

# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

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## Proposed Rule Reviews

Texas Health and Human Services Commission

### Title 1, Part 15

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for re Adoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 1, Part 15, of the Texas Administrative Code:

Chapter 376, Refugee Social Services

Subchapter A Purpose and Scope

Subchapter B Contractor Requirements

Subchapter C General Program Administration

Subchapter D Employment Services: Refugee Social Services (RSS)

Subchapter E Employment Services: Refugee Cash Assistance (RCA)

Subchapter F English as A Second Language (ESL) Services

Subchapter G Other Employability Services

Subchapter H Targeted Assistance Grant (TAG) Services

Subchapter I Unaccompanied Refugee Minor (URM) Program

Subchapter J Local Resettlement Agency Requirements

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 376, Refugee Social Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to [HHSRulesCoordinationOffice@hhs.texas.gov](mailto:HHSRulesCoordinationOffice@hhs.texas.gov). When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 376" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the chapter being reviewed will not be published, but may be found in Title 1, Part 15, of the Texas Administrative Code on the Secretary of State's website at State Rules and Open Meetings ([texas.gov](http://texas.gov)).

TRD-202304724

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: December 13, 2023

Texas Education Agency

### Title 19, Part 2

The State Board of Education (SBOE) proposes the review of 19 Texas Administrative Code (TAC) Chapter 66, State Adoption and Distribution of Instructional Materials, pursuant to Texas Government Code (TGC), §2001.039. The rules being reviewed by the SBOE in 19 TAC Chapter 66 establish procedures for the adoption, purchase, and distribution of instructional materials and are organized under the following subchapters: Subchapter A, General Provisions, Subchapter B, State Adoption of Instructional Materials, and Subchapter C, Local Operations.

As required by the TGC, §2001.039, the SBOE will accept comments as to whether the reasons for adopting 19 TAC Chapter 66, Subchapters A-C, continue to exist.

The public comment period on the review begins Friday, December 29, 2023, and ends at 5:00 p.m. on January 29, 2024. A form for submitting public comments on the proposed rule review is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/SBOE\\_Rules\\_\(TAC\)/State\\_Board\\_of\\_Education\\_Rule\\_Review](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBOE_Rules_(TAC)/State_Board_of_Education_Rule_Review). The SBOE will take registered oral and written comments on the review at the appropriate committee meeting in January-February 2024 in accordance with the SBOE board operating policies and procedures.

TRD-202304733

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: December 14, 2023

Texas Funeral Service Commission

### Title 22, Part 10

The Texas Funeral Service Commission (Commission) files this Notice of Intention to Review 22 TAC, Part 10 to include the following chapters:

- Chapter 201 - Licensing and Enforcement--Practice and Procedure
- Chapter 203 - Licensing and Enforcement--Specific Substantive Rules
- Chapter 204 - Fees
- Chapter 205 - Crematories
- Chapter 207 - Alternative Dispute Resolution

- Chapter 209 - Ethical Standards for Persons Licensed by the Commission

This proposal is limited to the review in accordance with the requirements of Texas Government Code, §2001.039, which requires a state agency to review and consider its rules for readoption, readoption with amendments, or repeal every four years. During this review, the Commission will assess whether the reasons for initially adopting the rules in Chapters 201, 203, 204, 205, 207, and 209 continue to exist.

#### Submittal of Comments

The Commission invites public comment on this preliminary review of the rules in Chapters 201, 203, 204, 205, 207, and 209. Written comments may be submitted to Sarah Hartsfield, Staff Attorney, Texas Funeral Service Commission, 1801 Congress Avenue, Suite 11-800, Austin, Texas 78701 or by email at sarah.hartsfield@tfsc.texas.gov or info@tfsc.texas.gov. File size restrictions may apply to comments being submitted via email. If it does, please contact the Commission at the number provided below for an alternative method of submission. All comments should reference TFSC Quadrennial Rule Review, and identify the specific chapter or rule number for which the comments relate. Comments must be received within 30 days of publication. For further information, please contact Sarah Hartsfield at (512) 936-2474.

