

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 Department of Housing and Community Affairs

Title 10, Part 1

The Manufactured Housing Division of the Texas Department of Housing and Community Affairs (Department) files this notice of intent to review 10 TAC Chapter 80, Manufactured Housing Rules, in accordance with the Texas Government Code, §2001.039.

As required by the Texas Government Code, §2001.039, the Department will accept comments as to whether the reasons for initially adopting 10 TAC Chapter 80 continue to exist. Comments will be accepted on or before the 30th day after the date this notice is published in the *Texas Register*.

Comments may be submitted to Mr. Jim R. Hicks, Executive Director of the Manufactured Housing Division of the Texas Department of Housing and Community Affairs, P.O. Box 12489, Austin, Texas 78711-2489 or by e-mail at mhproposedrulecomments@tdhca.texas.gov. The deadline for comments is no later than 30 days from the date of the *Texas Register* publication.

TRD-202604375

Jim R. Hicks

Executive Director of the Manufactured Housing Division

Texas Department of Housing and Community Affairs

Filed: October 15, 2026



Comptroller of Public Accounts

Title 34, Part 1

The Comptroller of Public Accounts proposes to review Texas Administrative Code, Title 34, Part 1, Chapter 16, concerning Comptroller Grant Programs; Chapter 17, concerning Payment of Fees, Taxes, and Other Charges to State Agencies by Credit, Charge, and Debit Cards; Chapter 18, concerning Tobacco Settlement Permanent Trust Account; Chapter 19, concerning State Energy Conservation Office; and Chapter 20, concerning Statewide Procurement and Support Services.

The review will include, at the minimum, whether the reasons for readopting continue to exist.

The comptroller will accept comments regarding the review. The comment period will end 30 days after the publication of this notice in the *Texas Register*. Comments pertaining to this review may be directed accordingly.

Chapter 16, Comptroller Grant Programs

Heather Hampton, Program Manager, Public Safety Grants

P.O. Box 13528, Austin, Texas 78711-3528

or by email to: Heather.Hampton@cpa.texas.gov

Chapter 17, Payment of Fees, Taxes, and Other Charges to State Agencies by Credit, Charge, and Debit Cards

Macy Douglas, Director, Treasury Operations

P.O. Box 13528, Austin, Texas 78711-3528

or by email to: Macy.Douglas@cpa.texas.gov

Chapter 18, Tobacco Settlement Permanent Trust Account

Whitney Blanton, Chief Legal Officer, Texas Treasury Safekeeping Trust Company

P.O. Box 13528, Austin, Texas 78711-3528

or by email to: Whitney.Blanton@ttstc.texas.gov

Chapter 19, State Energy Conservation Office

Will Counihan, Director, Economic Development & Community Investment

P.O. Box 13528, Austin, Texas 78711-3528

or by email to: Will.Counihan@cpa.texas.gov

Chapter 20, Statewide Procurement and Support Services

Gerard MacCrossan, Data & Technology Manager, Statewide Procurement

P.O. Box 13528, Austin, Texas 78711-3528

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TRD-202604427

Chris Blackwell

General Counsel and Associate Deputy Comptroller

Comptroller of Public Accounts

Filed: October 19, 2026



Adopted Rule Reviews

Texas Ethics Commission

Title 1, Part 2

The Texas Ethics Commission (the Commission) has completed its review of all sections in Chapter 13 (Referrals to Prosecutors) of Title 1, Part 2, Texas Administrative Code. This review was conducted in accordance with Texas Gov't Code §2001.039.

Notice of the review was published in the July 18, 2025, issue of the *Texas Register* (50 TexReg 4094). No comments were received in response to the notice.

The Commission determined that the initial reasons for adopting rules in this chapter continue to exist and readopts this chapter. The Commission finds the original reasons for adopting these rules continue to exist but with amendments needed. The amendments were published previously in the Proposed Rules section of the *Texas Register*.

This concludes the review of Chapter 13, as required by Tex. Gov't Code §2001.039.

TRD-202604441
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: October 20, 2026



Finance Commission of Texas

Title 7, Part 1

On behalf of the Finance Commission of Texas (commission), the Texas Department of Banking (department) has completed the review of Texas Administrative Code, Title 7, Chapter 5 (Administration of Finance Agencies), comprised of §§5.100, 5.101, 5.103, 5.107.

Notice of the review of Chapter 5 was published in the August 28, 2026 issue of the *Texas Register* (51 TexReg 5853). No comments were received in response to the notice.

