

REVIEW OF AGENCY RULES

notices of *intention to review*, which invite 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 Board of Nursing

Title 22, Part 11

In accordance with Government Code §2001.039, the Texas Board of Nursing (Board) files this notice of intention to review and consider for re-adoption, re-adoption with amendments, or repeal the following chapter contained in Title 22, Part 11 of the Texas Administrative Code, pursuant to the 2015 rule review plan adopted by the Board at its July 2015 meeting.

Chapter 226. Patient Safety Pilot Programs on Nurse Reporting Systems, §§226.1 - 226.7

In conducting its review, the Board will assess whether the reasons for originally adopting this chapter continue to exist. Each section of this chapter will be reviewed to determine whether it is obsolete, whether it reflects current legal and policy considerations and current procedures and practices of the Board, and whether it is in compliance with Chapter 2001 of the Government Code (Administrative Procedure Act).

The public has thirty (30) days from the publication of this rule review in the *Texas Register* to comment and submit any response or suggestions. Written comments may be submitted to Dusty Johnston, General Counsel, Texas Board of Nursing, 333 Guadalupe, Suite 3-460, Austin, Texas 78701, by email to dusty.johnston@bon.texas.gov, or by fax to Dusty Johnston at (512) 305-8101. Any proposed changes to this chapter as a result of this review will be published separately in the Proposed Rules section of the *Texas Register* and will be open for an additional comment period prior to the final adoption or repeal by the Board.

TRD-201600545

James W. Johnston

General Counsel

Texas Board of Nursing

Filed: February 3, 2016



Adopted Rule Reviews

Texas Lottery Commission

Title 16, Part 9

The Texas Lottery Commission (Commission) has reviewed the Commission's rules at 16 TAC Chapter 401 (Administration of State Lottery Act) in accordance with the requirements of Texas Government Code §2001.039 (Agency Review of Existing Rules) and hereby readopts the rules in Chapter 401. As a result of this review, and as discussed below, the Commission has determined some of the rules in Chapter 401 need

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.

to be amended and one lottery game rule should be repealed, actions which will be proposed in separate rulemaking proceedings.

Subchapter A (Procurement) includes the following rules:

§401.101 - Lottery Procurement Procedures

§401.102 - Protests of the Terms of a Formal Competitive Solicitation

§401.103 - Protests of Contract Award

§401.104 - Contract Monitoring Roles and Responsibilities

§401.105 - Major Procurement Approval Authority, Responsibilities and Reporting

Because the Commission contracts for certain lottery-related goods and services, the Subchapter A procurement rules are necessary for the administration and operation of the lottery; thus, the reasons for these rules continue to exist. Following the 84th Texas legislative session, Commission staff reviewed the Subchapter A rules, and in December 2015 the Commission adopted amendments to each of these rules to reflect current law, agency policy and agency procedures. No substantive amendment or repeal of these rules is recommended at this time.

Subchapter B (Licensing of Sales Agents) includes the following rules:

§401.152 - Application for License

§401.153 - Qualifications for License

§401.155 - Expiration of License

§401.156 - Renewal of License

§401.157 - Provisional License

§401.158 - Suspension or Revocation of License

§401.159 - Summary Suspension of License

§401.160 - Standard Penalty Chart

The Commission licenses over 17,000 lottery ticket sales agents in Texas. The Subchapter B rules set forth the license application and renewal process, qualification requirements, license terms, and disciplinary process applicable to lottery ticket sales agents. These rules are necessary for the administration of the Commission's lottery licensing program; thus, the reasons for adopting them continue to exist. No substantive amendment or repeal of these rules is recommended at this time.

Subchapter C (Practice and Procedure) includes the following rules:

§401.201 - Intent and Scope of Rules

§401.202 - Construction of Rules

§401.203 - Contested Cases

§401.205 - Initiation of a Hearing

§401.211 - Law Governing Contested Cases

§401.216 - Subpoenas, Depositions, and Orders to Allow Entry

§401.220 - Motion for Rehearing

§401.227 - Definitions

Subchapter C includes rules applicable to enforcement matters and other contested proceedings involving a lottery or bingo licensee or applicant under the State Lottery Act or the Bingo Enabling Act, respectively. In addition, the Texas Administrative Procedure Act, at §2001.004, requires state agencies to adopt such rules of practice. Thus, the reasons for adopting the Subchapter C rules continue to exist. No substantive amendment or repeal of these rules is recommended at this time.

