



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

February 3, 2015

MEMORANDUM

TO: The Honorable Dee Morikawa, Chair
House Committee on Human Services

FROM: Rachael Wong, DrPH, Director

SUBJECT: **H.B. 128 – RELATING TO CHILD SUPPORT**

Hearing: Tuesday, February 3, 2015; 8:30 am
Conference Room 329, State Capitol

PURPOSE: The purpose of this bill is to authorize the Child Support Enforcement Agency to pursue support and maintenance for the child of a parent under the age of eighteen from the child's grandparents.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports the intent of this bill, and respectfully defers to the Child Support Enforcement Agency on the feasibility of its implementation.

Thank you for the opportunity to provide comments on this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:
H.B. NO. 128, RELATING TO CHILD SUPPORT.

BEFORE THE:
HOUSE COMMITTEE ON HUMAN SERVICES

DATE: Tuesday, February 3, 2015 **TIME:** 8:30 a.m.
LOCATION: State Capitol, Room 329
TESTIFIER(S): Russell A. Suzuki, Attorney General, or
Garry L. Kemp, Administrator, Child Support Enforcement Agency

Chair Morikawa and Members of the Committee:

The Department of the Attorney General opposes this measure.

The purpose of this measure is to authorize the Child Support Enforcement Agency to pursue support for a child from the child's grandparents when the child's parent is under the age of eighteen.

Although the Department of the Attorney General recognizes the role of the family, specifically grandparents, in assisting minor parents in child rearing and that grandparents should be fiscally responsible for their minor children, the Department opposes the new section proposed to be added to chapter 576D, Hawaii Revised Statutes (HRS), as unnecessary. Section 584-15(f), HRS, already provides grandparent liability for support of a child whenever a parent of that child is a minor and current laws do not preclude the Child Support Enforcement Agency from enforcing an order issued by the Family Court for the support of a child by a grandparent. If the Committee believes that additional wording is necessary, it would be more properly placed under chapter 577, HRS, which addresses parents' duties and responsibilities towards their children.

The bill provides on page 3, lines 10 through 13, that the agency may pursue support "for as long as the parent is under eighteen years of age." This does not take into account minor parents who get married or otherwise become emancipated. Once the minor parents become emancipated, the grandparent's responsibility for the support of the grandchild should also end.

In addition, the Department of the Attorney General is concerned that this bill would have an adverse impact on the Child Support Enforcement Agency's operations and personnel.

The measure raises many questions about how the amount of support the grandparent is required to contribute is to be calculated. Is the amount calculated using the combined income of both sets of grandparents? What happens if the grandparents are separated? Should there be separate orders for each grandparent of each minor parent? Should the minor parent contribute to the support if he or she has the financial ability? Because of questions like these, implementation of this measure will be difficult and time consuming for the Child Support Enforcement Agency.

The Department of the Attorney General respectfully requests that this measure be held in Committee.

kobayashi2-Lynda

From: mailinglist@capitol.hawaii.gov
Sent: Friday, January 30, 2015 5:57 PM
To: HUS testimony
Cc: kalawaiag@hotmail.com
Subject: *Submitted testimony for HB128 on Feb 3, 2015 08:30AM*

HB128

Submitted on: 1/30/2015

Testimony for HUS on Feb 3, 2015 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Kalawai'a Goo	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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