

## **BILL ANALYSIS**

H.B. 1164  
By: Keffer  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Recently, the Texas Board of Professional Engineers threatened to institute a significant administrative penalty against a political subdivision for an alleged violation of The Texas Engineering Practice Act by the staff of that political subdivision. The board held the political subdivision responsible for acceptance of a design plan for a specific phase of the construction of commercial property located in the political subdivision that was not properly sealed by a licensed engineer.

H.B. 1164 seeks to specify that political subdivisions of the state and certain public officials and employees are not subject to enforcement actions by the Texas Board of Professional Engineers.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 1164 amends the Occupations Code to prohibit the Texas Board of Professional Engineers from imposing an administrative penalty on or taking any enforcement action against a political subdivision of the state, or a public official or employee of the state or of a political subdivision of the state who is not a licensed engineer, for a violation of provisions of law relating to the licensing of engineers. The bill makes a conforming change.

### **EFFECTIVE DATE**

September 1, 2011.