Subchapter D (Lottery Game Rules) includes the following rules:

§401.301 - General Definitions

§401.302 - Instant Game Rules

§401.303 - Grand Prize Drawing Rule

§401.304 - On-Line Game Rules (General)

§401.305 - "Lotto Texas" On-Line Game Rule

§401.306 - Video Lottery Games

§401.307 - "Pick 3" On-Line Game Rule

§401.308 - "Cash Five" On-Line Game

§401.309 - Assignability of Prizes

§401.310 - Payment of Prize Payments Upon Death of Prize Winner

§401.312 - "Texas Two Step" On-Line Game

§401.313 - Promotional Drawings

§401.314 - Retailer Bonus Programs

§401.315 - "Mega Millions" On-Line Game Rule

§401.316 - "Daily 4" On-Line Game Rule

§401.317 - "Powerball®" On-Line Game Rule

§401.318 - Withholding of Delinquent Child-Support Payments from Lump-sum and Periodic Installment Payments of Lottery Winnings in Excess of Six Hundred Dollars

§401.319 - Withholding of Child-Support Payments from Periodic Installment Payments of Lottery Winnings

§401.320 - "All or Nothing" On-Line Game Rule

§401.321 - Instant Game Tickets Containing Non-English Words

§401.322 - "Texas Triple Chance" Lottery Game

§401.323 - "MONOPOLY MILLIONAIRES' CLUB™" Game Rule

Subchapter D includes the Commission's lottery game rules. These rules provide information regarding how Texas Lottery® scratch ticket and draw games are played, the prizes that can be won, the methods by which lottery tickets may be claimed and validated, as well as information relating to debt set-off for child-support payments, retailer bonus programs, payment of prize money to the estate of a deceased prize winner, and statements to be included in court orders involving assignments of prize payments. Because the Commission generates revenue for the state through the sale of lottery game tickets, the reasons

for adopting each of these rules continue to exist, with one exception. Section 401.323 ("MONOPOLY MILLIONAIRES' CLUB™" Game Rule) should be repealed because this multi-jurisdiction draw game is no longer offered. Otherwise, no substantive amendment or repeal of these rules is recommended at this time.

Subchapter E (Retailer Rules) includes the following rules:

§401.351 - Proceeds from Ticket Sales

§401.352 - Settlement Procedures

§401.353 - Retailer Settlements, Financial Obligations, and Commissions

§401.355 - Restricted Sales

§401.357 - Texas Lottery as Retailer

§401.360 - Payment of Prizes

§401.361 - Required Purchases of Lottery Tickets

§401.362 - Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Damaged or Rendered Unsaleable, for Winning Lottery Tickets Paid and for Lottery-Related Property

§401.363 - Retailer Record

§401.364 - Training

§401.366 - Compliance with All Applicable Laws

§401.368 - Instant Ticket Vending Machines

§401.370 - Retailer's Financial Responsibility for Lottery Tickets Received and Subsequently Stolen or Lost

§401.371 - Collection of Delinquent Obligations for Lottery Retailer Related Accounts

§401.372 - Display of License

As noted above, the Commission licenses over 17,000 lottery ticket sales agents. The Subchapter E rules set forth the operational requirements, duties, and obligations of sales agents, including their financial responsibility to the state of Texas. These rules are necessary for the effective administration and oversight of Texas Lottery ticket sales; thus, the reasons for adopting these rules continue to exist. However, the Commission has determined amendments to §§401.361, 401.363, 401.370, and 401.372 are needed to conform rule language to current agency procedures; an amendment to §401.364 is needed to make a correction to the text; and an amendment to §401.371 is needed to update a reference to the Texas Comptroller's Accounting Policy Statement 28.

Subchapter F (ADA Requirements) includes the following rules:

§401.401 - Definitions

§401.402 - General Requirements

§401.403 - Readily Achievable Barrier Removal

§401.404 - Priority of ADA Compliance by Lottery Licensees

§401.405 - Alternatives to Barrier Removal

§401.406 - Future Alterations to a Lottery Licensed Facility

§401.407 - Complaints Relating to Non-accessibility

§401.408 - Requests for Hearings

The Subchapter F rules address the prohibition against discrimination imposed by the federal Americans with Disabilities Act (ADA), compliance by licensed lottery ticket sales agents with ADA accessibility requirements, and the procedure for the Commission to receive and to address complaints regarding discrimination or accessibility under

the ADA. Because the designated location of a Texas Lottery ticket sales agent license is subject to the ADA's requirements, the reasons for adopting each of these rules continue to exist. No substantive amendment or repeal of these rules is recommended at this time.

