

REVIEW OF AGENCY RULES

This section contains notices of state agency rules review as directed by the Texas Government Code, §2001.039. Included here are (1) notices of *plan to review*; (2)

notices of *intention to review*, which invite public comment to specified rules; and (3) notices of *readoption*, which summarize public comment to specified rules. The complete text of an agency's *plan to review* is available after it is filed with the Secretary of State on the Secretary of State's web site (<http://www.sos.state.tx.us/texreg>). The complete text of an agency's rule being reviewed and considered for *readoption* is available in the *Texas Administrative Code* on the web site (<http://www.sos.state.tx.us/tac>).

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

Proposed Rule Reviews

Texas Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) proposes the review of 19 TAC Chapter 103, Health and Safety, pursuant to the Texas Government Code, §2001.039. The rules being reviewed by the TEA in 19 TAC Chapter 103 are organized under the following subchapters: Subchapter AA, Commissioner's Rules Concerning Physical Fitness; Subchapter BB, Commissioner's Rules Concerning General Provisions for Health and Safety; and Subchapter CC, Commissioner's Rules Concerning Safe Schools.

As required by the Texas Government Code, §2001.039, the TEA will accept comments as to whether the reasons for adopting 19 TAC Chapter 103, Subchapters AA-CC, continue to exist.

The public comment period on the review of 19 TAC Chapter 103, Subchapters AA-CC, begins January 1, 2016, and ends February 1, 2016. Comments or questions regarding this rule review may be submitted to Cristina De La Fuente-Valadez, Rulemaking, Texas Education Agency, 1701 North Congress Avenue, Austin, Texas 78701-1494, (512) 475-1497. Comments may also be submitted electronically to rules@tea.texas.gov or faxed to (512) 463-5337.

TRD-201505811

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: December 18, 2015



Adopted Rule Reviews

Office of Consumer Credit Commissioner

Title 7, Part 5

The Finance Commission of Texas (commission) has completed the review of Texas Administrative Code (TAC), Title 7, Part 5, Chapter 85, Subchapter B, concerning Rules for Crafted Precious Metal Dealers, comprised of §§85.1001 - 85.1011 and §85.2001 - §85.2002, pursuant to Texas Government Code, §2001.039.

Notice of the review of 7 TAC Part 5, Chapter 85, Subchapter B was published in the *Texas Register* as required on November 13, 2015, (40 TexReg 8035). The commission received no 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 internal review by the agency, the commission has determined that certain revisions are appropriate and necessary. The commission is concurrently proposing amendments to Chapter 85, Subchapter B, as published elsewhere in this issue of the *Texas Register*.

Subject to the proposed amendments to Chapter 85, Subchapter B, the commission finds that the reasons for initially adopting these rules continue to exist, and readopts this subchapter in accordance with the requirements of Texas Government Code, §2001.039.

This concludes the review of 7 TAC Part 5, Chapter 85, Subchapter B.

TRD-201505814

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: December 18, 2015



Texas Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) adopts the review of 19 TAC Chapter 102, Educational Programs, Subchapter AA, Commissioner's Rules Concerning Early Childhood Education Programs; Subchapter BB, Commissioner's Rules Concerning Master Teacher Grant Programs; Subchapter CC, Commissioner's Rules Concerning Coordinated Health Programs; Subchapter DD, Commissioner's Rules Concerning the Texas Accelerated Science Achievement Program Grant; Subchapter EE, Commissioner's Rules Concerning Pilot Programs, §§102.1051, 102.1053, 102.1055-102.1057; Subchapter FF, Commissioner's Rules Concerning Educator Award Programs, §102.1073; Subchapter GG, Commissioner's Rules Concerning College and Career Readiness School Models; Subchapter HH, Commissioner's Rules Concerning the Texas Adolescent Literacy Academies; and Subchapter II, Commissioner's Rules Concerning Texas High Performance Schools Consortium, pursuant to the Texas Government Code, §2001.039. The TEA proposed the review of 19 TAC Chapter 102, Subchapters AA-DD; Subchapter EE, §§102.1051, 102.1053, and 102.1055-102.1057; Subchapter FF, §102.1073; and Subchapters GG-II, in the July 3, 2015 issue of the *Texas Register* (40 TexReg 4379).

Relating to the review of 19 TAC Chapter 102, Subchapters AA and BB, the TEA finds that the reasons for adopting Subchapters AA and BB continue to exist and readopts the rules. The TEA received no comments related to the review of Subchapters AA and BB. No changes are necessary as a result of the review.

Relating to the review of 19 TAC Chapter 102, Subchapter CC, the TEA finds that the reasons for adopting Subchapter CC continue to exist and readopts the rule. The TEA received no comments related to the review of Subchapter CC. At a later date, the TEA may propose an amendment to include oral health education in the coordinated school health program.

