The Texas Board of Professional Geoscientists (TBPG) adopts amendments concerning the licensure and regulation of Professional Geoscientists in Texas. TBPG adopts amendments to 22 TAC §§851.41 and 851.80 to add the Texas Fundamentals of Geophysics exam as an option to qualify for Geoscientist-in-Training (GIT) certification and to add a fee for that examination, respectively. These rules are adopted without changes to the proposed text as published in the July 9, 2021 issue of the *Texas Register* (46 TexReg 4079).

The adopted amendments will allow applicants for the GIT certification in the discipline of Geophysics to utilize the Texas Fundamentals of Geophysics examination as the qualifying examination for obtaining the certificate. These changes will benefit applicants who apply for the GIT certification in the discipline of geophysics because the current examination tests knowledge of both fundamentals and professional practice of geophysics. The new fundamentals-only examination is better suited to applicants at this early stage in their careers because it eliminates the need for these applicants to answer the professional practice questions before they have had the opportunity to gain the necessary knowledge and experience. The adopted amendments add an examination fee for applicants requesting to sit for the new Texas Fundamentals of Geophysics Examination. The adopted cost to take the new Texas Fundamentals of Geophysics Examination is $75. This fee represents a reduction in cost to applicants for GIT certification because the fee for the currently-required examination for the geophysics GIT certification is $175. Therefore, in offering a new fundamentals examination, there is a decrease in the cost to applicants for requesting GIT certification in geophysics. The certification for GIT is also optional, so the cost is not mandatory for applicants. The adopted amendments also revise the name “National Association of State Boards of Geology (ASBOG®)” to be “ASBOG®” to reflect ASBOG’s shortened name.

The adopted amendment to 22 TAC §851.41 adds language in subsection (a)(2)(c), to show that the “Texas Fundamentals of Geophysics Examination (TFGE)” is the qualifying examination for the GIT certification in geophysics. The adopted amendment also revises the name “National Association of State Boards of Geology (ASBOG®)” to be “ASBOG®” to reflect ASBOG’s shortened name.

The adopted amendment to 22 TAC §851.80 adds the Texas Fundamentals of Geophysics examination fee of $75. The adopted amendment also removes the name “National Association of State Board of Geology (ASBOG®)” and replaces it with the shortened name “ASBOG®” in subsection (d)(1) when referring to the provider of the Geology Fundamentals and Practice exams. It also renumbers the section.

The public benefit anticipated as a result of enforcing or administering the sections includes ensuring that TBPG rules are clear and consistent regarding the examination requirements for a GIT certification in the discipline of geophysics. It is also beneficial to GIT applicants in geophysics because the Texas Fundamentals of Geophysics Exam is an appropriate measure of an applicant’s knowledge at this stage of their career. There is also the added benefit of a reduced the cost to those applicants who apply for certification as a GIT in geophysics in Texas.

No comments were received regarding these amendments.

This section is adopted under the Texas Geoscience Practice Act, Occupations Code §1002.151, which authorizes the Board to adopt and enforce all rules consistent with the Act as necessary for the performance of its duties; Occupations Code §1002.152, which provides that Board shall set reasonable and necessary fees to be charged applicants for examination; Occupations Code §1002.352, which allows the Board to establish criteria by which an individual may register with the board as a GIT.

This section affects the Texas Geoscience Practice Act, Occupations Code §§1002.151, 1002.152, and 1002.352.

**§851.41. Geoscientist-in-Training Certification Requirements and Application Procedure.**

(a) To qualify for certification, an applicant must meet the following requirements:

  (1) Educational requirements for licensure as a P.G. as established in §851.25(a) of this chapter.

  (2) Passed one of the following examinations:

    (A) Geology discipline: ASBOG® [~~National Association of State Boards of Geology (ASBOG®)~~] Fundamentals of Geology Examination;

    (B) Soil Science discipline: Council of Soil Science Examiners (CSSE) Soil Science Fundamentals Examination; or

    (C) Geophysics discipline: The Texas Fundamentals of Geophysics Examination (TFGE).

  (3) Application fee published in §851.80 of this chapter.

(b) Application Procedure:

  (1) Submit a GIT Certification Application (Form H);

  (2) Submit an official academic transcript in accordance with §851.25(b) of this chapter; and

  (3) Pay the application fee.

(c) An applicant who has been granted an exemption from an examination described by (a)(2) of this section is not eligible to become a GIT.

**§851.80. Fees.**

(a) All fees are non-refundable.

(b) P.G. application and license fee--$255.

(c) Examination processing fee--$25.

(d) Applicable examination fees:

  (1) Geology--Fundamentals and Practice as determined by ASBOG® [~~the National Association of State Boards of Geology (ASBOG®)~~].

  (2) Geophysics—Texas Fundamentals of Geophysics Examination--$75.
 (3) Geophysics--Texas Geophysics Examination--$175.

  (4) [~~(3)~~] Soil Science--Fundamentals and Practice as determined by the Council of Soil Science Examiners (CSSE).

(e) Issuance of a revised or duplicate license wall certificate--$25.

(f) P.G. renewal fee--$223 or as prorated under §851.28(b) of this chapter. The fee for annual renewal of licensure for any individual sixty-five (65) years of age or older, permanently disabled, or under a significant medical hardship, as determined by the Executive Director as of the renewal date shall be half the current renewal fee.

(g) Late renewal penalty--$50.

(h) Fee for affidavit of licensure--$15.

(i) Verification of licensure--$15.

(j) Temporary license--$200.

(k) Firm registration application--$300.

(l) Firm registration renewal--$300.

(m) Insufficient funds fee--$25.

(n) Application for Geoscientist-in-Training certification--$25.

(o) Annual renewal of Geoscientist-in-Training certification--$25.

(p) Texas Geophysics Examination Proctored Review--$50.