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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, according to chapter 464,  
14 Hawaii Revised Statutes, land surveyors are those who practice  
15 land surveying, which is defined in part as involving "the  
16 application of specialized knowledge of the principles of  
17 mathematics, the physical and applied sciences, and the act of



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

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

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

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

21       SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 2050.

2



**Report Title:**

Professional Land Surveyors; Real Property Owners; Statute of  
Repose

**Description:**

Establishes a statute of repose prohibiting the commencement of a civil action against a professional land surveyor or owner of real property if ten years has elapsed since the latter of the date of completion of a contract or final payment for land surveying work. Effective 7/1/2050. (SD1)

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