TRD-202304832

James White

Executive Director

Texas Funeral Service Commission

Filed: December 15, 2023



Department of State Health Services

#### Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

##### Chapter 227, Minimum Guidelines for Human Donor Milk Banks

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 227, Minimum Guidelines for Human Donor Milk Banks, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 227" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202304745

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: December 14, 2023



The Texas Health and Human Services Commission (HHSC), on behalf of Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

##### Chapter 230, Specific Additional Requirements for Drugs

###### Subchapter A Average Manufacture Price and Purchase Price Reporting for Pharmaceuticals

###### Subchapter B Limitations on Sales of Products Containing Ephedrine, Pseudoephedrine, And Norpseudoephedrine

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 230, Specific Additional Requirements for Drugs, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 230" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202304744

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: December 14, 2023



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

##### Chapter 295, Occupational Health

###### Subchapter A Hazard Communication

###### Subchapter B Fees for Asbestos Services

###### Subchapter D Occupational Health Guidelines

###### Subchapter F Guidelines for Selection and Use of Face and Eye Protection in Public Schools

###### Subchapter G Sanitation at Temporary Places of Employment

###### Subchapter I Texas Environmental Lead Reduction

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule con-

tinue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 295, Occupational Health, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 295" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202304723

Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: December 13, 2023



## Health and Human Services Commission

### Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code:

- Chapter 350, Early Childhood Intervention Services
- Subchapter A General Rules
- Subchapter B Procedural Safeguards and Due Process Procedures
- Subchapter C Staff Qualifications
- Subchapter D Case Management for Infants and Toddlers With Developmental Disabilities
- Subchapter E Specialized Rehabilitative Services
- Subchapter F Public Outreach
- Subchapter G Referral, Pre-Enrollment, And Developmental Screening
- Subchapter H Eligibility, Evaluation, And Assessment
- Subchapter J Individualized Family Service Plan (IFSP)
- Subchapter K Service Delivery
- Subchapter L Transition
- Subchapter M Child and Family Outcomes
- Subchapter N Family Cost Share System

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 350, Early Childhood Intervention Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review

Chapter 350" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202304920

Jessica Miller  
Director, Rules Coordination Officer  
Health and Human Services Commission  
Filed: December 20, 2023



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code:

### Chapter 361, Guardianship Services

#### Subchapter A General Provisions

#### Subchapter B Eligibility and Assessment of Individuals for Guardianship Services

#### Subchapter C Contractor Requirements

#### Subchapter D Records Management

#### Subchapter E Contract Monitoring and Compliance

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 361, Guardianship Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 361" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 26, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202304921

Jessica Miller  
Director, Rules Coordination Office  
Health and Human Services Commission  
Filed: December 20, 2023



## Texas Department of Motor Vehicles

### Title 43, Part 10

The Texas Department of Motor Vehicles (department) will review and consider whether to readopt, readopt with amendments, or repeal 43 Texas Administrative Code, Chapter 206, Management; Chapter 215, Motor Vehicle Distribution; and Chapter 221, Salvage Vehicle Deal-

ers. This review is being conducted pursuant to Government Code, § 2001.039.

The board will assess whether the reasons for initially adopting these rules continue to exist and whether the rules should be repealed, readopted, or readopted with amendments.

If you want to comment on this rule review proposal, submit your written comments by 5:00 p.m. CST on January 28, 2024. A request for a public hearing must be sent separately from your written comments. Send written comments or hearing requests by email to [rules@txdmv.gov](mailto:rules@txdmv.gov) or by mail to Office of General Counsel, Texas Department of Motor Vehicles, 4000 Jackson Avenue, Austin, Texas 78731. If a hearing is held, the department will consider written comments and public testimony presented at the hearing.

Proposed changes to sections of these chapters are published in the Proposed Rules section of this issue of the *Texas Register* and are open for a 30-day public comment period.

TRD-202304738  
Laura Moriaty  
General Counsel  
Texas Department of Motor Vehicles  
Filed: December 14, 2023

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**Adopted Rule Reviews**

Office of Consumer Credit Commissioner

**Title 7, Part 5**

The Finance Commission of Texas (commission) has completed the rule review of Texas Administrative Code, Title 7, Part 5, Chapter 85, Subchapter B, concerning Rules for Crafted Precious Metal Dealers. The rule review was conducted under Texas Government Code, §2001.039.

Before publishing notice of the review in the *Texas Register*, the Office of Consumer Credit Commissioner (OCCC) issued an informal advance notice of the rule review to stakeholders. In response to the advance notice, the OCCC received one informal precomment from an individual in the gold buying business. This precomment suggested "that the current rules be left alone" because "they seem to be sufficient."

Notice of the review of 7 TAC Chapter 85, Subchapter B was published in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5827). The commission received no official comments in response to that notice. The commission believes that the reasons for initially adopting the rules contained in this subchapter continue to exist.

