
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:

[Handwritten signatures and names]
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JAN 18 2013



H.B. NO. 615

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.

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