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# A BILL FOR AN ACT

RELATING TO CHILD SUPPORT.

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

1           SECTION 1. The legislature finds that the temporary  
2 assistance for needy families (TANF) program is a time-limited  
3 welfare program that provides cash assistance and supportive  
4 services to needy families with children. The program is  
5 designed to help low-income families while they work toward  
6 self-sufficiency.

7           The legislature further finds that the Hawaii child support  
8 enforcement agency within the department of the attorney general  
9 is responsible for collecting the debt owed to the department of  
10 human services by the non-custodial parent when TANF benefits  
11 are paid for the benefit of any dependent child. Since TANF is  
12 a federally-funded program, federal law requires that a portion  
13 of the collection be paid back to the federal government, which  
14 is retained by the child support enforcement agency for federal  
15 matching funds, with the remaining portion reimbursed to the  
16 department of human services.



1           The federal Deficit Reduction Act of 2005 allows a portion  
2 of the debt amount to pass through to the custodial parent  
3 without applying the required reimbursement to the federal  
4 government and the department of human services. However, the  
5 child support enforcement agency's case management system is not  
6 designed to disburse payment by TANF recipient family or  
7 household. Instead, the case management system disburses child  
8 support on a per case basis, or per non-custodial parent basis.  
9 The legislature finds that implementation of a pass through  
10 program will require modifications to the child support  
11 enforcement agency's statewide case management computer system  
12 to consider TANF household members or recipients before passing  
13 through child support payments.

14           Accordingly, the purpose of this Act is to convene a study  
15 group to examine the impacts of child support moneys collected  
16 by the department of human services for the public assistance of  
17 children for pass through to the family receiving public  
18 assistance.

19           SECTION 2. The department of the attorney general shall  
20 convene a study group to examine:



- 1 (1) The impacts and impediments, including any conflicts
- 2 with federal law, of allowing child support payments
- 3 to pass through to TANF recipients;
- 4 (2) Whether the pass through of child support payments to
- 5 TANF recipients is permissible; and
- 6 (3) The costs to agencies of establishing a pass through
- 7 program for child support payments to TANF recipients.

8 SECTION 3. The department of the attorney general shall  
9 submit a report of its findings and recommendations, including  
10 any proposed legislation, to the legislature no later than  
11 twenty days prior to the convening of the regular session of  
12 2021.

13 SECTION 4. This Act shall take effect on December 31,  
14 2059.



**Report Title:**

AG; DHS; Child Support; Temporary Assistance for Needy Families;  
Pass Through; Child Support Payments; Study

**Description:**

Requires the AG to convene a study group to examine the impacts,  
costs, and impediments of allowing child support payments to  
pass through to TANF recipients and submit a report to the  
legislature prior to the 2021 Regular Session. Effective  
12/31/2059. (HD1)

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