

BILL ANALYSIS

Senate Research Center
80R3696 BEF-D

H.B. 899
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Business & Commerce
4/21/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Engineering Practice Act has been amended several times since its inception, causing conflicts within the Act as well as with the status of the Texas Board of Professional Engineers' (board) status as a self-directed, semi-independent agency.

H.B. 899 removes conflicting statutory language, adds a member to the board, transfers some duties to the new board member, reduces the professional fee for license holders over 65 years of age, clarifies results to be reported to licensing candidates, clarifies when an engineer must use a seal, and removes prohibitions on reporting investigation results by a board member to other board members.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1001.107, Occupations Code, as follows:

Sec. 1001.107. New heading: PER DIEM. Deletes existing text prohibiting a member of the Texas Board of Professional Engineers (board) from receiving certain reimbursement for travel expenses.

SECTION 2. Amends Section 1001.108, Occupations Code, as follows:

Sec. 1001.108. OFFICERS. Adds a treasurer to the positions required to be elected annually by the board.

SECTION 3. Amends Section 1001.109, Occupations Code, as follows:

Sec. 1001.109. New heading: BOARD TREASURER'S DUTIES AND SALARY. (a) Redesignated from existing Subsection (b). Requires the treasurer, rather than the secretary, to receive and account for all money received under this chapter.

(b) Redesignated from existing Subsection (c). Entitles the treasurer, rather than the secretary, to a salary as determined by the board in addition to compensation and expenses provided for in this subchapter.

SECTION 4. Amends Section 1001.206(c), Occupations Code, to add an age exemption to the list of engineers to whom the fee increase imposed by Subsection (a) does not apply.

SECTION 5. Amends Section 1001.306, Occupations Code, by adding Subsection (d), to require examination results reported under this section to include a numerical score and an indication of whether the person passed or failed the examination.

SECTION 6. Amends Section 1001.401, Occupations Code, by adding Subsection (d), to provide that a license holder is not required to use a seal under this section for a project for which the license holder is not required to hold a license under an exemption provided by Subchapter B.

SECTION 7. Amends Section 1001.4527(a), Occupations Code, as follows:

(a) Deletes existing text prohibiting a board member who participated in the investigation of a complaint or in informal settlement negotiations regarding the complaint from participating in the discussion of a matter at a board meeting related to the complaint and being required to state at the meeting why the member is prohibited from participating in the discussion of the matter.

SECTION 8. Makes application of this Act prospective.

SECTION 9. Effective date: September 1, 2007.