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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 purpose of this Act is to clarify that the  
2 fee schedule in section 501-218, Hawaii Revised Statutes, is not  
3 intended to be a comprehensive schedule of all fees payable  
4 under chapter 501, Hawaii Revised Statutes, but may be  
5 supplemented by fee schedules established by court rule.

6           This Act also allows the department of accounting and  
7 general services to establish and maintain a schedule of fees  
8 for the services performed by the state land surveyor under  
9 chapter 501, Hawaii Revised Statutes. This Act incorporates  
10 language similar to current section 501-218, Hawaii Revised  
11 Statutes, which allows the department of land and natural  
12 resources to adopt administrative rules on behalf of the bureau  
13 of conveyances.

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

16           "**§501-218 Schedule of fees[-]; authority to amend.** (a)  
17 [~~Except where otherwise provided by the supreme court of the~~  
18 ~~State of Hawaii that shall be empowered to amend or add to the~~



1 ~~schedule from time to time, or fees for services by the bureau~~  
2 ~~of conveyances set by rules adopted by the department of land~~  
3 ~~and natural resources, pursuant to chapter 91, the] The fees~~  
4 payable under this chapter are as follows:

5 (1) For every application filed pursuant to this chapter,  
6 including indexing and recording the application, and  
7 transmitting to registrar, when filed with assistant  
8 registrar, \$3[-];

9 (2) For every plan filed, \$1[-];

10 (3) For examining title, \$10 and two-tenths of one per  
11 cent of the assessed value of the land and  
12 improvements on the basis of the last assessment for  
13 taxation, or the value of the land as determined under  
14 section 501-211 when the land was not separately  
15 assessed[-];

16 (4) For verifying and checking map on the ground, for lots  
17 of one acre or less, \$25; an addition of \$1 an acre or  
18 fraction thereof for all area over one acre and up to  
19 one hundred acres; an addition of 50 cents an acre or  
20 fraction thereof for all area over one hundred acres  
21 and up to one thousand acres; an addition of 25 cents



- 1 an acre or fraction thereof for all area over one  
2 thousand acres[-];  
3 (5) For checking survey and map as to form and  
4 mathematical correctness, but not on the ground, \$3 an  
5 hour[-];  
6 (6) For approving subdivision of registered land, and for  
7 checking the form and mathematical correctness, but  
8 not on the ground, \$3 an hour[-];  
9 (7) For all services by a sheriff or other police officer  
10 under this chapter, the same fees as are now provided  
11 by law for each service[-];  
12 (8) For each instrument affecting a title not reported in  
13 applicant's filed abstract of title, \$2[-];  
14 (9) For filing an amended application, \$1[-];  
15 (10) For each notice by publication, 25 cents[-];  
16 (11) For entering any general default, \$1[-];  
17 (12) For filing any answer, \$1, to be paid by the party  
18 filing the answer[-];  
19 (13) For every subpoena, \$1[-];  
20 (14) For swearing each witness, 10 cents[-];  
21 (15) For entering any discontinuance, \$1[-];  
22 (16) For filing notice of appeal, \$30[-];



- 1 (17) For entry of order dismissing application, or decree  
2 of registration, and sending memorandum to assistant  
3 registrar, \$1[-];
- 4 (18) For copy of decree of registration, \$1[-];
- 5 (19) For filing any petition after original registration,  
6 \$1; an addition of 25 cents for each exhibit  
7 attached[-];
- 8 (20) For filing any order after original registration,  
9 \$5[-];
- 10 (21) In all cases not expressly provided for by law, the  
11 fees of all public officers for any official duty or  
12 service under this chapter shall be at a rate  
13 established by the court[-]; and
- 14 (22) For any application made by or in the name of the  
15 State, or any political subdivision of the State, any  
16 proceedings upon the application or any dealing with  
17 registered land by the State, or any political  
18 subdivision of the State, as owner, no fees shall be  
19 charged.
- 20 (b) For recordation of the document of which the United  
21 States, State of Hawaii, or any county of the State of Hawaii,  
22 is the grantee, no fees shall be charged.



1        (c) The supreme court, by rule of court, from time to  
2 time, may revise, amend, add to, or eliminate any fees payable  
3 under subsection (a), or prescribe additional fees as it deems  
4 reasonable, for services provided by the office of the registrar  
5 of the land court as may be required under this chapter.

6        (d) The department of land and natural resources, by rule  
7 adopted pursuant to chapter 91, from time to time, may revise,  
8 amend, add to, or eliminate any fees payable under subsection  
9 (a) for services provided by assistant registrars in the bureau  
10 of conveyances under this chapter.

11        (e) The department of accounting and general services, by  
12 rule adopted pursuant to chapter 91, from time to time, may  
13 revise, amend, add to, or eliminate any fees payable under  
14 subsection (a) for services provided by the state land surveyor  
15 for checking and processing land court maps and other services  
16 as may be required under this chapter."

17        SECTION 3. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19        SECTION 4. This Act shall take effect on July 1, 2014.



**Report Title:**

Judiciary Package; Land Court; Fees

**Description:**

Clarifies that the fee schedule in section 501-218, HRS, is not intended to be a comprehensive schedule of all fees payable under chapter 501, HRS. Authorizes additional land court fees to be established by court or administrative rule. (CD1)

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

