

ACT 69

S.B. NO. 888

A Bill for an Act Relating to Child Support Enforcement.

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

SECTION 1. Section 576D-16, Hawaii Revised Statutes, is amended to read as follows:

“§576D-16 Duty of employers to report new hires to the agency; civil penalties for failure to comply with reporting; national new hire directory. (a) Beginning

October 1, 1998, each employer in the State shall report to the agency within twenty days of hire, the name, address, social security number, and the date services for remuneration were first performed of each new ~~employee~~ hire along with the name, federal identification number, and address of the employer. Each report shall be made on a W-4 form or its equivalent, and may be transmitted by first class mail, magnetically, or electronically. If an employer is transmitting reports to the agency magnetically or electronically, the report shall be transmitted twice monthly not less than twelve days nor more than sixteen days apart. The agency shall maintain these reports as the state directory of new hires.

(b) Employers failing to report the information required in subsection (a) shall be subject to a civil penalty of \$25 or, if the failure is the result of a conspiracy between the employer and the employee not to supply the required report or to supply a false or incomplete report, a \$500 fine.

(c) Within three working days after the date information is reported to the agency's state directory of new hires, the agency shall furnish the information to the national directory of new hires. The agency shall furnish extracts of the reports required to the national directory of new hires on a quarterly basis concerning the wages and compensation paid to individuals, by such dates, in such format, and containing such information as the United States Secretary of Health and Human Services shall specify in regulations.

(d) For the purposes of this section, the term "new hire" means an employee who has not previously been employed by the employer or was previously employed by the employer but has been separated from the prior employment for at least sixty consecutive days."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 30, 2013.)