Subchapter G - Lottery Security includes the following rule:

§401.501 - Lottery Security

The reasons for adopting §401.501, regarding the Commission's statutory mandate to ensure the security and integrity of the Texas Lottery, and to maintain a security plan and other security procedures, continue to exist. However, this rule should be amended to update the reference to the "Texas Open Records law" to reflect the name of the "Texas Public Information Act". Otherwise, no substantive amendment or repeal of this rule is recommended at this time.

Finally, the Commission intends to make global amendments to applicable Chapter 401 rules to reflect current lottery game terminology, including replacing the terms "instant ticket" and "instant game" with "scratch ticket" and "scratch ticket game", respectively; and, replacing the terms "on-line ticket" and "on-line game" with "draw ticket" and "draw game", respectively.

The Commission intends to propose amendments to the rules requiring amendments, and the repeal of §401.323, in separate rulemaking actions.

This review and readoption has been conducted in accordance with Texas Government Code §2001.039. The Commission received no comments on the proposed review, which was published in the September 11, 2015, issue of the *Texas Register* (40 TexReg 6165).

This action concludes the Commission's review of 16 TAC Chapter 401.

TRD-201600572

Bob Biard

General Counsel

Texas Lottery Commission

Filed: February 5, 2016



The Texas Lottery Commission (Commission) has reviewed the Commission's rules at 16 TAC Chapter 402 (Charitable Bingo Operations Division) in accordance with the requirements of Texas Government Code §2001.039 (Agency Review of Existing Rules) and hereby readopts the rules in Chapter 402. As a result of this review, and as discussed below, the Commission has determined that some of the rules in Chapter 402 need to be amended and certain new rules should be adopted, actions which will be proposed in separate rulemaking proceedings. Further, the Commission notes that, in response to comments, in January 2016 the Charitable Bingo Operations Director scheduled and will convene several stakeholder meetings between Commission staff and representatives of the charitable bingo community to discuss the amendments and new rules identified herein and potential additional amendments to Chapter 402 rules proposed by commenters which may not be reflected in this readoption order. These meetings are ongoing as of the date of this readoption order. Any additional proposed rule amendments based on such discussions also would be proposed in separate rulemaking proceedings.

The Chapter 402 rules consist of seven (7) subchapters with a total of sixty-nine (69) rules. Subchapter A (Administration) consists of the following rules:

§402.100 - Definitions

§402.101 - Advisory Opinions

§402.102 - Bingo Advisory Committee

§402.103 - Training Program

§402.104 - Delinquent Obligations

Subchapter A consists of rules addressing the Commission's administration of charitable bingo and the process for handling delinquent obligations owed to the Commission. Section 402.100 remains necessary, and the reasons for initially adopting the rule continue to exist, because this rule defines key terms used throughout the Chapter 402 rules. Section 402.101 remains necessary, and the reasons for initially adopting the rule continue to exist, because this rule provides details regarding the process for requesting and issuing bingo advisory opinions, which is a duty imposed upon the Commission under Texas Occupations Code §2001.059. Section 402.102 governs the operations of the bingo advisory committee, which may be appointed by the Commission under Texas Occupations Code §2001.057. The bingo advisory committee is not currently constituted, but should the Commission appoint a new committee, §402.102 would become necessary to govern the committee's operations. The Commission believes it more prudent to keep the rule active rather than repeal it and subsequently re-adopt it if a new committee is appointed. Therefore, the Commission believes that the reasons for initially adopting the rule continue to exist. Section 402.103 remains necessary, and the reasons for initially adopting the rule continue to exist, because the rule implements Texas Occupations Code §2001.107, which requires the Commission to establish by rule a training program for certain individuals associated with bingo conductors. However, the Commission intends to propose an amendment to §402.103(f)(1) removing a reference to the Bingo Bulletin, which is no longer published. Finally, §402.104 remains necessary, and the reasons for initially adopting the rule continue to exist, because this rule implements Texas Government Code §2107.002, which requires all state agencies to establish procedures by rule for collecting delinquent obligations. No other substantive amendment or repeal of these rules is recommended at this time.

