
A BILL FOR AN ACT

RELATING TO LAND COURT.

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

1 SECTION 1. The purpose of this Act is to enable the
2 counties to promptly track ownership, encumbrances,
3 restrictions, uses, and sales prices of real property for the
4 purpose of determining real property tax assessments. This Act
5 requires the assistant registrar of the land court to provide
6 the administrator of the real property assessment division of a
7 county, as agreed upon by memorandum of understanding among the
8 several counties, with an image and index of all instruments,
9 writs, and other processes relating to registered land in all
10 the counties that have been recorded. With this information,
11 the real property assessment division administrator shall serve
12 as a central clearinghouse and provide copies of the images to
13 the real property assessment administrators of the other
14 counties.

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

17 "**§501-107 Entry record; duplicates and certified copies.**

18 (a) The assistant registrar shall keep a record in which shall

1 be entered all deeds and other voluntary instruments, and all
2 copies of writs or other process filed or recorded with the
3 assistant registrar relating to registered land. The assistant
4 registrar shall note in the record the date of reception of all
5 instruments. The instruments shall be stamped with the date,
6 hour, and minute of reception and shall be regarded as
7 registered from the date and time so noted, and the memorandum
8 of each instrument when made on the certificate of title to
9 which it refers shall bear the same date.

10 Every deed or other instrument, whether voluntary or
11 involuntary, so filed or recorded with the registrar or
12 assistant registrar shall be numbered and indexed, and indorsed
13 with a reference to the proper certificate of title. All
14 records relating to registered land in the office of the
15 registrar or of the assistant registrar shall be open to the
16 public in the same manner as probate records are open, subject
17 to ~~such~~ reasonable regulations as the registrar, under the
18 direction of the court, may make.

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

- 1 (b) Within ten days after the end of each week or as soon
2 thereafter as possible in case of unforeseen technical computer
3 malfunction, the assistant registrar shall deliver or forward by
4 mail or electronic transmission, and without charge, an image
5 and index of all deeds and other voluntary instruments, writs,
6 and other process relating to land in all the counties that have
7 been filed or recorded with the assistant registrar during each
8 week to the county designated to act as a central clearinghouse
9 in a memorandum of understanding agreed upon by the counties.
- 10 The real property assessment administrator of the county
11 designated to act as a central clearinghouse shall provide
12 copies of the images, without charge, to the real property
13 assessment administrators of the other counties. The index
14 shall include but not be limited to the following for each
15 instrument:
- 16 (1) Document number;
17 (2) Certificate number;
18 (3) Date of the filing;
19 (4) Type of document;
20 (5) Name of grantor and grantee;
21 (6) Current tax map key number; and
22 (7) Location of the real property by island.

1 (c) The assistant registrar and the real property
2 assessment administrator of the county designated to act as a
3 central clearinghouse may impose a charge, pursuant to rules
4 adopted under chapter 91, to provide images or other information
5 to parties other than the counties."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

Report Title:

Land Court; Counties; Recorded Instruments

Description:

Requires the assistant registrar of the land court to provide, within 10 days and free of charge, an image and index of all instruments that contain real property transactions each week to the administrator of the real property division of a county to be agreed upon in a memorandum of understanding among the counties. (SD1)