
A BILL FOR AN ACT

RELATING TO RECIPROCAL BENEFICIARIES.

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

1 SECTION 1. Chapter 572C, Hawaii Revised Statutes, is
2 amended by adding the following section to read as follows:
3 "§572C- Individuals certified as reciprocal
4 beneficiaries in Hawaii shall have all the benefits,
5 protections, and responsibilities under law, whether derived
6 from statutes, administrative rules, court decisions, common
7 law, or any other source of civil law, except for part I under
8 chapter 572, as are granted to spouses in a marriage validly
9 entered into pursuant to chapter 572."

10 SECTION 2. Section 572-1.6, Hawaii Revised Statutes, is
11 repealed.

12 ~~["§572-1.6] Private solemnization not unlawful. Nothing~~
13 ~~in this chapter shall be construed to render unlawful, or~~
14 ~~otherwise affirmatively punishable at law, the solemnization of~~
15 ~~same sex relationships by religious organizations; provided that~~
16 ~~nothing in this section shall be construed to confer any of the~~
17 ~~benefits, burdens, or obligations of marriage under the laws of~~
18 ~~Hawaii."]~~



1 SECTION 3. Section 572C-7, Hawaii Revised Statutes, is
2 repealed.

3 ~~["§572C-7] Termination of reciprocal beneficiary~~
4 ~~relationship; filing fees and records; termination upon~~
5 ~~marriage. (a) Either party to a reciprocal beneficiary~~
6 ~~relationship may terminate the relationship by filing a signed~~
7 ~~notarized declaration of termination of reciprocal beneficiary~~
8 ~~relationship by either of the reciprocal beneficiaries with the~~
9 ~~director. For the filing of the declaration, the director shall~~
10 ~~collect a fee of \$8, which shall be remitted to the director of~~
11 ~~finance for deposit into the general fund.~~

12 ~~(b) Upon the payment of the fee, the director shall file~~
13 ~~the declaration and issue a certificate of termination of~~
14 ~~reciprocal beneficiary relationship to each party of the former~~
15 ~~relationship. The director shall maintain a record of each~~
16 ~~declaration and certificate of termination of reciprocal~~
17 ~~beneficiary relationship filed with or issued by the director.~~

18 ~~(c) Any marriage license subsequently issued by the~~
19 ~~department to any individual registered as a reciprocal~~
20 ~~beneficiary shall automatically terminate the individual's~~
21 ~~existing reciprocal beneficiary relationship.~~



1 ~~(d) If either party to a reciprocal beneficiary~~
2 ~~relationship enters into a legal marriage, the parties shall no~~
3 ~~longer have a reciprocal beneficiary relationship and shall no~~
4 ~~longer be entitled to the rights and benefits of reciprocal~~
5 ~~beneficiaries."]~~

6 SECTION 4. Except for part I of chapter 572, every
7 reference in the Hawaii Revised Statutes to "marriage", or any
8 aspect thereof, shall apply equally to "reciprocal
9 beneficiaries", including:

- 10 (1) Every reference in the Hawaii Revised Statutes to
11 "married" or "spousal" shall apply equally to the
12 status of partners certified as reciprocal
13 beneficiaries in Hawaii;
- 14 (2) Every reference to "husband", "wife", or "spouse"
15 shall apply equally to a partner in a certified
16 reciprocal beneficiary relationship; and
- 17 (3) Every reference to marital status, unless stated
18 otherwise under reciprocal beneficiaries, including
19 provisions pertaining to parties and procedures for
20 annulment, divorce, separation, or dissolution, shall
21 apply equally and as necessary to reciprocal



1 beneficiaries and to partners in a reciprocal
2 beneficiary relationship.

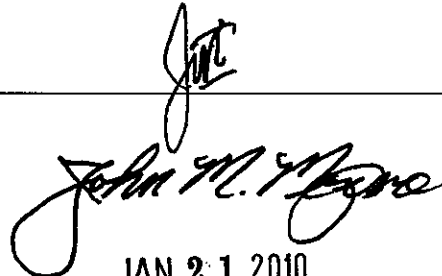
3 SECTION 5. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 6. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 7. This Act shall take effect on January 1, 2011.

9

INTRODUCED BY:


JAN 21 2010



Report Title:

Reciprocal Beneficiaries

Description:

Extends the same benefits, protections, and responsibilities of spouses in a marriage to reciprocal beneficiaries.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

