

Honolulu, Hawaii
FEB 04 , 2020

RE: H.B. No. 2061
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 2061 entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require certain amounts of child support monies collected by the Department of Human Services to pass through to families receiving public assistance for the benefit of minor dependent children and appropriate funds for complying with this requirement; and
- (2) Increase the maximum fine for an employer who discharges from employment, refuses to employ, or takes disciplinary action against any noncustodial parent subject to income withholding or who fails to comply with an order of assignment of future income to pay child support.

Your Committee received testimony in support of this measure from the American Association of University Women of Hawaii, Zonta Club of Hilo, Hawaii Women's Coalition, Planned Parenthood Votes Northwest and Hawaii, Hawaii Appleseed Center for Law and Economic Justice, Hawaii Children's Action Network Speaks!, Breastfeeding



Hawaii, Midwives Alliance of Hawaii, and four individuals. Your Committee received comments on this measure from the Department of the Attorney General and Department of Human Services.

Your Committee finds that the Child Support Enforcement Agency is responsible for collecting debt owed to the Department of Human Services by a non-custodial parent when Temporary Assistance for Needy Families (TANF) benefits are paid for the benefit of a dependent child. Federal law requires that a portion of the collection be paid back to the federal government, which is retained by the Child Support Enforcement Agency for federal matching funds, with the remaining portion reimbursed to the Department.

Your Committee finds that if pass through of child support payments to TANF recipients is implemented as proposed by this measure, it will require modifications to the Child Support Enforcement Agency's statewide case management computer system, as the system currently is not designed to disburse payment by TANF recipient family or household. Instead, the case management system disburses child support on a per case basis, or per non-custodial parent basis.

Noting these concerns, your Committee has amended this measure by:

- (1) Removing language that would have required certain amounts of child support monies collected by the Department of Human Services to pass through to families receiving public assistance; appropriated funds for this requirement; and increased fines for employers who take certain adverse employment actions against noncustodial parents subject to income withholdings or orders of income assignment relating to child support;
- (2) Requiring the Department of the Attorney General to:
 - (A) Convene a study group to examine the impacts, impediments, and costs of allowing child support payments to pass through to TANF recipients; and
 - (B) Submit a report of its findings and recommendations, including any proposed

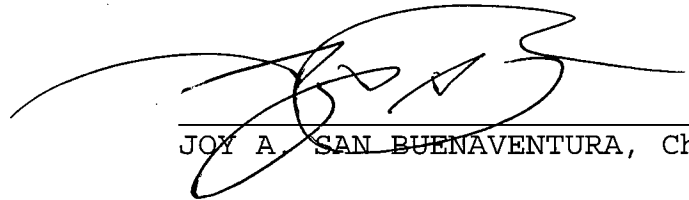


legislation, to the Legislature prior to the 2021 Regular Session;

- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2061, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2061, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,



JOY A. SAN BUENAVENTURA, Chair



Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.: <i>HB 2061</i>	Committee Referral: <i>HSH, JUD, FIN</i>	Date: <i>1/29/2020</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SAN BUENAVENTURA, Joy A. (C)	✓			
2. NAKAMURA, Nadine K. (VC)	✓			
3. BELATTI, Della Au	✓			
4. KOBAYASHI, Bertrand	✓			
5. MIZUNO, John M.	✓			
6. SAY, Calvin K.Y.				✓
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene	✓			
TOTAL (8)	7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: <i>Nadine K. Nakamura</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				