
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) Repeal statutory language that gives the director of
- 3 finance discretion to use moneys in the Hawaii ABLE
- 4 savings program trust fund if the director elects to
- 5 accept deposits from contributors instead of sending
- 6 deposits directly to the ABLE program manager;
- 7 (2) Authorize the director of finance to expend moneys in
- 8 the Hawaii ABLE savings program trust fund to provide
- 9 incentive payments to Hawaii public school ABLE
- 10 account owners;
- 11 (3) Make an appropriation to the department of budget and
- 12 finance to fund incentive payments to Hawaii public
- 13 school ABLE account owners; and
- 14 (4) Make an appropriation to the department of health to
- 15 establish one full-time equivalent (1.0 FTE) permanent
- 16 position to provide statewide outreach, advocacy, and



1 relationship management for the Hawaii ABLE savings
2 program.

3 SECTION 2. Section 256B-8, Hawaii Revised Statutes, is
4 amended by amending its title and subsections (a) through (c) to
5 read as follows:

6 "[+]§256B-8[+] Hawaii ABLE savings program trust fund.

7 (a) There is established the Hawaii ABLE savings program trust
8 fund within the state treasury [~~of the State. The fund shall~~
9 ~~consist of~~], into which shall be deposited:

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

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

14 (3) Any moneys appropriated by the legislature to the
15 program [~~;~~];

16 (4) Any moneys deposited by contributors in accordance
17 with this chapter that are not deposited directly with
18 the program manager; and

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



1 (b) ~~[The fund shall be used if the director elects to~~
2 ~~accept deposits from contributors, rather than have deposits~~
3 ~~sent directly to the program manager. The fund shall consist of~~
4 ~~any moneys deposited by contributors in accordance with this~~
5 ~~chapter which are not deposited directly with the program~~
6 ~~manager.] All moneys in the fund shall be expended by the~~
7 ~~director to fulfil the purposes of this chapter, including to~~
8 ~~provide incentive payments to Hawaii public school ABLE account~~
9 ~~owners as a means of encouraging the participation of eligible~~
10 ~~individuals and families to save funds; provided that the~~
11 ~~director shall maintain and keep separate records to account for~~
12 ~~any incentive program payments.~~

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

19 SECTION 3. In accordance with section 9 of article VII of
20 the Hawaii State Constitution and sections 37-91 and 37-93,
21 Hawaii Revised Statutes, the legislature has determined that the



1 appropriations contained in H.B. No. 300, H.D. 1, S.D. 1,
 2 C.D. 1, and this Act will cause the state general fund
 3 expenditure ceiling for fiscal year 2023-2024 to be exceeded by
 4 \$ or per cent. This current declaration takes
 5 into account general fund appropriations authorized for fiscal
 6 year 2023-2024 in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1, and this
 7 Act only. The reasons for exceeding the general fund
 8 expenditure ceiling are that:

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

13 SECTION 4. There is appropriated out of the general
 14 revenues of the State of Hawaii the sum of \$ or so
 15 much thereof as may be necessary for fiscal year 2024-2025 to be
 16 deposited into the Hawaii ABLE savings program trust fund.

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



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

3 SECTION 6. There is appropriated out of the Hawaii ABLE
4 savings program trust fund the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2024-2025 to
6 establish one full-time equivalent (1.0 FTE) permanent position
7 within the state council on developmental disabilities to
8 provide statewide outreach, advocacy, and relationship
9 management for the Hawaii ABLE savings program.

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

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

18 SECTION 8. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 9. This Act shall take effect on July 1, 2024.



Report Title:

B&F; DOH; SCDD; Hawaii ABLE Savings Program; Expenditure Ceiling; Appropriations

Description:

Repeals language that gives the Director of Finance discretion to use moneys in the Hawaii ABLE Savings Program Trust Fund if the Director elects to accept deposits from contributors instead of sending deposits directly to the ABLE Program Manager. Authorizes the Director of Finance to expend moneys in the Hawaii ABLE Savings Program Trust Fund to provide incentive payments to Hawaii public school ABLE account owners. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation to the Department of Budget and Finance to fund the incentive payments. Makes an appropriation to the Department of Health for one full-time equivalent (1.0 FTE) permanent position within the State Council on Developmental Disabilities to provide statewide outreach, advocacy, and relationship management for the Hawaii ABLE Savings Program. (SD1)

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