As a result of the rule review, the commission finds that the reasons for initially adopting the rules in 7 TAC Chapter 85, Subchapter B continue to exist, and readopts this subchapter in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202304839  
Matthew Nance  
General Counsel  
Office of Consumer Credit Commissioner  
Filed: December 15, 2023

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Department of State Health Services

**Title 25, Part 1**

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 221, Meat Safety Assurance  
Subchapter A Transporting Dead Animals and Rendering  
Subchapter B Meat and Poultry Inspection

Notice of the review of this chapter was published in the September 22, 2023, issue of the *Texas Register* (48 TexReg 5553). HHSC and DSHS received no comments concerning this chapter.

HHSC and DSHS have reviewed Chapter 221 in accordance with §2001.039 of the Texas Government Code, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. The agencies determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 221. Any amendments or repeals to Chapter 221 identified by HHSC and DSHS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's and DSHS' review of 25 TAC Chapter 221 as required by the Texas Government Code, §2001.039.

TRD-202304726  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: December 13, 2023

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Texas Commission on Environmental Quality

**Title 30, Part 1**

The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 114, Control of Air Pollution from Motor Vehicles, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for readoption, readoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intention to Review these rules in the June 30, 2023 issue of the *Texas Register* (48 TexReg 3523).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 114 are required to implement programs and control measures that reduce emissions from on-road motor vehicles and non-road equipment. Chapter 114 includes provisions for several major mobile-source programs implemented to meet federal Clean Air Act requirements for attainment and maintenance of the National Ambient Air Quality Standards established by the United States Environmental Protection Agency. These include the Vehicle Inspection and Maintenance Program; oxygenated fuel, low emission diesel, and regional low Reid vapor pressure fuel programs; and transportation conformity. The chapter also includes provisions for voluntary mobile-source programs that support the State Implementation Plan. These include vehicle idling restrictions, the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program, and the Texas Emissions Reduction Plan.

Public Comment

The public comment period closed on August 1, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 114 continue to exist and readopts these sections in accordance with the requirements Texas Government Code, §2001.039.

TRD-202304841

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 15, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 290, Public Drinking Water, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for readoption, readoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the June 30, 2023, issue of the *Texas Register* (48 TexReg 3523).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 290 are required because Subchapters D - F and H protect the public health and welfare by assuring the microbiological, chemical, and radiological quality of public water supplies; assuring an adequate quantity of drinking water; assuring that new systems are financially stable and technically sound; establishing fees for these services; and assuring minimally acceptable operating practices for public water systems. Specifically, Subchapters D - F and H set forth the requirements for water treatment plant design, operation, and maintenance; establish fees for services provided by TCEQ to public water systems; identify standards regarding drinking water quality and monitoring and reporting requirements; and provide the minimum requirements for the content of annual consumer confidence reports. These rules implement the provisions in the Texas Health and Safety Code (THSC), Chapter 341, Subchapter C, including, but not limited to, THSC, §341.031, which allows TCEQ to adopt and enforce rules to implement the federal Safe Drinking Water Act; THSC, §341.0315, which provides TCEQ with the authority to ensure that public drinking water supply systems supply safe drinking water; THSC, §341.034, which requires TCEQ to adopt rules establishing classes of certificates, duration of certificates, and fees; THSC, §341.035, which requires the executive director to approve a business plan and the plans and specifications for a system before a system may begin construction of a public water supply system; and THSC, §341.041, which allows TCEQ to charge fees to a person who owns, operates, or maintains a public drinking water supply system.

The rules in Subchapter G establish procedures for listing plumbing fixtures meeting the water saving performance standards; to establish labeling requirements for clothes washing and dishwashing machines and lawn sprinklers; and to provide for fees and penalties. These rules implement the provisions in THSC, Chapter 372, including, but not limited to, THSC, §372.002, which requires TCEQ to maintain a current list of plumbing fixtures that are certified to TCEQ by the manufacturer or importer to meet the saving performance standards established by THSC, §372.002(b), and §372.003, which requires TCEQ to adopt rules for the marking or labeling of plumbing fixtures.

#### Public Comment

The public comment period closed on August 1, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 290 continue to exist and readopts these sec-

tions in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202304842

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 15, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 330, Municipal Solid Waste, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for readoption, readoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the June 30, 2023, issue of the *Texas Register* (48 TexReg 3524).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 330 are required because the rules implement critical provisions of the Texas Health and Safety Code (THSC) including the Solid Waste Disposal Act (THSC, Chapter 361) and the Texas Clean Air Act (THSC, Chapter 382) as well as satisfy the requirements of federal programs delegated to the state of Texas from the United States Environmental Protection Agency.