As a result of the internal review, the commission has determined that certain revisions are appropriate and necessary. The commission is concurrently adopting the repeal of §5.105, as published elsewhere in this issue of the *Texas Register*. Subject to the concurrently adopted repeal to Chapter 5, the commission finds that the reasons for initially adopting these rules continue to exist, and readopts Chapter 5 in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202604417
Robert K. Nichols, III
General Counsel
Finance Commission of Texas
Filed: October 19, 2026



Texas Department of Banking

Title 7, Part 2

On behalf of the Finance Commission of Texas (commission), the Texas Department of Banking (department) has completed the review of Texas Administrative Code, Title 7, Part 2, Chapter 11 (Miscellaneous), comprised of §§11.10 - 11.12, 11.37.

Notice of the review of Chapter 11 was published in the August 28, 2026 issue of the *Texas Register* (51 TexReg 5853). No comments were received in response to the notice.

The commission believes the reasons for initially adopting Chapter 11 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039. However, certain revisions may be appropriate. Proposed amendments, if any, will be published in the *Texas Register* at a later date.

This concludes the review of Chapter 11, as required by Texas Government Code, §2001.039.

TRD-202604420
Robert K. Nichols, III
General Counsel
Texas Department of Banking
Filed: October 19, 2026



On behalf of the Finance Commission of Texas (commission), the Texas Department of Banking (department) has completed the review of Texas Administrative Code, Title 7, Part 2, Chapter 26 (Perpetual Care Cemeteries), comprised of §§26.1 - 26.6, 26.11, 26.12.

Notice of the review of Chapter 26 was published in the August 28, 2026 issue of the *Texas Register* (51 TexReg 5854). No comments were received in response to the notice.

The commission believes the reasons for initially adopting Chapter 26 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039. However, certain revisions may be appropriate. Proposed amendments, if any, will be published in the *Texas Register* at a later date.

This concludes the review of Chapter 26, as required by Texas Government Code, §2001.039.

TRD-202604421
Robert K. Nichols, III
General Counsel
Texas Department of Banking
Filed: October 19, 2026



On behalf of the Finance Commission of Texas (commission), the Texas Department of Banking (department) has completed the review of Texas Administrative Code, Title 7, Part 2, Chapter 27 (Applications), comprised of §27.1.

Notice of the review of Chapter 27 was published in the August 28, 2026 issue of the *Texas Register* (51 TexReg 5854). No comments were received in response to the notice.

The commission believes the reasons for initially adopting Chapter 27 continue to exist and readopts these sections in accordance with the requirements of Texas Government Code, §2001.039. However, certain revisions may be appropriate. Proposed amendments, if any, will be published in the *Texas Register* at a later date.

This concludes the review of Chapter 27, as required by Texas Government Code, §2001.039.

TRD-202604422
Robert K. Nichols, III
General Counsel
Texas Department of Banking
Filed: October 19, 2026



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 90, concerning Chapter 342, Plain Language Contract Provisions, in its entirety. The rule review was conducted under Texas Government Code, §2001.039.

Before publishing notice of the review in the *Texas Register*, the OCCC issued an advance notice of rule review, requesting informal comments from stakeholders on the review of 7 TAC Chapter 90. The OCCC received two informal comments. Both comments request changes to the Flesch-Kincaid grade level requirements in §90.104 (relating to Non-Standard Contract Filing Procedures). Based on these comments, the commission is separately considering proposed amendments to §90.104. One comment also proposes adding a requirement in §90.104 that the OCCC must approve or disapprove a non-standard contract no later than the 30th day after receipt of a complete submission of the contract. While the OCCC makes a concerted effort to promptly review non-standard loan contracts, the commission and the OCCC believe that the additional text is unnecessary and goes beyond the requirements of Texas Finance Code, §341.502.

Notice of the review of 7 Chapter 90 was published in the August 7, 2026, issue of the *Texas Register* (51 TexReg 5255). The commission received no official comments in response to that notice.

As a result of the rule review, the commission finds that the reasons for initially adopting the rules in 7 TAC Chapter 90 continue to exist, and readopts this chapter in accordance with the requirements of Texas Government Code, §2001.

