

1-1 By: Smith of Harris (Senate Sponsor - Deuell) H.B. No. 899  
1-2 (In the Senate - Received from the House March 26, 2007;  
1-3 March 29, 2007, read first time and referred to Committee on  
1-4 Business and Commerce; April 27, 2007, reported adversely, with  
1-5 favorable Committee Substitute by the following vote: Yeas 8,  
1-6 Nays 0; April 27, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 899 By: Lucio

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the operation and functions of the Texas Board of  
1-11 Professional Engineers and the regulation of the practice of  
1-12 engineering.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Section 1001.107, Occupations Code, is amended  
1-15 to read as follows:

1-16 Sec. 1001.107. PER DIEM[~~, REIMBURSEMENT~~]. [~~(a)~~] A board  
1-17 member is entitled to receive a per diem as set by the General  
1-18 Appropriations Act for each day that the member engages in the  
1-19 business of the board.

1-20 [~~(b) A board member may not receive reimbursement for travel~~  
1-21 ~~expenses, including expenses for meals and lodging, other than~~  
1-22 ~~transportation expenses. A member is entitled to reimbursement for~~  
1-23 ~~transportation expenses as provided by the General Appropriations~~  
1-24 ~~Act.]~~

1-25 SECTION 2. Section 1001.108, Occupations Code, is amended  
1-26 to read as follows:

1-27 Sec. 1001.108. OFFICERS. The governor shall designate a  
1-28 member of the board as the presiding officer of the board to serve  
1-29 in that capacity at the will of the governor. The board shall elect  
1-30 annually from its members an assistant presiding officer, a  
1-31 treasurer, and a secretary.

1-32 SECTION 3. Section 1001.206(c), Occupations Code, is  
1-33 amended to read as follows:

1-34 (c) The fee increase imposed by Subsection (a) does not  
1-35 apply to an engineer who:

1-36 (1) meets the qualifications for an exemption under  
1-37 Section 1001.057 or 1001.058 but does not claim that exemption;

1-38 (2) is disabled as described by Section 1001.205; [~~or~~]

1-39 (3) is on inactive status as provided by Section  
1-40 1001.355; or

1-41 (4) is 65 years of age or older.

1-42 SECTION 4. Section 1001.306, Occupations Code, is amended  
1-43 by adding Subsection (d) to read as follows:

1-44 (d) Examination results reported under this section must  
1-45 include a numerical score and an indication of whether the person  
1-46 passed or failed the examination.

1-47 SECTION 5. Section 1001.355(a), Occupations Code, is  
1-48 amended to read as follows:

1-49 (a) An engineer may request inactive status at any time  
1-50 [~~before the expiration date of the person's license~~]. A license  
1-51 holder on inactive status may not practice engineering.

1-52 SECTION 6. Section 1001.401, Occupations Code, is amended  
1-53 by adding Subsection (d) to read as follows:

1-54 (d) A license holder is not required to use a seal under this  
1-55 section for a project for which the license holder is not required  
1-56 to hold a license under an exemption provided by Subchapter B.

1-57 SECTION 7. Section 1001.4527(a), Occupations Code, is  
1-58 amended to read as follows:

1-59 (a) A board member who participated in the investigation of  
1-60 a complaint or in informal settlement negotiations regarding the  
1-61 complaint:

1-62 (1) may not [~~participate in the discussion of or~~] vote  
1-63 on the matter at a board meeting related to the complaint; and

2-1 (2) shall state at the meeting why the member is  
2-2 prohibited from [~~participating in the discussion of or~~] voting on  
2-3 the matter.

2-4 SECTION 8. Section 1001.109, Occupations Code, is repealed.

2-5 SECTION 9. The change in law made by this Act to Section  
2-6 1001.206(c), Occupations Code, applies only to an application for a  
2-7 license, the renewal of a license, or a reciprocal license filed on  
2-8 or after the effective date of this Act. An application filed before  
2-9 the effective date of this Act is governed by the law in effect on  
2-10 the date the application is filed, and the former law is continued  
2-11 in effect for that purpose.

2-12 SECTION 10. This Act takes effect September 1, 2007.

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