
A BILL FOR AN ACT

RELATING TO STATE FINANCES.

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

1 SECTION 1. Section 576D-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§576D-5[+] **Fee for obtaining or enforcing nonpublic**
4 **assistance order.** (a) The agency shall require the payment of
5 a reasonable fee on the application of a person under section
6 576D-3(b)(3) who is not receiving public assistance for support
7 of the child for assistance in obtaining or enforcing a child
8 support order. The payment and amount of the fee shall be in
9 compliance with applicable federal regulations promulgated under
10 Title IV-D.

11 (b) In the case of an individual who has never received
12 public assistance for the support of a child under Title IV-A
13 and for whom the State has collected not less than \$500 of
14 support, the agency shall impose an annual fee of \$25 for each
15 case in which Title IV-D services were furnished, which shall be
16 retained in accordance with Title IV-D requirements; provided
17 that the \$25 shall not be retained from the first \$500 so



1 collected. Any fee collected shall be maintained by the agency
2 and used as required under Title IV-D."

3 SECTION 2. Effective October 1, 2007, personnel employed
4 by the family support divisions of the county of Hawaii and the
5 city and county of Honolulu whose functions, duties,
6 responsibilities, and activities relate to child support
7 enforcement shall be transferred to the department of the
8 attorney general. There is established twenty-four permanent
9 full-time equivalent (24.0 FTE) positions in the department of
10 the attorney general to carry out the purposes of this Act.

11 Such employees holding civil service status shall be
12 transferred to similar or corresponding positions in the
13 department of the attorney general, subject to state personnel
14 laws and this Act. All civil service employees shall acquire
15 permanent civil service status within the meanings of chapter
16 76, Hawaii Revised Statutes, without the necessity of
17 examination, and without loss of salary, seniority, prior
18 service credit, any vacation and sick leave credits previously
19 earned, and other rights, benefits, and privileges; provided
20 that the employees possess the minimum qualifications for the
21 class and/or position to which transferred or appointed, as
22 applicable; provided further that subsequent changes in status



1 may be made pursuant to applicable civil service and
2 compensation laws.

3 In the event that an office or position held by any
4 employee having permanent civil service status or membership is
5 affected by workload changes or is abolished, such employee
6 shall remain in the employment of the State in accordance with
7 the civil service law, the applicable bargaining unit contract,
8 or the state personnel rules and regulations, whichever is
9 applicable.

10 Any employee who, prior to this Act, was exempt from civil
11 service and who may be transferred as a consequence of this Act,
12 may continue to retain the employee's exempt status, but shall
13 not be appointed to a civil service position because of this
14 Act. No employee who is transferred by this Act shall suffer
15 any loss of prior service credit, any vacation and sick leave
16 credits previously earned, or other employee benefits or
17 privileges as a consequence of this Act. The attorney general
18 may prescribe the duties and qualifications of such employees
19 and fix their salaries without regard to chapter 76, Hawaii
20 Revised Statutes.

21 All appropriations, records, equipment, machines, files,
22 supplies, contracts, books, papers, documents, maps, computer



1 software and data, and other personal property made, used,
2 acquired, or held by the family support divisions of the county
3 of Hawaii and the city and county of Honolulu on September 30,
4 2007, relating to the functions transferred to the department of
5 the attorney general shall be transferred with the functions to
6 which they relate on October 1, 2007.

7 The provisions of this section are to be liberally
8 construed to effectuate its purposes.

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.



H.B. NO. 162
H.D. 1
S.D. 2
C.D. 1

Report Title:

State Finances; Child Support

Description:

Requires the Child Support Enforcement Agency to impose an annual fee where no public assistance had been paid to the custodial parent and collection for the case exceeds \$500. Effective 10/1/2007, transfers child support enforcement personnel from the corporation counsel of the city and county of Honolulu and the county of Hawaii to the attorney general without loss of pay, benefits, or, where applicable, civil service status. (HB162 CD1)

