

ACT 394

H.B. NO. 360

A Bill for an Act Relating to Foster Care.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 346, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§346- Foster board allowances for students.** Any eligible foster child shall continue to be eligible for foster board allowances after reaching the age of majority and the foster board payments for that person shall continue to be paid to the person’s foster parents, provided that:

- (1) The person is twenty-one years old or younger; and
- (2) The person is attending an accredited institution of higher learning in the State on a full-time basis.

Foster board allowances may be applied to costs incurred in undertaking full-time studies at an institution of higher education.”

SECTION 2. Section 346-16, Hawaii Revised Statutes, is amended as follows:

1. By adding the definition of “institution of higher education” to be appropriately inserted and to read as follows:

“‘Institution of higher education’ means any institution normally requiring a high school diploma or equivalency certificate for enrollment, including but not limited to colleges, universities, and vocational or technical schools.”

2. By amending the definition of “foster boarding home” to read as follows:

“‘Foster boarding home’ means any [children’s] boarding home in which one or more, but [less] fewer than six, minor children are received for care and maintenance apart from their parents or guardians on a twenty-four hour basis for fee or charge.”

SECTION 3. In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1989-1990 to be exceeded by \$150,000, or 0.0064 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the need provided for by this Act.

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000, or so much thereof as may be necessary for fiscal year 1989-1990, for a comprehensive study of Hawaii’s system of foster care, conducted by the legislative auditor in cooperation with the office of children and youth which shall include, but not be limited to:

- (1) An evaluation of Hawaii's foster care system, including an analysis of the impacts which other out-of-home placements, such as shelters and institutions, may have on the system;
- (2) An evaluation of the state foster care review system;
- (3) An exploration of alternative systems of service delivery for children now being placed in foster homes; and
- (4) Recommendations with cost analysis, where appropriate, for improvements to the system or solutions to existing problems.

SECTION 5. The sum appropriated shall be expended by the office of the legislative auditor for the purposes of this Act.

SECTION 6. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>1</sup>

SECTION 7. This Act shall take effect on July 1, 1989.

(Approved June 27, 1989.)

**Note**

1. Edited pursuant to HRS §23G-16.5.