
A BILL FOR AN ACT

RELATING TO THE HAWAII ABLE SAVINGS PROGRAM.

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

- 1 SECTION 1. The purpose of this Act is to:
- 2 (1) Clarify the sources of funding for the Hawaii ABLE
- 3 saving program trust fund;
- 4 (2) Authorize the director of finance to expend all moneys
- 5 in the trust fund to fulfill the purposes of the
- 6 Hawaii ABLE Savings Program, including providing
- 7 incentive payments to Hawaii public school ABLE
- 8 account owner
- 9 (3) Appropriate funds to the department of budget and
- 10 finance to fund the incentive payments; and
- 11 (4) Appropriate funds to the department of health to
- 12 establish an unspecified member of full-time
- 13 equivalent (FTE) permanent position within the
- 14 state council on developmental disabilities to provide
- 15 statewide outreach, advocacy, and relationship
- 16 management for the Hawaii ABLE savings program.



1 SECTION 2. Section 256B-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "~~{}~~**\$256B-8**~~{}~~ **Hawaii ABLE savings program trust fund.**

4 (a) There ~~[is]~~ shall be established the Hawaii ABLE savings
5 program trust fund within the treasury of the State. The fund
6 shall consist of:

7 (1) Any moneys received from an ABLE savings program
8 manager~~[, any]~~;

9 (2) Any moneys received from governmental or private
10 grants~~[, and any general fund appropriations for]~~;

11 (3) Any moneys appropriated by the legislature to the
12 program~~[,]~~;

13 (4) Any moneys deposited by contributors, in accordance
14 with this chapter, that are not deposited directly
15 with the program manager; and

16 (5) All interest derived from the deposit and investment
17 of moneys in the trust fund.

18 (b) ~~[The fund shall be used if the director elects to~~
19 ~~accept deposits from contributors, rather than have deposits~~
20 ~~sent directly to the program manager. The fund shall consist of~~
21 ~~any moneys deposited by contributors in accordance with this~~



1 ~~chapter which are not deposited directly with the program~~
2 ~~manager.]~~ All moneys in the fund shall be expended by the
3 director to fulfill the purposes of this chapter, including to
4 provide incentive payments to Hawaii public school ABLE savings
5 account owners as a means of encouraging the participation of
6 eligible individuals and families to save funds; provided that
7 the director shall maintain and keep separate records to account
8 for any incentive payments.

9 (c) ~~[All interest derived from the deposit and investment~~
10 ~~of moneys in the savings program trust fund shall be credited to~~
11 ~~the fund.]~~ At the end of any fiscal year, all unexpended and
12 unencumbered moneys in the savings program trust fund shall
13 remain in the savings program trust fund and shall not be
14 credited or transferred to the general fund or any other funds.

15 (d) All expenses incurred by the director in developing
16 and administering the ABLE savings program shall be payable from
17 the Hawaii ABLE savings program trust fund."

18 SECTION 3. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2024-2025 to be
21 deposited into the Hawaii ABLE savings program trust fund.



1 SECTION 4. There is appropriated out of the Hawaii ABLE
2 savings program trust fund the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2024-2025 to provide
4 incentive payments to Hawaii public school ABLE savings account
5 owners.

6 The sum appropriated shall be expended by the department of
7 budget and finance for the purposes of this Act.

8 SECTION 5. There is appropriated out of the Hawaii ABLE
9 savings program trust fund the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2024-2025 for the
11 establishment of full-time equivalent (FTE) permanent
12 positions within the state council on developmental disabilities
13 to provide statewide outreach, advocacy, and relationship
14 management for the Hawaii ABLE savings program.

15 The sum appropriated shall be expended by the department of
16 health for the purposes of this Act.

17 SECTION 6. In accordance with section 9 of article VII of
18 the Hawaii State Constitution and sections 37-91 and 37-93,
19 Hawaii Revised Statutes, the legislature has determined that the
20 appropriations contained in H.B. No. , will cause the state
21 general fund expenditure ceiling for fiscal year 2024-2025 to be



1 exceeded by \$ or per cent. In addition, the
 2 appropriation contained in this Act will cause the general fund
 3 expenditure ceiling for fiscal year 2024-2025 to be further
 4 exceeded by \$ or per cent. The combined total
 5 amount of general fund appropriations contained in only these
 6 two Acts will cause the state general fund expenditure ceiling
 7 for fiscal year 2024-2025 to be exceeded by
 8 \$ or per cent. The reasons for exceeding the
 9 general fund expenditure ceiling are that:

- 10 (1) The appropriation made in this Act is necessary to
- 11 serve the public interest; and
- 12 (2) The appropriation made in this Act meets the needs
- 13 addressed by this Act.

14 SECTION 7. If any provision of this Act, or the
 15 application thereof to any person or circumstance, is held
 16 invalid, the invalidity does not affect other provisions or
 17 applications of the Act that can be given effect without the
 18 invalid provision or application, and to this end the provisions
 19 of this Act are severable.

20 SECTION 8. Statutory material to be repealed is bracketed
 21 and stricken. New statutory material is underscored.



1 SECTION 9. This Act shall take effect on December 31,
2 2050.



Report Title:

B&F; DOH; State Council on Developmental Disabilities; Hawaii
ABLE Savings Program; Trust Fund; Incentive Payments;
Expenditure Ceiling; Appropriation

Description:

Clarifies the sources of funding for the Hawaii ABLE Saving
Program Trust Fund. Authorizes the Director of Finance to
expend all moneys in the trust fund to fulfill the purposes of
the Hawaii ABLE Savings Program, including providing incentive
payments to Hawaii public school ABLE account owner. Declares
that the general fund expenditure ceiling is exceeded.
Appropriates funds. Takes effect 12/31/2050. (SD1)

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not legislation or evidence of legislative intent.*

