
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, the State can improve the quality of
17 life 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 child care providers to those operating off
4 federal 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 kindergarten, school, or child care program
 8 certified by the United States Department of Defense;
 9 provided that any child care facility under this
 10 paragraph with clients who are not children of
 11 enlisted families or who receive a child care subsidy
 12 from the department shall have a memorandum of
 13 agreement with the department regarding operation of
 14 the child care facility;

15 (5) A classroom administered by the executive office on
 16 early learning pursuant to section 302L-7;

17 [~~4~~] (6) A program that provides exclusively for a
 18 specialized training or skill development for children
 19 who are eligible pupils in grades kindergarten through
 20 twelve in public or private schools, including but not
 21 limited to programs providing activities including



1 athletic sports, foreign language, the Hawaiian
2 language, dance, drama, music, or martial arts;
3 ~~[(5)]~~ (7) A multiservice organization or community
4 association, duly incorporated under the laws of the
5 State, that operates for the purpose of promoting
6 recreation, health, safety, or social group functions
7 for eligible pupils in public and private schools
8 through seventeen years of age;
9 ~~[(6)]~~ (8) Programs for children four years of age and older
10 that operate for no more than two consecutive calendar
11 weeks in a three-month period;
12 ~~[(7)]~~ (9) A provider agency operating or managing a
13 homeless facility or any other program for homeless
14 persons authorized under part XVII;
15 ~~[(8)]~~ (10) After-school, weekend, and summer recess
16 programs conducted by the department of education
17 pursuant to section 302A-408;
18 ~~[(9)]~~ (11) Child care programs conducted by counties
19 pursuant to section 302A-408; provided that each
20 county adopts rules for its programs;



1 [~~(10)~~] (12) Any person who enters a home in a child caring
2 capacity and only cares for children who are of that
3 household;

4 [~~(11)~~] (13) A person caring for two or fewer children
5 unrelated to the caregiver by blood, marriage, or
6 adoption as described in paragraph (1); and

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

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, 3000.



Report Title:

Child Care; Exemption; United States Department of Defense-Certified Child Care Facilities; Memorandums of Agreement

Description:

Expands the existing state exemption for United States Department of Defense-certified child care providers to those operating off federal property. Requires those Department of Defense-certified child care facilities with clients who are not children of enlisted families or who receive a child care subsidy from the Department of Human Services to have a memorandum of agreement with the Department of Human Services. Effective 7/1/3000. (HD1)

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

