

THE HOUSE OF REPRESENTATIVES
Thursday, February 26, 2009

Committee Substitute for
House Bill No. 2070

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 2070 - By: MCNIEL of the House.

An Act relating to professions and occupations; amending 59 O.S. 2001, Section 475.22, as amended by Section 21, Chapter 115, O.S.L. 2005 (59 O.S. Supp. 2008, Section 475.22), which relates to engineering and land surveying; modifying exceptions for certain corporations; and providing an effective date.

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

1 SECTION 1. AMENDATORY 59 O.S. 2001, Section 475.22, as amended by
2 Section 21, Chapter 115, O.S.L. 2005 (59 O.S. Supp. 2008, Section 475.22), is amended to
3 read as follows:

4 Section 475.22 Section 475.1 et seq. of this title shall not be construed to prevent:

5 1. Other Professions. The practice of any other legally recognized profession;

6 2. Temporary Permit:

7 a. Professional engineer. The practice or offer to practice engineering by

8 a person not a resident of or having no established place of business in

9 this state is allowed; provided, such person is legally qualified by

10 licensure to practice engineering, as defined in Section 475.2 of this

11 title, in the applicant's own state or country and ~~who~~ has made

12 application for licensure to this Board. Such person shall make

1 application for temporary permit to the Board, in writing, and after
2 payment of a temporary permit fee may be granted a written permit to
3 perform a particular job for a definite period of time, to expire the
4 earliest of the issuance of a license by this Board, the rejection of the
5 application for licensure or a time limit stated in the temporary
6 permit; provided, however, no right to practice engineering shall
7 accrue to such applicant by reason of a temporary permit for any works
8 not set forth in said permit, and

9 b. Professional land surveyor. The practice of land surveying under a
10 temporary permit by a person licensed as a land surveyor in another
11 state is not considered to be in the best interest of the public and
12 therefore shall not be granted; ~~and~~

13 3. Employees and subordinates. The work of an employee or a subordinate of a
14 person holding a certificate of licensure under Section 475.1 et seq. of this title, or an
15 employee of a person practicing lawfully under paragraph 2 of this section is allowed;
16 provided; such work does not include final engineering or land surveying designs or
17 decisions and is done under the direct supervision of and verified by a person holding a
18 certificate of licensure under Section 475.1 et seq. of this title or a person practicing
19 lawfully under paragraph 2 of this section; and

20 4. Engineering and land surveying. The work of a person rendering engineering or
21 land surveying services to a corporation, as an employee of the corporation, when the
22 services are rendered in carrying on the general business of the corporation and the

1 general business does not consist, either wholly or in part, of the rendering of
2 engineering services to the general public is allowed, provided that the corporation
3 employs at least one person holding a certificate of registration under Section 475.15 of
4 this title or practicing lawfully under the provisions of Section 475.1 through 475.22 of
5 this title.

6 SECTION 2. This act shall become effective November 1, 2009.

7 COMMITTEE REPORT BY: COMMITTEE ON ECONOMIC DEVELOPMENT AND
8 FINANCIAL SERVICES, dated 02-25-09 - DO PASS, As Amended.