

ACT 75

H.B. NO. 523

A Bill for an Act Relating to Names.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The purpose of this Act is to amend section 574-2 and 574-3 of, the Hawaii Revised Statutes, since a former provision in subsection 2 was found unconstitutional by the Federal District Court to the extent it prohibited parents from giving their child any surname they chose. (466 F. Supp. 714).

SECTION 2. Section 574-2, Hawaii Revised Statutes, is amended to read as follows:

**“§574-2 Legitimate children.** The registrar of births shall register any child born in wedlock as having [the child’s father’s name as its family name, and shall also register a given name for the child.] both a family name and a given name chosen by the child’s parents. The registrar shall register any child legitimated, as provided in section 338-21, as having [either the child’s father’s name or its mother’s name as a family name, and shall also register a given name for the child.] both a family name and a given name chosen by the child’s parents, or, if the parents do not agree on the name or names, the name or names specified by a court of competent jurisdiction to be in the best interests of the child.”

SECTION 3. Section 574-3, Hawaii Revised Statutes, is amended to read as follows:

**“§574-3 Illegitimate children.** The registrar of births shall register any illegitimate child as having [the child’s mother’s name as a family name, and shall also register a given name for the child.] both a family name and given name chosen by the mother.”

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

**SECTION 5.** This Act shall take effect upon its approval.

(Approved May 8, 1989.)