THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 949

JAN 17 2025

A BILL FOR AN ACT

RELATING TO LAND COURT.

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

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

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

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

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

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

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

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

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

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

(4) The chairperson of the board of land and natural 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: _____

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.

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