

H. 3/4/98 State Gov.  
H-3/12/98 Do Pass  
FILED FEB 24 1998

SENATE FILE 2319  
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 2053)

(p.538)  
Passed Senate, Date 3/3/98 Passed House, Date 3/23/98 (p.848)  
Vote: Ayes 49 Nays 0 Vote: Ayes 99 Nays 0  
Approved April 1, 1998

A BILL FOR

1 An Act revising the definition of the practice of land surveying.  
2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23

S.F. 2319

1 Section 1. Section 542B.2, subsection 5, Code 1997, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 5. a. The practice of "land surveying" includes providing  
5 professional services such as consultation, investigation,  
6 testimony, evaluation, planning, mapping, assembling, and  
7 interpreting reliable scientific measurements and information  
8 relative to the location of property lines or boundaries, and  
9 the utilization, development, and interpretation of these  
10 facts into an orderly survey, plat, or map. The practice of  
11 land surveying includes, but is not limited to, the following:

12 (1) Locating, relocating, establishing, reestablishing,  
13 setting, or resetting of permanent monumentation for any  
14 property line or boundary of any tract or parcel of land.  
15 Setting permanent monuments constitutes an improvement to real  
16 property.

17 (2) Making any survey for the division or subdivision of  
18 any tract or parcel of land.

19 (3) Determination, by the use of the principles of land  
20 surveying, of the position for any permanent survey monument  
21 or reference point, or setting, resetting, or replacing any  
22 survey monument or reference point excluding the  
23 responsibility of engineers pursuant to section 314.8.

24 (4) Creating and writing metes and bounds descriptions as  
25 defined in section 354.2.

26 (5) Geodetic surveying for determination of the size and  
27 shape of the earth both horizontally and vertically for the  
28 precise positioning of permanent land survey monuments on the  
29 earth utilizing angular and linear measurements through  
30 spatially oriented spherical geometry.

31 (6) Creation, preparation, or modification of electronic  
32 or computerized data, including land information systems and  
33 geographical information systems, relative to the performance  
34 of the activities identified in subparagraphs (1) through (5).

35 b. This subsection does not prohibit a professional

1 engineer from practicing any aspect of the practice of  
2 engineering. A land surveyor is not prohibited from  
3 performing engineering surveys as defined in the practice of  
4 engineering.

5 c. A person is construed to be engaged in or offering to  
6 be engaged in the practice of land surveying if the person  
7 does any of the following:

8 (1) Engages in land surveying.

9 (2) Makes a representation by verbal claim, sign,  
10 advertisement, letterhead, card, or other manner that the  
11 person is a land surveyor.

12 (3) Uses any title which implies that the person is a land  
13 surveyor or that the person is licensed under this chapter.

14 (4) Holds the person's self out as able to perform, or who  
15 does perform, any service or work included in the practice of  
16 land surveying.

17 EXPLANATION

18 This bill replaces the existing definition of the practice  
19 of land surveying contained in Code section 542B.2, subsection  
20 5, with a revised definition. As defined in the bill, the  
21 practice of land surveying means providing a variety of  
22 professional services relating to the location, size, shape,  
23 or physical features of the earth, improvements on the earth,  
24 and space above the earth. The practice of land surveying  
25 includes, but is not limited to, activities relating to the  
26 locating of permanent monumentation for boundary lines or  
27 easements, making surveys for the division or subdivision of  
28 tracts of land, determination of positions for survey  
29 monuments or reference points, creating metes and bounds  
30 descriptions, determination of the configuration, elevation,  
31 or contour of the earth's surface or the position of fixed  
32 objects or works on the earth's surface, geodetic surveying,  
33 and the creation or modification of electronic or computerized  
34 data relating to land surveying activities. The bill provides  
35 that these provisions do not prohibit a professional engineer

1 from practicing any aspect of the practice of engineering.  
2 The bill additionally specifies activities which, if engaged  
3 in, shall be construed to constitute the practice of land  
4 surveying, or an offer to practice land surveying.

5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35

Mc Kibben  
Szymoniak  
Lundby

SSB 2053  
State Government  
Succeeded By

SENATE/HOUSE FILE 5/1/HF 2319  
BY (PROPOSED DEPARTMENT OF  
COMMERCE/PROFESSIONAL  
LICENSING AND REGULATION  
DIVISION BILL)

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_  
Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_  
Approved \_\_\_\_\_

**A BILL FOR**

1 An Act revising the definition of the practice of land surveying.

2 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22

1 Section 1. Section 542B.2, subsection 5, Code 1997, is  
2 amended by striking the subsection and inserting in lieu  
3 thereof the following:

4 5. a. "Practice of land surveying" as used in this  
5 chapter means providing professional services such as  
6 consultation, investigation, testimony, evaluation, planning,  
7 mapping, assembling, and interpreting reliable scientific  
8 measurements and information relative to the location, size,  
9 shape, or physical features of the earth, improvements on the  
10 earth, the space above the earth, and the utilization,  
11 development, and interpretation of these facts into an orderly  
12 survey map. The practice of land surveying includes, but is  
13 not limited to, the following:

14 (1) Locating, relocating, establishing, reestablishing,  
15 setting, or resetting of permanent monumentation for any  
16 property line or boundary of any tract of land or any right-  
17 of-way or easement. Setting permanent monuments constitutes  
18 an improvement to real property.

