

ACT 287

S.B. NO. 475

A Bill for an Act Relating to Public Assistance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that, as the cost of living increases each year, the standard of need in Hawaii, which is based on the federal poverty level for the State, is not adjusted to reflect this increase and is still based on the federal poverty level in 1993.

The purpose of this Act is to adjust the State's standard of need by updating it to reflect the 2006 federal poverty level for Hawaii.

SECTION 2. Section 346-53, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) This subsection does not apply to general assistance to households without minor dependents. The standard of need ~~[for families of given sizes]~~ shall equal the poverty level established by the federal government in ~~[1993,]~~ 2006, prorated over a twelve-month period~~[-]~~ based on family size.

The assistance allowance provided shall be based on a percentage of the standard of need. For exempt households and households in which all caretaker relatives are minors, living independently with minor dependents and attending school, the assistance allowance shall be set ~~[at]~~ no higher than sixty-two and one-half per cent and no lower than forty-four per cent of the standard of need. For all other households, the assistance allowance shall be set no higher than sixty-two and one-half per cent of the standard of need and set no lower than ~~[fifty]~~ thirty-four per cent of the standard of need. The standard of need shall be determined by dividing the ~~[1993]~~ 2006 federal poverty level by twelve and rounding down the quotient. The remaining quotient shall be multiplied by the per cent as set by the director by rules pursuant to chapter 91, and the final product shall be rounded down to determine the assistance allowance; provided that:

- (1) The department may increase or reduce the assistance allowance as determined in this subsection for non-exempt households for the purpose of providing work incentives or services under part XI ~~[of this chapter];~~
- (2) No reduction shall be allowed that jeopardizes eligibility for or receipt of federal funds;
- (3) Reductions in the assistance allowance shall be limited to no more than one per year; and
- (4) No non-exempt household, which includes an adult who has received sixty cumulative months of temporary assistance to needy families with minor dependents, shall be eligible for an assistance allowance, unless authorized by federal regulations.’’

SECTION 3. The department of human services shall reevaluate the standard of need during the interim period following the 2006 regular session and report its findings and recommendations, along with any proposed legislation, to the legislature no later than twenty days prior to the start of the 2007 regular session.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2007; provided that section 3 shall take effect upon its approval.

(Approved July 7, 2006.)