

JAN 17 2025

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# A BILL FOR AN ACT

RELATING TO LAND COURT.

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

1       SECTION 1. The legislature finds that the Hawaii land  
2 court has exclusive jurisdiction over all applications for the  
3 registration of title to land easements or rights in land held  
4 and possessed in fee simple within the State, with the power to  
5 hear and determine all questions arising upon the applications.  
6 The legislature further finds that the land court is based on  
7 the premise that the State guarantees title to the latest holder  
8 of the transfer certificate of title. However, people sometimes  
9 lose the certificates, and the land court and bureau of  
10 conveyances do not provide the current land owner with the  
11 physical transfer certificate of title. Hawaii and Utah are the  
12 only states that utilize this system.

13       The legislature believes the land court system is archaic  
14 and finds that it causes significant delays for simple  
15 conveyances of real property. For example, lawyers are delayed  
16 from conveying land among family members, and title companies  
17 are delayed in business operations. Moreover, judiciary staff



1 is increasingly behind in day-to-day operations, including  
2 approving simple name changes in title certificates. The  
3 legislature also finds that the bureau of conveyances has a  
4 large backlog for land court even if sent through recordation.

5 Accordingly, the purpose of this Act is to establish a  
6 working group to reform or eliminate the land court in Hawaii.

7 SECTION 2. (a) There is established within the judiciary  
8 for administrative purposes a working group to reform or  
9 eliminate the land court.

10 (b) The working group shall consist of the following  
11 individuals:

12 (1) A member of the judiciary, to be designated by the  
13 chief justice, who shall serve as chair of the working  
14 group;

15 (2) A member of the senate, to be designated by the senate  
16 president;

17 (3) A member of the house of representatives, to be  
18 designated by the house speaker;

19 (4) The chairperson of the board of land and natural  
20 resources, or the chairperson's designee;



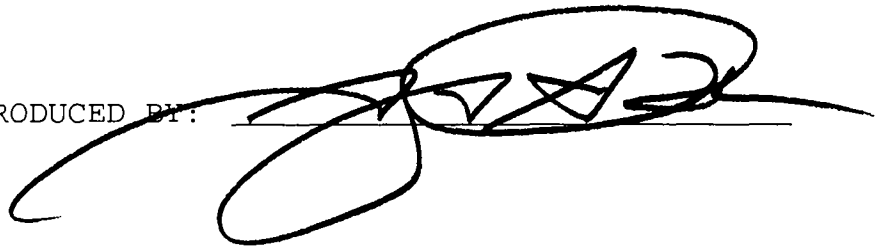
(5) A member of the Hawaii State Bar Association, to be designated by its president, whom the chair shall invite to participate; and

(6) A representative from a title company doing business in Hawaii, whom the chair shall invite to participate.

(c) The working group shall identify and analyze operational issues with the land court and bureau of conveyances and shall make a recommendation to implement specific reforms or eliminate the land court. The working group shall submit a report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2026.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY:

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# S.B. NO. 949

**Report Title:**

Working Group; Land Court; Bureau of Conveyances; Judiciary;  
Department of Land and Natural Resources

**Description:**

Establishes a working group to reform or eliminate the land  
court in Hawaii.

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

