

STATE OF OKLAHOMA

2nd Session of the 48th Legislature (2002)

SENATE BILL 1558

By: Williamson

AS INTRODUCED

An Act relating to Professional Engineers and Land Surveyors; amending 59 O.S. 2001, Section 475.19, which relates to charges against registrant; providing for removal of certain documents; and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 2001, Section 475.19, is amended to read as follows:

Section 475.19 A. Any person may prefer charges of fraud, deceit, negligence, incompetence, misconduct or violation of the Rules of Professional Conduct for Professional Engineers and Land Surveyors against any individual registrant, or against any firm holding a certificate of authorization.

B. All charges, unless dismissed by the Board as unfounded or trivial, or unless settled informally, shall be heard by the Board within three (3) months after the date on which they shall have been preferred.

C. The time and place for said hearing shall be fixed by the Board, and a copy of the charges, together with a notice of the time and place of hearing, shall be personally served on or mailed to the last-known address of such individual registrant, or firm holding a certificate of authorization, at least thirty (30) days before the date fixed for the hearing. At any hearing, the accused individual registrant or firm holding a certificate of authorization shall have the right to appear in person or by counsel, or both, to cross-examine witnesses in their defense, and to produce evidence

and witnesses in their own defense. If the accused person or firm fails or refuses to appear, the Board may proceed to hear and determine the validity of the charges.

D. If, after such hearing, a majority of the Board vote in favor of sustaining the charges, the Board shall reprimand, fine in an amount not to exceed Two Hundred Fifty Dollars (\$250.00) for each count or separate offense, refuse to issue, restore or renew, place on probation for a period of time and subject to such conditions as the Board may specify, suspend or revoke the individual's certificate of registration, or a firm's certificate of authorization.

E. Any individual registrant having a certificate of registration, or firm holding a certificate of authorization, aggrieved by any action of the Board in levying a fine, denying, suspending, refusing to issue, restore or renew or revoking ~~his~~ the registrant's certificate of registration, or its certificate of authorization, may appeal therefrom to the proper court under normal civil procedures. If the charge sustained by the Board is overturned on appeal, any documents relating to the charge shall be removed from the registrant's or firm's file maintained by the Board.

F. The Board may, upon petition of an individual registrant or firm holding a certificate of authorization, reissue a certificate of registration or authorization, provided that a majority of the members of the Board vote in favor of such issuance.

SECTION 2. This act shall become effective November 1, 2002.

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