Relating to the review of 19 TAC Chapter 102, Subchapter DD; Subchapter EE, §§102.1051, 102.1053, and 102.1055-102.1057; Subchapter FF, §102.1073; and Subchapter GG, the TEA finds that the reasons for adopting Subchapter DD; Subchapter EE, §§102.1051, 102.1053, and 102.1055-102.1057; Subchapter FF, §102.1073; and Subchapter GG continue to exist and readopts the rule. The TEA received no comments related to the review of Subchapter DD; Subchapter EE, §§102.1051, 102.1053, and 102.1055-102.1057; Subchapter FF, §102.1073; and Subchapter GG. No changes are necessary as a result of the review.

Relating to the review of 19 TAC Chapter 102, Subchapter HH, the TEA finds that the reasons for adopting Subchapter HH continue to exist and readopts the rule. The TEA received no comments related to the review of Subchapter HH. The TEA proposed an amendment to §102.1101, Attendance and Completion Requirements for Texas Adolescent Literacy Academies, in the September 25, 2015 issue of the *Texas Register* that would bring the requirements up to date, ensure the requirements reflect current statute, and align the requirements with the current accountability system.

Relating to the review of 19 TAC Chapter 102, Subchapter II, the TEA finds that the reasons for adopting Subchapter II continue to exist and readopts the rule. The TEA received no comments related to the review of Subchapter II. No changes are necessary as a result of the review.

This concludes the review of 19 TAC Chapter 102.

TRD-201505692

Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: December 16, 2015



Department of Information Resources

Title 1, Part 10

The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 201, concerning General Administration, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 201 in the March 13, 2015, issue of the *Texas Register* (40 TexReg 1527).

As a result of the rule review, the department adopts amendments to Chapter 201 and new §201.9. The department published the amended new chapter in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5577). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8191).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 201, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 201 is concluded.

TRD-201505764

Martin H. Zelinsky
General Counsel
Department of Information Resources
Filed: December 18, 2015



The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 203, concerning Management of Electronic Transactions and Signed Records, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 203 in the June 6, 2014, issue of the *Texas Register* (39 TexReg 4489).

As a result of the rule review, the department adopts the repeal of 1 TAC 203, §§203.20, 203.21, 203.22, 203.40, 203.41, 203.42, adopts new 1 TAC 203, §§203.20, 203.22, 203.40, and 203.42, and adopts amendments to 1 TAC Chapter 203, §§203.1, 203.23, 203.24, 203.43, and 201.44. The department published the amended new chapter in the September 11, 2015, issue of the *Texas Register* (40 TexReg 5995). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8191).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 203, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 203 is concluded.

TRD-201505765

Martin H. Zelinsky
General Counsel
Department of Information Services
Filed: December 18, 2015



The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 211, concerning Information Resources Managers, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 211 in the November 7, 2014, issue of the *Texas Register* (39 TexReg 8746).

As a result of the rule review, the department adopts amendments of 1 TAC 211. The department published the amended new chapter in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5580). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8193).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 211, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 211 is concluded.

TRD-201505766

Martin H. Zelinsky
General Counsel
Department of Information Resources
Filed: December 18, 2015



The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 212, concerning Purchases of Commodity Items, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 212 in the June 19, 2015, issue of the *Texas Register* (40 TexReg 4011).

As a result of the rule review, the department adopts amendments to 1 TAC Chapter 212, §§212.1, 212.10, 212.11, 212.20, 212.30, and new rules 1 TAC Chapter 212, §§212.41, 212.42, 212.43, and 212.50. The department published the amended new chapter in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5582). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8195).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 212, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 212 is concluded.

TRD-201505768
Martin H. Zelinsky
General Counsel
Department of Information Resources
Filed: December 18, 2015



The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 216, concerning Project Management Practices, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 216 in the September 12, 2014, issue of the *Texas Register* (39 TexReg 7355).

As a result of the rule review, the department adopts the repeal of 1 TAC Chapter 216, §§ 216.2 and 216.3; adopts new §§ 216.2 and 216.3; and adopts amendments to 1 TAC Chapter 216, §§216.1, 216.10, 216.11, 216.12, 216.20, 216.21, and 216.22. The department published the amended new chapter in the September 11, 2015, issue of the *Texas Register* (40 TexReg 6001). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8198).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 216, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 216 is concluded.

TRD-201505769
Martin H. Zelinsky
General Counsel
Department of Information Resources
Filed: December 18, 2015



The Texas Department of Information Resources (the department/DIR) has completed its review of 1 Texas Administrative Code (TAC) Chapter 217, concerning Procurement of Information Resources, pursuant to the Texas Government Code §2001.039. DIR published a formal notice of rule review of Chapter 217 in the June 19, 2015, issue of the *Texas Register* (40 TexReg 4011).

