

1-1 By: Carona S.B. No. 974
1-2 (In the Senate - Filed February 19, 2009; March 9, 2009,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 April 8, 2009, reported favorably by the following vote: Yeas 8,
1-5 Nays 0; April 8, 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. Subsection (e), Section 1071.204, Occupations
1-12 Code, is 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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