
By: Chairman, Economic and Environmental Affairs Committee (Departmental - Labor, Licensing and Regulation)

Introduced and read first time: January 27, 1997

Rule 32(e) suspended

Assigned to: Economic and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: March 7, 1997

CHAPTER _____

1 AN ACT concerning

2 State Board for Professional Land Surveyors - Qualifications for Firm Permit

3 FOR the purpose of allowing a professional land surveyor or a licensed property line
 4 surveyor to practice through a limited liability company; allowing a limited liability
 5 company to offer land surveying and property line surveying services; specifying
 6 certain circumstances when a person may operate a certain business as a limited
 7 liability company; prohibiting an individual from practicing land surveying or
 8 property line surveying under certain circumstances; and generally relating to the
 9 practice of land surveying and property line surveying.

10 BY repealing and reenacting, with amendments,
 11 Article - Business Occupations and Professions
 12 Section 15-401 ~~and~~ 15-402, 15-602, and 15-608
 13 Annotated Code of Maryland
 14 (1995 Replacement Volume and 1996 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
 16 MARYLAND, That the Laws of Maryland read as follows:

17 Article - Business Occupations and Professions

18 15-401.

19 (a) (1) Subject to the provisions of this section, a professional land surveyor
 20 may practice land surveying for others through:

21 (i) a corporation as an officer, employee, or agent of the corporation;
 22 [or]

2

1 (ii) a partnership as a partner, employee, or agent of the partnership;
2 OR

3 (III) A LIMITED LIABILITY COMPANY AS A MEMBER, EMPLOYEE, OR
4 AGENT OF THE LIMITED LIABILITY COMPANY.

5 (2) Subject to the provisions of this section, a licensed property line surveyor
6 may practice property line surveying through:

7 (i) a corporation as an officer, employee, or agent of the corporation;
8 [or]

9 (ii) a partnership as a partner, employee, or agent of the partnership;
10 OR

11 (III) A LIMITED LIABILITY COMPANY AS A MEMBER, EMPLOYEE, OR
12 AGENT OF THE LIMITED LIABILITY COMPANY.

13 (3) Subject to the provisions of this subtitle, a corporation, [or]
14 partnership, OR LIMITED LIABILITY COMPANY may provide land surveying services
15 through a professional land surveyor or property line surveying services through a
16 licensed property line surveyor.

17 (b) (1) A professional land surveyor who practices land surveying through a
18 corporation, [or] partnership, OR LIMITED LIABILITY COMPANY under this section
19 shall be subject to all of the provisions of this title that relate to practicing land surveying.

20 (2) A licensed property line surveyor who practices property line surveying
21 through a corporation, [or] partnership, OR LIMITED LIABILITY COMPANY under this
22 section shall be subject to all of the provisions of this title that relate to practicing
23 property line surveying.

24 (c) (1) A corporation, [or] partnership, OR LIMITED LIABILITY COMPANY
25 that provides land surveying services or property line surveying services under this section
26 is not, by its compliance with this section, relieved of any responsibility that the
27 corporation, partnership [or] OR LIMITED LIABILITY COMPANY may have for an act or
28 omission of its officer, partner, MEMBER, employee, or agent.

29 (2) An individual who practices land surveying or property line surveying
30 through a corporation, [or] partnership, OR LIMITED LIABILITY COMPANY, is not, by
31 reason of the individual's employment or other relationship with the corporation, [or]
32 partnership, OR LIMITED LIABILITY COMPANY, relieved of any individual responsibility
33 that the individual may have regarding that practice.

34 15-402.

35 A corporation, [or] partnership, OR LIMITED LIABILITY COMPANY shall hold a
36 permit issued by the Board before the corporation, [or] partnership, OR LIMITED
37 LIABILITY COMPANY may operate a business through which land surveying or property
38 line surveying is practiced.

3

1 15-602.

2 Except for a licensee who operates the business as a sole practitioner, a person may
3 not operate a business through which land surveying or property line surveying is
4 practiced, unless:

5 (1) the business is a corporation [or], a partnership, OR A LIMITED
6 LIABILITY COMPANY; and

7 (2) the corporation [or], partnership, OR LIMITED LIABILITY COMPANY
8 holds a permit issued by the Board.

9 15-608.

10 An individual whose license has been suspended or revoked under § 15-318 of this
11 title may not practice land surveying or property line surveying in any manner as:

12 (1) an associate, agent, employee, or other subordinate of a professional
13 land surveyor or licensed property line surveyor; or

14 (2) a principal, associate, agent, employee, or other subordinate of a
15 corporation [or], partnership, OR LIMITED LIABILITY COMPANY that provides land
16 surveying or property line surveying services.

17 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
18 October 1, 1997.