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GOVERNOR

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DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF TAXATION
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To: The Honorable Joy A. San Buenaventura, Chair;
The Honorable Nadine K. Nakamura, Vice Chair;
and Members of the House Committee on Human Services & Homelessness

From: Rona M. Suzuki, Director
Department of Taxation

Re: **H.B. 1958, Relating to Taxation**
Date: Friday, February 7, 2020
Time: 9:00 A.M.
Place: Conference Room 329, State Capitol

The Department of Taxation (Department) appreciates the intent of H.B. 1958 and provides the following comments. H.B. 1958 amends chapter 235, Hawaii Revised Statutes (HRS) by amending the applicable percentage of household and dependent care expenses necessary for gainful employment for which a taxpayer may claim an income tax credit and amending the cap on the amount of such expenses that may be taken into account for the credit in a year. H.B. 1958 is effective upon approval and applies to taxable years beginning after December 31, 2019.

As indicated in our "*Tax Credits Claimed by Hawaii Taxpayers, Tax Year 2017*" report, $9.9 million in claims were made for this credit on 25,671 returns.

The Department notes will be able to administer this measure with its current effective date.

Thank you for the opportunity to provide testimony commenting on this measure.

TAX FOUNDATION OF HAWAII

126 Queen Street, Suite 304 Honolulu, Hawaii 96813 Tel. 536-4587

SUBJECT: INCOME TAX; Increase Credit for Household and Dependent Care Services Necessary for Gainful Employment

BILL NUMBER: HB 1958

INTRODUCED BY: JOHANSON, AQUINO, BELATTI, BROWER, ELI, KITAGAWA, C. LEE, LOWEN, LUKE, MATAYOSHI, MORIKAWA, NAKASHIMA, NISHIMOTO, OHNO, SAN BUENAVENTURA, WOODSON, YAMANE

EXECUTIVE SUMMARY: Amends the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

SYNOPSIS: Amends section 235-55.8, HRS, to change the applicable credit percentages to unspecified amounts, and to change the maximum dollar limit on the amount creditable to unspecified amounts.

EFFECTIVE DATE: This Act, upon its approval, shall apply to taxable years beginning after December 31, 2019.

STAFF COMMENTS: While it appears that this measure proposes tax relief to lower income taxpayers, consideration should be given to adjusting the income tax rates or the threshold amounts so those taxpayers that these credits are aimed to help will not need to claim these credits to get tax relief (or forfeit the credits if they fail to do so).

We in Hawaii have several disparate programs and tax credits aimed at poverty relief. In addition to the credits already described, income tax credits are allowed to low-income household renters (HRS section 235-55.7) and for those with dependent care expenses necessary for gainful employment (HRS section 235-55.6). Many of the credits have non-duplication provisions and all have strict time limits on when they may be claimed upon pain of credit forfeiture. Apparently, lawmakers of the past had many different ideas on how to address the problem of poverty in Paradise but couldn’t figure out which program to go with, so they adopted them all. The principal disadvantage of this is that people can and do get confused over which credits they can and can’t claim, and as a result could expose themselves to credit disallowance, penalties, and other undesirable consequences.

Now, we simply can’t afford tax credits and business as usual. Yes, we need to help those who need it, but the shotgun style used in the past has not produced results. Perhaps a better approach would be lopping off the income tax brackets applicable to lower-income taxpayers and designing ONE credit to encourage social behavior necessary to lift the taxpayer out of poverty.

Digested 1/29/2020

Americans for Democratic Action Hawai'i

OFFICERS
John Bickel, President
Alan Burdick, Vice President
Marsha Schweitzer, Treasurer
Doug Pyle, Secretary

DIRECTORS
Melodie Aduja, Chuck Huxel, Stephen O'Harrow
Juliet Begley, Jan Lubin, Lyn Pyle
Ken Farm, Jenny Nomura
Stephanie Fitzpatrick, Dave Nagaji

MAILING ADDRESS
P.O. Box 23404
Honolulu
Hawai'i 96823

February 4 , 2020

TO: Honorable Chair San Buenaventura and HSH Committee Members

RE: HB 1958 Relating to Taxation

Support for hearing on Feb 7

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support HB 1958 as it would improve the child and dependent care tax credit. The CDCTC would help families with their child care costs. Often the cost for full time care can range from $700-$1100 monthly. Families with young families need help. This dependent care credit would help.

