NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.

An Act

HOUSE BILL 07-1225

BY REPRESENTATIVE(S) Kerr J., Balmer, Liston, Looper, and Solano; also SENATOR(S) Tapia.

CONCERNING LAND SURVEYS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 12-25-202 (1), Colorado Revised Statutes, is amended, and the said 12-25-202 is further amended BY THE ADDITION OF THE FOLLOWING NEW SUBSECTIONS, to read:

12-25-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1) ~~"Board" means the state board of licensure for architects, professional engineers, and professional land surveyors, created by section 12-25-106.~~ "BASIC CONTROL FOR ENGINEERING PROJECTS" MEANS SURVEY MARKERS SET ON OR IN THE VICINITY OF A CONSTRUCTION PROJECT TO ENABLE ALL COMPONENTS OF THE PROJECT TO BE BUILT IN COMPLIANCE WITH PLANS AND SPECIFICATIONS WITH RESPECT TO THE PROJECT LOCATION, ORIENTATION, ELEVATION, AND RELATIONSHIP TO PROPERTY, EASEMENT, OR RIGHT-OF-WAY BOUNDARIES.

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(1.5) "BOARD" MEANS THE STATE BOARD OF LICENSURE FOR ARCHITECTS, PROFESSIONAL ENGINEERS, AND PROFESSIONAL LAND SURVEYORS, CREATED BY SECTION 12-25-106.

(3.3) "GEODETIC SURVEYING" MEANS THE PERFORMANCE OF SURVEYS IN WHICH MEASURE OR ACCOUNT IS TAKEN OF THE SHAPE, SIZE, AND GRAVITATIONAL FORCES OF THE EARTH TO DETERMINE OR PREDETERMINE THE HORIZONTAL OR VERTICAL POSITIONS OF POINTS, MONUMENTS, OR STATIONS FOR USE IN THE PRACTICE OF PROFESSIONAL LAND SURVEYING OR FOR STATING THE GEODETIC POSITION OF CONTROL POINTS, MONUMENTS, OR STATIONS BY USING A COORDINATE SYSTEM OR DERIVATIVE THEREOF RECOGNIZED BY THE NATIONAL GEODETIC SURVEY.

SECTION 2. 12-25-202 (6) (a) (X), Colorado Revised Statutes, is amended, and the said 12-25-202 (6) (a) is further amended BY THE ADDITION OF A NEW SUBPARAGRAPH, to read:

12-25-202. Definitions. As used in this part 2, unless the context otherwise requires:

(6) (a) "Professional land surveying" means the application of special knowledge of principles of mathematics, methods of measurement, and law for the determination and preservation of land boundaries. "Professional land surveying" specifically includes:

(X) ~~Surveying to establish basic control for engineering projects and~~ Geodetic surveying; ~~and~~

(X.5) BASIC CONTROL FOR ENGINEERING PROJECTS; AND

SECTION 3. 12-25-212 (2) (b) and (2) (c), Colorado Revised Statutes, are amended to read:

12-25-212. Qualifications for land surveyor - interns. (2) (b) In order to be admitted to the examination pursuant to paragraph (a) of this subsection (2), the applicant must have SATISFIED EITHER OF THE FOLLOWING REQUIREMENTS:

(I) THE APPLICANT graduated from a ~~four-year~~ board-approved surveying OR SURVEYING TECHNOLOGY curriculum THAT IS AT LEAST FOUR

YEARS.

(II) THE APPLICANT HAS SENIOR STATUS IN A BOARD-APPROVED SURVEYING OR SURVEYING TECHNOLOGY CURRICULUM THAT IS AT LEAST FOUR YEARS.

(c) Upon passing the examination AND UPON SUBMISSION OF OFFICIAL TRANSCRIPTS TO THE BOARD VERIFYING GRADUATION OR IMPENDING GRADUATION, the applicant shall be enrolled as a land surveyor-intern if the applicant is otherwise qualified pursuant to section 12-25-211.