TRD-202604402

Matthew Nance

General Counsel

Office of Consumer Credit Commissioner

Filed: October 16, 2026



Texas Education Agency

Title 19, Part 2

The State Board of Education (SBOE) adopts the review of 19 TAC Chapter 61, School Districts, Subchapter A, Board of Trustees Relationship, and Subchapter B, Special Purpose School Districts, pursuant to Texas Government Code, §2001.039. The SBOE proposed the review of Chapter 61, Subchapters A and B, in the May 15, 2026 issue of the *Texas Register* (51 TexReg 3389).

The SBOE finds the reasons for adopting Chapter 61, Subchapters A and B, continue to exist and readopts the rules.

The SBOE received comments related to the review of Subchapters A and B. Following are the comments received and the corresponding responses.

Comment: One commenter asked that U.S. history not be replaced or presented inaccurately and opposed modernizing the U.S. Constitution. The commenter emphasized the U.S. Constitution's religious and moral foundations and asked the SBOE to vote accordingly.

Response: This comment is outside the scope of the rule review.

Comment: A school district trustee supported meaningful trustee training and asked the board to examine whether the expanding training framework is sufficiently aligned with trustees' core governance responsibilities. The trustee recommended greater emphasis on student outcomes governance, progress monitoring, strategic goal setting, data-informed decision-making, and superintendent evaluation.

Response: The SBOE offers the following clarification. Under Texas Government Code, §2001.039, rule review is designed to identify whether the reason for adopting a rule continues to exist. Changes to rules must be initiated through the administrative rulemaking process.

Comment: A commenter asked that instructional materials present religions, governments, economic systems, and historical movements

fully and critically, including controversial or harmful consequences. The commenter specifically raised concerns about the treatment of Islamic texts and legal traditions and asked that materials remain accurate, transparent, and intellectually honest.

Response: This comment is outside the scope of the rule review.

Comment: One commenter supported continuing to adopt Chapter 61 and its trustee training framework. The commenter requested a structured, evidence-based crosswalk connecting each required training category to trustees' statutory duties under Texas Education Code, Chapter 11, so the board can assess alignment and proportionality as requirements expand. The request was not to reduce hours, but to verify that required training remains purposefully connected to trustee responsibilities.

Response: The board offers the following clarification. Under Texas Government Code, §2001.039, rule review is designed to identify whether the reason for adopting a rule continues to exist. Changes to rules must be initiated through the administrative rulemaking process.

Comment: One school district trustee stated that training is essential for school board members to remain informed about frequent changes, meet accountability expectations, and continue learning.

Response: The board agrees and adopted the rule review.

Comment: One commenter asked whether substantially similar training required by other licensing bodies, public employers, or religious organizations could count toward school trustee training requirements. The commenter suggested considering a state-offered or state-approved curriculum and assessment that could satisfy multiple equivalent requirements.

Response: The board offers the following clarification. Under Texas Government Code, §2001.039, rule review is designed to identify whether the reason for adopting a rule continues to exist. Changes to rules must be initiated through the administrative rulemaking process.

Comment: The commenter recommended giving trustees opportunities to increase their awareness of economic development so they are better prepared to evaluate career and technical education program needs.

Response: The board offers the following clarification. Under Texas Government Code, §2001.039, rule review is designed to identify whether the reason for adopting a rule continues to exist. Changes to rules must be initiated through the administrative rulemaking process.

Comment: A school district trustee and a principal supported readoption of Chapter 61, Subchapter A. They asked that future rule maintenance include a structured, evidence-based crosswalk mapping required trustee training categories to statutory duties in Texas Education Code, Chapter 11. They framed the request as an alignment and proportionality review, not a reduction in required hours, and offered to contribute a practitioner perspective.

Response: The board offers the following clarification. Under Texas Government Code, §2001.039, rule review is designed to identify whether the reason for adopting a rule continues to exist. Changes to rules must be initiated through the administrative rulemaking process.

No changes are anticipated to Subchapters A and B as a result of the review.

TRD-202604425

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: October 19, 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 366 Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

Notice of the review of this chapter was published in the August 28, 2026, issue of the *Texas Register* (51 TexReg 5855) for public comment.

The 31-day comment period ended September 28, 2026. During this period, HHSC did not receive any comments regarding the proposed rule review.

HHSC has reviewed Chapter 366 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 366. Any amendments, if applicable, to Chapter 366 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

TRD-202604442

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: October 20, 2026



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 505, Hospital Licensing

Notice of the review of this chapter was published in the August 28, 2026, issue of the *Texas Register* (51 TexReg 5856) for public comment.

