
A BILL FOR AN ACT

RELATING TO CHANGE OF NAME.

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

1 SECTION 1. Section 574-5, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) It shall be unlawful to change any name adopted or
4 conferred under this chapter, except:

5 (1) Upon an order of the lieutenant governor;

6 (2) By a final order, decree, or judgment of the family
7 court issued as follows:

8 (A) When in an adoption proceeding a change of name
9 of the person to be adopted is requested and the
10 court includes the change of name in the adoption
11 decree;

12 (B) When in a divorce proceeding either party to the
13 proceeding requests to [~~resume~~]:

14 (i) Resume the middle name or names and the last
15 name used by the party prior to the marriage
16 or civil union or a middle name or names and
17 last name declared and used during any prior
18 marriage or civil union and the court



1 includes the change of names in the divorce
2 decree; or

3 (ii) Change the name of a child who is under the
4 age of majority, if the court determines
5 that either parent has sexually abused the
6 child and the change of name is in the
7 child's best interest; or

8 (C) When in a proceeding for a change of name of a
9 legitimate or legitimated minor initiated by one
10 parent, the family court, upon proof that the
11 parent initiating the name change has made all
12 reasonable efforts to locate and notify the other
13 parent of the name change proceeding but has not
14 been able to locate, notify, or elicit a response
15 from the other parent, and after an appropriate
16 hearing, orders a change of name determined to be
17 in the best interests of the minor; provided that
18 the family court may waive the notice requirement
19 to the noninitiating, noncustodial parent where
20 the court finds that the waiver is necessary for
21 the protection of the minor;



1 (3) Upon marriage or civil union pursuant to section
2 574-1;

3 (4) Upon legitimation pursuant to section 338-21; or

4 (5) By an order or decree of any court of competent
5 jurisdiction within any state of the United States,
6 the District of Columbia, the Commonwealth of Puerto
7 Rico, or any territory or possession of the United
8 States, changing the name of a person born in this
9 State.

10 Notwithstanding any law to the contrary, no person who is a
11 covered offender subject to the registration requirements of
12 section 846E-2 may obtain a name change, other than as provided
13 in paragraph (2), (3), (4), or (5), unless a court determines
14 that it is in the best interest of justice to grant the petition
15 and that doing so will not adversely affect the public safety."

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect on July 1, 2080.



Report Title:

Name Change; Children; Sexual Abuse; Divorce

Description:

Allows family court in divorce proceeding to change minor child's name if the court determines that either parent has sexually abused the child and the change of name is in the best interest of the child. Effective July 1, 2080. (SB2223 HD1)

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