

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.

Proposed Rule Reviews

Texas Historical Commission

Title 13, Part 2

The Texas Historical Commission files this notice of intent to review and consider for re-adoption, revision, or repeal of Chapter 22 of the Texas Administrative Code, Title 13, Part 2, related to cemeteries. Pursuant to Texas Government Code § 2001.039, the Texas Historical Commission will assess whether the reason(s) for initially adopting these rules continue to exist. The rules will be reviewed to determine whether the rules are obsolete, reflect current legal and policy considerations, reflect current general provisions in the governance of the Commission and/or whether the rules are in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedure Act).

Comments as to whether the reasons for initially adopting these rules continue to exist may be submitted to Joseph Bell, Executive Director, Texas Historical Commission, P.O. Box 12276, Austin, Texas 78711. Comments will be accepted for 30 days after publication in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 13, Part 2, of the Texas Administrative Code or on the Secretary of State's website (www.sos.texas.gov) under the "Rules & Meetings" tab.

TRD-202601021

Joseph Bell
Executive Director
Texas Historical Commission
Filed: February 27, 2026



State Board for Educator Certification

Title 19, Part 7

The State Board for Educator Certification (SBEC) proposes the review of 19 Texas Administrative Code (TAC) Chapter 235, Classroom Teacher Certification Standards, Subchapter A, General Provisions; Subchapter B, Early Childhood Certificate Standards; Subchapter C, Classroom Teacher Pedagogy Standards, Early Childhood-Grade 12; Subchapter D, Trade and Industrial Workforce Training Certification Standards; Subchapter E, Science of Teaching Reading Standards; and Subchapter F, Supplemental and Special Education Certificate Standards, pursuant to Texas Government Code (TGC), §2001.039.

As required by TGC, §2001.039, the SBEC will accept comments as to whether the reasons for adopting 19 TAC Chapter 235 continue to exist.

The comment period on the review of 19 TAC Chapter 235 begins March 13, 2026, and ends April 13, 2026. A form for submitting public comments on the proposed rule review is available on the Texas Education Agency (TEA) website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_\(TAC\)/State_Board_for_Educator_Certification_Rule_Review/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/State_Board_for_Educator_Certification_Rule_Review/). The SBEC will take registered oral and written comments on the review of 19 TAC Chapter 235 during the April 24, 2026 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

TRD-202601052

Cristina De La Fuente-Valadez
Director, Rulemaking
State Board for Educator Certification
Filed: March 2, 2026



The State Board for Educator Certification (SBEC) proposes the review of 19 Texas Administrative Code (TAC) Chapter 241, Certification as Principal, pursuant to Texas Government Code (TGC), §2001.039.

As required by TGC, §2001.039, the SBEC will accept comments as to whether the reasons for adopting 19 TAC Chapter 241 continue to exist.

The comment period on the review of 19 TAC Chapter 241 begins March 13, 2026, and ends April 13, 2026. A form for submitting public comments on the proposed rule review is available on the Texas Education Agency (TEA) website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_\(TAC\)/State_Board_for_Educator_Certification_Rule_Review/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/State_Board_for_Educator_Certification_Rule_Review/). The SBEC will take registered oral and written comments on the review of 19 TAC Chapter 241 during the April 24, 2026 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

TRD-202601055

Cristina De La Fuente-Valadez
Director, Rulemaking
State Board for Educator Certification
Filed: March 2, 2026



The State Board for Educator Certification (SBEC) proposes the review of 19 Texas Administrative Code (TAC) Chapter 242, Superintendent Certificate, pursuant to Texas Government Code (TGC), §2001.039.

As required by TGC, §2001.039, the SBEC will accept comments as to whether the reasons for adopting 19 TAC Chapter 242 continue to exist.

The comment period on the review of 19 TAC Chapter 242 begins March 13, 2026, and ends April 13, 2026. A form for submitting public comments on the proposed rule review is available on the Texas Education Agency (TEA) website at [https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_\(TAC\)/State_Board_for_Educator_Certification_Rule_Review/](https://tea.texas.gov/About_TEA/Laws_and_Rules/SBEC_Rules_(TAC)/State_Board_for_Educator_Certification_Rule_Review/). The SBEC will take registered oral and written comments on the review of 19 TAC Chapter 242 during the April 24, 2026 meeting's public comment period in accordance with the SBEC board operating policies and procedures.

TRD-202601058

Cristina De La Fuente-Valadez
Director, Rulemaking
State Board for Educator Certification
Filed: March 2, 2026



Texas 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 (TAC):

Chapter 566, Texas Home Living (TXHML) Program and Community First Choice (CFC) Certification Standards

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 566, Texas Home Living (TXHML) Program and Community First Choice (CFC) Certification Standards, 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 566" 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 (www.sos.texas.gov).

