



Texas Board of Professional Geoscientists

Good morning:

You are being sent this quarterly e-mail update because you are licensed by TBPG or have expressed interest in TBPG activity in the past.

TBPG held its regularly scheduled Board Meeting on August 9, 2013 in Austin, Texas. Here are some highlights from the meeting.

1) Four amendments to TBPG rules were proposed by the Board in order to implement the requirements of Senate Bill 138, which was passed in the recent legislative session. These [proposed amendments](#) are posted in the August 30, 2013 issue of the [Texas Register](#) and are also found on our website. The changes in the amendments are summarized here:

- **850.62**, regarding the general powers and duties of the Board, an amendment is proposed to include that the TBPG shall work with other state agencies that use the services of a person licensed by the Board in order to educate agency employees regarding the procedures by which complaints are filed with and resolved by TBPG, as required by Senate Bill 138.
- **851.10**, regarding Definitions, an amendment is proposed which removes language that TBPG maintains jurisdiction over a license, certification, or registration as long as the license, certification, or registration is renewable. It removes the sentence from this section and relocates it to a different section.
- **851.101**, regarding General provisions, a sentence is added that specifies that TBPG maintains jurisdiction over a license, certification, or registration as long as the license, certification, or registration is renewable. This sentence was moved from section 851.10 to a more appropriate placement in this section.
- **851.157**, regarding Compliance and Enforcement, an amendment is proposed to provide that a state agency or a state employee who becomes aware of a potential violation of the Act or a rule adopted by the Board may fulfill the requirements of the Act by submitting a formal complaint with the Board or providing the information relating to the potential

violation in writing to TBPG staff. Proposed amendments to 851.157 also provide that information provided by a state agency that is privileged or confidential remains privileged or confidential following receipt by the Board. Proposed amendments to 851.157 also specify that complaints must be submitted to the authorized deputy to the Secretary-Treasurer, and that the Board shall accept a complaint regardless of whether the complaint is notarized. Proposed amendments also specify that information that is submitted to the Board that has not been filed as a complaint is not confidential. If the information has been submitted by a state agency and the state agency has informed the TBPG of the confidentiality provisions applicable to the information, TBPG maintains the confidentiality. Once the received information becomes part of the complaint record, confidentiality provisions under the Texas Occupations Code 1002.202 will also apply.

Public comments on these proposed amendments are welcome. Please submit all comments in writing to TBPG at P O Box 13225, Austin, TX 78711, or by [e-mail](#) before **September 30, 2013**. All public comments received during the public comment period regarding the proposed amendments will be reviewed by the Board at its next Board meeting.

2) Four amendments were adopted which will become effective **October 1, 2013**. These [adopted amendments](#) appear in the August 30, 2013 issue of the [Texas Register](#), are also on the TBPG website, and are summarized below:

- **851.20**, regarding the P.G. Licensing Requirements and Application Procedure, the amendment removes language from this section and incorporates the removed language into section 851.28.
- **851.28**, regarding P.G. License Renewal and Reinstatement, the amendment clarifies the language and process by which a P.G. license is renewed. It clarifies that a P.G. license is eligible to be renewed for up to three years after the license is expired. It clarifies that the first renewal of a P.G. license will be prorated to correspond with the license holder's birth month. It also specifies that a P.G. license that is renewed more than sixty days after its expiration date will incur a late penalty fee.
- **851.32**, regarding the Continuing Education Program, the amendment clarifies the continuing education requirements for a license that has been renewed for less than one year.
- **851.156**, regarding a P.G. seal, the amendment clarifies the P.G. seal requirement regarding the use of an electronically-

generated seal.

3) The [2013 Summer Newsletter](#) is here! Look for information in it regarding TBPG's required four-year rule review, a column from TBPG's new Chairman Charles Knobloch, P.G., JD, new training seminars by TBPG, and other news items.

4) The next Board meeting is scheduled on **November 22, 2013**, in Austin, Texas.

I hope your summer is going well. Let us know if you have any requests for future Board consideration.

Sincerely,

Charles Horton

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