

STAND. COM. REP. NO. **2228**

Honolulu, Hawaii

**FEB 11 2022**

RE: S.B. No. 3215  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3215 entitled:

"A BILL FOR AN ACT RELATING TO GARNISHMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize cost of living expenses, as determined by the self-sufficiency standard for the State, to be protected from certain garnishments.

Your Committee received testimony in support of this measure from Hawai'i Alliance for Progressive Action, Pono Hawai'i Initiative, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Financial Services Association; MEDCAH, Inc.; Guardian Capital Management Hawaii; and one individual. Your Committee received comments on this measure from the Hawaii Credit Union League and one individual.

Your Committee finds that wage garnishment occurs when a court orders an employer to withhold a specified percentage of an employee's paycheck for payment of a debt. Hawaii law exempts from wage garnishment a portion of the defendant's income remaining after the deduction of any amounts required by law to be withheld. Your Committee further finds that this exemption currently does not sufficiently protect consumers, as Hawaii's cost of living is among the highest in the nation. Many



individuals subject to garnishment may have to file for bankruptcy, become homeless, experience other negative financial outcomes, or become a burden on the State's social services. This measure will reduce the financial harms imposed on individuals and families subject to existing garnishment law.

Your Committee has amended this measure by:

- (1) Removing language that would have established a cost of living exemption from certain garnishments;
- (2) Specifying that the withholding amount for purposes of wage garnishment is five percent of the first \$200 per month, ten percent of the next \$200 per month, and twenty percent of all sums in excess of \$400 per month; and
- (3) 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. 3215, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3215, S.D. 1, and be referred to your Committee on Ways and Means.

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



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KARL RHOADS, Chair



The Senate  
Thirty-First Legislature  
State of Hawai'i

**Record of Votes  
Committee on Judiciary  
JDC**

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3215	JDC, WAM	02-04-22

The Committee is reconsidering its previous decision on this measure.  
If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312     Pass, with amendments 2311     Hold 2310     Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado		✓		
LEE, Chris	✓			
FEVELLA, Kurt				✓
<b>TOTAL</b>	5	1	-	1

Recommendation:  Adopted     Not Adopted

Chair's or Designee's Signature: 

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\*Only one measure per Record of Votes