SECTION 4. 30-10-903 (2), Colorado Revised Statutes, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

30-10-903. Duties and powers of the county surveyor. (2) The county surveyor may, when authorized by the board of county commissioners:

(d) CONDUCT GEODETIC CONTROL SURVEYS, VERTICAL CONTROL SURVEYS, OR ANY SURVEYS FOR THE PURPOSE OF GEOGRAPHIC INFORMATION SYSTEMS;

(e) CONDUCT OR SUPERVISE CONSTRUCTION SURVEYS NECESSARY TO THE COUNTY; AND

(f) PROVIDE REFERENCE MONUMENTS FOR OR THE REMONUMENTATION OR MONUMENT UPGRADES OF PUBLIC LAND SURVEY SYSTEM MONUMENTS THAT ARE DESTROYED BY COUNTY CONSTRUCTION OR OTHER FUNCTIONS.

SECTION 5. 38-44-112, Colorado Revised Statutes, is amended to read:

38-44-112. Agreements. Any UNCERTAIN line, ~~or disputed~~ UNCERTAIN corner, or UNCERTAIN boundary OF AN EXISTING PARCEL OF LAND THAT IS RECORDED IN THE REAL ESTATE RECORDS IN THE OFFICE OF THE CLERK AND RECORDER FOR THE COUNTY WHERE THE LAND IS LOCATED AND THAT IS IN DISPUTE may be determined and permanently established by

written agreement of all parties thereby affected, signed and acknowledged by each as required for conveyances of real estate, clearly designating the same, and accompanied by a map or plat thereof ~~which~~ THAT shall be recorded as an instrument affecting real estate, and shall be binding upon their heirs, successors, and assigns. IF THE MAP OR PLAT IS PREPARED BY A LICENSED PROFESSIONAL LAND SURVEYOR, MONUMENTS SHALL BE SET FOR ANY LINE, CORNER, OR BOUNDARY INCLUDED IN THE AGREEMENT.

SECTION 6. 38-51-102 (12), Colorado Revised Statutes, is amended to read:

38-51-102. Definitions. As used in this article, unless the context otherwise requires:

(12) "Land survey plat" means a plat ~~which~~ THAT shows the information developed by a monumented land survey OR SHOWS ONE OR MORE SET MONUMENTS PURSUANT TO SECTIONS 38-51-104 AND 38-51-105 and includes all information required by section 38-51-106.

SECTION 7. 38-51-106 (1) (c), Colorado Revised Statutes, is amended, and the said 38-51-106 (1) is further amended BY THE ADDITION OF A NEW PARAGRAPH, to read:

38-51-106. Land survey plats. (1) All land survey plats shall include but shall not be limited to the following:

(c) All FIELD-MEASURED dimensions necessary to establish the boundaries ~~in the field~~ ON THE GROUND AND ALL DIMENSIONS FOR NEWLY CREATED PARCELS NECESSARY TO ESTABLISH THE BOUNDARIES ON THE GROUND;

(l) A STATEMENT DEFINING THE LINEAL UNITS USED INCLUDING BUT NOT LIMITED TO METERS, CHAINS, FEET, AND U.S. SURVEY FEET. IF IT IS NECESSARY TO DEFINE CONVERSION FACTORS, THE FACTORS SHALL BE A FUNCTION OF THE METER AS DEFINED BY THE UNITED STATES DEPARTMENT OF COMMERCE, NATIONAL INSTITUTE OF STANDARDS AND TECHNOLOGY.

SECTION 8. 38-53-103 (12), Colorado Revised Statutes, is amended to read:

38-53-103. Definitions. As used in this article, unless the context otherwise requires:

(12) "Land survey plat" means a plat ~~which~~ THAT shows the information developed by a monumented land survey OR SHOWS ONE OR MORE SET MONUMENTS PURSUANT TO SECTIONS 38-51-104 AND 38-51-105 and includes all information required by section 38-51-106.

SECTION 9. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution, (August 8, 2007, if adjournment sine die is on May 9, 2007); except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or

part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Andrew Romanoff SPEAKER OF THE HOUSE OF REPRESENTATIVES	Joan Fitz-Gerald PRESIDENT OF THE SENATE
Marilyn Eddins CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES	Karen Goldman SECRETARY OF THE SENATE

APPROVED_____

Bill Ritter, Jr.
GOVERNOR OF THE STATE OF COLORADO