
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 346-151, Hawaii Revised Statutes, is
2 amended by amending the definition of "family child care home"
3 to read as follows:

4 "Family child care home" means a private residence,
5 including a home, apartment, unit, or townhouse, as those terms
6 are defined in section 502C-1, at which care may be provided for
7 three to no more than six children who are unrelated to the
8 caregiver by blood, marriage, or adoption, at any given time[-];
9 provided that a private residence, including a home, apartment,
10 unit, or townhouse, as those terms are defined in section 502C-
11 1, where up to two persons living in the same household each
12 provide care for two or fewer children unrelated to the
13 caregiver by blood, marriage, or adoption, shall not be
14 considered a family child care home."

15 SECTION 2. Section 346-152, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) Nothing in this part shall be construed to include:



- 1 (1) A person caring for children related to the caregiver
2 by blood, marriage, or adoption;
- 3 (2) A person, group of persons, or facility caring for a
4 child less than six hours a week;
- 5 (3) A kindergarten, school, or program licensed by the
6 department of education;
- 7 (4) A program that provides exclusively for a specialized
8 training or skill development for children, including
9 ~~[but not limited to]~~ programs providing activities
10 such as athletic sports, foreign language, the
11 Hawaiian language, dance, drama, music, or martial
12 arts;
- 13 (5) A multiservice organization or community
14 association~~[7]~~ duly incorporated under the laws of the
15 State that operates for the purpose of promoting
16 recreation, health, safety, or social group functions
17 for eligible pupils in public and private schools
18 through seventeen years of age;
- 19 (6) Programs for children four years of age and older that
20 operate for no more than two consecutive calendar
21 weeks in a three-month period;



- 1 (7) A provider agency operating or managing a homeless
2 facility or any other program for homeless persons
3 authorized under part VII of chapter 356D;
- 4 (8) After-school, weekend, and summer recess programs
5 conducted by the department of education pursuant to
6 section 302A-408;
- 7 (9) Child care programs for children five years of age and
8 older conducted by counties pursuant to section
9 302A-408; provided that each county adopts rules for
10 its programs;
- 11 (10) Any person who enters a home in a child caring
12 capacity and only cares for children who are of that
13 household; and
- 14 (11) A person caring for two or fewer children unrelated to
15 the caregiver by blood, marriage, or adoption~~[-]~~;
16 provided that up to two persons living in the same
17 household may each provide care for two or fewer
18 children unrelated to the caregiver by blood,
19 marriage, or adoption."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 4. This Act shall take effect on July 1, 2020.



Report Title:

Child Care Facility; Exemptions

Description:

Clarifies exemptions to Hawaii's child care licensing laws.
Effective 7/1/2020. (HB3399 HD2)