Thank you for your favorable consideration.

Sincerely,

John Bickel President

AAUW
empowering women since 1881
of Hawaii

Hawaii State House of Representative Committee on Human Services and Homelessness
Hearing Date/Time: Friday February 7, 2020 9:00AM
Place: Hawaii State Capitol, Room 329
Re: Testimony in SUPPORT for H.B. 1958

Dear Chair San Buenaventura, Vice Chair Nakamura, and Members of the Committee,

Members of AAUW of Hawaii are grateful for this opportunity to submit a testimony in SUPPORT for H.B. 1958, which would raise the income tax credit for the household and dependent care services expense necessary for gainful employment.

Women are the primary caregivers of both our keiki and kupuna who require care. Women are more likely to take significant time out of the workforce, lowering their ability to make ends meet and save for retirement. According to a Cornell study "Getting a Job: Is there a Motherhood Penalty?", the lifetime earnings of a woman with one child are 28% less than the earnings of a childless woman, and each additional child decreases a mother's lifetime earnings by another 3%.[1] Approximately 67% of caregivers for older adults are women, either wives, daughters or other family members.[2]

This bill would allow working families keep more of what they earn; reduce the number of households headed by single mothers receiving cash welfare; and reduce the number of older women living in poverty.

The American Association of University Women (AAUW) of Hawaii is a state-wide organization made up of six branches (Hilo, Honolulu, Kauai, Kona, Maui, and Windward Oahu) and includes just over 650 active members with over 3800 supporters statewide. As advocates for gender equity, AAUW of Hawaii promotes the economic, social, and physical well-being of all persons.

Please pass this bill to help working families of Hawaii. Mahalo.

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[1] https://www.jstor.org/stable/pdf/10.1086/511799.pdf
[2] https://www.justiceinaging.org/wp-content/uploads/2018/12/Older-Women-and-Poverty.pdf

Younghee Overly
Public Policy Chair, AAUW of Hawaii
publicpolicy-hi@aauw.net

HB-1958
Submitted on: 2/2/2020 11:05:39 PM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Erica Yamauchi	Hawaii Children's Action Network	Support	No

Comments:

I am writing in support of this legislation and the dependent care tax credit.

The dependent care tax credit helps working families offset the expenses for the care of children and/or adult dependents. The cost of child care in Hawaiʻi is steadily rising and is one of the highest in the nation, with the average full-time cost of infant care at nearly $1,200 per month.

There are more than 116,000 families with children in Hawaiʻi and 48% of them are ALICE (Asset Limited, Income Constrained, Employed) families, struggling financially and worrying to maintain economic security and stability. This credit will help provide economic relief and equity to families because all keiki deserve to live in families that can provide and invest in their future.

Thank you for your time and consideration.

Erica Yamauchi

President, Board of Directors, Hawaii Children's Action Network

Hawaii
Children's Action Network Speaks!
Building a unified voice for Hawaii's children

Hawaii Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.

To: Representative San Buenaventura, Chair
Representative Nakamura, Vice Chair
House Committee on Human Services & Homelessness

Re: **HB 1958-Relating to taxation**
Hawaii State Capitol, Room 328
9:00AM, 2/7/2020

Chair San Buenaventura, Vice Chair Nakamura, and committee members,

On behalf of Hawaii Children's Action Network Speaks!, we write in support of HB 1958, which would amend the household and dependent care tax credit, and offer an amendment. Child care cost in Hawaii are some of the most expensive in the country. Across all child care settings, the cost for full-time care can range from $700-$1100 monthly. Care for infants and toddlers is the most expensive, with an average of $1100 per month. Families are desperate for relief.

