

ACT 197

S.B. NO. 522

A Bill for an Act Relating to Land Court.

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

SECTION 1. The purpose of the Act is to enable the counties to promptly track property ownership, encumbrances, restrictions, uses, and sales prices of real property to enable more accurate real property tax assessments by requiring the assistant registrar of the land court to provide, within ten days after each week and without charge, an image and index of all deeds and other voluntary instruments, writs, or other process that have been recorded with the assistant registrar that week relating to registered land in all the counties, to the county designated in a memorandum of understanding agreed upon by the counties to

act as a central clearinghouse to deliver the images and index to the other counties without charge.

SECTION 2. Section 501-107, Hawaii Revised Statutes, is amended to read as follows:

“§501-107 Entry record; duplicates and certified copies. The assistant registrar shall keep a record in which shall be entered all deeds and other voluntary instruments, and all copies of writs or other process filed or recorded with the assistant registrar relating to registered land. The assistant registrar shall note in the record the date of reception of all instruments. The instruments shall be stamped with the date, hour, and minute of reception and shall be regarded as registered from the date and time so noted, and the memorandum of each instrument when made on the certificate of title to which it refers shall bear the same date.

Every deed or other instrument, whether voluntary or involuntary, so filed or recorded with the registrar or assistant registrar shall be numbered and indexed, and indorsed with a reference to the proper certificate of title. All records relating to registered land in the office of the registrar or of the assistant registrar shall be open to the public in the same manner as probate records are open, subject to [sæh] reasonable regulations as the registrar, under the direction of the court, may make.

Certified copies of all instruments filed or recorded and registered may also be obtained at any time on payment of the assistant registrar’s fees.

Within ten days after the end of each week, the assistant registrar shall deliver or forward by mail or electronic transmission, without charge, an image and index of all deeds and other voluntary instruments, writs, or other process that have been filed or recorded with the assistant registrar during each week relating to registered land in all the counties, to the county designated to act as a central clearinghouse in a memorandum of understanding agreed upon by the counties. The central clearinghouse shall deliver the images and index to the other counties without charge. The index shall include the following for each instrument:

- (1) Document number;
- (2) Certificate number;
- (3) Date of the filing;
- (4) Type of document;
- (5) Names of grantor and grantee;
- (6) Current tax map key number; and
- (7) Location of the real property by island.”

SECTION 3. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Became law on July 15, 2009, without the governor’s signature, pursuant to Art. III, §16, State Constitution.)