

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO MINORS.

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

1 SECTION 1. Section 346-17.6, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsections (e) and (f) to read:

4 "(e) Any provider who renders no cost emergency shelter  
5 and related services to a minor pursuant to subsections (a) and  
6 (b) [~~of this section~~] and can demonstrate compliance with this  
7 section shall be immune from any civil or criminal liability  
8 based on the provider's determination to provide the no cost  
9 emergency shelter and related services; provided that if a  
10 provider's assessment and determination, or conduct in providing  
11 no cost emergency shelter and related services, is the result of  
12 the provider's gross negligence or wilful or wanton acts or  
13 omissions, the provider may be held liable for the provider's  
14 gross negligence or wilful or wanton acts or omissions.

15 (f) A provider who renders no cost emergency shelter and  
16 related services to a minor shall [~~document~~]:



1        (1) Document in writing the efforts made to contact the  
2            minor's parent, legal guardian, or legal custodian[-];  
3            and  
4        (2) Take steps to ensure that minors who are or should be  
5            under the legal jurisdiction of the juvenile justice  
6            or child welfare systems obtain and receive services  
7            from those systems until a time as the minors are  
8            released from the jurisdiction of juvenile justice or  
9            child welfare systems as required by the Runaway and  
10           Homeless Youth Act, title 34 United States Code  
11           sections 11201 through 11281, as amended."

12        2. By amending subsection (h) to read:

13        "(h) For purposes of this section:

14        "Minor" means a person less than eighteen years of age.

15        "No cost emergency shelter and related services" means  
16 accommodation at no cost for a continuous period of no more than  
17 thirty days, unless extended for emergency purposes and in  
18 compliance with subsection (b), including beds, meals,  
19 individual showering facilities, transportation to and from the  
20 place of shelter, and any of the following services as deemed  
21 appropriate by the provider:



- 1 (1) Assistance with reunification with the family, legal
- 2 guardian, or legal custodian of the minor;
- 3 (2) Referral to safe housing;
- 4 (3) Individual, family, and group counseling;
- 5 (4) Assistance in obtaining clothing;
- 6 (5) Access to medical and dental care, and mental health
- 7 counseling;
- 8 (6) Education and employment services;
- 9 (7) Recreational activities;
- 10 (8) Case management, advocacy, and referral services;
- 11 (9) Independent living skills training; and
- 12 (10) Aftercare services, as those services are defined in
- 13 title 45 Code of Federal Regulations section 1351.1.

14 "Provider" means any child placing organization<sup>[7]</sup> or child  
15 caring institution authorized by the department under section  
16 346-17 to receive or place minor children for care and  
17 maintenance and to provide related services, health care, or  
18 supplies to these minors. "Provider" includes an organization  
19 that is not a child placing organization or child caring  
20 institution that:





# S.B. NO. 2282

**Report Title:**

Department of Human Services; No Cost Emergency Shelter and Related Services; Minors; Consent; Providers

**Description:**

Requires providers of no cost emergency shelter and related services to take steps to ensure pertinent youth obtain and receive services from the juvenile justice or child welfare systems and maintain separation for unrelated adults and minor children. Amends the definition of "provider" as it relates to entities eligible to provide no cost emergency shelter and related services to consenting minors.

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

