

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 Board of Professional Geoscientists

Title 22, Part 39

TBPG Notice of Intent to Review Rules

In accordance with Texas Government Code §2001.039, the Texas Board of Professional Geoscientists (TBPG) files this notice of intent to review and consider for readoption, amendment, or repeal of 22 TAC Chapters 850 and 851, as follows:

Chapter 850

Subchapter A (Authority and Definitions)

Subchapter B (Organization and Responsibilities)

Subchapter C (Fees)

Subchapter D (Advisory Opinions)

Chapter 851

Subchapter A (Definitions)

Subchapter B (P.G. Licensing, Firm Registration, and GIT Certification)

Subchapter C (Code of Professional Conduct)

Subchapter D (Compliance and Enforcement)

Subchapter E (Hearings--Contested Cases and Judicial Review)

The Texas Board of Professional Geoscientists will determine whether the reasons for adopting the sections under review continue to exist.

Any interested person may submit comments regarding these chapters and subchapters. In order to give the Board adequate time to consider your input, please submit written comments regarding the rule review to TBPG by June 15, 2025 (30 days after posting). Comments should be directed to Mr. Rene D. Truan, Executive Director, Texas Board of Professional Geoscientists, P.O. Box 13225, Austin, Texas 78711, or by e-mail to rtruan@tbpg.texas.gov.

Any proposed changes to these chapters as a result of this review will be published in the Proposed Rules section of the *Texas Register*. The proposed rules will be open for a standard 30-day public comment period prior to adoption by TBPG.

TRD-202501679

Katie Colby

Licensing Specialist

Texas Board of Professional Geoscientists

Filed: May 16, 2025

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 368, Intellectual and Developmental Disabilities (IDD) Habilitative Specialized Services

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 368, Intellectual and Developmental Disabilities (IDD) Habilitative Specialized 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 368" 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-202501753

Jessica Miller

Director, Rules Coordination Office

Health and Human Services Commission

Filed: May 21, 2025

Texas Commission on Fire Protection

Title 37, Part 13

The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 423, Concerning Fire Suppression. Chapter 423 consists of Subchapter A, MINIMUM STANDARDS FOR STRUCTURE FIRE PROTECTION PERSONNEL CERTIFICATION, §423.1, Minimum Standards for Structure Fire Protection Personnel, §423.3, Minimum Standards for Basic Structure Fire Protection Personnel Certification, §423.5, Min-

imum Standards for Intermediate Structure Fire Protection Personnel Certification, §423.7, Minimum Standards for Advanced Structure Fire Protection Personnel Certification, §423.9, Minimum Standards for Master Structure Fire Protection Personnel Certification, §423.11, Higher Levels of Certification, §423.13, International Fire Service Accreditation Congress (IFSAC) Seal; Subchapter B, MINIMUM STANDARDS FOR AIRCRAFT RESCUE FIRE FIGHTING PERSONNEL, §423.201, Minimum Standards for Aircraft Rescue Fire Fighting Personnel, §423.203, Minimum Standards for Basic Aircraft Rescue Fire Fighting Personnel Certification, §423.205, Minimum Standards for Intermediate Aircraft Rescue Fire Fighting Personnel Certification, §423.207, Minimum Standards for Advanced Aircraft Rescue Fire Fighting Personnel Certification, §423.209, Minimum Standards for Master Aircraft Rescue Fire Fighting Personnel Certification, §423.211, International Fire Service Accreditation Congress (IFSAC) Seal; Subchapter C, MINIMUM STANDARDS FOR MARINE FIRE PROTECTION PERSONNEL, §423.301, Minimum Standards for Marine Fire Protection Personnel, §423.303, Minimum Standards for Basic Marine Fire Protection Personnel Certification, §423.305, Minimum Standards for Intermediate Marine Fire Protection Personnel Certification, §423.307, Minimum Standards for Advanced Marine Fire Protection Personnel Certification, §423.309, Minimum Standards for Master Marine Fire Protection Personnel Certification.

This review will be conducted pursuant to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501682
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 425, FIRE SERVICE INSTRUCTORS. Chapter 425, consists of §425.1, Minimum Standards for Fire Service Instructor Certification, §425.3, Minimum Standards for Fire Service Instructor I Certification, §425.5, Minimum Standards for Fire Service Instructor II Certification, §425.7, Minimum Standards for Fire Service Instructor III Certification, §423.7, Minimum Standards for Advanced Structure Fire Protection Personnel Certification, §425.9, Minimum Standards for Master Fire Service Instructor III Certification, §425.11, International Fire Service Accreditation Congress (IFSAC) Seal.

This review will be conducted pursuant to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501683
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 427, TRAINING FACILITY CERTIFICATION. Chapter 427 consists of SUBCHAPTER A, ON-SITE CERTIFIED TRAINING PROVIDER, §427.1, Minimum Standards for Certified Training Facilities for Fire Protection Personnel, §427.3, Facilities, §427.5, Apparatus, §427.7, Protective Clothing, Use, Care and Maintenance, §427.9, Equipment, §427.11, Reference Material, §427.13, Records, §427.18, Live Fire Training Evolutions, §427.19, General Information; SUBCHAPTER B, DISTANCE TRAINING PROVIDER, §427.201, Minimum Standards for Distance Training Provider, §427.203, Facilities, §427.205, Apparatus, §427.207, Protective Clothing, Use, Care and Maintenance, §427.209, Equipment, §427.211, Reference Material, §427.213, Records, §427.218, Live-Fire Training Evolutions, §427.219, General Information; SUBCHAPTER C, TRAINING PROGRAMS FOR ON-SITE AND DISTANCE TRAINING PROVIDERS, §427.301, General Provisions for Training Programs--On-Site and Distance Training Providers, §427.303, Training Approval Process for On-Site and Distance Training Providers, §427.305, Procedures for Testing Conducted by On-Site and Distance Training Providers, §427.307, On-Site and Distance Training Provider Staff Requirements; SUBCHAPTER D, CERTIFIED TRAINING FACILITIES, §427.401, General Provisions for Training Facilities Not Owned by the State of Texas or Operated by a Political Subdivision of the State of Texas, §427.403, Financial Standards, §427.405, Policy Regarding Complaints, §427.407, School Responsibilities Regarding Instructors, §427.409, Advertising, §427.411, Cancellations or Suspensions, §427.413, Liabilities.

