

TAX FOUNDATION

O F H A W A I I

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"Donovan's Dozen"				
Tax	Bill No.	Description	Status	Companion
INCOME	SB 301 HD1	Disallows dividends paid deduction for real estate investment trusts. <i>Eff. TYBA 12/31/2019.</i>	FIN	HB 475 HD1
	SB 394 SD1*	Replaces the current 3-factor formula for apportionment of business income with a single sales factor. <i>Eff. TYBA 12/31/2018</i>	Pending 3rd	
	SB 495 SD2*	Creates a nexus standard for taxing out-of-state businesses on their business income in Hawaii. <i>Eff. TYBA 12/31/2018.</i>	Pending 3rd	
	SB 712 SD2	Clarifies that the definition of "resident person" under the Hawaii Real Property Tax Act does not include foreign partnerships, foreign limited liability partnerships, foreign limited partnerships, or foreign limited liability companies. <i>Defective eff. date.</i>	FIN	
	SB 1360 SD1*	Requires partnerships, estates, and trusts to withhold taxes on the income of nonresident partners and beneficiaries. <i>Eff. TYBA 12/31/2018.</i>	Pending 3rd	
General Excise/Use	SB 396 SD1	Establishes marketplace facilitators as the sellers of tangible personal property. Requires other persons who provide a forum for listing of tangible personal property and the taking or processing of orders to report information about purchasers to the Department of Taxation. <i>Eff. 1/1/2020.</i>	To Gov	
	SB 1474 SD2	Increases the GET by 0.5% to provide a dedicated funding source for the department of education and the University of Hawaii. <i>Eff 7/1/2050.</i>	LHE/FIN	
Estate/GSTT	SB 1361 SD1	Increases estate taxes for Hawaii net taxable estates valued at over \$10,000,000. <i>Applies to decedents dying or taxable transfers occurring after 12/31/2018.</i>	To Gov	
Transient Accom.	SB 380 SD1	Imposes the TAT on mandatory resort fees and requires that those fees be included in gross rental proceeds. <i>Eff. 7/1/2019.</i>	FIN	
	SB 382 SD2	Amends the formula for the amount of transient accommodations tax to be collected from time shares by increasing the base on which time share occupancy is taxed from one-half of the gross daily maintenance fees paid by the owner and attributable to the time share unit to an amount equal to all of those fees. <i>Eff. TYBA 1/1/2020.</i>	Dead	
	SB 714 SD2	Imposes the transient accommodations tax on resort fees that are calculated separately from the advertised transient accommodation's rate. Clarifies the calculation of the transient accommodations tax. Amends the formula for the amount of transient accommodations tax to be collected from time shares by increasing the base on which time	Dead(But see HB 419)	

		share occupancy is taxed from one-half of the gross daily maintenance fees paid by the owner and are attributable to the time share unit to one hundred per cent of the gross daily maintenance fees. Requires transient accommodations intermediaries to register with the director of taxation before arranging to furnish transient accommodations at noncommissioned negotiated contract rates. Specifies that the transient accommodations tax is to be collected from transient accommodations intermediaries who arrange transient accommodations at noncommissioned negotiated contract rates in the same manner as transient accommodations operators.		
	SB 1292 HD2	Adds definitions to the TAT Law. Amends the definition of "transient accommodations" to include additional forms of transient accommodations. Makes any person who fails to register with DOTAX subject to a citation process and monetary fines. Requires hosting platforms that collect fees for booking services to register as collection agents on behalf of its operators and plan managers for the GET and TAT. <i>Eff upon approval.</i>	FIN	
Conveyance	SB 395 SD1	Amends the exemption from conveyance tax for realty leases of less than 5 years by applying the exemption only to residential leases of 1 year or less. <i>Eff. 7/1/2050.</i>	FIN	
	SB 1362 SD1	Raises the conveyance tax rates for residential investment properties with a value of at least \$2,000,000. Exempts affordable housing qualified by the Hawaii Housing Finance and Development Corporation. <i>Eff. 7/1/2019.</i>	Dead	

Notes: * - The committee has not released the amended draft, so the bill description is of the preceding draft. TYBA = taxable years beginning after.