

CHAPTER 55

**PROFESSIONS AND OCCUPATIONS**

HOUSE BILL 97-1261

BY REPRESENTATIVES Zimmerman and Sinclair;  
also SENATORS Reeves and Tebedo.

**AN ACT**

CONCERNING REQUIREMENTS TO BE MET BY PROFESSIONAL LAND SURVEYORS WHEN IDENTIFYING TRACTS OF LAND WHEN MAPPING FOR GEOGRAPHIC INFORMATION SYSTEMS.

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

**SECTION 1.** 38-51-102, Colorado Revised Statutes, 1982 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SUBSECTION to read:

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

(7.5) "GEOGRAPHIC INFORMATION SYSTEM LAND POSITION" OR "GIS LAND POSITION" MEANS A LOCATION IN A GEOGRAPHIC INFORMATION SYSTEM INTENDED TO CONTROL THE MAPPING LOCATION OF THE BOUNDARIES OF A TRACT OR PARCEL OF LAND THAT MAY BE FIELD SURVEYED, SCALED, CALCULATED, PLOTTED BY PHOTOGRAMMETRIC OR REMOTE SENSING METHODS, OR LOCATED BY PHYSICAL OR CULTURAL FEATURES.

**SECTION 2.** Article 51 of title 38, Colorado Revised Statutes, 1982 Repl. Vol., as amended, is amended BY THE ADDITION OF A NEW SECTION to read:

**38-51-109.3. Geographic information system positions - professional land surveyor.** (1) A PROFESSIONAL LAND SURVEYOR SHALL BE EXEMPT FROM THE REQUIREMENTS OF SECTION 38-51-103 WHEN MAKING A GIS LAND POSITION DETERMINATION. A GIS LAND POSITION MADE BY A PROFESSIONAL LAND SURVEYOR SHALL HAVE THE FOLLOWING LIMITATIONS:

(a) IT DOES NOT MEET THE REQUIREMENTS OF A LAND SURVEY AS DEFINED IN SECTION 38-51-102 (11).

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

(b) IT SHALL NOT ESTABLISH THE LOCATION OF ANY ALIQUOT OR CONTROL CORNER AS THEY ARE DEFINED IN SUBSECTIONS (2) AND (6) OF SECTION 38-51-102 UNTIL COMPLETE RESEARCH AND CORNER EVALUATION ARE PERFORMED TO MEET THE REQUIREMENTS AS PROVIDED IN ARTICLE 51 OF TITLE 38, C.R.S. IS PERFORMED BY A PROFESSIONAL LAND SURVEYOR.

**SECTION 3. 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; 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.

Approved: March 28, 1997