This review will be conducted pursuant to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501684

Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 429, Fire Inspector and Plan Examiner. Chapter 429 consists of: Subchapter A, Minimum Standards for Fire Inspector Certification, §429.1, Minimum Standards for Fire Inspector Personnel; §429.3, Minimum Standards for Basic Fire Inspector Certification; §429.5, Minimum Standards for Intermediate Fire Inspector Certification; §429.7, Minimum Standards for Advanced Fire Inspector Certification; §429.9, Minimum Standards for Master Fire Inspector Certification; §429.11, International Fire Service Accreditation Congress (IFSAC) Seal; Subchapter B, Minimum Standards for Plan Examiner, §429.201, Minimum Standards for Plan Examiner Personnel; §429.203, Minimum Standards for Plan Examiner I Certification; §429.205, International Fire Service Accreditation Congress (IFSAC) Seal.

This review will be conducted pursuant to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501680
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 431, Fire Investigator. Chapter 431 consists of: Subchapter A, Minimum Standards for Arson Investigator Certification, §431.1, §431.3, Minimum Standards for Basic Arson Investigator Certification; §431.5, Minimum Standards for Intermediate Arson Investigator Certification; §431.7, Minimum Standards for Advanced Arson Investigator Certification; §431.9, Minimum Standards for Master Arson Investigator Certification; §431.11, Minimum Standards for Arson Investigator Certification for Law Enforcement Personnel; §431.13, International Fire Service Accreditation Congress (IFSAC) Seal; Subchapter B, Minimum Standards for Fire Investigator Certification, §431.201, Minimum Standards for Fire Investigation Personnel; §431.203, Minimum Standards for Fire Investigator Certification; §431.205, Minimum Standards for Intermediate Fire Investigator Certification; §431.207, Minimum Standards for Advanced Fire Investigator Certification; §431.209, Minimum Standards for Master Fire Investigator Certification; §431.211, International Fire Service Accreditation Congress (IFSAC) Seal-Fire Investigator.

This submission is in accordance with Government Code §2001.039. It is a routine review with no amendments proposed at this time, in line with Sunset compliance.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas, 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501681
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



The Texas Commission on Fire Protection (the Commission) files this notice of intention to review and consider for re-adoption, revision, or repeal of, Texas Administrative Code, Title 37, Part 13, Chapter 433, concerning Driver/Operator. Chapter 433 consists of Subchapter A, Minimum Standards for Driver/Operator-Pumper, §433.1, Driver/Operator-Pumper Certification, §433.3, Minimum Standards for Driver/Operator-Pumper Certification, §433.5, Examination Requirements, §433.7, International Fire Service Accreditation Congress (IFSAC) Seal; Subchapter B, Minimum Standards for Driver/Operator-Aerial Apparatus, §433.201, Driver/Operator-Aerial Apparatus Certification, §433.203, Minimum Standards for Driver/Operator-Aerial Apparatus Certification, §433.205, Examination Requirements, §433.207, International Fire Service Accreditation Congress (IFSAC) Seal.

This review will be conducted pursuant to Texas Government Code §2001.039. The commission will accept comments for 30 days following publication of this notice in the *Texas Register* as to whether the reason for the rule continues to exist.

The Commission, which administers these rules, believes that the reason for the rules contained in this chapter continues to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Frank King, General Counsel, Texas Commission on Fire Protection, P.O. Box 2286, Austin, Texas 78768-2286 or by email at frank.king@tcfp.texas.gov. Any proposed changes to the rules as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period prior to final adoption or repeal by the commission.

TRD-202501685
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Filed: May 16, 2025



Adopted Rule Reviews

Office of the Attorney General

Title 1, Part 3

The Office of the Attorney General of Texas (OAG) adopts the review of Chapter 63, concerning Public Information, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the November 22, 2024, issue of the *Texas Register* (49 TexReg 9571). No comments were received on the proposed rule review. The OAG has assessed whether the reasons for adopting or readopting the rules continue to exist. The OAG finds that the rules in Chapter 63 are needed, reflect current legal and policy considerations, and reflect current procedures of the OAG. The reasons for initially adopting the rules continue to exist. The OAG, therefore, readopts 1 TAC Chapter 63.

TRD-202501692
Justin Gordon
General Counsel
Office of the Attorney General
Filed: May 16, 2025



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 902, Continuity of Services--Transferring Individuals from State Supported Living Centers to State Hospitals

Notice of the review of this chapter was published in the March 7, 2025, issue of the *Texas Register* (50 TexReg 1829). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 902 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 902. Any amendments, if applicable, to Chapter 902 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 902 as required by Texas Government Code §2001.039.

TRD-202501656
Jessica Miller
Director, Rules Coordination Office
Health and Human Services Commission
Filed: May 15, 2025

