

ACT 178

A Bill for an Act Relating to the Filing Date for Returns Under the Compensating Tax Law.

Be it Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 118-4, Revised Laws of Hawaii 1955, as amended, is hereby further amended to read as follows:

“On or before the last day of each calendar month, any purchaser who has become liable to the payment of a tax under this chapter during the preceding calendar month in respect of any property or the use thereof, shall file a return with the assessor of the taxation division in which such property was held when such tax first became payable, or with the director at Honolulu, setting forth a description of the property and the character and quantity thereof in sufficient detail to identify the property or otherwise in such reasonable detail as the director by regulation shall require, and the purchase price thereof. The return shall be accompanied by a remittance in full of the tax, computed at the rate specified in Section 118-2, upon the price so returned; provided, that a receipt from a representative, purchasing agent or seller authorized to collect the tax, given to a purchaser in accordance with the provisions of Section 118-5, shall be sufficient to relieve the purchaser from further liability for the tax to which such receipt may refer, or for the return thereof. Any such tax remaining unpaid after the last day of the month following the end of the calendar month during which it first became payable shall become delinquent. Notwithstanding the foregoing, a taxpayer may be eligible to file his return required under the provisions of this Section and make payments thereon on a quarterly basis during the calendar year, such return and payment to be made on or before the last day of the calendar month after the close of each quarter, to wit, on or before April 30, July 31, October 31, and January 31, if he possesses a valid and current permit to file his general excise tax return and to make payments thereon on a quarterly basis, issued by the director pursuant to the provisions of Section 117-25. A taxpayer may also be eligible to make monthly payments based on his estimated quarterly liability with a reconciliation return at the end of each quarter during the calendar year, as heretofore provided, if he possesses a valid and current permit to file quarterly reconciliation general excise tax returns and to make monthly payments, issued by the director pursuant to the provisions of Section 117-25.

“On or before April 20 in each year every representative, purchasing agent or seller authorized to collect the tax during the preceding year, and any purchaser who has become liable to the payment

of taxes both under this chapter and also under Chapter 117 during the preceding calendar year (or during the preceding tax year if such purchaser has established a tax year other than the calendar year) shall file a return summarizing his liability under this chapter for such year, in such form as the director shall prescribe.

“The director may adopt and promulgate rules and regulations to carry out the purposes of this section.”

SECTION 2. This Act shall take effect upon its approval.
(Approved June 24, 1965.) **H.B. 715.**