

Honolulu, Hawaii

FEB 28 2019

RE: S.B. No. 1173
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1173 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to bring the State of Hawaii into compliance with federal law to maintain eligibility for federal funding of child support enforcement programs.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that pursuant to title 42 United States Code section 666(b)(6)(D), each state must have in effect laws requiring the imposition of a fine against any employer who:

- (1) Discharges from employment, refuses to employ, or takes disciplinary action against any noncustodial parent subject to income withholding; or
- (2) Fails to withhold support from income or pay the amounts to a child support agency.

Your Committee further finds that under title 42 United States Code section 654(6)(B)(ii), each state must increase the annual collection fee from \$25 to \$35 assessed on all state child



support enforcement cases that are subject to title IV section D of the Social Security Act and have not received assistance under the state Temporary Assistance for Needy Families program. Federal law also revised the amount that a state must collect and disburse to the family from \$500 to \$550 before imposing the collection fee each federal fiscal year.

Your Committee finds that compliance with these requirements is necessary to maintain eligibility for federal funding of child support enforcement programs. In addition, your Committee finds that amending the income withholding requirements increases the effectiveness of the income withholding process and protects the obligor parent from employment discrimination if the obligor parent has an income withholding order issued against them.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1173, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1173, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

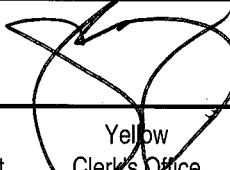


KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:						
S.B. 1173	JDC	2-20-2019						
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____								
The Recommendation is:								
<input type="checkbox"/> Pass, unamended 2312					<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused				
RHOADS, Karl (C)	✓							
WAKAI, Glenn (VC)	✓							
GABBARD, Mike				✓				
KIM, Donna Mercado	✓							
FEVELLA, Kurt				✓				
TOTAL	3	0	0	2				
Recommendation:	<input checked="" type="checkbox"/> Adopted				<input type="checkbox"/> Not Adopted			
Chair's or Designee's Signature:								
Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy				

*Only one measure per Record of Votes