

BILL ANALYSIS

S.B. 1259
By: Nichols
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, land surveyors in Texas may not operate as a surveyor-in-training unless they have passed the fundamentals of surveying examination administered by the National Council of Examiners for Engineering and Surveying (NCEES). The state currently requires applicants to submit an application to the Texas Board of Professional Engineers and Land Surveyors (TBPELS) for approval before they can register with NCEES and schedule an examination.

S.B. 1259 seeks to allow a future applicant to take the fundamentals of surveying examination without getting prior authorization from TBPELS, allow an applicant to receive a surveyor-in-training certificate on passage of that examination, and require that the Texas specific survey examination be administered once an applicant applies for licensure as a registered professional land surveyor. The bill, among other provisions, revises the authority of the advisory committee appointed by TBPELS to issue advisory opinions related to the Professional Land Surveying Practices Act and requires that land surveyors pass the principles and practices of surveying examination to qualify for registration as a registered professional land surveyor.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Board of Professional Engineers and Land Surveyors in SECTION 5 of this bill.

ANALYSIS

S.B. 1259 amends the Occupations Code to revise provisions relating to the Texas Board of Professional Engineers and Land Surveyors (TBPELS), including provisions regarding the advisory committee appointed by TBPELS, surveyors-in-training, and registered professional land surveyors.

Advisory Committee; Advisory Opinions

S.B. 1259 authorizes the advisory committee appointed by TBPELS for the purpose of providing advice and recommendations on matters related to regulation of land surveying, on its own initiative or at the request of any interested person, to prepare a written report or recommendation to TBPELS on any surveying-related subject regulated by TBPELS. The bill requires the advisory committee to maintain a written public record of each subject discussed and action taken at the committee's meetings.

S.B. 1259 includes the following among the matters about which TBPELS is required, on its own initiative or at the request of any interested person, to prepare a written advisory opinion:

- an interpretation of the Professional Land Surveying Practices Act; and
- the application of that act to a person in regard to a specified existing or hypothetical factual situation.

Surveyor-in-Training Certificate

S.B. 1259 repeals a provision requiring TBPELS to allow a qualified applicant for a surveyor-in-training certificate to take an examination prescribed by TBPELS for purposes of land surveyor licensure. The bill removes the requirement for TBPELS to issue the certificate to an applicant who passes the applicable parts of the examination and requires TBPELS instead to issue a surveyor-in-training certificate to an applicant on proof that the applicant has passed the fundamentals of surveying examination and meets other applicable requirements. The bill requires TBPELS to prescribe by rule the fundamentals of surveying examination required for an applicant for such a certificate.

Registered Professional Land Surveyors

S.B. 1259 removes the requirement for TBPELS to develop and give, according to TBPELS rule, an examination for an applicant for registration as a registered professional land surveyor and requires TBPELS to prescribe by rule the following instead regarding such an examination:

- the principles and practice of surveying examination to determine the knowledge and ability of an applicant; and
- the Texas specific surveying examination for an applicant.

The bill requires an applicant to have passed the principles and practice of surveying examination prescribed by TBPELS to qualify for registration as a registered professional land surveyor.

Rules; Applicability

S.B. 1259 requires TBPELS to adopt the rules necessary to implement the changes in law made by the bill's provisions as soon as practicable after the bill's effective date.

S.B. 1259 applies only to an application for, respectively, a surveyor-in-training certificate or registration as a registered professional land surveyor filed with TBPELS on or after the bill's effective date. An application filed before that date is governed by the law in effect on the date the application was filed, and the former law is continued in effect for that purpose.

Repealed Provision

S.B. 1259 repeals Section 1071.253(b), Occupations Code.

EFFECTIVE DATE

September 1, 2025.