



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 21, 2013

**GOV. MSG. NO. 1243**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

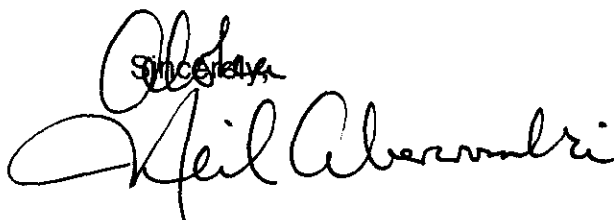
The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 21, 2013, the following bill was signed into law:

SB1106 SD2 HD2

RELATING TO EXEMPTIONS FROM CHILD  
CARE LICENSING  
**ACT 140 (13)**

*Sincerely,*  


NEIL ABERCROMBIE  
Governor, State of Hawaii

JUN 21 2013

ACT 140

THE SENATE  
TWENTY-SEVENTH LEGISLATURE, 2013  
STATE OF HAWAII

S.B. NO. 1106  
S.D. 2  
H.D. 2

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# 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 or certified by the department of education[~~the~~  
10 ~~charter school review panel, the Hawaii council of~~  
11 ~~private schools, or any federal agency;~~] or the United  
12 States Department of Defense and located on federal  
13 property;

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



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




1 (11) A person caring for two or fewer children unrelated to  
2 the caregiver by blood, marriage, or adoption[-]; and

3 (12) A child care program licensed by the Hawaii council of  
4 private schools. A child care program claiming an  
5 exemption under this paragraph shall submit an  
6 application for the exemption on a form provided by  
7 the department and shall provide to the department  
8 evidence that the licensing standards of the Hawaii  
9 council of private schools meet or exceed the  
10 department's standards for a comparable program,  
11 including a monitoring component. Upon application of  
12 a child care program for the exemption under this  
13 paragraph, the department shall have the discretion to  
14 determine whether the licensing standards of the  
15 Hawaii council of private schools meet or exceed the  
16 department's standards."

17 SECTION 2. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2013.

APPROVED this 21 day of JUN, 2013

  
GOVERNOR OF THE STATE OF HAWAII