

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

Office of Consumer Credit Commissioner

Title 7, Part 5

On behalf of the Finance Commission of Texas (commission), the Office of Consumer Credit Commissioner files this notice of intention to review and consider for readoption, revision, or repeal, Texas Administrative Code, Title 7, Part 5, Chapter 90, concerning Chapter 342, Plain Language Contract Provisions.

This rule review will be conducted pursuant to Texas Government Code, §2001.039. The commission will accept written comments received on or before the 30th day after the date this notice is published in the *Texas Register* as to whether the reasons for adopting these rules continue to exist.

The Office of Consumer Credit Commissioner, which administers these rules, believes that the reasons for adopting the rules contained in this chapter continue to exist. Any questions or written comments pertaining to this notice of intention to review should be directed to Matthew Nance, General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705, or by email to rule.comments@occc.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 public comment period prior to final adoption or repeal by the commission.

TRD-202603213

Matthew Nance
General Counsel

Office of Consumer Credit Commissioner
Filed: July 29, 2026



Texas Higher Education Coordinating Board

Title 19, Part 1

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 4, Subchapter D, Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 4, Subchapter D, should continue.

Comments on the review may be submitted to Kimberly Fuchs, Assistant General Counsel, P.O. Box 12788, Austin, Texas 78711-2788, or via email at RulesComments@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 4, Subchapter D.

TRD-202603061

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter G, Texas College Work-Study Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 22, Subchapter G, should continue.

Comments on the review may be submitted to Dr. Charles W. Contéro-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 22, Subchapter G.

TRD-202603084

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



Adopted Rule Reviews

Texas Higher Education Coordinating Board

Title 19, Part 1

The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 1, Subchapter L, Formula Advisory Committee - General Academic Institutions, Technical Col-

leges, and State Colleges, §1.164 and §§1.166 - 1.169 without changes. Sections 1.165 and 1.170 is recommended to be readopted with changes as proposed for the October 2026 meeting in accordance with the requirements of the Government Code, §2001.039.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this chapter. During its review, the Coordinating Board determined that the initial reasons for adopting §§1.164 - 1.169 continue to exist. Sections 1.164 and 1.166 - 1.169 are readopted and §1.165 and §1.170, are recommended to be readopted as amended for the October 2026 meeting, in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 1, Subchapter L, as required by the Texas Government Code, §2001.039.

TRD-202603095

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 1, Subchapter M, Formula Advisory Committee Health-Related Institutions, §§1.171 - 1.176 without changes. Section 1.177 is recommended to be amended in October 2026 in accordance with the requirements of the Government Code, §2001.039.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this chapter. During its review, the Coordinating Board determined that the initial reasons for adopting the rules continue to exist. Sections 1.171 - 1.176 are readopted, and §1.177 is recommended to be readopted as amended in October 2026, in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 1, Subchapter M, as required by the Texas Government Code, §2001.039.

TRD-202603096

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 1, Subchapter V, Texas Transfer Advisory Committee and Discipline-Specific Subcommittees, §§1.237 - 1.243 without changes.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this chapter. During its review, the Coordinating Board determined that the initial reasons for adopting the rules continue to exist. Sections 1.237 - 1.243 are readopted in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 1, Subchapter V, as required by Texas Government Code, §2001.039.

TRD-202603097

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 1, Subchapter AA, Sick Leave Pool, §1.900.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2410). No comments were received regarding the review of this subchapter. During its review, the Coordinating Board determined that the initial reasons for adopting this section still exist, but that it should be repealed and replaced with an updated version in Chapter 1, Subchapter F.

Rule 1.900 will be recommended for repeal at the July 2026 and Chapter 1, Subchapter F, will be recommended for adoption in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 1, Subchapter AA, as required by the Texas Government Code, §2001.039.

TRD-202603093

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 5, Subchapter E, Texas Governor's Schools, §§5.91 - 5.96 without changes.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this chapter. During its review, the Coordinating Board determined that the initial reasons for adopting these sections continue to exist. Sections 5.91 - 5.96 are readopted in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 5, Subchapter E, as required by the Texas Government Code, §2001.039.

TRD-202603107

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 5, Subchapter F, Math, Science, and Technology Teacher Preparation Academies, §§5.111 - 5.115.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this subchapter. During its review, the Coordinating Board determined that the initial reasons for adopting these sections no longer exist. Sections 5.111 - 5.115 will be recommended for repeal at the October 2026 meeting in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 5, Subchapter F, as required by the Texas Government Code, §2001.039.

TRD-202603109
Douglas Brock
General Counsel
Texas Higher Education Coordinating Board
Filed: July 23, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) adopts the review of Title 19, Part 1, Chapter 13, Subchapter A, Definitions, §13.1, without changes. Section 13.1 is readopted with amendments as published concurrently with this notice in accordance with the requirements of the Government Code, §2001.039.

