

BILL ANALYSIS

Senate Research Center
76R11368 SMH-F

H.B. 1328
By: Uher (Shapleigh)
State Affairs
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Engrossed

DIGEST

Currently, professional land surveyors are regulated by the Texas Board of Professional Land Surveyors under the provisions of the Professional Land Surveying Practices Act. H.B. 1328 would establish provisions regarding the regulation of the practice of professional land surveying.

PURPOSE

As proposed, H.B. 1328 establishes provisions regarding the regulation of the practice of professional land surveying.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Board of Professional Land Surveyors in SECTION 2 (Section 9(a), Article 5282c, V.T.C.S.) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2(1), Article 5282c, V.T.C.S., to redefine “professional surveying.”

SECTION 2. Amends Section 9(a), Article 5282c, V.T.C.S., to provide that a registered or licensed surveyor who performs mapping services is subject to regulation by the Texas Board of Professional Land Surveyors (board) as necessary to protect the public interest. Requires the board, by rule, to prescribe standards for compliance with Chapter 2254A, Government Code, but may not otherwise adopt rules restricting competitive bidding or advertising by a person regulated by the board except to prohibit false, misleading, or deceptive practices by the person.

SECTION 3. Amends Section 16(a), Article 5282c, V.T.C.S., to require an application fee in an amount determined by the board, rather than an amount not to exceed \$100, to be submitted with the application. Makes conforming changes.

SECTION 4. Amends Section 24, Article 5282c, V.T.C.S., to require the board, if after an investigation of a complaint the board determines that a registrant or licensee did not violate this Act or a board rule or regulation, to expunge the complaint from the registrant’s or licensee’s file. Provides that the complaint and any information obtained by the board is confidential and not subject to disclosure. Makes conforming changes.

SECTION 5. Emergency clause.
Effective date: upon passage.