

BILL ANALYSIS

Senate Research Center
77R5367 SMH-F

S.B. 584
By: Carona
Business & Commerce
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As Filed

DIGEST AND PURPOSE

Currently, the Professional Land Surveying Practices Act provides that persons who fail the examination for licensure as a Registered Professional Land Surveyor (RPLS) are required to wait six-months before they are authorized to retake the exam. Also, if a frivolous complaint is filed against the licensee, that complaint remains a part of the licensee's record, regardless of the merit of the complaint. As proposed, S.B. 584 eliminates the six-month waiting period for retaking the examination for licensure as a RPLS and authorizes the Board of Professional Land Surveying to expunge frivolous complaints from a licensee's record.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 16(e), Professional Land Surveying Practices Act (Article 5282c, V.T.C.S.), to authorize an applicant who fails an examination to apply to take a subsequent examination by filing an updated application and paying an additional examination fee not to exceed \$100, rather than not earlier than six months from the date of the failed examination.

SECTION 2. Amends Section 24, Professional Land Surveying Practices Act (Article 5282c, V.T.C.S.), by amending Subsections (b)-(d) and adding Subsection (e), to require the Texas Board of Professional Land Surveying (board), if, after an investigation of a complaint, the board determines that a registrant or licensee did not violate this Act or a rule or regulation of the board, to expunge the complaint from the records of the board.

SECTION 3. Provides that the change of law made by this Act to Section 16(e), Professional Land Surveying Practices Act (Article 5282c, V.T.C.S.), applies to a person who fails an examination before, on, or after the effective date of this Act. Provides that the change in law made by this Act to Section 24, Professional Land Surveying Practices Act (Article 5282c, V.T.C.S.), applies to a complaint without regard to whether the complaint was filed before, on, or after the effective date of this Act.

SECTION 4. Effective date: upon passage or September 1, 2001.