

A Bill for an Act Relating to Land Court Fees.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 501-63, Hawaii Revised Statutes, is amended to read as follows:

**"§501-63 Appeal to supreme court.** Pursuant to section 641-1(a) and the Hawaii Rules of Civil Procedure, in all cases an appeal to the supreme court shall lie from the final decree of the land court on behalf of any party aggrieved by the decree. The aggrieved party shall file a notice of appeal and pay the fees for appeal as prescribed by section 501-218, together with the deposit of costs on appeal pursuant to section 607-7, to the registrar of the land court; provided that the registrar of the land court shall thereafter pay the costs on appeal so deposited to the clerk of the supreme court."

SECTION 2. Section 501-218, Hawaii Revised Statutes, is amended to read as follows:

**"§501-218 Schedule of fees.** Except where otherwise provided the fees payable under this chapter are as follows:

- (1) For every application filed pursuant to this chapter, including indexing and recording the same, and transmitting to registrar, when filed with assistant registrar, \$3.
- (2) For every plan filed, \$1.
- (3) For indexing any instrument recorded while application for registration is pending, 25 cents.
- (4) For examining title, \$10 and two-tenths of one per cent of the assessed value of the land and improvements on the basis of the last assessment for taxation, or the value of the same as determined under section 501-211 when the land was not separately assessed.
- (5) For verifying and checking map on the ground, for lots of one acre or less, \$25; an addition of \$1 an acre or fraction thereof for all area over one acre and up to one hundred acres; an addition of 50 cents an acre or fraction thereof for all area over one hundred acres and up to five hundred acres; an addition of 50 cents an acre or fraction thereof for all area over five hundred acres and up to one thousand acres; an addition of 25 cents an acre or fraction thereof for all area over one thousand acres.
- (6) For checking survey and map as to form and mathematical correctness but not on the ground, \$3 an hour.
- (7) For approving subdivision of registered land, and for checking same as to form and mathematical correctness but not on the ground, \$3 an hour.
- (8) For all services by a sheriff or other police officer under this chapter, the same fees as are now provided by law for like services.
- (9) For each instrument affecting a title not reported in applicant's filed abstract of title, \$2.
- (10) For filing an amended application, \$1.
- (11) For each notice by publication, 25 cents.
- (12) For entering any general default, \$1.
- (13) For filing any answer, \$1, to be paid by the party filing the same.
- (14) For every subpoena, \$1.
- (15) For swearing each witness, 10 cents.

- (16) For entering any discontinuance, \$1.
- (17) For filing notice of appeal, [\$1.] \$30.
- (18) For entry of order dismissing application, or decree of registration, and sending memorandum to assistant registrar, \$1.
- (19) For copy of decree of registration, \$1.
- (20) For entry of original certificate of title and issuing owner's duplicate certificate, or for making and entering a new certificate of title including issue of one owner's duplicate, \$20 if contained within four pages. For each additional page or fraction thereof, \$1.
- (21) For each owner's duplicate certificate after the first, \$10 if contained within four pages. For each additional page or fraction thereof, \$1.
- (22) For the registration of every instrument, including entering, indexing, filing, attesting registration, and making and attesting memorandum on certificates not in excess of four, \$5, except where herein otherwise provided, and 50 cents for each additional memorandum on certificates in excess of four required by any one instrument.
- (23) For the certification of a copy of any instrument, the same fees as are provided by section 502-25.
- (24) For filing and registering an adverse claim, \$3.
- (25) For entering statement of change of residence and post office address, including indorsing and attesting same on a duplicate certificate, \$2.50.
- (26) For entering any note in the entry book or in the registration book, \$1.
- (27) For registration of a suggestion of death, fact of marriage, order for subdivision, or notice of issue of an order in bankruptcy, \$1.
- (28) For filing any petition after original registration, \$1.
- (29) For filing any order after original registration, \$1.
- (30) In all cases not expressly provided for by law the fees of all public officers for any official duty or service under this chapter shall be at a rate established by the court.
- (31) For any application made by or in the name of the State, or any political subdivision thereof, any proceedings had upon such application or any dealing with registered land by the State, or any political subdivision thereof, as owner, no fees shall be charged."

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon approval.

(Approved May 29, 1985.)