The proposed notice of review was published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2409). No comments were received regarding the review of this chapter. During its review, the Coordinating Board determined that the initial reasons for adopting this section continues to exist. Section 13.1 is readopted in accordance with the requirements of the Government Code, §2001.039.

This concludes the Coordinating Board's review of Chapter 13, Subchapter A, as required by the Texas Government Code, §2001.039.

TRD-202603115
Douglas Brock
General Counsel
Texas Higher Education Coordinating Board
Filed: July 23, 2026



Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission, 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 146, Training and Certification of Promotores or Community Health Workers

Notice of the review of this chapter was published in the May 22, 2026, issue of the *Texas Register* (51 TexReg 3617) for public comment.

The 31-day comment period ended June 22, 2026. During this period, DSHS did not receive any comments regarding the proposed rule review.

DSHS has reviewed Chapter 146 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.

DSHS determined that the original reasons for adopting rules in the chapter continue to exist and readopts Chapter 146 except for:

§146.3, Promotor(a) or Community Health Worker Training and Certification Advisory Committee

The repeals identified by DSHS in the rule review and any amendments, if applicable, to Chapter 146 will be proposed in a future issue of the *Texas Register*.

This concludes DSHS' review of 25 TAC Chapter 146 as required by Texas Government Code §2001.039.

TRD-202603098

Jessica Miller
Director, Rules Coordination Office
Department of State Health Services
Filed: July 23, 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 87, Ombudsman Services

Notice of the review of this chapter was published in the May 29, 2026, issue of the *Texas Register* (51 TexReg 3717) for public comment.

The 31-day comment period ended June 29, 2026. During this period, HHSC did not receive any comments regarding the proposed rule review.

HHSC has reviewed Chapter 87 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.

HHSC determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 87. Any amendments, if applicable, to Chapter 87 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 87 as required by Texas Government Code §2001.039.

TRD-202603091
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: July 23, 2026



Teacher Retirement System of Texas

Title 34, Part 3

The Teacher Retirement System of Texas (TRS) adopts the four-year review of its rules in Texas Administrative Code, Title 34, Part 3 Chapters 21, 23, 25, 27, 29, 31, 33, 35, 39, 41, 43, 47, 49, and 51. TRS conducted its review in accordance with the requirements set forth in §2001.039 of the Government Code. TRS received one comment on its proposed review, which was published in the June 5, 2026 issue of the *Texas Register* (51 TexReg 3821).

Specifically, the commenter stated that TRS should amend §25.31 of this title (relating to Percentage Limits on Compensation Increases) to exclude salary increases for members who were previously compensated on a district's teacher salary schedule; moved to a lower-paying position off the salary schedule; then returned to a position subject to the district's salary schedule for teachers. The member states that such an exclusion does not interfere with the rule's intended purpose of preventing artificial salary spiking prior to retirement but still permits routine salary progression under a district's board-approved salary schedule. The commenter also asks that the rule be applied retroactively to any members who meet the requirements of the commenter's recommended exception.

TRS agrees with the comment to consider amending §25.31 at a later date. TRS agrees with the commenter's premise that §25.31 generally should not interfere with routine salary progression under salary sched-

ules approved by school districts or normal career progression. TRS will review the rule for this purpose in light this comment.

TRS, however, declines to commit to any specific exception or amendment to §25.31 at this time as TRS must ensure that any potential exceptions to §25.31 would not expose the fund to unexpected negative actuarial impacts or other impacts that could interfere with the rule's ability to protect the fund. Salary increases due to position changes can still create potentially disproportionate benefit outcomes even if the increases were not due to intentional "spiking." Government Code §825.110, which requires TRS to adopt a percentage limitation on salary increases before retirement, does not limit application of the percentage limitations to such cases of intentional salary spiking.

Lastly, TRS disagrees with applying any future amendment to §25.31 retroactively. TRS does not have the authority to adopt a rule that would retroactively credit compensation to modify members' benefits after they have retired. Further, TRS refunds member contributions based on any compensation excluded under §25.31, so, for retired members, TRS no longer has contributions for the excluded compensation.

Based on this comment and TRS' internal review of its rules, TRS makes the following findings as a result of its rule review.

Relating to the review of Chapter 21, TRS finds that the reasons for adopting Chapter 21 no longer exist. For this reason, Chapter 21, including §21.1, will be repealed in a separate rulemaking proceeding in accordance with the Texas Administrative Procedure Act (APA).

