

JAN 23 2025

A BILL FOR AN ACT

RELATING TO A STATE BREAST MILK BANK.

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

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding two new sections to part XXVIII to be
3 appropriately designated and to read as follows:

4 "§321-A State breast milk bank; establishment; rules. (a)

5 The department of health shall:

6 (1) Establish a breast milk bank to accept and provide
7 breast milk to assist parents and guardians in
8 providing breast milk to their infant children; and

9 (2) Adopt rules pursuant to chapter 91 that:

10 (A) Establish eligibility criteria for an entity to
11 administer the state breast milk bank under
12 contract, with the department; and

13 (B) Establish standards for screening, processing,
14 transporting, and distributing human breast milk
15 in the State.



1 (b) The state breast milk bank may collect a reasonable
2 fee from users of the breast milk bank for the operation of the
3 state breast milk bank.

4 §321-B State breast milk bank special fund. (a) There is
5 established the state breast milk bank special fund to be
6 administered by the department. The fund shall consist of:

7 (1) Fees collected pursuant to section 321-A(b);

8 (2) Federal funds granted by Congress or Executive Order
9 for the purposes of the special fund;

10 (3) Appropriations by the legislature; and

11 (4) All accrued interest from the fund.

12 (b) Moneys in the special fund shall be used for the
13 purposes of operating and administering the state breast milk
14 bank or contracting with a qualified entity, pursuant to chapter
15 103F, to operate and administer the state breast milk bank.

16 (c) Any moneys that accumulate in the special fund shall
17 be retained in the fund unless determined by the legislature to
18 be in excess."

19 SECTION 2. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so much



thereof as may be necessary for fiscal year 2025-2026 to be deposited into the state breast milk special fund.

SECTION 3. There is appropriated out of the state breast milk special fund the sum of \$ or so much thereof as may be necessary for fiscal year 2025-2026, and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the operation of state breast milk bank.

The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 4. In codifying the new sections added by section 1 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 5. New statutory material is underscored.

SECTION 6. This Act shall take effect on July 1, 2025.

INTRODUCED BY:



S.B. NO. 1211

Report Title:

DOH; State Breast Milk Bank; Special Fund; Appropriations

Description:

Establishes a state breast milk bank under the Department of Health. Establishes the breast milk bank special fund. Appropriates moneys.

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