



TEXAS BOARD OF PROFESSIONAL LAND SURVEYING 2018 SUNSET REVIEW

The Texas Sunset Advisory Commission is currently reviewing the Texas Board of Professional Land Surveying (*TBPLS*) and prior to January 1, 2019, will make recommendations to the Texas Legislature on the abolition, continuation, or reorganization of the agency. Unless continued in existence by the Legislature during the 2019 Legislative Session, the *TBPLS* will be abolished effective September 1, 2019.

The Texas Society of Professional Surveyors (TSPS) is a professional association with more than 1,500 members who are Registered Professional Land Surveyors licensed and regulated by the Texas Board of Professional Land Surveying pursuant to the provisions of Chapter 1071, Texas Occupations Code. The mission of *TSPS* is to aid and contribute to the education of its members and the general public in attaining high surveying standards, both technical and ethical.

The Surveying Profession has played an important role in the development of Texas from the time it was part of Spain and Mexico, through the years following independence, and statehood, to modern time. Today, the surveying profession provides important services to the financial and real estate industries in transactions relating to development, residential and commercial property sales, oil and natural gas production and its transmission. The profession provides services for the design and construction of pipelines, public works, telecommunication facilities, electric delivery and transmission, renewal energy, and transportation. For example, virtually all commercial real estate transactions and the design and construction of oil and gas infrastructure created across the entire state require that a survey be performed at a *TBPLS* regulated level of accuracy to comply with standards necessary for the protection of the health, safety and welfare of Texas citizens. This work can only be performed by a Registered Professional Land Surveyor (*RPLS*) licensed in Texas.

The Texas Board of Professional Land Surveying has been an independent and autonomous Board since 1955. Prior to that, in 1919, the State of Texas created a board to license State Land Surveyors for the purpose of providing a pool of qualified surveyors to the Land Commissioner for official surveys to be filed in the General Land Office. In 1955 the State of Texas created the *TBPLS* to license and regulate Registered Public Land Surveyors to provide qualified surveyors to survey lands for private land owners. These two boards were combined in 1979 to form one board to license and regulate

surveyors for the survey of public and private lands. TBPLS licenses one of the largest populations of surveyors in the country . . . currently 2,850 Registered Professional Land Surveyors, with 64 of these men and woman also licensed as Licensed State Land Surveyors (LSLS). Licensed State Land Surveyors are the only individuals who can survey land in which the State or the permanent school fund has an interest, or perform other original surveys that require the filing of field notes in the General Land Office. The agency also issues firm certificates to approximately 1,585 firms that offer professional land surveying services in Texas.

TBPLS has a 9-member Board, which includes the Commissioner of the General Land Office (or his designee), 2 LSLS members, 3 RPLS members, and 3 members who represent the public. The Board has an office staff of 6.0 FTE that handle license registrations and renewals, process applicants for both the national entry-level exam and our state RPLS exam, administer the state exam twice per year, and investigate complaints. TBPLS also has 45 licensees who serve on three exam committees, volunteering over 1,000 hours per year by helping to write exam questions, providing quality assurance and control and analyzing the exam results to ensure that the Texas exams are fair.

TBPLS is funded by two sources: General Revenue and Appropriated Receipts. For Fiscal Years 2018-2019, the Legislature provided General Revenue funding of \$468,108 and \$468,107, respectively. The agency was required to generate at least \$12,500 in appropriated receipts for each year, a \$7,100 increase from previous years. For FY2017, the agency generated \$563,221 in revenue and expects to generate \$552,774 in revenue for FY2018. This revenue is strictly from professional fees.

The mission of the TBPLS is to establish and enforce standards ensuring the competency of individuals licensed as land surveyors resulting in the orderly use of our physical environment for the protection of our citizens, the current and future property owners, of Texas. The Board's objective is to regulate the land surveying profession through the licensure of competent individuals selected through an examination process and maintaining proficiency through continuing education requirements. The key functions of the Board are examination, licensing and enforcement.

TSPS Supports the Texas Board of Professional Surveying as an independent licensing agency which is functional and vital in carrying out its duties of oversight, rule review/development, regulation, and enforcement of the surveying profession to maintain the necessary level of protection for the health, safety, and welfare of the citizens of Texas.

There is no other agency, state or federal, whose functions overlap or duplicate those of this Board. How land boundaries are laid out in Texas is unique from how boundaries are laid out in other states. Considering the uniqueness of the profession, and the fact that there is no duplication with other agencies, the functions are placed appropriately in this stand-alone agency as opposed to under another agency or an umbrella agency.

Professional land surveying regulation is handled by a dedicated state agency in other states. Much like the TBPLS, their mission is to protect the public through the examination, licensure and enforcement of those state's laws and board rules. Differences may exist in staff size.

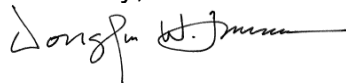
Land surveying is an aspect that touches all of the citizens of Texas as well as the interest of the State and the permanent school fund. It is important that property owners and those purchasing property understand the boundaries of their property. Failure to do so can cause emotional and financial stress in the form of ill will towards one's neighbor, anger and frustration over the possibility that one owns less real property than believed, legal fees to correct boundary line issues, and costs to remove permanent fixtures erected based on a faulty survey. The Board's minimum standards of practice provide licensees with the guidance to perform their duty as Registered Professional Land Surveyors or Licensed State Land Surveyors.

Land surveying requires special knowledge of the principles of geodesy, mathematics, applied and physical sciences, and relevant State laws to determine real property corners and boundaries. Examination and licensing these individuals is a relevant and important aspect of protecting the citizens of Texas.

TSPS Respectfully Requests that the Members of the Sunset Advisory Commission and the Texas Legislature support the TBPLS by voting to continue it in existence as an independent licensing agency for another 12 years which is necessary for the health, safety, and welfare of the citizens of Texas.

Thank you for your consideration. Please call any of us if you have questions or require additional information.


Sincerely,



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