19 (2) Making any survey for the division or subdivision of  
20 any tract of land and writing the corresponding legal  
21 description.

22 (3) Determination, by the use of the principles of land  
23 surveying, of the position for any survey monument or  
24 reference point excluding the responsibility of engineers  
25 pursuant to section 314.8.

26 (4) Creating and writing metes and bounds descriptions as  
27 defined in section 354.2.

28 (5) Determination of the configuration, elevation, or  
29 contour of the earth's surface or the position of fixed  
30 objects or any of the fixed works embraced within the practice  
31 of professional engineering on the earth's surface by  
32 measuring lines and angles and applying the principles of  
33 mathematics and surveying.

34 (6) Geodetic surveying which includes surveying for  
35 determination of the size and shape of the earth both

1 horizontally and vertically and the precise positioning of  
2 points on the earth utilizing angular and linear measurements  
3 through spatially oriented spherical geometry.

4 (7) Creation, preparation, or modification of electronic  
5 or computerized data, including land information systems and  
6 geographical information systems, relative to the performance  
7 of the activities identified in this lettered paragraph.

8 b. This subsection does not prohibit a professional  
9 engineer from practicing any aspect of the practice of  
10 engineering.

11 c. A person is construed to be engaged in or offering to  
12 be engaged in the practice of land surveying if the person  
13 does any of the following:

14 (1) Engages in land surveying.

15 (2) Makes a representation by verbal claim, sign,  
16 advertisement, letterhead, card, or other manner that the  
17 person is a land surveyor.

18 (3) Uses any title which implies that the person is a land  
19 surveyor or that the person is licensed under this chapter.

20 (4) Holds the person's self out as able to perform, or who  
21 does perform, any service or work included in the practice of  
22 land surveying.

23 EXPLANATION

24 This bill replaces the existing definition of the practice  
25 of land surveying contained in Code section 542B.2, subsection  
26 5, with a revised definition. As defined in the bill, the  
27 practice of land surveying means providing a variety of  
28 professional services relating to the location, size, shape,  
29 or physical features of the earth, improvements on the earth,  
30 and space above the earth. The practice of land surveying  
31 includes, but is not limited to, activities relating to the  
32 locating of permanent monumentation for boundary lines or  
33 easements, making surveys for the division or subdivision of  
34 tracts of land, determination of positions for survey  
35 monuments or reference points, creating metes and bounds

1 descriptions, determination of the configuration, elevation,  
2 or contour of the earth's surface or the position of fixed  
3 objects or works on the earth's surface, geodetic surveying,  
4 and the creation or modification of electronic or computerized  
5 data relating to land surveying activities. The bill provides  
6 that these provisions do not prohibit a professional engineer  
7 from practicing any aspect of the practice of engineering.  
8 The bill additionally specifies activities which, if engaged  
9 in, shall be construed to constitute the practice of land  
10 surveying, or an offer to practice land surveying.

11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35



SENATE FILE 2319

AN ACT

REVISING THE DEFINITION OF THE PRACTICE OF LAND SURVEYING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 542B.2, subsection 5, Code 1997, is amended by striking the subsection and inserting in lieu thereof the following:

5. a. The practice of "land surveying" includes providing professional services such as consultation, investigation, testimony, evaluation, planning, mapping, assembling, and interpreting reliable scientific measurements and information relative to the location of property lines or boundaries, and the utilization, development, and interpretation of these facts into an orderly survey, plat, or map. The practice of land surveying includes, but is not limited to, the following:

(1) Locating, relocating, establishing, reestablishing, setting, or resetting of permanent monumentation for any property line or boundary of any tract or parcel of land.

Setting permanent monuments constitutes an improvement to real property.

(2) Making any survey for the division or subdivision of any tract or parcel of land.

(3) Determination, by the use of the principles of land surveying, of the position for any permanent survey monument or reference point, or setting, resetting, or replacing any survey monument or reference point excluding the responsibility of engineers pursuant to section 314.8.

(4) Creating and writing metes and bounds descriptions as defined in section 354.2.

(5) Geodetic surveying for determination of the size and shape of the earth both horizontally and vertically for the precise positioning of permanent land survey monuments on the earth utilizing angular and linear measurements through spatially oriented spherical geometry.

(6) Creation, preparation, or modification of electronic or computerized data, including land information systems and geographical information systems, relative to the performance of the activities identified in subparagraphs (1) through (5).

b. This subsection does not prohibit a professional engineer from practicing any aspect of the practice of engineering. A land surveyor is not prohibited from performing engineering surveys as defined in the practice of engineering.

c. A person is construed to be engaged in or offering to be engaged in the practice of land surveying if the person does any of the following:

(1) Engages in land surveying.

(2) Makes a representation by verbal claim, sign, advertisement, letterhead, card, or other manner that the person is a land surveyor.

(3) Uses any title which implies that the person is a land surveyor or that the person is licensed under this chapter.

(4) Holds the person's self out as able to perform, or who does perform, any service or work included in the practice of land surveying.

---

MARY E. KRAMER  
President of the Senate

---

RON J. CORBETT  
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 2319, Seventy-seventh General Assembly.

---

MARY PAT GUNDERSON  
Secretary of the Senate

Approved April, 1998

---

TERRY E. BRANSTAD  
Governor