The 31-day comment period ended September 28, 2026. During this period, HHSC received comments regarding the proposed rule review from one individual commenter. A summary of comments relating to the rules and HHSC's responses follows.

Comment: The commenter recommends revising §505.42, Patient Rights, to address communication with Deaf and hard-of-hearing patients. They note that the rules do not cover how hospitals ensure patients who are Deaf or hard-of-hearing receive and understand patient rights information. They also note that the rules that do recognize patients who are Deaf or hard-of-hearing only apply to hospitals providing comprehensive medical rehabilitation services. The commenter recommends aligning §505.42(a) with existing federal standards and requiring hospitals to identify and document patients' communication needs and preferences, provide appropriate auxiliary aids and services, obtain qualified interpreters, and ensure staff may access these services promptly. They state these changes would improve consistency and protect Deaf and hard-of-hearing patients' ability to make informed healthcare decisions.

Response: HHSC acknowledges this comment and declines to modify the rule at this time. The Regulatory Services Division of HHSC will review the hospital rules during the hospital chapter regulatory reform initiative and will consider this comment then. As with all rulemaking

efforts, the public will have an opportunity to review and comment on any future rulemakings.

HHSC has reviewed Chapter 505 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 505. Any amendments, if applicable, to Chapter 505 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 505 as required by Texas Government Code §2001.039.

TRD-202604464

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: October 21, 2026



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 556, Nurse Aides

Notice of the review of this chapter was published in the September 4, 2026, issue of the *Texas Register* (51 TexReg 6178) for public comment.

The 31-day comment period ended October 5, 2026. During this period, HHSC did not receive any comments regarding the proposed rule review.

HHSC has reviewed Chapter 556 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 556. Any amendments, if applicable, to Chapter 556 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 556 as required by Texas Government Code §2001.039.

TRD-202604465

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: October 21, 2026



Texas Groundwater Protection Committee

Title 31, Part 18

The Texas Groundwater Protection Committee (TGPC or committee) adopts the rules review and readopts Chapter 601, Groundwater Contamination Report, without changes, in accordance with Texas Government Code (TGC), §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. The review must include an assessment of whether the reasons for the rules continue to exist. Any updates, consistency issues, or other changes, if needed, will be addressed in a separate rulemaking action. The notice

of intention to review was published in the July 24, 2026, issue of the *Texas Register* (51 TexReg 4917).

Chapter Summary

The TGPC was created by the 71st Texas Legislature in 1989 to bridge gaps between existing state groundwater programs and to optimize water quality protection by improving coordination among agencies involved in groundwater activities. The committee's rules in Chapter 601 define the conditions that constitute groundwater contamination for purposes of inclusion of cases in the public files for each state agency having responsibilities related to the protection of groundwater. These rules also describe the contents of the committee's Joint Groundwater Monitoring and Contamination Report ("Joint Report") required under Texas Water Code (TWC), §26.406(c), which must be published no later than June 1st of each year and document the activities and findings of the committee made during the previous calendar year. The Joint Report must describe the current status of groundwater monitoring activities conducted by or required by each agency at regulated facilities or associated with regulated activities; contain a description of each case of groundwater contamination documented during the previous calendar year; describe each case of contamination for which enforcement action was incomplete at the time of issuance of the preceding Joint Report; and indicate the status of enforcement actions for each case of contamination listed in the Joint Report. The rules also specify the form and content of notices of groundwater contamination required under TWC §26.408(c) that must be provided under TWC, §26.408(b).

Assessment of Whether the Reasons for the Rules Continue to Exist

The committee conducted a review and determined that the reasons for the rules in Chapter 601 continue to exist. Chapter 601 is necessary because TWC, §26.406(d) specifically provides that the committee must adopt rules defining the conditions that constitute groundwater contamination for purposes of inclusion of cases in the public files and the Joint Report required by TWC, §26.406(c), while TWC, §26.408(c) specifically directs the committee to designate the form and content of the notice of groundwater contamination provided under TWC §26.408(b). To meet these statutory requirements, the rules provide the definitions and applicability for maintaining public files on groundwater contamination cases and contents of the annual Joint Report required by TWC, §26.406(d) and the form and content of the notices required by TWC, §26.408(c).

Public Comment

The public comment period closed on August 24, 2026. No comments were received.

TRD-202604428

Amy L. Browning

Deputy Director, Environmental Law Division

Texas Groundwater Protection Committee

Filed: October 19, 2026

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