to claim
- 3 a tax credit under this section;
- 4 (2) May require the taxpayer to furnish reasonable
- 5 information to ascertain the validity of the claim for
- 6 the tax credit made under this section; and
- 7 (3) May adopt rules under chapter 91 necessary to
- 8 effectuate the purposes of this section.
- 9 (g) As used in this section, "personal emergency response
- 10 system" means an alarm system designed to permit the user to
- 11 signal the occurrence of a medical or personal emergency to
- 12 alert a provider."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect on July 1, 2050, and

15 shall apply to taxable years beginning after December 31, 2019.



Report Title:

Income Tax Credit; Personal Emergency Response System

Description:

Establishes a non-refundable tax credit for the purchase of a personal emergency response system, under certain conditions. Applies to taxable years beginning after 12/31/2019. Effective 7/1/2050. (SB76 HD1)

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