Relating to the review of Chapter 23, TRS finds that the reasons for adopting Chapter 23 continue to exist and readopts the rules at this time without changes. At a later date, §§23.4, 23.5, 23.7, 23.8, and 23.9 will be amended in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 25, TRS finds that the reasons for adopting the following rules no longer exist: §§25.34, 25.36, 25.37, 25.84, 25.86, and 25.163. For this reason, these rules will be repealed at a later date in a separate rulemaking proceeding in accordance with the APA. TRS also finds that reasons for adopting the remaining rules in Chapter 25 continue to exist and readopts these rules at this time without changes. At a later date, §§25.1, 25.4, 25.10, 25.21, 25.24, 25.26, 25.28, 25.31, 25.66, 25.75, 25.81, 25.82, 25.121, 25.122, 25.123, 25.131, 25.183, 25.184, 25.185, and 25.191 will be amended or repealed and readopted for organizational purposes in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 27, TRS finds that the reasons for adopting Chapter 27 continue to exist and readopts the rules at this time without changes. At a later date, §27.8, will be amended in a separate rulemaking proceeding in accordance with the APA.

Relating to the review of Chapter 29, TRS finds that the reasons for adopting §29.63 no longer exist and, for this reason, this rule will be repealed at a later date in a separate rulemaking proceeding in accordance with the APA. TRS also finds that reasons for adopting the remaining rules in Chapter 29 continue to exist and readopts these rules at this time without changes. At a later date, §29.26 will be amended in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 31, TRS finds that the reasons for adopting §31.16 no longer exist and, for this reason, this rule will be repealed at a later date in a separate rulemaking proceeding in accordance with the APA. TRS also finds that reasons for adopting the remaining rules in Chapter 31 continue to exist and readopts these rules at this time without changes. At a later date, §§31.2, 31.3, 31.12, 31.13, 31.15, 31.18, and 31.19 will be amended in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 33, TRS finds that the reasons for adopting Chapter 33 continue to exist and readopts the rules without changes. At a later date, §§33.1- 33.6, will be amended or repealed and readopted for organizational purposes in a separate rulemaking proceeding in accordance with the APA.

Relating to the review of Chapter 35, TRS finds that the reasons for adopting Chapter 35 continue to exist and readopts the rules without changes.

Relating to the review of Chapter 39, TRS finds that the reasons for adopting Chapter 39 no longer exist. For this reason, Chapter 39, including §39.1, will be repealed in a separate rulemaking proceeding in accordance with the APA.

Relating to the review of Chapter 41, TRS finds that the reasons for adopting §41.13 no longer exist and, for this reason, this rule will be repealed at a later date in a separate rulemaking proceeding in accordance with the APA. TRS also finds that reasons for adopting the remaining rules in Chapter 41 continue to exist and readopts these rules at this time without changes. At a later date, §§41.33, 41.34, 41.36, 41.50, and 41.53 will be amended in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 43, TRS finds that the reasons for adopting the rules under Subchapter C of Chapter 43 (relating to Hearings Not Docketed at SOAH) no longer exist and, therefore, at a later date, §§43.201 through 43.228 will be repealed in a separate rulemaking proceeding in accordance with the APA. TRS also finds that the rules under Subchapter A (relating to General Administration), Subchapter B (relating to Requests for Adjudicative Hearing) and Subchapter D (relating to Final Decisions of TRS) of Chapter 43 continue to exist and readopts those rules without changes. At a later date, §§43.1, 43.2, 43.3, 43.5, and 43.105 will be amended in separate rulemaking proceedings in accordance with the APA.

Relating to the review of Chapter 47, TRS finds the reasons for adopting §47.16 no longer exist and, for this reason, this rule will be repealed at a later date in a separate rulemaking proceeding in accordance with the APA. The Board also finds that reasons for adopting the remaining rules in Chapter 47 continue to exist and readopts these rules at this time without changes.

Relating to the review of Chapter 49, TRS finds that the reasons for adopting Chapter 49 continue to exist and readopts the rules without changes.

Relating to the review of Chapter 51, TRS finds that the reasons for adopting Chapter 51 continue to exist and readopts the rules at this time without changes. At a later date, §§51.5, 51.11, 51.14 and 51.15 will be amended in separate rulemaking proceedings in accordance with the APA.

This concludes the review of Texas Administrative Code, Title 34, Part 3 Chapters 21, 23, 25, 27, 29, 31, 33, 35, 39, 41, 43, 47, 49, and 51.

TRD-202603089

Brian Guthrie

Executive Director

Teacher Retirement System of Texas

Filed: July 23, 2026



State Pension Review Board

Title 40, Part 17

The Texas Pension Review Board (the Board) has completed its review of all sections in 40 Texas Administrative Code Chapter 610, concerning funding soundness restoration plans.

This review was conducted in accordance with Section 2001.039, Texas Government Code. Notice of the review was published in the March 13, 2026, issue of the *Texas Register* (51 TexReg 1720). The Board did not receive any comments in response to the notice. The Board determined that the initial reasons for adopting the rules in this chapter continue to exist and readopts this chapter.

The Board finds the original reasons for adopting these rules continue to exist but with amendments needed. The amendments are published in the Proposed Rules section of this edition of the *Texas Register*.

This concludes the review of Chapter 610, as required by Section 2001.039, Texas Government Code.

TRD-202603140

Tamara Aronstein

General Counsel

State Pension Review Board

Filed: July 24, 2026

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