STAND. COM. REP. NO.

900 -2

Honolulu, Hawaii

, 2024

MAR 0 1

RE: H.B. No. 2148

H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2148, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROFESSIONAL LAND SURVEYORS," begs leave to report as follows:

The purpose of this measure is to establish a statute of repose for professional land surveyors by prohibiting the commencement of an action after twenty years has elapsed from the completion of a contract or final payment for land surveying work.

Your Committee received testimony in support of this measure from nine individuals. Your Committee received comments on this measure from the Board of Professional Engineers, Architects, Surveyors, and Landscape Architects.

Your Committee finds land surveyors are included in the definition of "design professional", despite not providing the same professional services related to safeguarding life, health, and property as other design professionals. This measure would establish separate protections against litigation for land surveyors by establishing a statute of repose that prohibits the commencement of legal action after a certain period has elapsed following the completion of a contract or final payment of land surveying work.

Your Committee has amended this measure by:

- (1) Specifying that the statute of repose is only applicable to civil actions;
- (2) Changing the period after which bars the commencement of a civil action from twenty years to ten years;
- (3) Clarifying that the period is calculated from the latter of the date of completion of a contract or final payment for professional land surveying work; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2148, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2148, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 900-24

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 2148 HD1 Committee	CPC, JHA Date: 2/16/24			
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	V			
2. TAKAYAMA, Gregg (VC)			inggariya 2007	
3. EVSLIN, Luke A.		trica		
			eder Eddig i St. Leografia et de Bet	
4. GANADEN, Sonny	√			
5. HOLT, Daniel	17 8\			
6. ICHIYAMA, Linda				
7. ILAGAN, Greggor				Albert 1990 (C. C. Derry 1992)
· 美国 · · · · · · · · · · · · · · · · · ·				
8. KONG, Sam Satoru				
	196 9 3			
9. MIYAKE, Tyson K.				in the Carlotte
10. SOUZA, Kanani				i i i ji ji ji ji
10. SOUZA, Manam		<u>:</u> .		V
				
		•		
TOTAL (10)	7	Ø	8	3
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				