

ACT 79

H.B. NO. 1839-84

A Bill for an Act Relating to Marriage.

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

SECTION 1. Chapter 572, Hawaii Revised Statutes, is amended by establishing two parts to be titled "PART I. REQUISITES, PROCEDURES" which shall include sections 572-1 to 572-16, Hawaii Revised Statutes; and "PART II. PROPERTY CONTRACTS, DEBTS, AND LIABILITIES" which shall consist of sections 510-1, 573-6, and 573-7, Hawaii Revised Statutes, which shall be appropriately renumbered.

SECTION 2. Section 573-2, Hawaii Revised Statutes, shall be appropriately renumbered and included in part II, chapter 572, established by section 1 of this Act, and amended to read as follows:

"§[573-2] 572- Contracts. A married [woman] person may make contracts, oral and written, sealed and unsealed, with persons other than her [husband,] or his spouse, in the same manner as if she or he were sole. [A

married woman and her husband] Spouses may contract with each other, as follows:

- (1) By deed or assignment to or in favor of the other;
- (2) By agreement settling their respective rights in property owned by them, or either of them, when the agreement is made in contemplation of divorce or judicial separation;
- (3) By agreement providing for periodic payments for the support and maintenance of one spouse by the other, or for the support, maintenance, and education of children of the parties, when the agreement is made in contemplation of divorce or judicial separation; provided that the agreement shall be subject to approval by the court in any subsequent proceeding for divorce or judicial separation and that future payments under an approved agreement shall nevertheless be subject to increase, decrease, or termination from time to time upon application and a showing of circumstances justifying a modification thereof;
- (4) By partnership agreements for business purposes;
- (5) As provided in section 560:2-204.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 27, 1984.)