



**TESTIMONY OF THE STATE ATTORNEY GENERAL
TWENTY-FIFTH LEGISLATURE, 2009**

ON THE FOLLOWING MEASURE:

S.B. NO. 851, S.D.1, RELATING TO CHILD SUPPORT ENFORCEMENT.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND GOVERNMENT OPERATIONS

DATE: Thursday, February 26, 2009 **TIME:** 9:00 AM

LOCATION: State Capitol, Room 016

TESTIFIER(S):

WRITTEN TESTIMONY ONLY. For more information, call Lawrence Sousie, Deputy Attorney General, at 586-5439, or Garry Kemp, Administrator, Child Support Enforcement Agency, at 692-7000.

Chair Taniguchi and Members of the Committee:

The Department of the Attorney General strongly supports this measure.

The provisions of this measure amend various sections of the Hawaii Revised Statutes in order to bring the Child Support Enforcement Agency into compliance with federal law, provide cost saving measures, reduce agency involvement when liens are being enforced, and protect against identity theft.

The proposed changes are:

- To comply with federal statutory requirements by clarifying the requirement that all income withholding payments be sent to the Child Support Enforcement Agency or to another state's child support enforcement agency acting under Title IV-D of the Social Security Act. This provision is being proposed in order to comply with federal statutory requirements that are necessary to maintain eligibility for federal welfare funding and federal funding of child support enforcement programs.
- To allow the Child Support Enforcement Agency to disburse funds to custodial parents by way of either electronic deposit or debit card

as a method to reduce the cost of postage that the Child Support Enforcement Agency incurs when mailing out child support checks. It is estimated that there will be a cost savings to the agency of approximately \$130,000.00 per year for postage.

- To allow the electronic copy or facsimile of a signature on certified mailers be acceptable as sufficient proof of service in place of an actual signature. This is an additional method of reducing the cost of postage that the Child Support Enforcement Agency incurs. It is estimated that there will be an additional saving in postage costs to the agency of approximately \$24,912.00 per year.
- To clarify that other state child support enforcement agencies acting under Title IV-D of the Social Security Act may directly enforce a child support lien. Federal law provides full faith and credit to child support liens arising in another state when a state child support agency seeking to enforce the lien complies with procedural rules in effect within this state. Allowing other state child support agencies to directly enforce a child support lien will alleviate the necessity of the Child Support Enforcement Agency's involvement and permit resources to be utilized in other areas.
- To clarify that payment shall be made to the child support agency seeking to enforce the lien when that agency has complied with procedural rules of the State. This will also alleviate the necessity of the Child Support Enforcement Agency's involvement.
- To require only the last four digits of the obligor's social security number be indicated on the notice of child support lien. This is consistent with the changes enacted by the 2008 regular session in Act 86 to protect against identity theft.

We respectfully request that this bill be passed.