Subchapter B (Conduct of Bingo) consists of the following rules:

§402.200 - General Restrictions on the Conduct of Bingo

§402.201 - Prohibited Bingo Occasion

§402.202 - Transfer of Funds

§402.203 - Unit Accounting

§402.204 - Prohibited Price Fixing

§402.205 - Unit Agreements

§402.210 - House Rules

§402.211 - Other Games of Chance

§402.212 - Promotional Bingo

Subchapter B consists of rules governing the conduct and operation of charitable bingo, the creation and operation of bingo units, the transfer of funds into an organization's bingo account, the prohibition on price fixing for bingo equipment, and the restrictions on other games of chance conducted during a bingo occasion. These rules remain necessary, and the reasons for initially adopting the rules continue to exist, because they help ensure that charitable bingo in Texas is conducted fairly and in accordance with article III, section 47 of the Texas Constitution and the Bingo Enabling Act. However, the Commission intends to propose amendments to: (1) §402.200(b)(6), requiring bingo conductors to make certain written procedures available to players upon request; (2) §402.200(i), removing obsolete language referencing a potential exception to the prohibition on reserving bingo cards; (3) §402.203(h)(1), adding a reference to Schedule A; (4) §402.205(g)(7),

clarifying that unit agreements must include the method by which charitable purpose donations are apportioned among unit members; (5) §402.205(i), clarifying that the reporting requirements encompass both instant and event pull-tab tickets; and (6) §402.210(e), requiring that an organization's house rules be posted in a conspicuous place at the bingo premises. No other substantive amendment or repeal of these rules is recommended at this time.

Subchapter C (Bingo Games and Equipment) consists of the following rules:

- §402.300 - Pull-Tab Bingo
- §402.301 - Bingo Card/Paper
- §402.303 - Pull-tab or Instant Bingo Dispensers
- §402.321 - Card-Minding Systems--Definitions
- §402.322 - Card-Minding Systems--Site System Standards
- §402.323 - Card-Minding Systems--Device Standards
- §402.324 - Card-Minding Systems--Approval of Card-Minding Systems
- §402.325 - Card-Minding Systems--Licensed Authorized Organizations Requirements
- §402.326 - Card-Minding Systems--Distributor Requirements
- §402.327 - Card-Minding Systems--Security Standards
- §402.328 - Card-Minding Systems--Inspections and Restrictions

Subchapter C consists of rules governing bingo equipment, including pull-tab tickets, bingo cards and paper, ticket dispensers, and card-minding systems. The rules remain necessary, and the reasons for initially adopting the rules continue to exist, because they help ensure that charitable bingo games are conducted in accordance with, and bingo equipment is created in compliance with, the Bingo Enabling Act. However, the Commission intends to propose amendments to: (1) §402.300(a)(14), requiring that bingo merchandise prizes be valued in accordance with §402.200(f); (2) §402.300(e)(4), removing language allowing pull-tab tickets to be sold during certain intermissions between bingo occasions; (3) §402.300(g), clarifying that records must be kept in accordance with §402.511; (4) §402.301(e)(3), clarifying that records must be kept in accordance with §402.511; and (5) §402.325(k), repealing the prohibition on reserving card-minding devices for players. No other substantive amendment or repeal of these rules is recommended at this time.

Subchapter D (Licensing Requirements) consists of the following rules:

- §402.400 - General Licensing Provisions
- §402.401 - Temporary License
- §402.402 - Registry of Bingo Workers
- §402.403 - Licenses for Conduct of Bingo Occasions and to Lease Bingo Premises
- §402.404 - License and Registry Fees
- §402.405 - Temporary Authorization
- §402.406 - Bingo Chairperson
- §402.407 - Unit Manager
- §402.408 - Designation of Members
- §402.409 - Amendment for Change of Premises or Occasions Due to Lease Termination or Abandonment

- §402.410 - Amendment of a License - General Provisions
- §402.411 - License Renewal
- §402.412 - Signature Requirements
- §402.420 - Qualifications and Requirements for Conductor's License
- §402.422 - Amendment to a Regular License to Conduct Charitable Bingo
- §402.424 - Amendment of a License by Telephone or Facsimile
- §402.442 - Amendment to a Commercial Lessor License
- §402.450 - Request for Waiver
- §402.451 - Operating Capital
- §402.452 - Net Proceeds
- §402.453 - Request for Operating Capital Increase

