

**ACT 136**

S.B. NO. 516

A Bill for an Act Relating to Paternity.

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

SECTION 1. Section 584-6, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) A child, or guardian ad litem of the child, the child’s natural mother, whether married or unmarried at the time the child was conceived, or her personal representative or parent if the mother has died; or a man alleged or

alleging himself to be the natural father, or his personal representative or parent if the father has died; or a presumed father as defined in section 584-4, or his personal representative or parent if the presumed father has died; or the child support enforcement agency, may bring an action for the purpose of declaring the existence or nonexistence of the father and child relationship [~~within~~] in accordance with the following [~~time periods~~]:

- (1) If the child is the subject of an adoption proceeding, action may be brought:
  - (A) Within thirty days after the date of the child's birth in any case when the mother relinquishes the child for adoption during the thirty-day period; or
  - (B) Any time prior to the date of execution by the mother of a valid consent to the child's adoption, or prior to placement of the child with adoptive parents [~~, but in no event later than three years after the child reaches the age of majority; or~~];
- (2) If the child has not become the subject of an adoption proceeding, within three years after the child reaches the age of majority[~~;~~] or any time after that for good cause; provided that any period of time during which the man alleged or alleging himself to be the natural father of the child is absent from the State or is openly cohabitating with the mother of the child or is contributing to the support of the child, shall not be computed[~~;~~];
- (3) [~~Section 584-6~~] This section shall not extend the time within which a right of inheritance or a right to a succession may be asserted beyond the time provided by law relating to distribution and closing of decedents' estates or to the determination of heirship, or otherwise[~~;~~]; and
- (4) A personal representative in this section [~~584-6~~] may be appointed by the court upon a filing of an ex parte motion by one of the parties entitled to file a paternity action. Probate requirements need not be met. However, appointment of the personal representative in this section is limited to representation in chapter 584 proceedings."

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

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

(Approved June 21, 2013.)