

A Bill for an Act Relating to the General Excise Tax.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 237-30, Hawaii Revised Statutes, is amended to read as follows:

**“§237-30 Monthly [or], quarterly, or semiannual return, computation of tax, payment. (a)** The taxes levied hereunder shall be payable in monthly installments on or before the last day of the calendar month following the month in which they accrue. The taxpayer shall, on or before the last day of the calendar month following the month in which the taxes accrue, make out and sign a return of the installment of tax for which he is liable for the preceding month and transmit the same, together with a remittance, in the form required by section 237-31, for the amount of the tax, to the office of the department of taxation in the appropriate district hereinafter designated.

**(b)** Notwithstanding [the foregoing,] subsection (a), the director of taxation may, for good cause, permit a taxpayer to file his return required under this section and make payments thereon [on]:

- (1)** On a quarterly basis during the calendar year, the 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; provided that the director is satisfied that the grant of the permit will not unduly jeopardize the collection of the taxes due thereon and further that the director is satisfied that the taxpayer's total tax liability for the calendar year under this chapter will not exceed [\$1,000.] \$2,000; or
- (2)** On a semiannual basis during the calendar year, the return and payment to be made on or before the last day of the calendar month after the close of each six month period, to wit on July 31 and January 31; provided that the director is satisfied that the grant of the permit will not unduly jeopardize the collection of the taxes due thereon and that the director is satisfied that the taxpayer's total tax liability for the calendar year under this chapter will not exceed \$1,000.

The director may also, for good cause, permit a taxpayer to make monthly payments based on his estimated quarterly or semiannual liability, provided the taxpayer files a reconciliation return at the end of each quarter or at the end of each six month period during the calendar year, as heretofore provided.

**(c)** If a taxpayer filing his return on a quarterly or semiannual<sup>1</sup> basis, as [herein] provided[,] in this section, becomes delinquent in either the filing of his return or the payment of the taxes due thereon, or if the liability of a taxpayer, who possesses a permit to file his return and to make payments on a [quarterly] semiannual basis exceeds \$1,000 in general excise taxes during the calendar year[,] or exceeds \$2,000 in general excise taxes during the calendar year if making payments on a quarterly basis, or if the director determines that any such quarterly or semiannual filing of return would unduly jeopardize the proper administration of this chapter, including the assessment or collection of

the general excise tax, the director may, at any time, revoke a taxpayer's permit, in which case the taxpayer will then be required to file his return and make payments thereon as herein provided in [the first paragraph of this section.] subsection (a).

(d) The director may adopt and promulgate rules and regulations to carry out the purposes of this section.

(e) Section 232-2 does not apply to a monthly return."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 28, 1985.)

**Note**

1. Underscoring missing.