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# 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, states can improve the quality of life  
17 and economic security for both providers and families.



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

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

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

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

10           (A) An aunt, uncle, grandparent, great-grandparent,  
11 great-great grandparent, first cousin, niece,  
12 nephew, grandniece, grandnephew, great aunt, or  
13 great uncle;

14           (B) A stepfather, stepmother, stepbrother, or  
15 stepsister; or

16           (C) The spouse of a person named in subparagraph (A)  
17 or (B), even if the marriage is terminated by  
18 death, separation, or divorce;

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



- 1           (3) A kindergarten, school, or child care program licensed  
2                    or certified by the department of education or the  
3                    United States Department of Defense [~~and located on~~  
4                    ~~federal property~~], or a classroom administered by the  
5                    executive office on early learning pursuant to section  
6                    302L-7;
- 7           (4) A program that provides exclusively for a specialized  
8                    training or skill development for children who are  
9                    eligible pupils in grades kindergarten through twelve  
10                   in public or private schools, including but not  
11                   limited to programs providing activities including  
12                   athletic sports, foreign language, the Hawaiian  
13                   language, dance, drama, music, or martial arts;
- 14           (5) A multiservice organization or community association,  
15                   duly incorporated under the laws of the State, that  
16                   operates for the purpose of promoting recreation,  
17                   health, safety, or social group functions for eligible  
18                   pupils in public and private schools through seventeen  
19                   years of age;



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



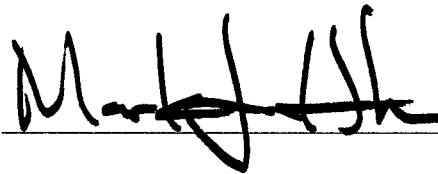
1 application for the exemption on a form provided by  
2 the department and shall provide to the department  
3 evidence that the licensing standards of the Hawaii  
4 council of private schools meet or exceed the  
5 department's standards for a comparable program,  
6 including a monitoring component.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

12 SECTION 3. Statutory material to be repealed is bracketed  
13 and stricken.

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

15

INTRODUCED BY:



JAN 22 2024



# H.B. NO. 2227

**Report Title:**

Child Care; Exemption; United States Department of Defense-certified

**Description:**

Expands the existing state exemption for United States Department of Defense-certified providers to those operating off federal property.

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

