



GOV. MSG. NO. 1246

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 1, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 1, 2024, the following bill was signed into law:

HB470 HD2 SD2

RELATING TO MINORS.
ACT 145

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

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 subsection (e) 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 shelter and
9 related services; provided that if a provider's assessment and
10 determination, or conduct in providing no cost emergency shelter
11 and related services, is the result of the provider's gross
12 negligence or wilful or wanton acts or omissions, the provider
13 may be held liable for the provider's gross negligence or wilful
14 or wanton acts or omissions."

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

16 "(h) For purposes of this section:

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



1 "No cost emergency shelter and related services" means
2 accommodation at no cost for a continuous period of no more than
3 thirty days, unless extended for emergency purposes and in
4 compliance with subsection (b), including beds, meals,
5 individual showering facilities, transportation to and from the
6 place of shelter, and any of the following services as deemed
7 appropriate by the provider:

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



1 "Provider" means any child placing organization, or child
2 caring institution authorized by the department under section
3 346-17 to receive or place minor children for care and
4 maintenance and to provide related services, health care, or
5 supplies to these minors. "Provider" includes an organization
6 that is not a child placing organization or child caring
7 institution that:

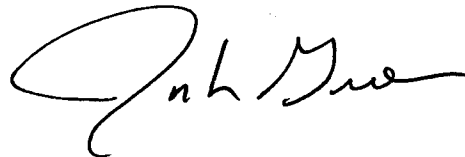
- 8 (1) Conducts criminal history clearances, child abuse and
9 neglect (CA/N) registry checks, background,
10 employment, and any other checks as may be required by
11 state or federal law on an annual basis for all
12 employees and volunteers;
- 13 (2) Maintains separate sleeping areas for unrelated adults
14 and minor children;
- 15 (3) Serves no more than five minor children per day;
- 16 (4) Keeps a current register of all minors admitted; and
- 17 (5) Coordinates with the department to provide shelter or
18 other services for a minor child."

19 SECTION 2. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval
2 and shall be repealed on June 30, 2029; provided that section
3 346-17.6, Hawaii Revised Statutes, shall be reenacted in the
4 form in which it read on the day before the effective date of
5 this Act.

APPROVED this 1st day of July , 2024



GOVERNOR OF THE STATE OF HAWAII



HB No. 470, HD 2, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 19, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: February 20, 2024
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.


President of the Senate


Clerk of the Senate