

S.B. NO. 1330

JAN 22 2007

A BILL FOR AN ACT

RELATING TO THE CHILD SUPPORT ENFORCEMENT AGENCY.

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

1 SECTION 1. Section 576D-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]~~ §576D-5 ~~[+]~~ **Fee for obtaining or enforcing nonpublic**
4 **assistance order.** (a) The agency shall require the payment of
5 a reasonable fee on the application of a person under section
6 576D-3(b)(3) who is not receiving public assistance for support
7 of the child for assistance in obtaining or enforcing a child
8 support order. The payment and amount of the fee shall be in
9 compliance with applicable federal regulations promulgated under
10 Title IV-D.

11 (b) In the case of an individual who has never received
12 public assistance for the support of a child under Title IV-A
13 and for whom the State has collected at least \$500 of support,
14 the agency shall impose an annual fee of \$25 for each case in
15 which Title IV-D services are furnished, which shall be retained
16 by the State from support collected on behalf of the individual,
17 but not from the first \$500 so collected, and recovered from the
18 absent parent."

S .B. NO. 1330

1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.

4
5 INTRODUCED BY: _____

6 BY REQUEST

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO THE CHILD SUPPORT ENFORCEMENT AGENCY.

PURPOSE: To provide the authority for the Child Support Enforcement Agency to impose an annual \$25.00 fee against the absent parent in those cases where no public assistance has been paid to the custodial parent and collection for the case exceeds \$500.00.

MEANS: Amend section 576D-5, Hawaii Revised Statutes.

JUSTIFICATION: The imposition of an annual fee of \$25.00 is a federally mandated requirement pursuant to the Deficit Reduction Act of 2005, Public Law No. 109-171.

Impact on the public: The CSEA will be imposing a \$25.00 annual fee that will be assessed against the non-custodial parent. Because the federal requirement is that the fee be retained from support collected, the custodial parent may receive \$25.00 less than he/she would normally receive and/or the non-custodial parent may have an additional \$25.00 obligation tacked-on to his/her regular child support obligation.

Impact on the department and other agencies:
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: ATG 500

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE
DATE: Upon approval.