

STAND. COM. REP. NO.

2827

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 2769  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committees on Labor, Culture and the Arts and Human Services, to which was referred S.B. No. 2769 entitled:

"A BILL FOR AN ACT RELATING TO PAYMENTS OF SUPPORT,"

beg leave to report as follows:

The purpose and intent of this measure is to include tips or gratuities paid directly to an individual by a customer of the employer and reported or declared to the employer under the definition of income withheld by employers for payments of child or spousal support.

Your Committees received testimony in support of this measure from one individual. Your Committees received comments to this measure from the Department of the Attorney General.

Your Committees find that cash wages paid directly by the employer and the amount of any tip credit claimed by the employer under federal or state law are earnings for the purposes of the wage garnishment law. Tips received in excess of the tip credit amount or in excess of the wages paid directly by the employer, if no tip credit is claimed or allowed, are not earnings for purposes of the Consumer Credit Protection Act, Title III.

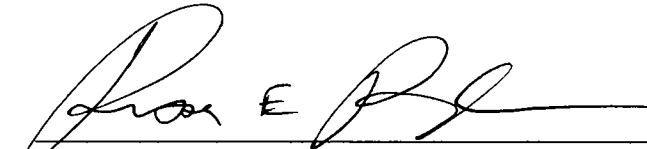
Your Committees have amended this measure as recommended by the Attorney General by inserting the phrase "to the extent



permitted under relevant federal law" to conform the amendments with federal guidelines.

As affirmed by the records of votes of the members of your Committees on Labor, Culture and the Arts and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2769, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2769, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Labor, Culture and the Arts and Human Services,

  
\_\_\_\_\_  
RUSSELL E. RUDERMAN, Chair

  
\_\_\_\_\_  
BRIAN T. TANIGUCHI, Chair





The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>SB 2769</b>	Committee Referral: <b>LCA/HMS, JDC</b>	Date: <b>2/3/20</b>		
<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
RUDERMAN, Russell E. (C)	✓			
RHOADS, Karl (VC)	✓			
IHARA, Jr., Les	✓			
RIVIERE, Gil				/
FEVELLA, Kurt				✓
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes