

BILL ANALYSIS

Senate Research Center
80R6389 JMM-F

H.B. 2820
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Business & Commerce
5/16/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, business entities such as corporations and limited liability companies are prohibited from offering professional surveying services unless a registered professional land surveyor is employed full-time where the services are offered. However, these business entities are not required by law to register with the Texas Board of Professional Land Surveying (board) nor are they subject to regulation by the board.

H.B. 2820 requires these business entities to register with the board, authorizes the board to refuse to issue or renew and to suspend or revoke an entity registration, and authorizes the board to impose an administrative penalty for a violation of the Professional Land Surveying Practices Act. Placing these entities under the regulation of the board will protect the public interest.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Board of Professional Land Surveying in SECTION 1 (Section 1071.352, Occupations Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1071.352, Occupations Code, as follows:

Sec. 1071.352. SURVEYING BY BUSINESS ENTITY. (a) Prohibits an association, partnership, or corporation from offering professional surveying services unless the entity is registered with the Texas Board of Professional Land Surveying (board) and a registered professional land surveyor is employed full-time where the services are offered.

(a-1) Requires the board to adopt rules prescribing the requirements for the registration of an entity described by Subsection (a).

(a-2) Authorizes the board to refuse to issue or renew and to suspend or revoke the registration of a business entity against the owner of a business entity and authorizes the board to impose an administrative penalty against the owner of a business entity for a violation of this chapter (Land Surveyors) by an employee, agent, or other representative of the entity, including a registered professional land surveyor employed by the entity.

(b) Authorizes a registered professional land surveyor or licensed state land surveyor, rather than a registration holder or license holder, to organize or engage in any form of individual or group practice of surveying allowed by state statute. Makes a conforming change.

SECTION 2. (a) Makes application of this Act prospective to January 1, 2008.

(b) Requires the board to adopt rules required by this Act not later than November 1, 2007.

SECTION 3. Effective date: upon passage or September 1, 2007.