

ACT 275

S.B. NO. 33

A Bill for an Act Relating to Economic Development.

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

PART I

SECTION 1. The legislature finds that the film industry in Hawaii is an important component of a diversified economy. The legislature also finds that the motion picture, digital media, and film production income tax credit has been effective in stimulating the economy and creating quality jobs while promoting Hawaii as a visitor destination.

The purpose of this Act is to increase the annual cap on the motion picture, digital media, and film production income tax credit and require the University of Hawaii, West Oahu campus and the Hawaii technology development corporation to execute a memorandum of understanding no later than December 31, 2020, that commits the parties to enter into a no-cost lease agreement by December 31, 2021, for no less than sixty years and provides for the transfer within six years to the Hawaii technology development corporation of title to a certain parcel of University of Hawaii, West Oahu campus land.

PART II

SECTION 2. Section 235-17, Hawaii Revised Statutes, is amended by amending subsection (l) to read as follows:

“(l) The total amount of tax credits allowed under this section in any particular year shall be [~~\$35,000,000;~~] \$50,000,000; however, if the total amount of credits applied for in any particular year exceeds the aggregate amount of credits allowed for such year under this section, the excess shall be treated as having been applied for in the subsequent year and shall be claimed in such year; provided that no excess shall be allowed to be claimed after December 31, 2025.”

PART III

SECTION 3. No later than December 31, 2020, the University of Hawaii, West Oahu and the Hawaii technology development corporation shall execute a memorandum of understanding that commits the parties to enter into a no-cost lease agreement by December 31, 2021, for no less than sixty years, and which includes a provision for the transfer within six years to the Hawaii technology development corporation of title to the thirty-acre parcel of University of Hawaii, West Oahu campus land adjacent to the intersection of Farrington Highway and Kapolei Golf Course Road, generally described by the following parameters within tax map key (TMK) #1-9-1-016-179-0000:

- (1) Segment 1: 1145 feet north along the western boundary of the TMK beginning at the westernmost point along Farrington Highway;
- (2) Segment 2: 1145 feet east along the southern boundary of the TMK beginning at the westernmost point along Farrington Highway and the southernmost point of segment 1;

- (3) Segment 3: The parallel of segment 1 connecting to the easternmost point of segment 2; and
- (4) Segment 4: The parallel of segment 2 connecting the northernmost point of segment 3 and segment 1.

The executive director of the Hawaii technology development corporation shall promptly notify the director of taxation upon successful transfer of title to the parcel described herein to the Hawaii technology development corporation.

PART IV

SECTION 4. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 5. The provisions of this Act are not severable.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall take effect upon its approval; provided that part II, upon taking effect, shall apply to taxable years beginning after December 31 of the calendar year prior to the year in which part II takes effect.

(Became law on July 9, 2019, without the governor's signature, pursuant to Art. III, §16, State Constitution.)