
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[+] or any time after that for good
12 cause; provided that any period of time during which
13 the man alleged or alleging himself to be the natural
14 father of the child is absent from the State or is
15 openly cohabitating with the mother of the child or is
16 contributing to the support of the child, shall not be
17 computed[+] ;

18 (3) [~~Section 584-6~~] This section shall not extend the time
19 within which a right of inheritance or a right to a
20 succession may be asserted beyond the time provided by
21 law relating to distribution and closing of decedents'



1 estates or to the determination of heirship, or
2 otherwise ~~[-]~~; and
3 (4) A personal representative in this section ~~[584-6]~~ may
4 be appointed by the court upon a filing of an ex parte
5 motion by one of the parties entitled to file a
6 paternity action. Probate requirements need not be
7 met. However, appointment of the personal
8 representative in this section is limited to
9 representation in chapter 584 proceedings."

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 Statutory material to be repealed is bracketed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

12 SECTION 3. This Act shall take effect on July 1, 2050.

13



Report Title:

Paternity; Removal of Time Bar to Actions

Description:

Removes time bar on paternity actions for good cause shown.
Effective on 07/01/50. (SD1)

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