In Hawaii, 7 out of 10 children live in homes where both parents work. This makes child care a necessity for both the families and our economy. Allowing families to claim a portion of their expenses as a tax credit helps them continue to pay for care and stay engaged in the workforce.

Additionally, we off the following amendments:

SECTION 3. Section 235-55.6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Allowance of credit.

(1) In general. For each resident taxpayer, who files an individual income tax return for a taxable year, and who is not claimed or is not otherwise eligible to be claimed as a dependent by another taxpayer for federal or Hawaii state individual income tax purposes, who maintains a household which includes as a member one or more qualifying individuals (as defined in subsection (b)(1)), there shall be allowed as a credit against the tax imposed by this chapter for the taxable year an amount equal to the applicable percentage of the employment-related expenses (as defined in subsection (b)(2)) paid by the individual during the taxable year. If the tax credit claimed by a resident taxpayer exceeds the amount of income tax payment due from the resident taxpayer, the excess of the credit over payments due shall be refunded to the resident taxpayer; provided that tax credit properly claimed by a resident individual who has no income tax liability shall be paid to the resident individual; and provided further that no refunds or payment on account of the tax credit allowed by this section shall be made for amounts less than $1.

(2) Applicable percentage. For purposes of paragraph (1), the taxpayer's applicable percentage shall be determined as follows:

Adjusted gross income	Applicable percentage
Not over $25,000	[~~25%~~] 50%

Over $25,000 but not over $30,000	[~~24%~~] 50%
Over $30,000 but not over $35,000	[~~23%~~] 45%
Over $35,000 but not over $40,000	[~~22%~~] 45%
Over $40,000 but not over $45,000	[~~21%~~] 45%
Over $45,000 but not over $50,000	[~~20%~~] 40%
Over $50,000	[~~15%~~] 40%.
Over $50,000 but not over $75,000	35%
Over $75,000 but not over $100,000	30%
Over $100,000 But not over $250,000	15%

SECTION 4. Section 235-55.6, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

(c) Dollar limit on amount creditable. The amount of the employment-related expenses incurred during any taxable year which may be taken into account under subsection (a) shall not exceed:

(1) [~~$2,400~~] $13,000 if there is one qualifying individual with respect to the taxpayer for such taxable year, or

(2) [~~$4,800~~] $26,000 if there are two or more qualifying individuals with respect to the taxpayer for such taxable year.

SECTION 5. Section 235-55.6, Hawaii Revised Statutes, is amended by adding a subsection to read:

On September 30, 2021 and on September 30 of each year thereafter, the Department of Taxation shall calculate an adjustment to the income limits under subsection (a) and the dollar limit on amount creditable under subsection (c) based upon the annual change in the Urban Hawaii Consumer Price Index or successor index for the 12 months prior to September 1 of each year, as calculated by the United States Department of Labor. The adjusted income limits and dollar limit creditable will take effect on January 1 of the following year.

SECTION 6. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 7. This Act shall apply to taxable years beginning after December 31, 2019.

Increasing both the brackets and the cap will give families a robust credit.

850 Richards Street, Suite 201 • Honolulu, HI 96813 • 808-531-5502www.hawaii-can.org • info@hawaii-can.org

We appreciate the opportunity to provide testimony in support of HB 1958 and respectfully request the committee to support this measure.
Thank you,

Kathleen Algire
Director, Public Policy and Research

850 Richards Street, Suite 201 • Honolulu, HI 96813 • 808-531-5502www.hawaii-can.org • info@hawaii-can.org

HAWAII APPLESEED
CENTER FOR LAW & ECONOMIC JUSTICE

Testimony of the Hawaiʻi Appleseed Center for Law and Economic Justice
In Support of HB 1958 – Relating to Taxation
House Committee on Human Services & Homelessness
Friday, February 7, 2020, 9:00 AM, conference room 329

Dear Chair San Buenaventura, Vice Chair Nakamura, and members of the Committee:

Thank you for the opportunity to provide testimony in **SUPPORT of HB 1958**, which adjusts how much working families can claim for the household and dependent care services tax credit.

