
A BILL FOR AN ACT

RELATING TO DISCRIMINATION IN REAL PROPERTY TRANSACTIONS.

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

1 SECTION 1. The purpose of this Act is to clarify the
2 definition of "familial status" in the law pertaining to
3 discrimination in real property transactions to specify that a
4 non-parent individual cohabiting with any minor children must
5 have evidence of legitimate consent of the child's parent to
6 qualify for "familial status".

7 SECTION 2. Section 515-2, Hawaii Revised Statutes, is
8 amended by amending the definition of "familial status" to read
9 as follows:

10 "\"Familial status\" means the status of:

11 (1) [a] A parent having legal custody of and ~~[domiciled]~~
12 cohabiting with a minor child or children~~[, a]~~;

13 (2) A person who is ~~[domiciled]~~ cohabiting with a minor
14 child or children and who ~~[has written or unwritten]~~
15 possesses evidence of legitimate permission ~~[from]~~ of
16 the legal parent~~[, a]~~;

17 (3) A person who is pregnant~~[,]~~; or



1 (4) [~~any~~] A person cohabiting with a minor child or
2 children and who is in the process of securing the
3 legal custody of [~~a minor~~] the child or children.
4 For purposes of determining familial status, "evidence of
5 legitimate permission" means consent that is genuine and
6 authentic, and not fabricated for purposes of subverting the
7 law."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

11

INTRODUCED BY:

Cecil K. Day
J. H. K. K. K.

JAN 28 2009



Report Title:

Real Property; Familial Status Definition; Legitimate Consent

Description:

Amends the definition of "familial status" to specify that a non-parent individual cohabiting with any minor children must have evidence of legitimate consent of the child's parent to qualify for "familial status" under the state housing laws.

