
A BILL FOR AN ACT

RELATING TO CHILD SUPPORT ENFORCEMENT.

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

1 SECTION 1. Chapter 580, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§580- Order of support; child support enforcement
5 agency; attorney's fees. In any action for annulment, divorce,
6 or separation, where an order of support, as defined in section
7 576D-1, is granted by the court and may be enforced by the child
8 support enforcement agency, the court shall itemize and
9 separately designate to the extent practicable, that portion of
10 any awarded attorney's fees that are attributable to the matter
11 of the support and maintenance of a child."

12 SECTION 2. Section 576D-1, Hawaii Revised Statutes, is
13 amended by amending the definition of "order of support" to read
14 as follows:

15 ""Order of support" means a judgment, decree, or order,
16 whether temporary, final, or subject to modification, issued by
17 a court or an administrative agency of competent jurisdiction,
18 for the support and maintenance of a child, including a child



1 who has attained the age of majority under the law of the
2 issuing state, or a child and the parent with whom the child is
3 living, which provides for monetary support, health care,
4 arrearages, or reimbursement, and ~~which~~ that may include
5 related costs and fees, interest and penalties, income
6 withholding, attorney's fees, and other relief[-]; provided that
7 the amount relating to attorney's fees shall be itemized and
8 separately designated. An order of support may include spousal
9 support when ordered to be paid in conjunction with the support
10 and maintenance of a child; provided that the spousal support
11 provision in an order of support shall only be enforced by the
12 agency when the support and maintenance of a child is being
13 enforced. An order of support may also include medical support
14 when the debtor parent is ordered to pay an amount in lieu of
15 providing medical insurance coverage or to reimburse for
16 maternity and delivery expenses incurred when the debtor
17 parent's child was born."

18 SECTION 3. Section 576D-3, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) The agency shall undertake any legal or
21 administrative action to secure support for a child by enforcing
22 an existing court order or obtaining a court order of



1 support[-]; provided that the agency, including the offices of
 2 the corporation counsel, the county attorney, and the attorney
 3 general, shall not enforce that portion of an order of support
 4 that relates to attorney's fees."

5 SECTION 4. This Act does not affect rights and duties that
 6 matured, penalties that were incurred, and proceedings that were
 7 begun before its effective date.

8 SECTION 5. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on January 1, 2015.

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INTRODUCED BY:

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~~_____~~

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H.B. NO. 1540

Report Title:

Child Support Enforcement; Attorney's Fees

Description:

Requires Orders of Support to itemize the amount of the attorney's fees and prohibits the Child Support Enforcement Agency from enforcing the attorney's fees portion of the order. Effective January 1, 2015.

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