This bill would help address the sky-high cost of child and dependent care in Hawaiʻi, which has profound consequences on the economic security of our working families. The newest report on the financial health of families in Hawaiʻi found that nearly 7 in 10 Hawaiʻi adults, or more than 828,000 people, are struggling with their financial health.[i]

It reinforces the message of the ALICE study of financial hardship in Hawaiʻi,[ii] which identified child care as one of the largest financial challenges for our state's working families. The average cost of infant and toddler care in Hawaiʻi is $13,500. That's more than annual in-state tuition at the University of Hawaiʻi. [iii]

In addition, two-thirds of children in Hawaiʻi live in households where both parents work, and a quarter of live in households headed by a single parent, leaving no full-time caregiver at home.[iv]

Meanwhile, the population of Hawaiʻi is both older than that of the U.S. as a whole, and is aging faster. More and more families are facing the challenges of caring for dependent kūpuna, and their numbers will continue to grow.

In 2017 (the latest year of data publicly available), the average dependent care credit claimed was only $387.[v] This is likely due to the fact that the current applicable percentages and dollar limits on the amount of dependent care costs that may be claimed are so low that they seriously restrict the amount of financial relief available through this credit.

We respectfully request that you **amend** this bill to **significantly increase** both the applicable percentages and dollar limits on the amount that may be claimed with this credit **to adequately address the true costs of dependent care** in our state. We appreciate your consideration of this testimony.

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[i] https://staging.cfsinnovation.org/research/hawaii-financial-health-pulse/
[ii] https://www.auw.org/alice
[iii] http://uhfamily.hawaii.edu/publications/brochures/e8998_HawaiiEarlyLearningAssessment-Web.pdf
[iv] https://datacenter.kidscount.org/data#HI/2/0/char/0
[v] http://files.hawaii.gov/tax/stats/stats/credits/2017credit.pdf

FAITH ACTION FOR COMMUNITY EQUITY

February 6, 2020

Honorable Representative Joy A. San Buenaventura
House Committee on Human Services & Homelessness
Hawaii State Capitol, Conference Room 329, 9:00 A.M.
415 South Beretania Street
Honolulu, HI 96813

RE: HB1958 RELATING TO TAXATION.

Dear Chair Joy A. San Buenaventura, Vice Chair Nadine K. Nakamura, and members of the Committee:

On behalf of Faith Action for Community Equity, I am writing to extend our **support with amendments** for House Bill 1958. This bill amends the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment-related expenses that constitutes the tax credit and cap amount.

Across all childcare settings, the cost for full-time care can range from $700-$1200 monthly, although centers can go as high as $2,200. Care for infants and toddlers specifically is the most expensive with an average of $14,000 a year. The CDCTC is the second most commonly claimed credit, but each year fewer people are eligible.

Increasing the percentage of allowable expenses and the caps to more closely reflect the cost of care would greatly improve the lives of our families. There are 116,205 families with children in Hawaii and 48 percent of them have income below the ALICE threshold. 31.7% of two parent and two children households make less than it takes to afford their basic needs. All Children in Hawaiʻi should have the opportunity to live in families that can provide for their need and invest in their future. Improving the CDCTC helps children stay safe and parents stay in the workforce.

I request the following amendments to the bill:

In "(c) Dollar limit on amount creditable. The amount of the employment-related expenses incurred during any taxable year which may be taken into account under subsection (a) shall not exceed:

(1) ~~[$2,400]~~ $13,000 if there is one qualifying individual with respect to the taxpayer for such taxable year, or

(2) ~~[$4,800]~~ $26,000 if there are two or more qualifying individuals with respect to the taxpayer for such taxable year.

Thank you for the opportunity to testify.

