

BILL ANALYSIS

Senate Research Center
81R7149 YDB-F

S.B. 974
By: Carona
Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, land surveyors in Texas are regulated by the Texas Board of Professional Land Surveying (TBPLS) and a frivolous complaint against a registered professional land surveyor brought before TBPLS is public information, except that a license holder's name and other personal information is redacted.

As proposed, S.B. 974 provides that for any complaint filed with the TBPLS that is determined to be frivolous or without merit, the complaint and other enforcement case information related to the complaint are confidential. The bill provides that information is not subject to discovery, subpoena, or other disclosure.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 1071.204(e), Occupations Code, to provide that for any complaint determined to be frivolous or without merit, the complaint and other enforcement case information related to that complaint are confidential. Authorizes the information to be used only by the Texas Board of Professional Land Surveying or by its employees or agents directly involved in the enforcement process for that complaint. Provides that the information is not subject to discovery, subpoena, or other disclosure. Deletes existing text providing that a frivolous complaint is public information, except that the license holder's name and other personal information is required to be redacted.

SECTION 2. Effective date: upon passage or September 1, 2009.