TRD-202600992

Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: February 26, 2026



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 (TAC):

Chapter 711, Investigations of Individuals Receiving Services from Certain Providers

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 711, Investigations of Individuals Receiving Services from Certain Providers, 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 711" 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 (www.sos.texas.gov).

TRD-202600993

Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: February 26, 2026



State Pension Review Board

Title 40, Part 17

The Texas Pension Review Board (board) files this notice of intent to review 40 Texas Administrative Code Chapter 610, concerning funding soundness restoration plans, in accordance with Texas Government Code §2001.039. The board will consider whether the reasons for initially adopting these rules continue to exist and determine whether these rules should be repealed, readopted, or readopted with amendments.

The board will accept written comments regarding the review. The comment period will last for 30 days following the publication of this notice in the *Texas Register*. Comments regarding this review may be submitted to Tamara Aronstein, General Counsel, Texas Pension Review Board, P.O. Box 13498, Austin, Texas 78711-3498 or to rules@prb.texas.gov with the subject line "Rule Review."

Any proposed changes to the sections of this chapter as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be subject to an additional 30-day public comment period prior to final adoption of any repeal, amendment, or re-adoption.

TRD-202601047

Tamara Aronstein
General Counsel
State Pension Review Board
Filed: March 2, 2026



Adopted Rule Reviews

Texas Department of Licensing and Regulation

Title 16, Part 4

The Texas Department of Licensing and Regulation (Department) filed a Notice of Intent to Review to consider for readoption, revision, or repeal the rule chapters listed below, in their entirety, under Title 16, Part 4, of the Texas Administrative Code (TAC). This review was conducted in accordance with Texas Government Code §2001.039.

Rule Chapters Under Review

The Department reviewed the following rule chapters:

Chapter 62, Code Enforcement Officers

Chapter 78, Mold Assessors and Remediators

Chapter 79, Weather Modification

Chapter 90, Court-Ordered Education Programs

Chapter 92, Responsible Pet Owners

Chapter 95, Transportation Network Companies

Chapter 117, Massage Therapy

Chapter 118, Laser Hair Removal

Chapter 119, Sanitarians

Chapter 121, Behavior Analyst

Chapter 130, Podiatric Medicine Program

Public Comments

A combined Notice of Intent to Review for all of the chapters listed above was published in the August 15, 2025, issue of the *Texas Register* (50 TexReg 5346). The public comment period closed on September 15, 2025. The Department received public comments from 23 interested parties in response to the Notice of Intent to Review. The public comments received for each chapter are explained below.

Chapter 62, Code Enforcement Officers

The Department received comments from one interested party in response to the Notice of Intent to Review for Chapter 62, Code Enforcement Officers. However, this comment was unrelated to the rules under review. The commenter requested changes to the rules that first require statutory changes to be made. The commenter suggested removing the code enforcement officer in training license type and considering an unlicensed individual claiming to be a "code enforcement officer" or a "code enforcement officer in training" as a criminal offense. The Department cannot take any action on these comments because changes to the statute must be made by the Texas Legislature. This commenter also requested increasing the continuing education hours; adding continuing education activities; and modifying the advisory board. The Department will take these comments under consideration for a possible future rulemaking because any amendments must be made using the standard rulemaking process.

Chapter 78, Mold Assessors and Remediators

The Department received comments from seven interested parties in response to the Notice of Intent to Review for Chapter 78, Mold Assessors and Remediators. Of the seven commenters, five are in support of the re-adoption of the rules because the rules are protective of public health, consumers, and standards for the professional practice of mold assessment and remediation. These supportive comments are from two individuals, two businesses, and one organization, The Institute of Inspection, Cleaning, and Restoration Certification (IICRC). The Department has taken these comments into consideration as part of this review. The Department received comments from one individual who is against re-adoption of the rules unless significant changes are made. This commenter, one individual in support of the rules, and the IICRC request many specific amendments to the rules, including improvements to processes, credentialing, and standards for professional practice. The Department will take these comments under consideration for future rulemaking because any amendments must be made using the standard rulemaking process. The Department received comments from one individual that are unrelated to the current rules under review but instead relate to recent statutory changes for which rules

have not yet been adopted. These comments were directed to the appropriate division for consideration.

Chapter 79, Weather Modification

The Department received comments from one interested party in response to the Notice of Intent to Review for Chapter 79, Weather Modification, however it was unrelated to the rules under review. The commenter requested a change to a rule to allow for public notices related to weather modification permits to be published online instead of in a newspaper. Because newspaper publication is required by statute, the Department cannot take action to eliminate it at this time, as changes to the statute must be made by the Texas Legislature. The Department could require online publication in addition to newspaper publication. The Department will take this possibility under consideration for a possible future rulemaking because any amendments must be made using the standard rulemaking process.

