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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 or the  
10           United States Department of Defense and located on  
11           federal property;
- 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 conducted by counties pursuant to  
15 section 302A-408; provided that each county adopts  
16 rules for 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[~~—and~~



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

15       SECTION 2. There is appropriated out of the general  
16 revenues of the State of Hawaii the sum of \$            or so much  
17 thereof as may be necessary for fiscal year 2014-2015 for the  
18 licensing and monitoring of private child care programs.

19       The sum appropriated shall be expended by the department of  
20 human services for the purposes of this Act.



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2050.



**Report Title:**

Department of Human Services; Child Care Licensing; Exemptions;  
Appropriation

**Description:**

Repeals the DHS licensing exemption for child care programs licensed by the Hawaii Council of Private Schools. Appropriates funds to DHS for the licensing and monitoring of private child care programs. Effective July 1, 2050. (SB2234 HD1)

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

