# A BILL FOR AN ACT

RELATING TO FEDERAL FUNDS.

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

1	PART I
2	SECTION 1. Chapter 127A, Hawaii Revised Statutes, is
3	amended by adding a new section to be appropriately designated
4	and to read as follows:
5	"§127A- State of emergency; federal relief funds; joint
6	legislative budget committee. (a) Notwithstanding any other
7	law to the contrary, if the legislature is not in session when:
8	(1) The governor has called a state of emergency pursuant
9	to this chapter; and
10	(2) The United States Congress has passed a financial
11	relief package providing the State with an amount
12	greater than \$ due to an emergency,
13	then the joint legislative budget committee established pursuant
14	to section 21F-3 shall convene within fourteen days after the
15	financial relief package becomes law to prepare a recommendation
16	for the legislature on how to appropriate federal funds received
17	pursuant to paragraph (2).

1	(b) Within thirty days after the financial relief package
2	becomes law, the legislature may convene in a special session in
3	accordance with the state constitution to act on the
4	recommendations of the joint legislative budget committee
5	pursuant to subsection (a). If the legislature does not convene
6	in a special session, the governor may utilize emergency powers
7	pursuant to chapter 127A necessary to expend federal funds;
8	provided that the governor shall submit a request to the
9	legislature during the next regular or special session to
10	appropriate any unexpended federal funds; provided further that
11	the governor shall submit a report to the legislature of all
12	funds expended and encumbered utilizing the emergency powers
13	pursuant to chapter 127A, within thirty days of such use."
14	PART II
15	SECTION 2. The legislature finds that the global
16	respiratory disease pandemic known as coronavirus disease 2019,
17	or COVID-19, has deeply impacted Hawaii's health and economy.
18	The Coronavirus Aid, Relief, and Economic Security Act
19	(CARES Act), Public Law 116-136, was enacted on March 27, 2020,
20	to address the extensive economic fallout of the COVID-19
21	pandemic. While the CARES Act provided \$1,250,000,000 to

- 1 Hawaii, of this amount, only the city and county of Honolulu
- 2 received a direct allocation of \$387,176,021 for certain
- 3 specified expenditures.
- 4 The legislature further finds that our governmental
- 5 structure is unique compared to other states. Programs such as
- 6 public education, public safety correctional prisons and jails,
- 7 and hospitals are funded by the State and not the counties. As
- 8 a result, the program and service costs should be supplemented
- 9 by any share of federal moneys designated for the counties. In
- 10 addition, if a county requests services from the National Guard,
- 11 a portion of those costs should also come out of any specific
- 12 allocation to that county.
- 13 The purpose of this part is to appropriate funds received
- 14 by the State from the Act for the purpose of COVID-19
- 15 response and activities with funds for certain programs paid for
- 16 from the county share.
- 17 SECTION 3. There is appropriated out of the funds received
- 18 by the State of Hawaii from the Act, the sum of \$1 or
- 19 so much thereof as may be necessary for fiscal year 2021-2022
- 20 and the same sum or so much thereof as may be necessary for
- 21 fiscal year 2022-2023 to be used for COVID-19 response conducted

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1	pursuant to Public Law and associated guidance issue	:d
2	by appropriate federal agencies; provided that:	
3	(1) The amounts appropriated for public education, jails,	
4	and hospitals shall be provided by the county by	
5	direct allocation, if any; and	
6	(2) County requests for service from the National Guard	
7	shall be provided by the county at twenty-five per	
8	cent of the costs.	
9	The sums appropriated shall be expended by the	
10	for the purposes of this Act.	
11	PART III	
12	SECTION 4. New statutory material is underscored.	
13	SECTION 5. This Act shall take effect on July 1, 2021.	

#### Report Title:

Coronavirus Disease 2019; Counties; State of Emergency; Joint Legislative Budget Committee; Appropriation

### Description:

Requires the joint legislative budget committee, under certain circumstances, to convene and make recommendations to the legislature regarding federal funds. Provides the legislature with the opportunity to convene in special session in accordance to the state constitution to act on the recommendations, otherwise authorizes the governor to expend federal funds pursuant to the governor's emergency powers. Appropriates federal funds for COVID-19 response. Requires funding of certain programs to be paid for from the county share. (HD1)

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