
A BILL FOR AN ACT

RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING.

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

1 SECTION 1. Section 346-152, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

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

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

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

8 (3) A kindergarten, school, or child care program licensed
9 by the department of education[+], the charter school
10 review panel, the Hawaii council of private schools,
11 or any federal agency;

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

17 (5) A multiservice organization or community association,
18 duly incorporated under the laws of the State that

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

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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 Statutory material to be repealed is bracketed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.

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INTRODUCED BY:

Cabin KK Day

6

BY REQUEST

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JAN 23 2012

H.B. NO. 2538

Report Title:

Child Care Licensing; Exemptions

Description:

Adds exemptions for any kindergarten, school, or program licensed by the Charter School Review Panel, the Hawaii Council of Private Schools, or any federal agency from child care licensing by the Department of Human Services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

HB 2538

JUSTIFICATION SHEET

DEPARTMENT: Human Services

TITLE: A BILL FOR AN ACT RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING.

PURPOSE: Adds exemptions for any kindergarten, school, or program licensed by the Charter School Review Panel, the Hawaii Council of Private Schools, or any federal agency from child care licensing by the Department of Human Services.

MEANS: Amend section 346-152(a), Hawaii Revised Statutes.

JUSTIFICATION: Kindergartens, schools, or child care programs to be exempted are already licensed by the Charter School Review Panel, the Hawaii Council of Private Schools, or federal agencies which administer them. There is no reason for the department to also license these already-licensed kindergartens, schools and child care programs.

Impact on the public: None.

Impact on the department and other agencies: Gives the department the authority to exempt kindergartens, schools, and programs already being licensed by other agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HMS 302.

OTHER AFFECTED AGENCIES: Charter School Review Panel; Hawaii Council of Private Schools; Federal agencies that license.

EFFECTIVE DATE: Upon approval.