

ACT 23

H.B. NO. 2319

A Bill for an Act Relating to Parentage.

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

SECTION 1. Section 338-12, Hawaii Revised Statutes, is amended to read as follows:

“§338-12 Evidentiary character of certificates. Certificates filed within thirty days after the time prescribed therefor shall be prima facie evidence of the facts therein stated. Data pertaining to the father of a child is prima facie evidence [only] if [the]:

- (1) The alleged father is [the]:
 - (A) The husband of the mother; or [if the alleged father is the]
 - (B) The acknowledged father of the child; or [if the]
- (2) The father and child relationship has been established under chapter 584; if not, the data pertaining to the father of the child are not evidence in any proceeding adverse to the interest of the alleged father, or of his heirs, next of kin, devisees, or other successors in interest, if the paternity is controverted]. Data pertaining to the alleged father acknowledging paternity of the child is admissible as evidence of paternity in any family court proceeding, including proceedings under chapter 584.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 20, 1994.)