

JAN 24 2024

A BILL FOR AN ACT

RELATING TO PROFESSIONAL LAND SURVEYORS.

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

1 SECTION 1. The legislature finds that Act 207, Session
2 Laws of Hawaii 2007, authorized the establishment of design
3 claims conciliation panels to protect design professionals
4 against frivolous lawsuits. Under chapter 672B, Hawaii Revised
5 Statutes, the definition of design professional includes a
6 professional engineer, architect, surveyor, or landscape
7 architect licensed under chapter 464, Hawaii Revised Statutes
8 (chapter 464).

9 The legislature further finds that under chapter 464, the
10 professional services provided by architects and professional
11 engineers involve the safeguarding of life, health, or property.
12 However, under chapter 464, the professional service provided by
13 a land surveyor does not. Rather, land surveyors are those who
14 practice land surveying, which is defined in part as involving
15 "the application of the principles of mathematics, the physical
16 and applied sciences, and act of measuring, locating,
17 establishing, or reestablishing lines, angles, elevations, and



1 natural and manmade features on the surface and immediate
2 subsurface of the earth for the purpose of determining the legal
3 or geodetic location or relocation, or orientation of improved
4 or unimproved real property...."

5 The purpose of this Act is to establish a statute of repose
6 for land surveyors to establish a period of time after the
7 completion of a contract or final payment for land surveying
8 work that a complaint cannot be made.

9 SECTION 2. Chapter 464, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§464- Professional land surveyors; contract; statute
13 of repose. No action shall be commenced against a professional
14 land surveyor after more than _____ years after the date of
15 completion of a contract or final payment for professional land
16 surveying work."

17 SECTION 3. New statutory material is underscored.

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



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INTRODUCED BY: _____

A large, bold, handwritten signature in black ink, written over a horizontal line. The signature is stylized and appears to be a set of initials or a name.

S.B. NO. 3233

Report Title:

Professional Land Surveyors; Statute of Repose

Description:

Establishes a statute of repose for land surveyors, after which time a complaint cannot be made.

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