The Commission currently licenses over one thousand three hundred (1,300) charitable bingo conductors, commercial lessors, manufacturers and distributors, and has approved over eleven thousand (11,000) individuals to be listed on the bingo worker registry in Texas. Subchapter D includes rules governing the application, renewal and amendment process for Commission-issued licenses and listing on the bingo worker registry. These rules are necessary for the proper administration of the Commission's charitable bingo licensing and worker registry program. Therefore, the Commission believes that the reasons for initially adopting these rules continue to exist. Subchapter D also includes rules that implement Bingo Enabling Act provisions that govern the amount of operating capital a bingo conductor may maintain, the net proceeds a bingo conductor must produce, and the process by which licensees may request a waiver of these requirements. These rules are necessary to help ensure that bingo proceeds are directed to statutorily authorized purposes. Therefore, the Commission believes that the reasons for initially adopting these rules continue to exist. However, the Commission intends to propose amendments to §402.404 removing obsolete language that references licenses issued prior to September 1, 2013. The Commission also intends to propose new rules related to the licensing and/or registration of military service members, military veterans, and military spouses. Chapter 55 of the Texas Occupations Code requires state licensing agencies to adopt such rules. No other substantive amendment or repeal of these rules is recommended at this time.

Subchapter E (Books and Records) consists of the following rules:

- §402.500 - General Records Requirements
- §402.501 - Charitable Use of Net Proceeds
- §402.502 - Charitable Use of Net Proceeds Recordkeeping
- §402.503 - Bingo Gift Certificates
- §402.504 - Debit Card Transactions
- §402.505 - Permissible Expense
- §402.506 - Disbursement Records Requirements
- §402.511 - Required Inventory Records
- §402.514 - Electronic Fund Transfers

Subchapter E consists of rules governing the record-keeping and reporting requirements related to the conduct of charitable bingo and the standards for determining the propriety of certain expenses. These rules remain necessary, and the reasons for initially adopting the rules continue to exist, because the rules help ensure that bingo proceeds are only used for statutorily-authorized purposes. However, the Commission intends to propose an amendment to §402.500(c) to clarify that

records covered by that rule must be provided to the Commission upon request. No other substantive amendments are recommended at this time.

Subchapter F (Payment of Taxes, Prize Fees and Bonds) consists of the following:

§402.600 - Bingo Reports and Payments

§402.601 - Interest on Delinquent Tax

§402.602 - Waiver of Penalty, Settlement of Prize Fees, Rental Tax, Penalty and/or Interest

§402.603 - Bond or Other Security

§402.604 - Delinquent Purchaser

Subchapter F consists of rules governing the payment of requisite fees, the submission of bonds or other security, and the delinquent payment of the costs for bingo equipment. Section 402.600 governs the payment of bingo-related fees and the filing of quarterly reports, which are required by statute and used by the Commission to track its licensees' bingo-related finances. This rule remains necessary, and the reasons for initially adopting the rule continue to exist, because the rule helps ensure that licensees are remitting fees in the proper amount and that bingo proceeds are only used for statutorily-authorized purposes. Furthermore, the Commission is required by Texas Occupations Code §2001.504 to adopt rules governing the payment of fees. Section 402.601 governs the payment of interest on delinquent fees, refunds and credit, while §402.602 governs the Commission's settlement of penalties and fees due. These rules remain necessary, and the reasons for initially adopting the rules continue to exist, because they implement Texas Tax Code §111.060 (Interest on Delinquent Tax), §111.064 (Interest on Refund or Credit), §111.101 (Settlement) and §111.103 (Settlement of Penalty and Interest Only), which are made applicable to the Commission through Texas Occupations Code §2001.508 and §2001.512. Section 402.603 governs the submission of a bond or other security by a licensee, which is required under Texas Occupations Code §2001.514. The rule remains necessary, and the reasons for initially adopting the rule continue to exist, because the rule helps secure the payment of statutorily-authorized fees by licensees. Finally, §402.604 imposes requirements when a purchaser of bingo equipment is delinquent in its payment of the amount due for the equipment. The rule implements Texas Occupations Code §2001.218, and it remains necessary to help ensure that transactions for bingo equipment comply with that statute. Therefore, the Commission believes that the reasons for initially adopting the rule continue to exist. However, the Commission intends to propose rule amendments that recognize that commercial lessors are no longer required to pay a tax on gross rent receipts occurring on or after September 1, 2015, or to obtain a bond to secure the payment of such taxes. No other substantive amendments are recommended at this time.

