

HI S 795, Conference Draft 1

Hawaii

SUMMARY: Provides that to qualify for the motion picture, digital media, and film production income tax credit, a production shall meet specified requirements, including providing evidence of reasonable efforts to comply with all applicable requirements, including tax return filing and payments and providing complete responses to the Department of Taxation's inquiries and document requests, provided that a taxpayer shall be given notice and an opportunity to cure any requirements. ~SAME AS: HI H 1314#

Changes in Bill text reflected as:

~~Text Deleted~~

Text Added

~~Text Vetoed~~

Current Legislative Status

01/20/2023 INTRODUCED.

01/25/2023 To SENATE Committee on ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM.

01/25/2023 Subsequent referral set for: SENATE Committee on WAYS AND MEANS.

01/30/2023 In Committee: Public Hearing Scheduled.

02/02/2023 In SENATE Committee on ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM: Voted do pass with amendment.

02/08/2023 From SENATE Committee on ENERGY, ECONOMIC DEVELOPMENT, AND TOURISM: Do pass as amended (SD1).

02/08/2023 In SENATE. Read second time. Committee amendment adopted. Senate Draft 1.

02/08/2023 To SENATE Committee on WAYS AND MEANS.

02/10/2023 In Committee: Bill Scheduled for Decision Making.

02/15/2023 In SENATE Committee on WAYS AND MEANS: Voted do pass with amendment.

02/21/2023 From SENATE Committee on WAYS AND MEANS: Do pass as amended (SD2).

02/21/2023 Forty-eight (48) hours notice.

03/02/2023 In SENATE. Committee amendment adopted on third reading. Senate Draft 2.

03/02/2023 In SENATE. Read third time. Passed SENATE. *****To HOUSE.

03/09/2023 To HOUSE Committee on ECONOMIC DEVELOPMENT.

03/09/2023 Subsequent referral set for: HOUSE Committee on FINANCE.

03/20/2023 In Committee: Hearing Scheduled.

03/22/2023 In HOUSE Committee on ECONOMIC DEVELOPMENT: Voted do pass with amendment.

03/24/2023 From HOUSE Committee on ECONOMIC DEVELOPMENT: Do pass as amended (HD1).

03/24/2023 In HOUSE. Read second time. Committee amendment adopted. House Draft 1.

03/24/2023 To HOUSE Committee on FINANCE.

03/28/2023 In Committee: Hearing Scheduled.

03/30/2023 In HOUSE Committee on FINANCE: Voted do pass.

04/06/2023 From HOUSE Committee on FINANCE: Do pass.

04/06/2023 In HOUSE. Read third time. Passed HOUSE. *****To SENATE for concurrence.

04/11/2023 In SENATE. SENATE disagreed to HOUSE amendments.

04/20/2023 *****To CONFERENCE Committee.

04/15/2024 *****To CONFERENCE Committee.

04/23/2024 In CONFERENCE Committee: Meeting scheduled.

04/24/2024 In CONFERENCE Committee: Voted do pass as amended.

04/25/2024 From CONFERENCE Committee: Do pass as amended in Conference Draft 1.

04/25/2024 Forty-eight (48) hours notice.

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session: Hawaii The 32nd Legislature

cite: 2023 HI S 795

Conference Draft 1

April 25, 2024

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THE SENATE

S.B. NO.

795

THIRTY-SECOND LEGISLATURE, 2023

S.D. 2

STATE OF HAWAII

H.D. 1

C.D. 1

A BILL FOR AN ACT

RELATING TO TAXES.

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

SECTION 1. Section 235-17, Hawaii Revised Statutes, is amended by amending subsection (d) to read as follows:

"(d) To qualify for this tax credit, a production shall:

- (1) Meet the definition of a qualified production specified in subsection (o);
- (2) Have qualified production costs totaling at least \$100,000;
- (3) Provide the State a qualified Hawaii promotion, which shall be at a minimum, a shared-card, end-title screen credit, where applicable;
- (4) Provide evidence of reasonable efforts to hire local talent and crew;
- (5) Provide evidence when making any claim for products or services acquired or rendered outside of this State that reasonable efforts were unsuccessful to secure and use comparable products or services within this State;
- (6) Provide evidence of financial or in-kind contributions or educational or workforce development efforts, in partnership with related local industry labor organizations, educational institutions, or both, toward the furtherance of the local film and television and digital media industries;
- (7) ~~Be compliant~~ **Provide evidence of reasonable efforts to comply** with all applicable requirements under title 14, including tax return filing and payments; and
- (8) Provide complete responses to the department of taxation's inquiries and document requests, in the form prescribed by the department, no later than ninety days from the inquiry or request . ;

provided that a taxpayer shall be given notice of and an opportunity to cure any failure to meet the requirements of this subsection, including chapter 237, within thirty days of receipt of the notice; provided further that nothing in this subsection shall be interpreted as waiving any act

required by this section."

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

SECTION 3. This Act shall take effect on January 1, 2025.

Motion Picture, Digital Media, and Film Production Income Tax Credit; Compliance; Cure

Description:

Requires productions to provide evidence of reasonable efforts to comply with all applicable requirements to qualify for the Motion Picture, Digital Media, and Film Production Income Tax Credit. Requires taxpayers be given notice of and an opportunity to cure requirements for the Motion Picture, Digital Media, and Film Production Income Tax Credit within thirty days of receiving the notice. Takes effect 1/1/2025. (CD1)