

ORDINANCE NO. _____

BILL NO. 49 (2023)

A BILL FOR AN ORDINANCE ESTABLISHING CHAPTER 3.100,
MAUI COUNTY CODE, INSTITUTING A GENERAL EXCISE TAX SURCHARGE

BE IT ORDAINED BY THE PEOPLE OF THE COUNTY OF MAUI:

SECTION 1. Title 3, Maui County Code, is amended by adding a new chapter to be appropriately designated and to read as follows:

“Chapter 3.100

GENERAL EXCISE TAX SURCHARGE

Sections:

3.100.010 Establishment of surcharge.

3.100.020 General excise tax fund.

3.100.030 Administration.

3.100.040 Use of funds.

3.100.050 Termination of surcharge.

3.100.010 Establishment of surcharge. In accordance with section 46-16.8, Hawaii Revised Statutes, as amended, a .50 percent general excise and use tax surcharge on state tax is established. The general excise and use tax surcharge will be levied beginning January 1, 2024.

3.100.020 General excise tax fund. There is established and created a fund to be known as the “general excise tax fund” to serve as the exclusive depository of all funds received from the state director of taxation that derive from the imposition of the surcharge under this chapter. All money from this fund must be designated and used as described in section 3.100.040.

3.100.030 Administration. The state director of taxation must levy, assess, collect, and otherwise administer the general excise tax and use tax surcharge.

3.100.040 Use of funds. A. The council, in adopting each fiscal year's budget and capital program, must appropriate any surcharge received from the state for the following purposes only, as prescribed by state law:

1. Housing infrastructure; provided that the surcharge revenues for housing infrastructure must not pass on related infrastructure costs to the developer of a housing project; or

2. As otherwise authorized by state law.

B. For the purpose of this chapter, "housing infrastructure" includes water, drainage, sewer, waste disposal, and waste treatment systems that connect to the infrastructure of the county.

D. Any balance remaining in the general excise tax fund at the end of each fiscal year will not lapse but must remain in the fund, accumulating from year to year. The money in this fund must not be used for any purpose except those listed in this section.

3.100.050 Termination of surcharge. The general excise tax and use tax surcharge may not extend beyond December 31, 2030, unless authorized by state law."

SECTION 2. This ordinance takes effect upon its approval.

APPROVED AS TO FORM AND LEGALITY:



SONYA H. TOMA

First Deputy Corporation Counsel

LF2023-0303

2023-05-15 Ord Est Ch 3.100

INTRODUCED BY:

A handwritten signature in cursive script, appearing to read "Alice L. Lee", positioned above a horizontal line.

ALICE L. LEE

Upon the request of the Mayor.