Chapter 90, Court-Ordered Education Programs

The Department received comments from one interested party in response to the Notice of Intent to Review for Chapter 90, Court-Ordered Education Programs. The Department received one public comment that is unrelated to the rules under review. This comment was directed to the appropriate division for consideration. The Department will not take any further rulemaking action as result of this unrelated comment.

Chapter 92, Responsible Pet Owners

The Department did not receive any public comments in response to the Notice of Intent to Review for Chapter 92, Responsible Pet Owners.

Chapter 95, Transportation Network Companies

The Department did not receive any public comments in response to the Notice of Intent to Review for Chapter 95, Transportation Network Companies.

Chapter 117, Massage Therapy

The Department received comments from three interested parties in response to the Notice of Intent to Review for Chapter 117, Massage Therapy. None of the comments received expressed support for, or objection to, re-adoption of the rules. However, the comment submitted by the Federation of State Massage Therapy Boards suggested several changes to the program rules regarding definitions, minimum education hours, the duration of student permits, and standards of professional conduct. The Department will take these comments under consideration for a possible future rulemaking because any amendments must be made using the standard rulemaking process.

Chapter 118, Laser Hair Removal

The Department did not receive any public comments in response to the Notice of Intent to Review for Chapter 118, Laser Hair Removal.

Chapter 119, Sanitarians

The Department received comments from two interested parties in response to the Notice of Intent to Review for Chapter 119, Sanitarians. Of the comments that were received, the Department received one comment in support of re-adoption of the rules. The Department has taken these comments into consideration as part of this review. The Department also received one comment requesting changes to the rules that first require statutory changes. This comment stated the rules are outdated and create unnecessary barriers to workforce entry by requiring an applicant for a sanitarian in training certificate to pass an examination before being registered. The Department cannot take any action on this comment because changes to the statute must be made by the Texas Legislature.

Chapter 121, Behavior Analyst

The Department received seven public comments for Chapter 121, Behavior Analyst, that are unrelated to the rules under review. The Department will not take any further rulemaking action as result of these unrelated comments.

Chapter 130, Podiatric Medicine Program

The Department did not receive any public comments in response to the Notice of Intent to Review for Chapter 130, Podiatric Medicine Program.

Department Review and Recommendation

The Department has reviewed each of the rule chapters listed above and has determined that the reasons for adopting or readopting the rules in these chapters continue to exist. The rules are still essential in implementing the statutory provisions for each of the affected programs. The rules provide details that are not found in the program statutes but are necessary for implementation and operation of the programs. The Department recommends that the Commission readopt all of the rule chapters listed above, in their entirety and in their current form.

The Department may propose amendments in the future to update, clarify, or supplement the existing rules. Any proposed changes to the rules will be published in the Proposed Rules section of the *Texas Register* and will be open for public comment before final adoption by the Texas Commission of Licensing and Regulation (Commission), the Department's governing body, and in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

Commission Action

At its meeting on February 18, 2026, the Texas Commission of Licensing and Regulation, the Department's governing body, readopted the following rule chapters, in their entirety and in their current form: 16 TAC, Chapter 62, Code Enforcement Officers; Chapter 78, Mold Assessors and Remediators; Chapter 79, Weather Modification; Chapter 90, Court-Ordered Education Programs; Chapter 92, Responsible Pet Owners; Chapter 95, Transportation Network Companies; Chapter 117, Massage Therapy; Chapter 118, Laser Hair Removal; Chapter 119, Sanitarians; Chapter 121, Behavior Analyst; and Chapter 130, Podiatric Medicine Program. This concludes the review of these rule chapters in accordance with Texas Government Code §2001.039.

Filed with the Office of the Secretary of State on February 27, 2026.

TRD-202601023

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Filed: February 27, 2026



Texas Health and Human Services Commission

Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 559, Day Activity and Health Services Requirements

Notice of the review of this chapter was published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8343). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 559 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 559. Any amendments, if applicable, to Chapter 559 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 559 as required by Texas Government Code §2001.039.

TRD-202601020

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 27, 2026



Texas Juvenile Justice Department

Title 37, Part 11

In accordance with §2001.039, Government Code, the Texas Juvenile Justice Department (TJJJ) has completed its review of 37 TAC, Part 11, Chapter 344, Employment, Certification, and Training. TJJJ published its Notice of Intent to Review this chapter in the January 30, 2026, issue of the *Texas Register* (51 TexReg 629). TJJJ received no public comments on the proposed rule review.

As a result of the review, TJJJ has determined that the original reasons for adopting Chapter 344 continue to exist and readopts the chapter.

This concludes TJJJ's review of 37 TAC, Part 11, Chapter 344.

TRD-202601059

Jana Jones

General Counsel

Texas Juvenile Justice Department

Filed: March 2, 2026