Subchapter G (Compliance and Enforcement) consists of the following rules:

§402.700 - Denials; Suspensions; Revocations; Hearings

§402.701 - Investigation of Applicants for Licenses

§402.702 - Disqualifying Convictions

§402.703 - Audit Policy

§402.705 - Inspection of Premises

§402.706 - Standard Administrative Penalty Guideline

§402.707 - Expedited Administrative Penalty Guideline

§402.708 - Dispute Resolution

§402.709 - Corrective Action

Subchapter G includes rules governing the Commission's disciplinary, inspection, and audit processes. These rules are necessary, and the reasons for initially adopting the rules continue to exist, because they help ensure that licensees and other persons abide by all applicable statutes and rules. Subchapter G also includes rules governing the conduct of criminal background checks on applicants and criminal convictions which may disqualify a license or bingo worker registry applicant. These rules are necessary, and the reasons for initially adopting the rules continue to exist, because they help implement Texas Occupations Code §2001.541, which requires the Commission to adopt rules regarding the use of criminal history record information in the licensing process. However, the Commission intends to propose amendments to §402.706 and §402.707 to implement the Sunset Advisory Commission's recommendation, codified in Texas Occupations Code §2001.358, that the Texas Lottery Commission include in its penalty guidelines a description of what violations could warrant license revocation or suspension.

This review and re adoption has been conducted in accordance with Texas Government Code §2001.039. The Commission received comments on the proposed review, which was published in the September 11, 2015, issue of the *Texas Register* (40 TexReg 6166). Comments were submitted by representatives of the National Association of Fundraising Ticket Manufacturers (NAFTM), the Veterans of Foreign Wars - Department of Texas, the Texas Charity Advocates, and the Bingo Interest Group. The comments submitted by the NAFTM representative only propose changes to §402.300 that relate to a manufacturer's submission of pull-tab tickets to the Commission for review and approval, and the sale of multiple part pull-tab tickets. The remaining comments consist of proposed changes to thirty four (34) rules; however, no explanatory comments were included with the proposed changes. As previously noted, in response to comments the Charitable Bingo Operations Director has scheduled and will convene several stakeholder meetings between Commission staff and representatives of the charitable bingo community early in 2016 to discuss the amendments and new rules identified herein and potential additional amendments proposed by the commenters which may not be reflected in this re adoption order. Representatives of each of the four organizations that provided comments to this rule review have been invited to attend one or more of those meetings. The Commission intends for the commenters' proposed changes to be discussed in depth at those meetings. A final decision regarding those proposed changes will be made after the meetings have concluded. Any additional proposed rule amendments resulting from the stakeholder meetings would be proposed in separate rulemaking proceedings.

This action concludes the Commission's review of 16 TAC Chapter 402.

TRD-201600571

Bob Biard

General Counsel

Texas Lottery Commission

Filed: February 5, 2016



State Securities Board

Title 7, Part 7

Chapter 109 - Transactions Exempt from Registration

Chapter 111 - Securities Exempt from Registration

Chapter 139 - Exemptions by Rule or Order

Chapter 133 - Forms

Pursuant to the notice of proposed rule review published in the September 4, 2015, issue of the *Texas Register* (40 TexReg 5805), the State Securities Board (Board) has reviewed and considered for readoption, revision, or repeal all sections of the following chapters of Title 7, Part 7, of the Texas Administrative Code, in accordance with Texas Government Code, §2001.039: Chapter 109, Transactions Exempt from Registration; Chapter 111, Securities Exempt from Registration; and Chapter 139, Exemptions by Rule or Order.

Pursuant to the notice of proposed rule review published in the December 4, 2015, issue of the *Texas Register* (40 TexReg 8814), the Board has reviewed and considered for readoption, revision, or repeal all sections of the following chapter of Title 7, Part 7, of the Texas Administrative Code, in accordance with Texas Government Code, §2001.039: Chapter 133, Forms.

The Board considered, among other things, whether the reasons for adoption of these rules continue to exist. After its review, the Board

finds that the reasons for adopting these rules continue to exist and readopts these chapters, without changes, pursuant to the requirements of the Texas Government Code.

No comments were received regarding the readoption of Chapters 109, 111, 139, and 133.

This concludes the review of 7 TAC Chapters 109, 111, 139, and 133.

TRD-201600559

John Morgan

Securities Commissioner

State Securities Board

Filed: February 4, 2016

