



GOV. MSG. NO. 1247

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 1, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 1, 2024, the following bill was signed into law:

HB2227 HD2 SD1

RELATING TO CHILD CARE.
ACT 146

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

HOUSE OF REPRESENTATIVES
THIRTY-SECOND LEGISLATURE, 2024
STATE OF HAWAII

H.B. NO. 2227
H.D. 2
S.D. 1

A BILL FOR AN ACT

RELATING TO CHILD CARE.

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

1 SECTION 1. The legislature recognizes that military child
2 care certification enhances the quality of life and economic
3 security of both the providers and military families seeking
4 qualified child care options.

5 The legislature notes that under existing administrative
6 rules, the process of issuing a registration for family child
7 care could take up to one hundred eighty days from the date of
8 submission of the application for registration. This delay
9 occurs at a time when both civilian and military families
10 frequently encounter waitlists and capacity issues for family
11 child care.

12 The legislature finds that both civilian and military
13 families are often in urgent need of qualified child care
14 options. The legislature further finds that by exempting family
15 child care providers who are already certified through the
16 military service process from state laws governing child care,



1 the State can improve the quality of life and economic security
2 for both providers and families.

3 Accordingly, the purpose of this Act is to expand the
4 existing state exemption for United States Department of
5 Defense-certified child care providers to those operating off
6 federal property.

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

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

10 (1) A person caring for children who is related to each
11 child by blood, marriage, or adoption as:

12 (A) [~~An aunt, uncle,~~] A parent's sibling;
13 grandparent[~~]~~; great-grandparent[~~]~~; great-great
14 grandparent[~~]~~; first cousin[~~, niece, nephew,~~
15 grandniece, grandnephew, great aunt, or great
16 uncle]; sibling's child; sibling's grandchild; or
17 grandparent's sibling;

18 (B) A [~~stepfather, stepmother, stepbrother, or~~
19 ~~stepsister~~] stepparent or stepsibling; or



- 1 (C) The spouse of a person named in subparagraph (A)
2 or (B), even if the marriage is terminated by
3 death, separation, or divorce;
- 4 (2) A person, group of persons, or facility caring for a
5 child less than six hours a week;
- 6 (3) A kindergarten, school, or child care program licensed
7 or certified by the department of education [~~or the~~
8 ~~United States Department of Defense and located on~~
9 ~~federal property, or a classroom administered by the~~
10 ~~executive office on early learning pursuant to section~~
11 ~~302L-7~~];
- 12 (4) A program that provides exclusively for a specialized
13 training or skill development for children who are
14 eligible pupils in grades kindergarten through twelve
15 in public or private schools, including but not
16 limited to programs providing activities including
17 athletic sports, foreign language, the Hawaiian
18 language, dance, drama, music, or martial arts;
- 19 (5) A multiservice organization or community association,
20 duly incorporated under the laws of the State, that
21 operates for the purpose of promoting recreation,



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

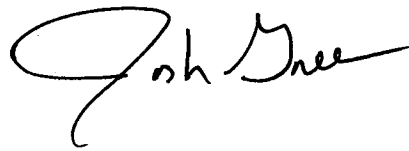
18 (14) A classroom administered by the executive office on
19 early learning pursuant to section 302L-7."

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



1 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 1st day of July, 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 2227, HD 2, SD 1

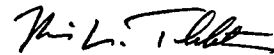
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives

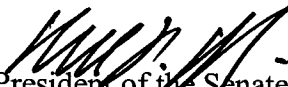



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: April 9, 2024
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.


President of the Senate


Clerk of the Senate