STAND. COM. REP. NO. 325

Honolulu, Hawaii

FEB 2 8 2020

RE: S.B. No. 2769 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2769, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PAYMENTS OF SUPPORT,"

begs leave to report as follows:

The purpose and intent of this measure is to include tips or gratuities paid directly to an individual by a customer of the employer and reported or declared to the employer under the definition of income withheld by employers for payments of child or spousal support.

Your Committee did not receive any testimony on this measure."

Your Committee finds that cash wages paid directly by the employer and the amount of any tip credit claimed by the employer under federal or state law are earnings for the purposes of the wage garnishment law. However, tips received in excess of the tip credit amount are not considered earnings subject to withholding. This measure will include tips and gratuities in the definition of income withheld by employers for payments of child or spousal support. This will allow employers to garnish the appropriate child or spousal support payments to help alleviate the financial stress and worry that many families experience.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your



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Committee is in accord with the intent and purpose of S.B. No. 2769, S.D. 1, and recommends that it pass Third Reading.

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Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair



The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

	Committee Referral: Date: LCA/HMS, JDC 2/27/2020			1020	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is: Pass, unamended Pass, with amendments Hold Recommit 2312 2312 2311 2310 2313					
Members		Aye	Aye (WR)) Nay	Excused
RHOADS, Karl (C)					
KEOHOKALOLE, Jarrett (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt					
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TOTAL		4			
Recommendation:					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only <u>one</u> measure per Record of Votes