

the affirmative vote of a majority of its members then serving, may deny a license to any applicant, reprimand any licensee, or suspend or revoke a license if:

- (1) the applicant or licensee fraudulently or deceptively obtains or attempts to obtain a license for the applicant or licensee or for another;
- (2) the applicant or licensee fraudulently or deceptively uses a license;
- (3) UNDER THE LAWS OF THE UNITED STATES OR OF ANY STATE, the applicant or licensee ~~pleads guilty or nolo contendere with respect to, receives probation before judgment with respect to, or~~ is convicted of:

- (i) A FELONY; OR

- (II) ~~a crime involving moral turpitude~~ A MISDEMEANOR THAT IS DIRECTLY RELATED TO THE FITNESS AND QUALIFICATION OF THE APPLICANT OR LICENSEE TO PRACTICE LAND SURVEYING OR PROPERTY LINE SURVEYING; [or

- (ii) a violation of any election law of the State;

- (4) during the course of an official investigation by an authorized public official or public body and regardless of whether the matter is prosecuted, the applicant or licensee has admitted, in writing or under oath, to:

- (i) a crime involving moral turpitude; or

- (ii) a violation of any election law of the State;

- (5) (4) the applicant or licensee is guilty of gross negligence, incompetence, or misconduct while practicing land surveying or property line surveying;

- [(6)] (5) the applicant or licensee knowingly violates any provision of the code of ethics adopted by the Board; or

- [(7)] (6) the applicant or licensee knowingly violates any provision of this title.

- (b) (1) Instead of or in addition to suspending or revoking a license, the Board may impose a penalty not exceeding \$1,000 for each violation.

- (2) To determine the amount of the penalty imposed under this subsection, the Board shall consider:

- (i) the seriousness of the violation;

- (ii) the harm caused by the violation;

- (iii) the good faith of the licensee; and

- (iv) any history of previous violations by the licensee.

- (3) The Board shall pay any penalty collected under this subsection into the General Fund of the State.