

## **BILL ANALYSIS**

H.B. 854  
By: Madden  
Civil Practices  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, registered professional land surveyors are not afforded the same protections as architects and engineers for damages alleging professional negligence.

H.B. 854 would provide that in any action for damages alleging professional negligence by a registered professional land surveyor, the plaintiff shall be required to file with the complaint an affidavit of a third-party registered professional land surveyor competent to testify and practicing in the same area of practice as the defendant, which affidavit shall set forth specifically at least one negligent act, error, or omission claimed to exist and the factual basis for each such claim.

H.B. 854 adds registered professional land surveyors to the provisions of Chapter 150, Civil Practice and Remedies Code.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

HB 854 renames Chapter 150, Civil Practice and Remedies Code, LICENSED OR REGISTERED PROFESSIONALS. It amends Section 150.001, Civil Practice and Remedies Code, to change design professional to licensed or registered professional and adds registered professional land surveyor to the definition. Further, HB 854 makes conforming changes to Section 150.002.

### **EFFECTIVE DATE**

Upon passage or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.