



GOV. MSG. NO. 1264

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 26, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

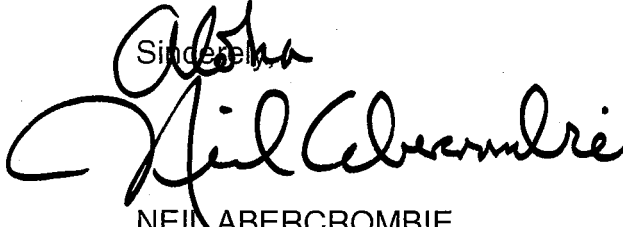
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on June 26, 2012, the following bill was signed into law:

HB2540 HD2 SD1 CD1

RELATING TO FEES FOR CHILD CARE  
LICENSING AND REGISTRATION.  
**Act 161 (12)**

Sincerely,  
  
NEIL ABERCROMBIE  
Governor, State of Hawaii

on JUN 26 2012

HOUSE OF REPRESENTATIVES  
TWENTY-SIXTH LEGISLATURE, 2012  
STATE OF HAWAII

H.B. NO. 2540  
H.D. 2  
S.D. 1  
C.D. 1

# A BILL FOR AN ACT

RELATING TO FEES FOR CHILD CARE LICENSING AND REGISTRATION.

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

1 SECTION 1. Chapter 346, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§346- Child care licensing and registration special  
5 fund. (a) There is established within the state treasury, to  
6 be administered by the department, the child care licensing and  
7 registration special fund into which shall be deposited:

8 (1) All fees received from applicants for a license to  
9 operate group child care homes or group child care  
10 centers as provided in section 346-163 and from  
11 applicants for a certificate of registration for  
12 family child care homes as provided in section 346-  
13 173;

14 (2) Appropriations made by the legislature to the fund;  
15 and

16 (3) Any other revenues designated for the fund.

17 (b) Moneys in the child care licensing and registration  
18 special fund shall be used for the following purposes:



1       (1) The costs of administering child care licensing and  
2             registration;

3       (2) Furthering the provision of quality child care  
4             services; and

5       (3) Any other purpose deemed necessary by the department  
6             to ensure the health and safety of children.

7       (c) All interest on special fund balances shall accrue to  
8 the credit of the special fund. Upon dissolution of the child  
9 care licensing and registration special fund, any unencumbered  
10 moneys in the fund shall lapse to the credit of the general  
11 fund."

12       SECTION 2. Section 346-163, Hawaii Revised Statutes, is  
13 amended to read as follows:

14       "**§346-163 Licenses and temporary permits.** (a) If  
15 satisfied that the applicant meets the minimum standards  
16 established pursuant to section 346-162 and subject to the  
17 criminal history record checks and child abuse record checks of  
18 section 346-154, the department shall grant the applicant a  
19 license for the operation of a group child care home or group  
20 child care center, as the case may be. The license shall be  
21 valid for:



1 (1) One year for new applicants and for those who have  
2 been licensed for less than four years; and

3 (2) Two years for those who have been licensed for four  
4 years or more,

5 unless sooner revoked. Where the activities of the applicant  
6 fall within the licensing requirements of the department of  
7 education and this subpart, a license shall be required from  
8 both the department of education and the department of human  
9 services.

10 A temporary permit may be issued for a period of six months  
11 at the department's discretion to any applicant who is  
12 temporarily unable to conform to all of the minimum standards.  
13 Renewal of the temporary permit shall be left to the  
14 department's discretion; provided that the combined period of  
15 the initial and subsequently renewed permits shall not exceed  
16 twenty-four months. Licenses and permits shall be conspicuously  
17 posted on the licensed premises.

18 (b) The department may establish reasonable fees for the  
19 issuance or renewal of licenses and permits according to rules  
20 adopted pursuant to chapter 91."

21 SECTION 3. Section 346-173, Hawaii Revised Statutes, is  
22 amended to read as follows:



1           "~~§346-173~~ Procedure for registration. (a) A person  
2 desiring to have the person's home registered as a family child  
3 care home shall make application to the department. Upon  
4 receipt of the application, the department shall conduct a study  
5 of the applicant's qualifications, home, and proposed operation.  
6 The department shall issue a certificate of registration to the  
7 applicant which authorizes the applicant to operate a family  
8 child care home if the department is satisfied that the premises  
9 and proposed operation will be in compliance with the minimum  
10 requirements established under section 346-172 and subject to  
11 the criminal history record checks under section 346-154.

12           The provider shall operate and maintain the premises of the  
13 family child care home in accordance with the minimum  
14 requirements established under section 346-172 so long as  
15 registered.

16           (b) The department may establish reasonable fees for the  
17 issuance or renewal of certificates of registration according to  
18 rules adopted pursuant to chapter 91."

19           SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.

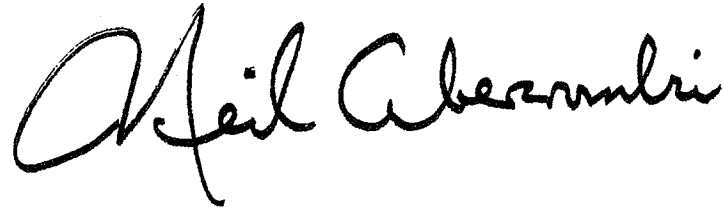
21           SECTION 5. This Act shall take effect upon its approval.



H.B. NO. 2540  
H.D. 2  
S.D. 1  
C.D. 1

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APPROVED this 26 day of JUN, 2012

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive style with a large initial "N".

GOVERNOR OF THE STATE OF HAWAII