
A BILL FOR AN ACT

RELATING TO CHILD SUPPORT.

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

1 SECTION 1. The legislature finds that the State can
2 increase the effectiveness of the State's child support program
3 by clarifying the liability of grandparents in accordance with
4 the Personal Responsibility and Work Opportunity Reconciliation
5 Act of 1996, Pub. L. 104-193, 110 Stat. 2105, also known as the
6 Welfare Reform Act.

7 The legislature further finds that rather than being
8 considered an entitlement, welfare programs should place more
9 emphasis upon the transition of recipients from welfare
10 dependence to family support.

11 The legislature recognizes the important role that the
12 family of a minor parent plays in the welfare of the minor
13 parent and the children of the minor parent. Parents of a minor
14 parent can hold the minor parent accountable for child rearing,
15 teach the minor parent proper parenting skills, and encourage
16 the minor parent to complete high school and higher education
17 and participate in job training, employment, and early childhood



1 education programs. Thus, the legislature finds that the
2 parents of a minor parent should be financially responsible for
3 the minor parent and the child of the minor parent. This will
4 strengthen familial bonds and have other beneficial consequences
5 for the well-being of the minor parent and his or her child,
6 including reducing their dependency on public assistance.

7 To date, at least thirteen states have enacted a statute
8 that provides for such grandparent liability for child support.
9 Some of the statutes were enacted in the wake of the enactment
10 of title 42 United States Code section 666(a)(18), and limit
11 liability of grandparents to those cases where the parents of
12 the child are minors and the custodial minor parent is receiving
13 public assistance. Other states have statutes that predate the
14 Welfare Reform Act and are modeled more along the lines of the
15 Elizabethan Poor Laws, which were passed by the English
16 Parliament in the 1600s. These thirteen states include Arizona,
17 Idaho, Illinois, Maryland, Missouri, New Hampshire, North
18 Carolina, Ohio, Rhode Island, South Carolina, South Dakota,
19 Wisconsin, and Wyoming.

20 Accordingly, the purpose of this Act is to authorize the
21 child support enforcement agency to pursue child support and



1 maintenance for the child of parents under the age of eighteen
2 from the child's maternal and paternal grandparents for as long
3 as the parent or parents of the child are under eighteen years
4 of age.

5 SECTION 2. Chapter 576D, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§576D- Child support obligations of grandparents. (a)

9 When a child is born to a parent who is under eighteen years of
10 age, the agency may pursue support and maintenance for that
11 child from any parent of the parent who is under eighteen years
12 of age, for as long as the parent is under eighteen years of
13 age.

14 (b) The agency shall adopt rules pursuant to chapter 91 to
15 effectuate the purpose of this section."

16 SECTION 3. New statutory material is underscored.

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

18
INTRODUCED BY: 

JAN 22 2015



H.B. NO. 128

Report Title:

Minor Parents; Grandparents; Child Support

Description:

Authorizes the Child Support Enforcement Agency to pursue support and maintenance for the child of a parent under the age of eighteen from the child's grandparents.

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