HB-1958
Submitted on: 1/28/2020 10:36:17 PM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jonathan Boyne	Individual	Support	No

Comments:

I support HB1958, improving the child and dependent care tax credit. The CDCTC would help families with their child care costs. Across all child care settings, the cost for full time care can range from $700-$1100 monthly. Care for infants and toddlers specifically is the most expensive with an average of $1100 per month. The CDCTC is the second most commonly claimed credit but each year fewer people are eligible. Increasing the income levels would allow more families to take advantage of it.

Thank you for the opportunity to testify.

HB-1958
Submitted on: 2/4/2020 7:02:45 PM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Buckovetz	Individual	Support	No

Comments:

I strongly support passage of this bill. As a former Kapuna caregiver for my parents, I had to retire early to care for them. With reduced income and increased medical costs under Obamacare, I could have benefitted from this bill and provided expanded care. Please pass this bill for Hawaii residents. Aloha nui.

HB-1958
Submitted on: 2/3/2020 10:18:54 AM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Mele Hooper	Individual	Support	No

Comments:

I support HB1958. I have 3 children, 2 are currently in college. Due to the high cost of living in Hawaii, it is a financial challege to support my 2 children in college. This bill will help offset our financial challenges.

HB-1958
Submitted on: 2/4/2020 7:21:09 PM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Caroline Kunitake	Individual	Support	No

Comments:

Dear Chair Joy A. San Buenaventura and Members of the Committee on Human Services and Homelessness,

I am writing in support of HB1958 with comments.

Usually women become caregivers and take a step back in their earnings/earnings potential which also impacts their federal social security benefits. Older women, who have taken care of their children and/or parents, often live longer than men and therefore are at a greater risk for poverty.

I'm sure that it is difficult to determine the applicable percentage for each income bracket. What percentages would be fair? A women earning a low wage cutting her working hours in half to care for a family member vs. a woman earning a high salary cutting her working hours in half to care for a family member. The woman earning a very low salary probably could not afford to hire outside help (she probably would need to quit work all together since her family earns so little money to keep up with food, housing, transportation, etc). The woman earning a relatively higher salary would be in a better position to hire outside help even after reducing total hours worked per week. What about women who haven't been working for years and then go to care for their family member?

The 2018 "Older Women and Poverty" report from the Justice in Aging highlights a variety of policy solutions (https://www.justiceinaging.org/wp-content/uploads/2018/12/Older-Women-and-Poverty.pdf). **Justice in Aging** is a national organization that uses the power of law to fight senior poverty by securing access to affordable health care, economic security, and the courts for **older** adults with limited resources.

I liked the tax credit idea on p.21 of the report since the federal Earned Income Tax Credit (EITC) tax credit has been widely used by the federal government. Everyone who files federal taxes may be familiar with this credit.

Increase income eligibility for tax credits (from p.21 of the Older Women and Poverty report)

The federal Earned Income Tax Credit (EITC) has been proven to increase the income of low-paid workers, who are, as stated above, predominately women and people of color. States can act to expand the credit to higher income households and to older adults working beyond retirement age. Since many older women cannot afford to retire at age 65, expanding the EITC to older adults makes sense. For example, in California, the state acted to increase the EITC to older adults in 2018. Older women represent 2 in 3 of those who are now eligible for the credit in California.96

When you look at the Federal Earned Income Tax Credit (EITC) on the IRS website, the income levels are pretty low. Maybe these income levels could be adjusted to Hawaii's cost of living (being so much higher than the national average).

Also in addition to qualifying children perhaps qualifying aging parents and disabled family members requiring care could be added to the tax credit table. So it could be defined as "Qualifying Children, aging parents, disabled family member receiving direct care" at the top of the tax credit chart. Additional columns could be added to include adults needing care.

The Maximum Credit Amounts could be adjusted to include aging parents and disabled family members.

So many people in Hawaii are caring not only for their children, but also their parent, aunts, uncles and grandparents. Many voters will want an income tax credit for household and dependent care services necessary for gainful employment. Please pass this bill.

