

ACT 46

S.B. NO. 45

A Bill for an Act Relating to the Legal Status of Persons.

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

SECTION 1. Section 573-1, Hawaii Revised Statutes, is renumbered to read as follows:

“[§573-1] §572-25 Separate property. The real and personal property of a spouse, upon marriage, shall remain that spouse’s separate property, free from the management, control, debts, and obligations of the other spouse; and a spouse may receive, receipt for, hold, manage, and dispose of property, real and personal, in the same manner as if that spouse were sole.”

SECTION 2. Sections 573-3 to 573-5, Hawaii Revised Statutes, are amended and renumbered to read as follows:

“[§573-3] §572-26 May be personal representative, guardian, trustee, or other fiduciary. A married [woman] person may be a personal representative, guardian, trustee, custodian, or other fiduciary and may bind [herself] the person’s self and the estate [she] the person represents without any act or assent on the part of [her husband.] the person’s spouse.

[§573-4] §572-27 [Women] Persons as sureties. All [woman,] persons, upon attaining their majority, and having the necessary property qualifications as by law required, may act, serve, and be sureties on all bonds and undertakings required under the laws of the State.

[§573-5] §572-28 Suits by and against. A married [woman] person may sue and be sued in the same manner as if [she] the person were sole; but this section shall not be construed to authorize suits between [husband and wife.] spouses.”

SECTION 3. Section 573-8, Hawaii Revised Statutes, is amended and renumbered to read as follows:

“[§573-8] §572-29 Marriage settlement not invalidated. Nothing contained in [sections 573-1 to 573-7] this part shall invalidate any marriage settlement or contract.”

SECTION 4. Chapter 573, Hawaii Revised Statutes, is repealed.

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved May 29, 1987.)