

TBPG Suggested Penalties and Sanctions

The following are suggested sanctions for more common violations of the Texas Geoscience Practice Act or TBPG rules.				
SEVERITY →		Level 1 ^a - up \$500	Level 2 ^b - up to \$1000 & license suspension	Level 3 ^c - up to \$1500 & license revocation
Additional considerations	Endangering Public Health & Safety	None/Minor	Additional \$1000 up to license suspension if potential harm	Additional \$1500 up to license revocation if harm
	Causing Economic Harm	None	Additional \$500 if damage <\$1000	Additional \$1000 if damage > \$1,000
	Sanction History ^d	None/Minor	Additional \$500 up to license suspension if other final disciplinary orders are a factor.	Additional \$1000 up to license revocation if other final disciplinary orders are a factor.
	Amount Necessary to Deter Future Violation; Resistance to correct violation; any other matter	Additional \$100	Additional \$250	Additional \$500
Unlicensed/Unregistered Practice				
PG License or use of title	Unlicensed practice or offer to practice or use of title (including practicing/offer to practice while license is expired - whether or not it is still renewable) --1002.251; indicating that the person is qualified to practice-- 851.107 (b) & (c). Also see CE Non-compliance	License expired & failed to renew/respond, but timely renewed after contact	Second Offense; and/or failed to timely respond timely	2+ Offenses, also non-renewal or denial of license
GIT use of title	Use of GIT title without being certified--851.44;851.107(d)	Cease and Desist	Second Offense; and/or failed to timely respond timely	2+ Offenses, also non-renewal or denial of license
Unregistered practice	Unregistered offer to or practice by a firm (also while registration is expired--851.30 (a) (b); 851.107(d);851.152(a); 851.152(d).	Cease and Desist	Second Offense	2+ Offenses, also non-renewal or denial of license
License Application				
PG/GIT Applicant	Attempting to /obtaining a license by fraud/misrepresentation--851.20(g); Cheating on an exam /not following exam rules --851.21 (d)(f)(g)(h)	n/a	n/a	Do Not Issue License or Revoke
GF Applicant	Attempting to /obtaining a license by fraud/misrepresentation--851.152(c)	n/a	n/a	Do Not Issue License or Revoke
PG/GIT Applicant	Applicant denied licensing because they are unsuitable (as opposed to unqualified. New applicant violations-- 851.110	n/a	n/a	Do Not Issue License or Revoke
Continuing Education				
PG/GIT CE Non-compliance	Continuing Education non-compliance, P.G.-- 851.32(p); GIT-- 851.43. (e.g. not getting CE hours; not responding to inquiry, not getting ethics hour)	Corrected timely (30 days) after contact	Second Offense; failed to respond timely	3+ Offenses
Code of Professional Conduct				
PG does not cooperates; is not Competent; is Reckless, Dishonest, or Abets	Fail to cooperate with an investigation-comply with Board orders--851.101(c) (d); Perform only services for which PG is competent--851.102(a)(b); Reckless work--851.103(a); Dishonesty; perform or omit an act; make an assertion in practice to defraud, deceive, create misleading impression--851.104(a); 851.104(b); 851.104(e)(f)(g)(k); Participate, aid, or abet others to violate law/rules -- 851.106	First Offense	Second Offense	3+ Offenses
PG Conflict; Fails to report violations; Violates rules of another jurisdiction	Conflict of interest-- 851.105 all; Failure to report known violations to the Board-- 851.106 (e); Environmental consideration-- 851.106(g); Unauthorized work in other jurisdiction-- 851.107(a)	First Offense or Self-Reported	Second Offense	3+ Offenses
PG Criminal conviction	Criminal violations relating to public practice of geosciences-- 851.108 and TOC Chapter 53	Follows Board rules and prescribed actions		
PG Substance abuse	Substance Abuse-- 851.109; Effect of Enforcement-- 851.110	Follows Board rules and prescribed actions		
PG Contact, other info	Contact information, other required reports to the Board --851.112;851.152(e)(f)(h)	First Offense	Second Offense	3+ Offenses
PG Abide by Board Orders; Pay timely	Abide by Board Orders, and Timely pay Board-assessed penalties -- 851.113; 851.159	First Offense or Self-Reported; Failure to pay may result in additional disciplinary action or non-renewal of license	Second Offense	3+ Offenses
License Displays & Seals				
PG License display, GF registration number, PG Seals	Display of license certificate/no alterations-- 851.21(p)(o); Firm registration number on reports-- 851.156(r); PG seal issues-- 851.156, 851.20(q)(1) and 851.106(d)	First Offense	Second Offense	3+ Offenses
State Loan and Support Requirements				
Child Support Delinquency	Actions Following Certain Notifications Regarding Child Support Delinquency-- 851.155	Follows Family Code Ch. 232		
<p>TBPG fines (as shown in this matrix) may be issued per violation for each day the violation exists. Maximum daily fine is \$1500. TBPG is required by state law to publish all violations on their website. Each violation may also include a letter of advisement, letter of reprimand, or cease & desist.</p> <p>^a Level 1: Violations of lesser rules or administrative rules. Respondent unaware that conduct was prohibited or likely to cause harm; demonstrated significant extenuating circumstances; and/or provided a satisfactory remedy. ^b Level 2 - Respondent knowingly disregarded a standard or practice. Violating a Board order shall constitute a minimum Level 2 violation. ^c Level 3 - Demonstrated gross or severe departure from industry standards or conduct in a manner that disregards the possible negative impact; conduct resulted in a threat to the health or safety of the public; Respondent refused or failed to take prompt and remedial action upon notification of the violation. ^d Sanction History - includes only final disciplinary actions undertaken by TBPG.</p>				