

JAN 22 2021

A BILL FOR AN ACT

RELATING TO DIVORCE.

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

1 SECTION 1. Section 580-1, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Exclusive original jurisdiction in matters of
4 annulment [~~7, divorce,~~] and separation, subject to section 603-37
5 as to change of venue, and subject also to appeal according to
6 law, is conferred upon the family court of the circuit in which
7 the applicant has been domiciled or has been physically present
8 for a continuous period of at least three months next preceding
9 the application therefor, except as provided in subsection (b).
10 [~~No absolute divorce from the bond of matrimony shall be granted
11 for any cause unless either party to the marriage has been
12 domiciled or has been physically present in the State for a
13 continuous period of at least six months next preceding the
14 application therefor,~~]
15 Exclusive original jurisdiction in matters of divorce,
16 subject to section 603-37 as to change of venue, and subject
17 also to appeal according to law, is conferred upon the family



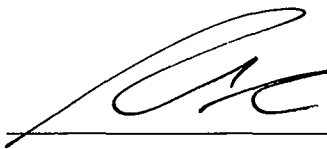
1 court of the circuit in which the applicant is domiciled at the
2 time the application is filed, except as provided in subsection
3 (b).

4 A person who may be residing on any military or federal
5 base, installation, or reservation within the State or who may
6 be present in the State under military orders shall not thereby
7 be prohibited from meeting the requirements of this section.
8 The family court of each circuit shall have jurisdiction over
9 all proceedings relating to the annulment, divorce, and
10 separation of civil unions entered into in this State or unions
11 recognized as civil unions in this State in the same manner as
12 marriages."

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 Statutory material to be repealed is bracketed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

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

16

INTRODUCED BY:  _____

S.B. NO. 828

Report Title:

Divorce; Physical Presence; Residency Requirement

Description:

Grants exclusive original jurisdiction in matters of divorce to the family court of the circuit in which an applicant is domiciled at the time the application is filed. Repeals the requirement that a person be domiciled or physically present in the State for a continuous period of at least six months before completing a divorce.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