The rules in Chapter 330 cover aspects of municipal solid waste (MSW) management and air emissions from MSW facilities and apply to any persons involved in any aspect of the management and control of MSW and MSW facilities including, but not limited to, storage, collection, handling, transportation, processing, and disposal subject to the authority of the commission.

#### Public Comment

The public comment period closed on August 1, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 330 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202304843

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 15, 2023



The Texas Commission on Environmental Quality (TCEQ) has completed its Rule Review of 30 Texas Administrative Code (TAC) Chapter 335, Industrial Solid Waste and Municipal Hazardous Waste, as required by Texas Government Code, §2001.039. Texas Government Code, §2001.039, requires a state agency to review and consider for readoption, readoption with amendments, or repeal each of its rules every four years. TCEQ published its Notice of Intent to Review these rules in the June 30, 2023, issue of the *Texas Register* (48 TexReg 3524).

The review assessed whether the initial reasons for adopting the rules continue to exist and TCEQ has determined that those reasons exist. The rules in Chapter 335 are required because they implement the state's approved hazardous waste program which controls, from point of generation to ultimate disposal, those wastes that have been

identified as hazardous by the administrator of the United States Environmental Protection Agency in 40 Code of Federal Regulations Part 261. The rules also implement the commission's industrial solid and municipal hazardous waste programs, household hazardous waste program, pollution prevention program, and risk reduction program. TCEQ identified changes that may be addressed during future rule-making.

**Public Comment**

The public comment period closed on August 1, 2023. TCEQ did not receive comments on the rules review of this chapter.

As a result of the review, TCEQ finds that the reasons for adopting the rules in 30 TAC Chapter 335 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039. Changes to the rules identified as part of this review process may be addressed in a separate rulemaking action, in accordance with the Texas Administrative Procedure Act.

TRD-202304844

Charmaine Backens

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: December 15, 2023



**Texas Water Development Board**

**Title 31, Part 10**

The Texas Water Development Board (TWDB) files the adoption of its review of rules in 31 Texas Administrative Code, Title 31, Part 10, Chapter 354.

This review was conducted in accordance with the requirements of the Texas Government Code §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years.

Notice of the review of the aforementioned chapter was published in the August 11, 2023, issue of the *Texas Register* (48 TexReg 4402). TWDB received no comments during the comment period.

TWDB conducted its review in accordance with the requirements of the Texas Government Code, §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. TWDB considered whether the initial factual, legal, and policy reasons for adopting each rule in these subchapters continued to exist and determined that the original reasons for adopting these rules continue to exist and readopts these rules. This concludes TWDB's review of 31 TAC, Title 31, Part 10, Chapter 354.

TRD-202304910

Ashley Harden

General Counsel

Texas Water Development Board

Filed: December 19, 2023

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**Comptroller of Public Accounts**

**Title 34, Part 1**

The Comptroller of Public Accounts adopts the review of Texas Administrative Code, Title 34, Part 1, Chapter 1, concerning Central Administration, Chapter 4, concerning Treasury Administration, Chapter 5, concerning Funds Management (Fiscal Affairs), and Chapter 6, concerning Investment Management. This review is being conducted in accordance with Government Code, §2001.039. The review assessed whether the reasons for adopting the chapters continue to exist.

The comptroller received no comments on the proposed review, which was published in the October 6, 2023, issue of the *Texas Register* (48 TexReg 5829).

Relating to the review of Chapter 1, the comptroller finds that the reasons for adopting Chapter 1 continue to exist and readopts the sections at this time without changes in accordance with the requirements of Government Code, §2001.039. At a later date, §1.72 and §1.73 will be amended in separate rulemakings in accordance with the Texas Administrative Procedure Act.

Relating to the review of Chapter 4, the comptroller finds that the reasons for adopting Chapter 4 continue to exist and readopts the sections at this time without changes in accordance with the requirements of Government Code, §2001.039.

Relating to the review of Chapter 5, the comptroller finds that the reasons for adopting Chapter 5 continue to exist and readopts the sections at this time without changes in accordance with the requirements of Government Code, §2001.039. At a later date, §§5.1, 5.40, 5.41, 5.48, 5.51, 5.54, 5.61, and 5.140 will be amended in separate rulemakings in accordance with the Texas Administrative Procedure Act.

Relating to the review of Chapter 6, the comptroller finds that the reasons for adopting Chapter 6 continue to exist and readopts the sections at this time without changes in accordance with the requirements of Government Code, §2001.039.

This concludes the review of Texas Administrative Code, Title 34, Part 1, Chapter 1, Chapter 4, Chapter 5, and Chapter 6.

Filed: December 18, 2023.

TRD-202304875

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Filed: December 18, 2023

