



Texas Board of Professional Geoscientists

Good afternoon:

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

At its last regularly scheduled Board Meeting on November 22, 2013 in Austin, TBPG adopted four amendments to its rules, which became effective January 1, 2014.

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 section 851.101.
- **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.

2) Upcoming Committee meetings and Board meetings are scheduled as follows in the Hobby Building in Austin, Texas. Meeting times, agendas, and locations will be available on the TBPG website next week.

- ~~January 24, 2014~~ (*Meetings later rescheduled for 2/14/14*)
 - Application Review /Continuing Education Committee
 - Compliance and Enforcement Committee
 - Financial Review /Strategic Planning Committee
 - General Issues Committee
- ~~February 14, 2014~~ (*Meeting to be rescheduled*)
 - TBPG Board Meeting

3) TBPG is now conducting its four-year rule review, in accordance with Texas Government Code 2001.039. Please visit our [Rules Review](#) web page to see how you can participate.

We hope your new year is off to a good start!

Sincerely,

Charles Horton

Contact Information
Charles Horton
Executive Director
Texas Board of Professional
Geoscientists
Phone: (512) 936-4400

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