
A BILL FOR AN ACT

RELATING TO NAME CHANGES.

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

1 SECTION 1. Section 11-20, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The clerks shall use all reliable and pertinent
4 information to keep the general register up to date. The county
5 clerks may request information from, but are not limited to, the
6 following sources:

7 (1) The [~~office of the lieutenant governor~~] department of
8 health for any change of name;

9 (2) Courts for any changes of name, divorces, separations,
10 or other changes affecting voter status;

11 (3) The department of health for marriages, deaths, or
12 other changes affecting voter status;

13 (4) Utility companies concerning commencement or changes
14 of service;

15 (5) Residential apartments, cooperative apartments, and
16 condominiums as to changes of occupancy.



1 In requesting the information the clerk shall give reasonable
2 notice and time for furnishing the information."

3 SECTION 2. Section 286-308, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) A cardholder who, after receiving an identification
6 card, has a change in one or more of the following:

7 (1) Name, legally changed by marriage, divorce, adoption,
8 legitimization, order of the [~~lieutenant-governor,~~
9 department of health, or other legal means;

10 (2) Citizenship status;

11 (3) Address; or

12 (4) Individual in charge of the cardholder (in the case of
13 a minor or incompetent individual),

14 within thirty days after the change, shall report the change,
15 submit supporting documents, and present the cardholder's

16 identification card to the examiner. The examiner of drivers,
17 upon being furnished with satisfactory proof as to the change,
18 and receiving payment of the fee, shall cancel the

19 identification card and issue a new identification card bearing
20 the new name, citizenship status, or address of the cardholder,



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1 making appropriate notation of the facts upon the records of the
2 examiner."

3 SECTION 3. Section 574-5, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsections (a) and (b) to read:

6 "(a) It shall be unlawful to change any name adopted or
7 conferred under this chapter, except:

8 (1) Upon an order [~~of the lieutenant governor;~~] issued by
9 the department of health;

10 (2) By a final order, decree, or judgment of the family
11 court issued as follows:

12 (A) When in an adoption proceeding a change of name
13 of the person to be adopted is requested and the
14 court includes the change of name in the adoption
15 decree;

16 (B) When in a divorce proceeding either party to the
17 proceeding requests to:

18 (i) Resume the middle name or names and the last
19 name used by the party prior to the marriage
20 or civil union or a middle name or names and
21 last name declared and used during any prior



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1 marriage or civil union and the court
2 includes the change of names in the divorce
3 decree; or

4 (ii) Change the name of a minor child of one or
5 more of the parties if the court determines
6 that the change of name is in the child's
7 best interest; or

8 (C) When in a proceeding for a change of name of a
9 legitimate or legitimated minor initiated by one
10 parent, the family court, upon proof that the
11 parent initiating the name change has made all
12 reasonable efforts to locate and notify the other
13 parent of the name change proceeding but has not
14 been able to locate, notify, or elicit a response
15 from the other parent, and after an appropriate
16 hearing, orders a change of name determined to be
17 in the best interests of the minor; provided that
18 the family court may waive the notice requirement
19 to the noninitiating, noncustodial parent where
20 the court finds that the waiver is necessary for
21 the protection of the minor;



- 1 (3) Upon marriage or civil union pursuant to section
- 2 574-1;
- 3 (4) Upon legitimation pursuant to section 338-21; or
- 4 (5) By an order or decree of any court of competent
- 5 jurisdiction within any state of the United States,
- 6 the District of Columbia, the Commonwealth of Puerto
- 7 Rico, or any territory or possession of the United
- 8 States, changing the name of a person born in this
- 9 State.

10 Notwithstanding any law to the contrary, no person who is a
11 covered offender subject to the registration requirements of
12 section 846E-2 may obtain a name change, other than as provided
13 in paragraph (2), (3), (4), or (5), unless a court determines
14 that it is in the best interest of justice to grant the petition
15 and that doing so will not adversely affect the public safety.

16 (b) The order of change of name by the [~~lieutenant~~
17 ~~governor~~] department of health shall be founded upon a notarized
18 petition. The petition shall be executed by the person desirous
19 of making the change of name. In the case of a minor, the
20 petition shall be executed:

- 21 (1) By the parents;



1 (2) By the parent who has custody of the minor with the
2 notarized consent of the noncustodial parent; or

3 (3) By the guardian of the minor."

4 2. By amending subsection (d) to read:

5 "(d) A notice of change of name signed by the [~~lieutenant~~
6 ~~governor~~] director of health shall be published once in a
7 newspaper of general circulation in the State as mentioned in
8 the order for change of name, and the petitioner within sixty
9 days of the signing of the notice of change of name shall
10 deposit at the office of [~~the lieutenant governor~~] health status
11 monitoring of the department of health an affidavit executed by
12 an officer of the newspaper publishing the notice showing that
13 the notice has been published therein. The affidavit shall have
14 attached to it a clipping showing the notice as published.
15 Failure to deposit the affidavit of publication as required
16 shall void that petition for a change of name by that
17 petitioner."

18 SECTION 4. Section 574-6, Hawaii Revised Statutes, is
19 amended as follows:



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Report Title:

Department of Health; Office of Health Status Monitoring; Vital Statistics; Name Change

Description:

Transfers the change of name procedures from the office of the lieutenant governor to the department of health. Effective 1/1/2022.

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

