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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[+] or any time after that for good  
12       cause; provided that any period of time during which  
13       the man alleged or alleging himself to be the natural  
14       father of the child is absent from the State or is  
15       openly cohabitating with the mother of the child or is  
16       contributing to the support of the child, shall not be  
17       computed[-];

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



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

10           SECTION 2. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12           SECTION 3. This Act shall take effect on July 1, 2013.



**Report Title:**

Paternity; Removal of Time Bar to Actions

**Description:**

Removes time bar on paternity actions. Effective July 1, 2013.  
(SB516 HD1)

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