As a result of the rule review, the department adopts amendments to 1 TAC Chapter 217, §§217.1, 217.2, and 217.3, and adopts a new rule §217.4 and 217.5. The department published the amended new chapter in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5589). The Board adopted the amended chapter on October 29, 2015, and the adoption notice was published in the November 20, 2015, issue of the *Texas Register* (40 TexReg 8200).

The department received no public comments on the proposed rule-making during the 30-day comment period.

Relating to the review of 1 TAC Chapter 217, the department determined the reasons for initially adopting the chapter continue to exist.

The department's review of 1 TAC Chapter 217 is concluded.

TRD-201505770
Martin H. Zelinsky
General Counsel
Department of Information Resources
Filed: December 18, 2015



Texas Department of Savings and Mortgage Lending

Title 7, Part 4

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 51 (§§51.1 - 51.15) relating to Charter Applications.

Notice of the review of Chapter 51 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 51 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 53 (§§53.1 - 53.5, 53.7 - 53.10, 53.17 - 53.18) relating to Additional Offices.

Notice of the review of Chapter 53 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 53 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 57 (§§57.1 - 57.4) relating to Change of Office Location or Name.

Notice of the review of Chapter 57 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 57 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 59 (§59.1) relating to Foreign Building and Loan Associations.

Notice of the review of Chapter 59 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 59 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 61 (§§61.1 - 61.3) relating to Hearings.

Notice of the review of Chapter 61 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 61 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 63 (§§63.1 - 63.15) relating to Fees and Charges.

Notice of the review of Chapter 63 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 63 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 64 (§§64.1 - 64.10) relating to Books, Records, Accounting Practices, Financial Statements, Reserves, Net Worth, Examinations, Consumer Complaints.

Notice of the review of Chapter 64 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 64 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 65 (§§65.1 - 65.24) relating to Loans and Investments.

Notice of the review of Chapter 65 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 65 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 67 (§§67.1 - 67.4, 67.6 - 67.15, 67.17) relating to Savings and Deposit Accounts.

Notice of the review of Chapter 67 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 67 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 69 (§§69.1 - 69.11) relating to Reorganization, Merger, Consolidation, Acquisition, and Conversion.

Notice of the review of Chapter 69 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 69 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 71 (§§71.1 - 71.8) relating to Change of Control.

Notice of the review of Chapter 71 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 71 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 73 (§§73.1 - 73.6) relating to Subsidiary Corporations.

Notice of the review of Chapter 73 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 73 in accordance with the requirements of the Texas Government Code §2001.039.

TRD-201505759

Ernest C. Garcia

General Counsel

Texas Department of Savings and Mortgage Lending

Filed: December 18, 2015



On behalf of the Finance Commission of Texas (commission), the Texas Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 75 Subchapter A (§§75.1 - 75.10) relating to Charter Applications; Subchapter B (§§75.25 - 75.27) relating to Expedited Applications; Subchapter C (§§75.31 - 75.36, 75.38 - 75.39, 75.41) relating to Additional Offices; Subchapter D (§§75.81 - 75.91) relating to Reorganization, Merger, Consolidation, Conversion, Purchase, and Assumption and Acquisition; and Subchapter E (§§75.121 - 75.127) relating to Change of Control.

Notice of the review of Chapter 75 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 75 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review of Texas Administrative Code, Title 7, Part 4, Chapter 76, Subchapter A (§§76.1 - 76.7, 76.12) relating to Books, Records, Accounting Practices, Financial Statements and Reserves; Subchapter B (§§76.21 - 76.26) relating to Capital and Capital Obligations; Subchapter C (§§76.41 - 76.47) relating to Holding Companies; Subchapter D (§76.61) relating to Foreign Savings Banks; Subchapter E (§§76.71 - 76.73) relating to Hearings; Subchapter F (§§76.91 - 76.103, 76.105 - 76.110) relating to Fees and Charges; Subchapter G (§76.121) relating to Statements of Policy; and Subchapter H (§§76.122) relating to Consumer Complaint Procedures.

Notice of the review of Chapter 76 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 76 in accordance with the requirements of the Texas Government Code §2001.039.

On behalf of the Finance Commission of Texas (commission), the Department of Savings and Mortgage Lending has completed the review

of Texas Administrative Code, Title 7, Part 4, Chapter 77, Subchapter A (§§77.1 - 77.11, 77.31, 77.33, 77.35, 77.51, 77.71, 77.73, 77.91 - 77.96) relating to Authorized Loans and Investments, and Subchapter B (§§77.115 - 77.116) relating to Savings and Deposits.

Notice of the review of Chapter 77 was published in the October 23, 2015, issue of the *Texas Register* (40 TexReg 7446). No comments were received in response to the notice.

The commission finds that the reasons for initially adopting these rules continue to exist and readopts Chapter 77 in accordance with the requirements of the Texas Government Code §2001.039.

TRD-201505761

Ernest C. Garcia

General Counsel

Texas Department of Savings and Mortgage Lending

Filed: December 18, 2015

