

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.

Adopted Rule Reviews

Texas Alcoholic Beverage Commission

Title 16, Part 3

Pursuant to the notice of proposed rule review published in the April 8, 2016, issue of the *Texas Register* (41 TexReg 2603), the Texas Alcoholic Beverage Commission has reviewed 16 Texas Administrative Code §41.20, Timely Filing of Reports, in accordance with Texas Government Code §2001.039. After this review, the Commission has determined that: the reasons for adopting the rule continue to exist; the rule is not obsolete; the rule reflects current legal and policy considerations; and the rule reflects current procedures of the Commission.

The Commission received no public comments concerning the review of 16 Texas Administrative Code §41.20, Timely Filing of Reports.

The Commission readopts without amendments 16 Texas Administrative Code §41.20, Timely Filing of Reports, pursuant to Texas Alcoholic Beverage Code §5.31, which grants the Commission the authority to prescribe rules necessary to carry out the provisions of that Code, and Texas Government Code §2001.039, which provides that an agency may readopt a rule without amendments after the required review.

TRD-201602631

Martin Wilson

Assistant General Counsel

Texas Alcoholic Beverage Commission

Filed: May 25, 2015



Pursuant to the notice of proposed rule review published in the April 8, 2016, issue of the *Texas Register* (41 TexReg 2603), the Texas Alcoholic Beverage Commission has reviewed 16 Texas Administrative Code §45.101, Rebates, Coupons and Premium Stamps, in accordance with Texas Government Code §2001.039. After this review, the Commission has determined that: the reasons for adopting the rule continue to exist; the rule is not obsolete; the rule reflects current legal and policy considerations; and the rule reflects current procedures of the Commission.

The Commission received no public comments concerning the review of 16 Texas Administrative Code §45.101, Rebates, Coupons and Premium Stamps.

The Commission readopts without amendments 16 Texas Administrative Code §45.101, Rebates, Coupons and Premium Stamps, pursuant to Texas Alcoholic Beverage Code §5.31, which grants the Commission the authority to prescribe rules necessary to carry out the provisions of that Code, and Texas Government Code §2001.039, which

provides that an agency may readopt a rule without amendments after the required review.

TRD-201602636

Martin Wilson

Assistant General Counsel

Texas Alcoholic Beverage Commission

Filed: May 25, 2015



Texas Education Agency

Title 19, Part 2

The Texas Education Agency (TEA) adopts the review of 19 TAC Chapter 129, Student Attendance, Subchapter AA, Commissioner's Rules, pursuant to the Texas Government Code, §2001.039. The TEA proposed the review of 19 TAC Chapter 129, Subchapter AA, in the January 22, 2016 issue of the *Texas Register* (41 TexReg 685).

The TEA finds that the reasons for adopting Subchapter AA continue to exist and readopts the rules. The TEA received no comments related to the review of Subchapter AA. No changes are necessary as a result of the review.

This concludes the review of 19 TAC Chapter 129.

TRD-201602483

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: May 20, 2016



Executive Council of Physical Therapy and Occupational Therapy Examiners

Title 22, Part 28

The Executive Council of Physical Therapy and Occupational Therapy Examiners adopts the review of Chapter 651, concerning fees, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the March 18, 2016, issue of the *Texas Register* (41 TexReg 2179).

No comments were received on the proposed rule review.

The Executive Council of Physical Therapy and Occupational Therapy Examiners has assessed whether the reasons for adopting or readopting the rules continue to exist. The Executive Council of Physical Therapy and Occupational Therapy Examiners finds that the rules in Chapter 651 are needed, reflect current legal and policy considerations, and re-

flect current procedures of the Executive Council of Physical Therapy and Occupational Therapy Examiners. The reasons for initially adopting the rules continue to exist. The Executive Council of Physical Therapy and Occupational Therapy Examiners, therefore, readopts Chapter 651.

TRD-201602484

John P. Maline

Executive Director

Executive Council of Physical Therapy and Occupational Therapy Examiners

Filed: May 20, 2016



Texas Board of Occupational Therapy Examiners

Title 40, Part 12

The Texas Board of Occupational Therapy Examiners adopts the review of the following chapters in accordance with Texas Government Code §2001.039:

Chapter 361, concerning statutory authority; Chapter 362, concerning definitions; Chapter 363, concerning consumer/licensee information; Chapter 364, concerning requirements for licensure; Chapter 367, concerning continuing education; Chapter 368, concerning open records; Chapter 369, concerning display of licenses; Chapter 370, concerning

license renewal; Chapter 371, concerning inactive and retired status; Chapter 372, concerning provision of services; Chapter 373, concerning supervision; Chapter 374, concerning disciplinary actions/detrimental practice/complaint process/code of ethics; Chapter 375, concerning fees; and Chapter 376, concerning registration of facilities. The proposed notice of intent to review rules was published in the March 11, 2016, issue of the *Texas Register* (41 TexReg 1980).

No comments were received on the proposed rule review.

The Texas Board of Occupational Therapy Examiners has assessed whether the reasons for adopting or readopting the rules continue to exist. The Texas Board of Occupational Therapy Examiners finds that the rules in the chapters are needed, reflect current legal and policy considerations, and reflect current procedures of the Texas Board of Occupational Therapy Examiners. The reasons for initially adopting the rules continue to exist. The Texas Board of Occupational Therapy Examiners, therefore, readopts the chapters.

TRD-201602464

John P. Maline

Executive Director

Texas Board of Occupational Therapy Examiners

Filed: May 19, 2016

