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Dear Texas RPLS and SIT:

On Saturday January 26, 2019, during the Texas Society of Professional Surveyors 1<sup>st</sup> Quarterly meeting of 2019, the TSPS Board of Directors voted to notify all Texas Registered Professional Land Surveyors (RPLS) and Surveyors in Training (SIT) of the current status of the review of the Texas Board of Professional Land Surveying (TBPLS) by the Texas Sunset Advisory Commission (SAC). This notice is made to TSPS members as a normal course of action; and, as a professional courtesy to non-member RPLSs in an effort to reach all Texas surveyors with this information.

The TBPLS came under Sunset Review leading into the 86<sup>th</sup> Regular Session of the Texas Legislature in 2019. The agency review began in 2017 and SAC staff issued its report in November 2018. The report outlined the importance of professional land surveying to our society and advocated its continued regulation. However, the report also detailed numerous deficiencies with the administration of the agency regarding enforcement, investigations, management of its budget, the exam process, and license renewal. The SAC staff report further recommended consolidation of the TBPLS with the Texas Board of Professional Engineers (TBPE) to form a new agency, the Texas Board of Professional Engineering and Land Surveying (TBPELS). Under their recommendation the TBPELS would consist of a nine-member board made up of five engineers, one land surveyor and three public members, all appointed by the Governor. In addition, an ex officio member representing the Land Commissioner would serve in an advisory capacity without voting authority. It is important to note that only administrative portions of the Professional Surveying Practices Act (the Act) and the General Rules of Procedures and Practices (the Rules) are proposed to be changed by the Sunset decision. **No changes to the Act and Rules that substantively affect scope of practice, RPLS licensure requirements, or minimum standards have been proposed.** The full text of the Sunset Report and Decision can be found here:

<https://www.sunset.texas.gov/reviews-and-reports/agencies/texas-board-professional-land-surveying>

In response, TSPS analyzed the Sunset Commission Staff Report and prepared a position paper/talking points which addressed the deficiencies/concerns noted by Staff and supported the proposition that these deficiencies/concerns are easily remedied over the short term within the agency's current budget . . . and that the continuation of the regulation of the surveying profession by the TBPLS as an independent licensing agency . . . as opposed to the consolidation of TBPLS with the Texas Board of Professional Engineers (TBPE) . . . is in the public's best interest.

In early December SAC held a public hearing at the Capitol where TSPS representatives testified in support of our position. Subsequently, Commission Member Sen. Robert Nichols proposed a modification to continue the TBPLS for six years. Next, SAC held a public meeting at the Capitol on January 9<sup>th</sup> to make its decision re: TBPLS and somewhat unexpectedly voted to accept the SAC staff recommendations including to consolidate the agencies.

TSPS advocated for the continuation of the TBPLS throughout the review process. During its January 26<sup>th</sup> meeting the TSPS Board voted to support the SAC recommendations in the Sunset Bill and to further advocate for an amendment creating a land surveying advisory committee and increasing the number of RPLSs on the new Board. TSPS will also seek sponsorship in the Legislature for a Safety Net Bill to continue the TBPLS for two years in the event the Sunset Bill is not passed by both chambers and signed by the Governor.

TSPS Executive Director, DJ Kyle noted in her report for the 1<sup>st</sup> Quarterly meeting the declining number of RPLS members, currently about 950 out of 2,349 active registrants. Open discussion by members of the Board of Directors following the Executive Director's report provided commentary that TSPS could more effectively advocate for our profession if the number of RPLS members was much closer to 100% of total registrants. Please consider joining TSPS for its membership benefits and to strengthen advocacy of our profession (<https://www.tsps.org/page/Join>).

TBPLS has recently posted a notice on the agency website pertaining to the SAC decision and subsequent actions taken by the Board. TSPS has continually posted information regarding the Sunset review on its website (<https://www.tsps.org/page/legislativeaffairs>) under the "Resources" tab since the process began. TSPS will continue to update its members on this and other important issues.

TSPS will hold its Legislative Day at the Capitol on Wednesday March 13<sup>th</sup>. This is a unique opportunity to visit the Capitol during the legislative session and to visit with your legislators in their Capitol offices. Please RSVP so we have an accurate head count. Pertinent information and details can be found on the TSPS website under News and Events/Calendar.

Sincerely,



John D. Barnard, RPLS  
President



Trisha Lund, RPLS  
President-Elect



Bill O'Hara, RPLS, LSLS  
Vice-President  
Governmental Affairs Chair