

1-1 By: Jones (Senate Sponsor - Carona) H.B. No. 1411  
1-2 (In the Senate - Received from the House April 23, 2009;  
1-3 April 23, 2009, read first time and referred to Committee on  
1-4 Business and Commerce; May 6, 2009, reported favorably by the  
1-5 following vote: Yeas 7, Nays 0; May 6, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to records of certain frivolous complaints maintained by  
1-9 the Texas Board of Professional Land Surveying.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 1071.204(e), Occupations Code, is  
1-12 amended to read as follows:

1-13 (e) For any complaint determined to be frivolous or without  
1-14 merit, the complaint and other enforcement case information related  
1-15 to that complaint are confidential. The information may be used  
1-16 only by the board or by its employees or agents directly involved in  
1-17 the enforcement process for that complaint. The information is not  
1-18 subject to discovery, subpoena, or other disclosure [A frivolous  
1-19 complaint is public information, except that the license holder's  
1-20 name and other personal information shall be redacted].

1-21 SECTION 2. This Act takes effect immediately if it receives  
1-22 a vote of two-thirds of all the members elected to each house, as  
1-23 provided by Section 39, Article III, Texas Constitution. If this  
1-24 Act does not receive the vote necessary for immediate effect, this  
1-25 Act takes effect September 1, 2009.

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