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# A BILL FOR AN ACT

RELATING TO THE HAWAII ABLE SAVINGS PROGRAM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. The purpose of this Act is to:
- 2           (1) Amend the sources of funding for the Hawaii ABLE
- 3                 saving program trust fund;
- 4           (2) Amend the authorized uses of moneys in the trust fund,
- 5                 including providing incentive payments to Hawaii
- 6                 public school ABLE savings account owners;
- 7           (3) Appropriate funds to the department of budget and
- 8                 finance to fund the incentive payments; and
- 9           (4) Appropriate funds to the department of health to fund
- 10                 one full-time equivalent (1.0 FTE) permanent position
- 11                 within the state council on developmental disabilities
- 12                 to provide statewide outreach, advocacy, and
- 13                 relationship management for the Hawaii ABLE savings
- 14                 program.

15           SECTION 2. Section 256B-8, Hawaii Revised Statutes, is

16 amended to read as follows:



1           "~~{}~~\$256B-8~~{}~~ Hawaii ABLÉ savings program trust fund.

2       (a) There ~~is~~ shall be established the Hawaii ABLÉ savings  
3 program trust fund within the treasury of the State. The fund  
4 shall consist of:

5           (1) Any moneys received from an ABLÉ savings program  
6           manager~~, any~~;

7           (2) Any moneys received from governmental or private  
8           grants~~, and any general fund appropriations for~~;

9           (3) Any moneys appropriated by the legislature to the  
10          program~~-~~;

11          (4) Any moneys deposited by contributors, in accordance  
12          with this chapter, that are not deposited directly  
13          with the program manager; and

14          (5) All interest derived from the deposit and investment  
15          of moneys in the trust fund.

16       (b) ~~[The fund shall be used if the director elects to~~  
17 ~~accept deposits from contributors, rather than have deposits~~  
18 ~~sent directly to the program manager. The fund shall consist of~~  
19 ~~any moneys deposited by contributors in accordance with this~~  
20 ~~chapter which are not deposited directly with the program~~  
21 ~~manager.] All moneys in the fund shall be expended by the~~



1 director to fulfill the purposes of this chapter, including to  
 2 provide incentive payments to Hawaii public school ABLE savings  
 3 account owners as a means of encouraging the participation of  
 4 eligible individuals and families to save funds; provided that  
 5 the director shall maintain and keep separate records to account  
 6 for any incentive payments.

7 (c) ~~[All interest derived from the deposit and investment~~  
 8 ~~of moneys in the savings program trust fund shall be credited to~~  
 9 ~~the fund.]~~ At the end of any fiscal year, all unexpended and  
 10 unencumbered moneys in the savings program trust fund shall  
 11 remain in the savings program trust fund and shall not be  
 12 credited or transferred to the general fund or any other funds.

13 (d) All expenses incurred by the director in developing  
 14 and administering the ABLE savings program shall be payable from  
 15 the Hawaii ABLE savings program trust fund."

16 SECTION 3. There is appropriated out of the general  
 17 revenues of the State of Hawaii the sum of \$ \_\_\_\_\_ or so  
 18 much thereof as may be necessary for fiscal year 2024-2025 to be  
 19 deposited into the Hawaii ABLE savings program trust fund.

20 SECTION 4. There is appropriated out of the Hawaii ABLE  
 21 savings program trust fund the sum of \$ \_\_\_\_\_ or so much



1 thereof as may be necessary for fiscal year 2024-2025 to provide  
2 incentive payments to Hawaii public school ABLE savings account  
3 owners.

4 The sum appropriated shall be expended by the department of  
5 budget and finance for the purposes of this Act.

6 SECTION 5. There is appropriated out of the Hawaii ABLE  
7 savings program trust fund the sum of \$ or so much  
8 thereof as may be necessary for fiscal year 2024-2025 to  
9 fund full-time equivalent ( FTE) permanent positions  
10 within the state council on developmental disabilities to  
11 provide statewide outreach, advocacy, and relationship  
12 management for the Hawaii ABLE savings program.

13 The sum appropriated shall be expended by the department of  
14 health for the purposes of this Act.

15 SECTION 6. In accordance with section 9 of article VII of  
16 the Hawaii State Constitution and sections 37-91 and 37-93,  
17 Hawaii Revised Statutes, the legislature has determined that the  
18 appropriations contained in H.B. No. , will cause the state  
19 general fund expenditure ceiling for fiscal year 2024-2025 to be  
20 exceeded by \$ or per cent. In addition, the  
21 appropriation contained in this Act will cause the general fund



1 expenditure ceiling for fiscal year 2024-2025 to be further  
2 exceeded by \$                    or                    per cent. The combined total  
3 amount of general fund appropriations contained in only these  
4 two Acts will cause the state general fund expenditure ceiling  
5 for fiscal year 2024-2025 to be exceeded by  
6 \$                    or                    per cent. The reasons for exceeding the  
7 general fund expenditure ceiling are that:

- 8           (1) The appropriation made in this Act is necessary to  
9           serve the public interest; and
- 10          (2) The appropriation made in this Act meets the needs  
11          addressed by this Act.

12           SECTION 7. If any provision of this Act, or the  
13 application thereof to any person or circumstance, is held  
14 invalid, the invalidity does not affect other provisions or  
15 applications of the Act that can be given effect without the  
16 invalid provision or application, and to this end the provisions  
17 of this Act are severable.

18           SECTION 8. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect on July 1, 3000.



**Report Title:**

B&F; DOH; State Council on Developmental Disabilities; Hawaii  
ABLE Savings Program; Trust Fund; Incentive Payments;  
Appropriation; Expenditure Ceiling

**Description:**

Amends the sources of funding for the Hawaii ABLE Saving Program  
Trust Fund. Amends the authorized uses of moneys in the trust  
fund, including providing incentive payments to Hawaii public  
school ABLE account owners. Appropriates funds. Effective  
7/1/3000. (HD2)

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not legislation or evidence of legislative intent.*

