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# 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 specialized knowledge of the principles of  
16 mathematics, the physical and applied sciences, and the act of  
17 measuring, locating, establishing, or reestablishing lines,



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

6 The purpose of this Act is to establish a statute of repose  
7 for professional land surveyors by prohibiting the commencement  
8 of a civil action if ten years has elapsed since the latter of  
9 the completion of a contract or final payment for land surveying  
10 work.

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

14 "§464- Professional land surveyors; contract; statute  
15 of repose. No civil action shall be commenced against a  
16 professional land surveyor if ten years has elapsed since the  
17 latter of the date of completion of a contract or final payment  
18 for professional land surveying work."

19 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Professional Land Surveyors; Statute of Repose

**Description:**

Establishes a ten year statute of repose for land surveyors, after which time a complaint for a civil action cannot be made. Effective 7/1/3000. (HD2)

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

