



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 1173, RELATING TO CHILD SUPPORT.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY

DATE: Wednesday, February 20, 2019 **TIME:** 10:00 a.m.

LOCATION: State Capitol, Room 016

TESTIFIER(S): Clare E. Connors, Attorney General, or
Lynette J. Lau, Administrator, Child Support Enforcement Agency

Chair Rhoads and Members of the Committee:

The Department of the Attorney General supports this bill.

This bill amends sections 571-52.2, 576D-5, and 576E-16 of the Hawaii Revised Statutes in order to bring the State of Hawaii into compliance with federal law.

Under 42 U.S.C. § 666(b)(6)(D), each state must have in effect laws requiring the imposition of a fine against any employer who (a) discharges from employment, refuses to employ, or takes disciplinary action against any noncustodial parent subject to income withholding or (b) fails to withhold support from income or pay the amounts to a child support agency.

Under 42 U.S.C. § 654(6)(B)(ii), each state must increase the annual collection fee from \$25 to \$35 assessed on all state IV-D cases that have not received assistance under the state Temporary Assistance for Needy Families (TANF) program. The law also revises the amount from \$500 to \$550 that the state must collect and disburse to the family before imposing the fee each federal fiscal year.

Compliance with these requirements is necessary to maintain eligibility for federal funding of child support enforcement programs. In addition, amending the income withholding requirements increases the effectiveness of the income withholding process and protects the obligor parent from employment discrimination as a result of having an income withholding order being issued against the individual.

We respectfully ask the Committee to pass this bill.