



GOV. MSG. NO. **860**

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

May 28, 2007

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fourth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on May 28, 2007, the following bill was signed into law:

SB139 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO CIGARETTE
TAX.
(ACT 102)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on MAY 28 2007

ACT 102

THE SENATE
TWENTY-FOURTH LEGISLATURE, 2007
STATE OF HAWAII

S.B. NO. 139
S.D. 1
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO CIGARETTE TAX.

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

1 SECTION 1. The purpose of this Act is to clarify that the
2 moneys earmarked from the cigarette tax collected on each
3 cigarette sold pursuant to section 245-15, Hawaii Revised
4 Statutes, for deposit into the Hawaii cancer research special
5 fund, the trauma system special fund, the emergency medical
6 services special fund, and the community health centers special
7 fund shall be assessed on a per cigarette basis. In addition,
8 this Act ensures that moneys are earmarked for each special fund
9 through 2011 and beyond.

10 SECTION 2. Section 245-15, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "**§245-15 Disposition of revenues.** All moneys collected
13 pursuant to this chapter shall be paid into the state treasury
14 as state realizations to be kept and accounted for as provided
15 by law; provided that, of the moneys collected under the tax
16 imposed pursuant to ~~[section 245-3(a) that represents the~~
17 ~~difference between the 7.0 cents for each cigarette sold, used,~~



1 ~~or possessed by a wholesaler or dealer under section 245-3(a)(1)~~
2 ~~and the amount of tax imposed and collected on each cigarette~~
3 ~~sold, used, or possessed by a wholesaler or dealer under section~~
4 ~~245-3(a)(2), (3), (4), (5), (6), and (7)] :~~

5 (1) ~~[From]~~ Section 245-3(a)(5), after September 30, 2006,
6 and prior to ~~[September 29,]~~ October 1, 2007, 1.0 cent
7 per cigarette shall be deposited to the credit of the
8 Hawaii cancer research special fund, established
9 pursuant to section ~~[+]~~304A-2168 ~~[+]~~, for research and
10 operating expenses;

11 (2) ~~[From]~~ Section 245-3(a)(6), after September 30, 2007,
12 and prior to ~~[September 29,]~~ October 1, 2008:

13 (A) 1.5 cents per cigarette shall be deposited to the
14 credit of the Hawaii cancer research special
15 fund, established pursuant to section
16 ~~[+]~~304A-2168 ~~[+]~~, for research and operating
17 expenses; ~~[and]~~

18 (B) 0.25 cents ~~[of the moneys]~~ per cigarette shall be
19 deposited to the credit of the trauma system
20 special fund established pursuant to section
21 321-22.5; and



1 (C) 0.25 cents [~~of the moneys~~] per cigarette shall be
2 deposited to the credit of the emergency medical
3 services special fund established pursuant to
4 section 321-234;

5 (3) [~~From~~] Section 245-3(a)(7), after September 30, 2008,
6 and prior to [~~September 29,~~] October 1, 2009:

7 (A) 2.0 cents per cigarette shall be deposited to the
8 credit of the Hawaii cancer research special
9 fund, established pursuant to section

10 [{}304A-2168 {}], for research and operating
11 expenses; [~~and~~]

12 (B) 0.5 cents [~~of the moneys~~] per cigarette shall be
13 deposited to the credit of the trauma system
14 special fund established pursuant to section
15 321-22.5;

16 (C) 0.25 cents [~~of the moneys~~] per cigarette shall be
17 deposited to the credit of the community health
18 centers special fund; and

19 (D) 0.25 cents [~~of the moneys~~] per cigarette shall be
20 deposited to the credit of the emergency medical
21 services special fund established pursuant to
22 section 321-234;



1 (4) [~~From~~] Section 245-3(a)(8), after September 30, 2009,
2 and prior to [~~September 29,~~] October 1, 2010:

3 (A) 2.0 cents per cigarette shall be deposited to the
4 credit of the Hawaii cancer research special
5 fund, established pursuant to section
6 [~~+~~]304A-2168 [~~+~~], for research and operating
7 expenses; [~~and~~]

8 (B) 0.75 cents [~~of the moneys~~] per cigarette shall be
9 deposited to the credit of the trauma system
10 special fund established pursuant to section
11 321-22.5;

12 (C) 0.75 cents [~~of the moneys~~] per cigarette shall be
13 deposited to the credit of the community health
14 centers special fund; and

15 (D) 0.5 cents [~~of the moneys~~] per cigarette shall be
16 deposited to the credit of the emergency medical
17 services special fund established pursuant to
18 section 321-234;

19 (5) [~~From~~] Section 245-3(a)(9), after September 30, 2010,
20 and prior to [~~September 29,~~] October 1, 2011:

21 (A) 2.0 cents per cigarette shall be deposited to the
22 credit of the Hawaii cancer research special



1 fund, established pursuant to section
2 [~~+~~]304A-2168 [~~+~~], for research and operating
3 expenses; [~~and~~]

4 (B) 1.0 cent [~~of the moneys~~] per cigarette shall be
5 deposited to the credit of the trauma system
6 special fund established pursuant to section
7 321-22.5;

8 (C) 1.0 cent [~~of the moneys~~] per cigarette shall be
9 deposited to the credit of the community health
10 centers special fund; and

11 (D) 1.0 cent [~~of the moneys~~] per cigarette shall be
12 deposited to the credit of the emergency medical
13 services special fund established pursuant to
14 section 321-234;

15 and

16 (6) [~~From~~] Section 245-3(a)(10), after September 30, 2011,
17 and thereafter:

18 (A) 2.0 cents per cigarette shall be deposited to the
19 credit of the Hawaii cancer research special
20 fund, established pursuant to section
21 [~~+~~]304A-2168 [~~+~~], for research and operating
22 expenses; [~~and~~]



1 (B) 1.5 cents [~~of the moneys~~] per cigarette shall be
2 deposited to the credit of the trauma system
3 special fund established pursuant to section
4 321-22.5;

5 (C) 1.25 cents [~~of the moneys~~] per cigarette shall be
6 deposited to the credit of the community health
7 centers special fund; and

8 (D) 1.25 cents [~~of the moneys~~] per cigarette shall be
9 deposited to the credit of the emergency medical
10 services special fund established pursuant to
11 section 321-234.

12 The department shall provide an annual accounting of these
13 dispositions to the legislature."

14 SECTION 3. Section 304A-2168, Hawaii Revised Statutes, is
15 amended by amending subsection (c) to read as follows:

16 (c) The following shall be deposited into the special
17 fund:

18 (1) Moneys collected pursuant to section 245-15 [~~shall be~~
19 ~~deposited into the special fund.~~]; and

20 (2) Interest earned or accrued on moneys in the special
21 fund."



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.



GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 28 2007

