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# A BILL FOR AN ACT

RELATING TO THE SPOUSE AND CHILD ABUSE SPECIAL FUND.

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

1           SECTION 1. The legislature finds that Congress passed the  
2 Family First Prevention Services Act of 2018 (Family First) as  
3 part of the Bipartisan Budget Act of 2018, Public Law 115-123.  
4 Family First changes the way states may spend and claim funds  
5 pursuant to title IV-E of the Social Security Act (title IV-E  
6 funds). Previously, title IV-E funds could only be used for  
7 foster care maintenance, adoption assistance, kinship  
8 guardianship assistance, and related training and administrative  
9 expenses. Family First provides reimbursement of title IV-E  
10 funds for child abuse and prevention services. Hawaii will soon  
11 submit its Family First Hawaii Plan for federal review, and upon  
12 approval, Hawaii will have the option to use state and title  
13 IV-E funds for prevention services that would allow children who  
14 have been abused or neglected or are at risk of being abused or  
15 neglected to remain with their parents or relatives.

16           The legislature further finds that Section 346-7.5, Hawaii  
17 Revised Statutes, currently allows up to \$3,000,000 to be



1 retained in the spouse and child abuse special fund. To  
2 maximize Hawaii's ability to draw additional federal fund  
3 reimbursement available through Family First, the department  
4 needs a significant source of sustainable non-federal revenue to  
5 support spouse and child abuse and neglect prevention and  
6 intervention services, including personnel costs. With the  
7 projected loss of state revenue due to the coronavirus disease  
8 2019 (COVID-19) pandemic and the resulting economic crisis, an  
9 increase in the amount the spouse and child abuse special fund  
10 is allowed to retain is necessary to meet the projected decrease  
11 in general funds appropriations.

12 The legislature also finds that the department of human  
13 services is seeking to retain all unencumbered and unexpended  
14 funds in the spouse and child abuse special fund up to  
15 \$5,000,000 including Family First federal reimbursements and  
16 title IV-E federal reimbursements received in the fiscal year  
17 following the year in which the funds were expended to secure a  
18 stable source of funding for spouse abuse, child abuse and  
19 neglect prevention, intervention, and other services.

20 The purpose of this Act is to allow the spouse and child  
21 abuse special fund to retain all unencumbered and unexpended



1 moneys up to \$5,000,000 including Family First and title IV-E  
2 federal reimbursements received in the fiscal year following the  
3 year in which the funds were expended.

4 SECTION 2. Section 346-7.5, Hawaii Revised Statutes, is  
5 amended by amending subsection (e) to read as follows:

6 "(e) All unencumbered and unexpended moneys in excess of  
7 [~~\$3,000,000~~] \$5,000,000 in the spouse and child abuse special  
8 fund shall lapse to the credit of the general fund. Upon  
9 dissolution of the spouse and child abuse special fund, any  
10 unencumbered moneys in the fund shall lapse to the general  
11 fund."

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

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

15



**Report Title:**

Spouse and Child Abuse Special Fund

**Description:**

Amends the spouse and child abuse special fund to allow up to \$5,000,000 of federal reimbursements received from the U.S. Department of Health and Human Services, Administration for Children and Families, in the year following the fiscal year in which Family First Prevention Services funds and the Title IV-E funds were expended to be deposited and retained. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

