

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1223

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

May 29, 2025

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 29, 2025, the following bill was signed into law:

S.B. NO. 1464, H.D. 1,
C.D. 1

RELATING TO CONFORMITY TO THE INTERNAL
REVENUE CODE.
ACT 123

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.
Governor, State of Hawai'i

Approved by the Governor

on MAY 29 2025

THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

ACT 123
S.B. NO. 1464
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO CONFORMITY TO THE INTERNAL REVENUE CODE.

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

1 SECTION 1. The purpose of this Act is to conform Hawaii
2 income and estate and generation-skipping transfer tax laws to
3 the Internal Revenue Code.

4 SECTION 2. Section 235-2.3, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) For all taxable years beginning after December 31,
7 [~~2023~~,] 2024, as used in this chapter, except as provided in
8 this section and sections 235-2.35, 235-2.4, and 235-2.45,
9 "Internal Revenue Code" means subtitle A, chapter 1, of the
10 federal Internal Revenue Code of 1986, as amended as of
11 December 31, [~~2023~~,] 2024, as it applies to the determination of
12 gross income, adjusted gross income, ordinary income and loss,
13 and taxable income, except those provisions of the Internal
14 Revenue Code which, pursuant to this chapter, do not apply or
15 are otherwise limited in application.

16 Sections 9672(1) (relating to tax treatment of targeted
17 EIDL advances) and 9673(1) (relating to tax treatment of



1 restaurant revitalization grants) of Public Law 117-2 shall be
2 operative for purposes of this chapter. No amount received
3 under section 9601 (relating to 2021 recovery rebates to
4 individuals) of Public Law 117-2 shall be included in gross
5 income for purposes of this chapter.

6 Sections 276(b)(1) (relating to subsequent paycheck
7 protection program loans), 277 (relating to emergency financial
8 aid grants), 278(b)(1) (relating to emergency EIDL grants and
9 targeted EIDL advances), 278(c)(1) (relating to subsidy for
10 certain loan payments), and 278(d)(1) (relating to grants for
11 shuttered venue operators) of Division N of Public Law 116-260
12 shall be operative for purposes of this chapter. Sections 213
13 (relating to modification of limitations on charitable
14 contributions) and 214 (relating to temporary special rules for
15 health and dependent care flexible spending arrangements) of
16 Division EE of Public Law 116-260 shall be operative for
17 purposes of this chapter. Sections 301, 302, and 304 (relating
18 to disaster tax relief) of Division EE of Public Law 116-260
19 shall be operative for purposes of this chapter. No amount
20 received under section 272 (relating to additional 2020 recovery



1 rebates for individuals) of Division N of Public Law 116-260
2 shall be included in gross income for purposes of this chapter.

3 Sections 1106(i) (relating to exclusion of loan forgiveness
4 from gross income), 2202(b) (relating to loans from retirement
5 plans), and 2205 (relating to charitable contributions) of
6 Public Law 116-136 shall be operative for purposes of this
7 chapter. No amount received under section 2201 (relating to
8 recovery rebates) of Public Law 116-136 shall be included in
9 gross income for purposes of this chapter.

10 Section 2202(a) (relating to tax-favored withdrawals from
11 retirement plans) of Public Law 116-136 shall be operative for
12 purposes of this chapter and shall apply to taxable years
13 beginning after December 31, 2019.

14 Prior law shall continue to be used to determine:

15 (1) The basis of property, if a taxpayer first determined
16 the basis of property in a taxable year to which prior
17 law applies; and

18 (2) Gross income, adjusted gross income, ordinary income
19 and loss, and taxable income for a taxable year to
20 which prior law applies."



1 SECTION 3. Section 236E-3, Hawaii Revised Statutes, is
2 amended to read as follows:

3 **"§236E-3 Conformance to the Internal Revenue Code; general**
4 **application.** For all decedents dying, or transfers occurring,
5 after December 31, [~~2023~~] 2024, as used in this chapter,
6 "Internal Revenue Code" means subtitle B of the federal Internal
7 Revenue Code of 1986, as amended as of December 31, [~~2023~~]
8 2024, as it applies to the determination of gross estate,
9 adjusted gross estate, federal taxable estate, and
10 generation-skipping transfers, except those provisions of the
11 Internal Revenue Code and federal public laws that, pursuant to
12 this chapter, do not apply or are otherwise limited in
13 application."

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval;
17 provided that:

18 (1) Section 2 shall apply to taxable years beginning after
19 December 31, 2024; and

20 (2) Section 3 shall apply to decedents dying or taxable
21 transfers occurring after December 31, 2024.



S.B. NO. 1464
H.D. 1
C.D. 1

APPROVED this 29th day of MAY, 2025

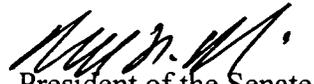
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GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 30, 2025
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.


President of the Senate


Clerk of the Senate

SB No. 1464, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives