
A BILL FOR AN ACT

RELATING TO CHAPTER 346, HAWAII REVISED STATUTES.

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

1 SECTION 1. Section 346-152, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§346-152 Exclusions; exemptions. (a) Nothing in this
4 part shall be construed to include:

5 (1) A person caring for children related to the caregiver
6 by blood, marriage, or adoption;

7 (2) A person, group of persons, or facility caring for a
8 child less than six hours a week;

9 (3) A kindergarten, school, or program licensed by the
10 department of education;

11 (4) A program that provides exclusively for a specialized
12 training or skill development for children, including
13 but not limited to programs providing activities such
14 as athletic sports, foreign language, the Hawaiian
15 language, dance, drama, music, or martial arts;

16 (5) A multiservice organization or community association,
17 duly incorporated under the laws of the State that
18 operates for the purpose of promoting recreation,



- 1 health, safety, or social group functions for eligible
2 pupils in public and private schools through seventeen
3 years of age;
- 4 (6) Programs for children four years of age and older that
5 operate for no more than two consecutive calendar
6 weeks in a three-month period;
- 7 (7) A provider agency operating or managing a homeless
8 facility or any other program for homeless persons
9 authorized under part VII of chapter 356D;
- 10 (8) After-school, weekend, and summer recess programs
11 conducted by the department of education pursuant to
12 section 302A-408;
- 13 (9) Child care programs for children five years of age and
14 older conducted by counties pursuant to section
15 302A-408; provided that each county adopts rules for
16 its programs;
- 17 (10) Any person who enters a home in a child caring
18 capacity and only cares for children who are of that
19 household; and
- 20 (11) A person caring for two or fewer children unrelated to
21 the caregiver by blood, marriage, or adoption;
22 provided that up to two persons living in the same



1 household may each provide care for two or fewer
2 children unrelated to the caregiver by blood,
3 marriage, or adoption.

4 (b) Staff members of programs taught solely in Hawaiian
5 that promote fluency in the Hawaiian language shall be exempt
6 from any rules requiring academic training or certification.

7 (c) Minimum health and safety requirements or standards as
8 required by federal law may be imposed on any of the groups
9 listed in this section that provide child care services and are
10 reimbursed with federal funds.

11 (d) Any person asserting an exemption under this section
12 shall cooperate with the department in investigations relating
13 to unlicensed child care."

14 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY:



JAN 23 2008



Report Title:

Child care

Description:

Clarifies exemptions to part VII of chapter 346, Hawaii Revised Statutes.

