
A BILL FOR AN ACT

RELATING TO FOSTER CARE.

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

1 SECTION 1. The legislature finds that due to the
2 unfortunate nature of their situation, many former foster youths
3 who are attending an institution of higher education find it
4 difficult to adjust and transition to life after being in the
5 foster care system because they often lack a support system.
6 Without family support or the resources to provide for the basic
7 necessities in life, many of these former foster youths may not
8 have the financial means to attend school. The legislature
9 believes that there is a need to support these former foster
10 youths to ensure their success and transition into society and
11 that providing foster care support to these former foster youths
12 while attending school would enable them to focus on academic
13 success and career development instead of worrying about
14 housing, food, and other basic needs.

15 The purpose of this Act is to enable former foster youths
16 who are attending an institution of higher education as a full-
17 time student to stay in the foster care system until the age of
18 twenty-three.



1 SECTION 2. Section 346-16, Hawaii Revised Statutes, is
2 amended by amending the definition of "former foster youth" to
3 read as follows:

4 "Former foster youth" means a person formerly placed under
5 the jurisdiction of the department as a foster child by the
6 family court pursuant to chapter 587A who has attained the age
7 of eighteen or the age of twenty-three for a former foster child
8 who is attending an institution of higher education as a full-
9 time student, while under the placement responsibility of the
10 department or who was under the placement responsibility of the
11 department when a legally responsible caregiver was granted
12 custody."

13 SECTION 3. Section 587A-4, Hawaii Revised Statutes, is
14 amended by amending the definition of "child" to read as
15 follows:

16 "Child" means a person who is born alive and is less than
17 eighteen years of age[-] or less than twenty-three years of age
18 for a person attending an institution of higher education as a
19 full-time student."

20 SECTION 4. This Act does not affect rights and duties that
21 matured, penalties that were incurred, and proceedings that were
22 begun before its effective date.



1 SECTION 5. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 6. This Act shall take effect upon its approval.

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H.B. NO. 1039

Report Title:

Foster Care; Age Restriction

Description:

Allows former foster care youths who are attending an institution of higher education as a full-time student, to stay in the foster care system until the age of 23.

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