
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.

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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)

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