

Honolulu, Hawaii

APR - 7 2006

RE: H.B. No. 2303

H.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2303, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT,"

begs leave to report as follows:

The purpose of this measure is to improve the child support enforcement process by:

- (1) Allowing income withholding to continue, even when child support terminates, if there are outstanding support payments owed; and
- (2) Authorizing the Child Support Enforcement Agency to adopt administrative rules as necessary to implement the income withholding requirements.

Your Committee finds that, under current law, income withholding is normally stopped when a non-custodial parent's obligation to pay current child support terminates, even if the individual owes back child support. Either a judicial or administrative action must then be initiated to establish an order to liquidate the arrears and concurrently establish a new withholding order for the liquidation.

Your Committee finds that this measure closes another loophole in our State's child support enforcement laws. Many custodial parents may not have the time or want to spend their resources pursuing moneys in arrears, especially when the non-



custodial parent used other loopholes to ensure that full child support payments were not received on a timely basis. While the non-custodial parent may be part of the problem, your Committee further finds that custodial parents, after years of fighting the system and going through long waiting periods just to speak to staff from the Child Support Enforcement Agency, may believe that the system is once again hurting them. It is your Committee's intent that the Child Support Enforcement Agency actively pursue moneys owed in arrears even after child support stops.

This measure would permit the Child Support Enforcement Agency to utilize the existing income withholding order for the payment of child support arrearages.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2303, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Ways and Means
(Bills and Resolutions)

Measure:*	Committee Referral:	Date:
HB 2303 HD1	JHW, WAM	4/3/06
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is to:		
<input checked="" type="checkbox"/> Pass, unamended (2312) <input type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)		
Members	Ayes	Ayes(WR)
Nays	Excused	
TANIGUCHI, Brian T. (C)	/	
TSUTSUI, Shan S. (VC)	/	
ENGLISH, J. Kalani	/	
ESPERO, Will	/	
FUKUNAGA, Carol	/	
HOOSER, Gary L.	/	
INOUYE, Lorraine R.	/	
KANNO, Brian	/	
KIM, Donna Mercado	/	
KOKUBUN, Russell S.	/	
NISHIHARA, Clarence K.	/	
SAKAMOTO, Norman	/	
HEMMINGS, Fred	/	
SLOM, Sam	/	
TRIMBLE, Gordon		/
TOTAL	14	0
0	0	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original	Yellow	Pink
File with Committee Report	Clerk's Office	Drafting Agency
		Goldenrod
		Committee File Copy

*Do not list more than one measure per Record of Votes.