

## **BILL ANALYSIS**

Senate Research Center  
80R17099 E

C.S.H.B. 899  
By: Smith, Wayne (Deuell)  
Business & Commerce  
4/25/2007  
Committee Report (Substituted)

### **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 Texas Board of Professional Engineers' (board) status as a self-directed, semi-independent agency.

C.S.H.B. 899 removes conflicting statutory language, adds a member to the board, 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, removes prohibitions on reporting investigation results by a board member to other board members, and repeals Section 1001.109 (Board Secretary's Duties and Salary), Occupations Code.

### **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 1001.206(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 4. 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 5. Amends Section 1001.355(a), Occupations Code, to delete existing text authorizing an engineer to request inactive status at any time before the expiration date of the person's license authorizing the practice of engineering (license) and instead authorizes an engineer to request inactive status at any time.

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 (Use of Seal) for a project for which the license holder is not required to hold a license under an exemption provided by Subchapter B (Exemptions).

SECTION 7. Amends Section 1001.4527(a), Occupations Code, to delete 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. Repealer: Section 1001.109 (Board Secretary's Duties and Salary), Occupations Code.

SECTION 9. Makes application of this Act prospective.

SECTION 10. Effective date: September 1, 2007.