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FISCAL IMPACT REPORT

ORIGINAL DATE 02/01/11

SPONSOR Larranaga LAST UPDATED 03/10/11 HB 32/aHBIC/aSCORC

SHORT TITLE Engineer & Surveyor Licensure Requirements SB _____

ANALYST Wilson

APPROPRIATION (dollars in thousands)

Appropriation		Recurring or Non-Rec	Fund Affected
FY11	FY12		
	NFI		

(Parenthesis () Indicate Expenditure Decreases)

REVENUE (dollars in thousands)

Estimated Revenue			Recurring or Non-Rec	Fund Affected
FY10	FY11	FY12		
		\$2,500/per year*	Recurring	Engineering & Surveyors Board's Fund

(Parenthesis () Indicate Revenue Decreases)*Estimated occurrence not more than one per year

SOURCES OF INFORMATION

LFC Files

Response Received From

State Board of Professional Engineers and Land Surveyors (Board)

SUMMARY

Synopsis of SCORC Amendment

The Senate Corporations and Transportation Committee amendment clarifies that the “practice of engineering” or the definition of “surveying” does not include traffic crash reconstruction conducted by an individual licensed under the Private Investigations Act.

Synopsis of HBIC Amendment

The House Business and Industry Committee amendment to House Bill 32 requires that a roster showing the names and addresses of all licensed professional engineers and professional surveyors shall be maintained by the Board and shall be placed on file with the Secretary of State and the state Commission of Public Records and made available to the public. The original bill required a member of the public to request access to the roster.

The amendment clarifies that work prior to or while attending school may be counted toward the four years of required experience at the discretion of the Board.

Synopsis of Original Bill

House Bill 32 amends the Engineering and Surveying Practice Act (Act) by clarifying the requirements for obtaining and maintaining a professional engineer or professional surveyor license.

The bill requires the Board to maintain and provide a roster of engineers and surveyors to the public and provides notice and recording requirements for surveys that occur on or bordering certain land grants.

The bill increases the penalties for violation of the act from \$5,000 to \$7,500.

FISCAL IMPLICATIONS

Even though this bill increases the maximum penalty for violations of the Act from \$5000 to \$7500, the Board notes that the occurrence of this happening is rare and will present no fiscal impact to the agency. The amendment is necessary for only those serious and continuous violations of the Act. It is unlikely that the maximum fine will be imposed more than once per year and probably not even that often.

SIGNIFICANT ISSUES

The Board provided the following:

The current Act is being used to regulate and administer the activities of licensed engineers and licensed surveyors. The proposed amendments to the Act are requested only to make the administration of the Act more efficient.

Modification to current language in the Act is needed to more clearly notify licensees that not renewing licenses after their deadline will place their license in an expired status after the deadline. Currently, some licensees misinterpret the Act to allow their license to be active while they are allowed a grace period to pay their overdue licensing fee. The current Act is not sufficiently clear about this.

This bill includes an addition to the survey requirements of the Act that was created in previous legislation under the Land Grant Act. This bill requires surveyors to notify trustees of a land grant when they are performing surveys within a land grant. There should be no significant administrative issues for the agency.

The proposed bill should enhance performance for both administration of the Act and a more clear understanding of the Act by the licensees regulated by the Act. Many questions by the public and the licensees currently take up much administrative time to address. The clarifications should eliminate this.

ADMINISTRATIVE IMPLICATIONS

The Board believes these amendments to the Act will allow for a more efficient administration of the agency's administrative requirements.