Mahalo,

Caroline Kunitake

HB-1958
Submitted on: 2/5/2020 8:36:27 PM
Testimony for HSH on 2/7/2020 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Individual	Support	No

Comments:

Aloha Chair San Buenaventura and members,

I support HB1958. As the Hawaii Childrens' Action Network has stated, the CDCTC would help families with their child care costs. Across all child care settings, the cost for full time care can range from $700-$1200 monthly, although centers can go as high as $2,200. Care for infants and toddlers specifically is the most expensive with an average of $14,000 a year. The CDCTC is the second most commonly claimed credit but each year fewer people are eligible. Increasing the percentage of allowable expenses and the caps to more closely reflect the cost of care would greatly improve the lives of our families.

I also support the following amendment submitted by HCAN:

In "(c) Dollar limit on amount creditable. The amount of the employment-related expenses incurred during any taxable year which may be taken into account under subsection (a) shall not exceed:

(1) [$2,400] $13,000 if there is one qualifying individual with respect to the taxpayer for such taxable year, or

(2) [$4,800] $26,000 if there are two or more qualifying individuals with respect to the taxpayer for such taxable year.

This is a women's issue as women most often have the primary responsibility for providing child care.

Mahalo,

Ann S. Freed

HB-1958
Submitted on: 2/6/2020 9:06:00 AM
Testimony for HSH on 2/7/2020 9:00:00 AM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Sarah Yuan	Policy Advisory Board for Elder Affairs	Support	No

Comments:

The Policy Advisory Board for Elder Affairs has a statutory obligation to advocate on behalf of the senior citizens of Hawaii. While we advise the Executive Office on Aging, we do not speak on its behalf.

PABEA strongly supports bill **HB1958** that aims to raise the dependent care tax credit to offset the high costs of caring for dependents. According to AARP, there are about 154,000 unpaid family caregivers in the state. Many of these caregivers are struggling to balance work and caregiving responsibilities. Dependent care for our seniors is expensive. According to Genworth's 2019 Cost of Care Survey, the average annual costs for adult daycare and home health aides were about $19,000 and $63,000, respectively.

Raising the percentage levels of employment-related expenses and the cap of credits as proposed in bill HB1958 would benefit more struggling families in Hawaii.

Thank you for your consideration of this testimony.

alzheimer's association®
ALOHA CHAPTER
1130 N. Nimitz Highway Suite A-265, Honolulu, Hawaii 96817
Phone: 808.591.2771 Fax: 808.591.9071 www.alz.org/hawaii

LATE

February 7, 2020

Honorable Representative Joy A. San Buenaventura
House Committee on Human Services & Homelessness
Hawaii State Capitol, Conference Room 329, 9:00 A.M.
415 South Beretania Street
Honolulu, HI 96813

RE: HB1958 RELATING TO TAXATION.

Dear Chair San Buenaventura and members of the Committee:

The Alzheimer's Association, Aloha Chapter supports House Bill 1958. This measure amends the income tax credit for expenses for household and dependent care services necessary for gainful employment by changing the taxpayer's applicable percentage of employment related expenses that constitutes the tax credit and cap amount.

We are testifying in support because we are especially concerned for adults who are part of the sandwich generation—those who have a living parent age 65 or older and are either raising a child under age 18. Both financially and personally, they may feel that they are being pulled in many directions. Pew finds that members of the sandwich generation are mostly middle-aged, with 71% of this group are ages 40 to 59, 19% younger than 40, and 10% ages 60 or older.

This tax credit would help families with costs related to both child care and caregiving for family members with Alzheimer's or related dementias. Alzheimer's disease is the most expensive disease in the country. Today, Hawaii has 65,000 family caregivers for the 29,000 people with Alzheimer's disease. By 2025, we will have an estimated 35,000 people living with Alzheimer's in our state. Raising the cap on the tax credit would be a benefit to families affected by this disease.

Thank you for the opportunity to testify in support of this legislation.

Ian Ross
Public Policy and Advocacy Manager
iaross@alz.org | Phone: (808) 591-2771 x1333