

## **BILL ANALYSIS**

Senate Research Center  
79R3845 DAK-F

H.B. 854  
By: Madden (Estes)  
State Affairs  
4/30/2005  
Engrossed

### **AUTHOR'S/SPONSOR'S STATEMENT OF INTENT**

During the 78th Legislature, Regular Session, 2003, legislation was passed protecting engineers and architects from frivolous lawsuits. The protection comes from requiring another professionally licensed engineer or architect to act as a third party, offering a professional opinion about alleged damages caused by the original engineer or architect. Professional land surveyors were omitted from that legislation.

H.B. 854 adds professional land surveyors to the provisions of Sections 150.001 and 150.002, Occupations Code, by offering the same protection to professional land surveyors that is afforded to engineers and architects.

### **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 150.001, Civil Practice and Remedies Code, to define "licensed or registered professional." Deletes existing text defining "design professional."

SECTION 2. Amends Section 150.002(a) and (b), Civil Practice and Remedies Code, to include registered professional land surveyors in the provisions of this section and to make conforming changes.

SECTION 3. Amends the heading to Chapter 150, Civil Practice and Remedies Code, to read as follows:

Chapter 150. LICENSED OR REGISTERED PROFESSIONALS

SECTION 4. Makes application of this Act prospective.

SECTION 5. Effective date: upon passage or September 1, 2005.