

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO PATERNITY.

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

1           SECTION 1. Section 584-6, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:  
3           "(a) A child, or guardian ad litem of the child, the  
4 child's natural mother, whether married or unmarried at the time  
5 the child was conceived, or her personal representative or  
6 parent if the mother has died; or a man alleged or alleging  
7 himself to be the natural father, or his personal representative  
8 or parent if the father has died; or a presumed father as  
9 defined in section 584-4, or his personal representative or  
10 parent if the presumed father has died; or the child support  
11 enforcement agency, may bring an action for the purpose of  
12 declaring the existence or nonexistence of the father and child  
13 relationship [~~within~~] in accordance with the following [~~time~~  
14 ~~periods~~]:

15           (1) If the child is the subject of an adoption proceeding,  
16           action may be brought:

17           (A) Within thirty days after the date of the child's  
18           birth in any case when the mother relinquishes



1           the child for adoption during the thirty-day  
2           period; or

3           (B) Any time prior to the date of execution by the  
4           mother of a valid consent to the child's  
5           adoption, or prior to placement of the child with  
6           adoptive parents [~~, but in no event later than~~  
7           ~~three years after the child reaches the age of~~  
8           ~~majority; or~~

9           ~~(2) If the child has not become the subject of an adoption~~  
10           ~~proceeding, within three years after the child reaches~~  
11           ~~the age of majority; provided that any period of time~~  
12           ~~during which the man alleged or alleging himself to be~~  
13           ~~the natural father of the child is absent from the~~  
14           ~~State or is openly cohabitating with the mother of the~~  
15           ~~child or is contributing to the support of the child,~~  
16           ~~shall not be computed.] ;~~

17           ~~[(3)]~~ (2) ~~[Section 584-6]~~ This section shall not extend the  
18           time within which a right of inheritance or a right to  
19           a succession may be asserted beyond the time provided  
20           by law relating to distribution and closing of  
21           decedents' estates or to the determination of  
22           heirship, or otherwise ~~[-]~~ ; and



1        [~~4~~] (3) A personal representative in this section [~~584-6~~]  
2                may be appointed by the court upon a filing of an ex  
3                parte motion by one of the parties entitled to file a  
4                paternity action. Probate requirements need not be  
5                met. However, appointment of the personal  
6                representative in this section is limited to  
7                representation in chapter 584 proceedings."

8                SECTION 2. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

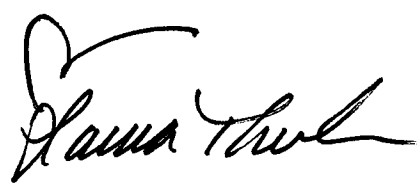
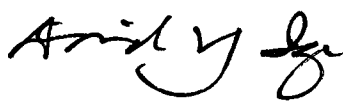
10                SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:



Sharonne Chun Oakland



# S.B. NO. 516

**Report Title:**

Paternity; Removal of Time Bar to Actions

**Description:**

Removes time bar on actions to declare existence or nonexistence of father and child relationship for certain proceedings.

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

