

SUBJECT: Retaking the professional land surveyors' examination

COMMITTEE: Licensing and Administrative Procedures — favorable, without amendment

VOTE: 6 ayes — Wilson, Yarbrough, Flores, Goolsby, J. Moreno, Wise
0 nays
1 present, not voting — Haggerty
2 absent — D. Jones, A. Reyna

SENATE VOTE: On final passage, March 15 — 30-0, on Local and Uncontested Calendar

WITNESSES: None

BACKGROUND: Under the Professional Land Surveying Practices Act (Art. 5282c, V.T.C.S.), an applicant who fails the examination for certification as a surveyor-in-training, registration as a professional land surveyor, or licensure as a state land surveyor must wait six months before applying to take the exam again. The applicant must pay an additional examination fee of up to \$100.

DIGEST: SB 584 would delete the six-month waiting period for applying to retake the professional surveyors' examination.

This bill would take immediate effect if finally passed by a two-thirds record vote of the membership of each house. Otherwise, it would take effect September 1, 2001.

SUPPORTERS SAY: SB 584 would increase general revenue for the state by allowing an applicant to retake the surveyors' exam in the same year. Of an average of about 234 people who take the exam each year, 40 percent typically fail and have to retake the exam. The bill's fiscal note estimates that allowing these applicants to retake the exam within the same fiscal year would generate an additional \$11,750 in general revenue each year.

SB 584 would allow applicants to retake the exam as soon as possible. The examination is offered twice a year in several parts. If an examinee fails only a part of the exam, the examinee needs only to retake that part. Currently, an applicant has to wait six months after having failed the exam even to apply to retake the exam. The time it takes to process the application delays the date of the second exam to one year after the previous test. SB 584 would remove this time impediment for applicants.

OPPONENTS
SAY:

No apparent opposition.

NOTES:

The bill's fiscal note estimates that the state would gain \$11,750 per year in general revenue by allowing 94 examinees to retake the surveying exam each year after paying the \$125 examination fee set by the general appropriations act.

The House Licensing and Administrative Procedures Committee considered SB 584 in lieu of the House companion bill, HB 1253 by Yarbrough. In addition to removing the six-month waiting period to apply to retake the exam, HB 1253 would have required the Texas Board of Professional Land Surveying to expunge a complaint from its records if the board determined that a registrant or licensee had not violated the Professional Land Surveying Act or a board rule or regulation.