
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 states can improve the quality of life and economic security for
2 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 providers to those operating off federal
6 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, grandparent, great-grandparent,
13 great-great grandparent, first cousin, niece,
14 nephew, grandniece, grandnephew, great aunt, or
15 great uncle;

16 (B) A stepfather, stepmother, stepbrother, or
17 stepsister; or

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



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



- 1 (6) Programs for children four years of age and older that
2 operate for [~~no~~] not more than two consecutive
3 calendar 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. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on December 31,
15 2050.



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. Takes effect 12/31/2050. (SD1)

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not legislation or evidence of legislative intent.*

