

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

Commission on State Emergency Communications

Title 1, Part 12

The Commission on State Emergency Communications (CSEC) is conducting its annual review of the definitions of the terms "local exchange access line" and "equivalent local exchange access line" as required by Health and Safety Code §771.063(c). Due to the potentially disruptive changes resulting from advancements in technology, particularly with respect to mobile Internet Protocol-enabled services, CSEC takes no position on whether current 1 TAC §255.4 sufficiently defines the foregoing terms.

Persons wishing to comment on CSEC's initial determination or recommend amendments to §255.4 may do so by submitting written comments within 30 days following publication of this notice in the *Texas Register* to Patrick Tyler, General Counsel, Commission on State Emergency Communications, 333 Guadalupe Street, Suite 2-212, Austin, Texas 78701-3942; by facsimile to (512) 305-6937; or by email to csecinfo@csec.texas.gov. Please include "Comments on Rule 255.4" in the subject line of your letter, fax, or email.

TRD-202102916

Patrick Tyler
General Counsel
Commission on State Emergency Communications
Filed: July 29, 2021



Texas Department of Agriculture

Title 4, Part 1

The Texas Department of Agriculture (Department) files this notice of intent to review Texas Administrative Code, Title 4, Part 1, Chapter 7, Subchapter H, Structural Pest Control Service.

This review is being conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies to review and consider for re-adoption each of their rules every four years.

The Department will consider whether the initial factual, legal, and policy reasons for adopting each rule in this subchapter continue to exist and whether these rules should be repealed, readopted, or readopted with amendments.

The Department is accepting comments pertaining to this rule review. Comments may be submitted within 30 days following the publication of this notice in the *Texas Register*. Comments may be submitted to Morris Karam, Assistant General Counsel, Texas Department of Agriculture,

P.O. Box 12847, Austin, Texas 78711, or by email to Morris.Karam@TexasAgriculture.gov.

TRD-202103022

Skylar Shafer
Assistant General Counsel
Texas Department of Agriculture
Filed: August 3, 2021



Texas Historical Commission

Title 13, Part 2

The Texas Historical Commission files this notice of intent to review and consider for re-adoption, revision or repeal, Chapter 11 - Administration Department; Chapter 12 - Texas Historic Courthouse Preservation Program; Chapter 14 - Texas Historical Artifacts Acquisition Program; Chapter 15 - Administration of Federal Programs; Chapter 16 - Historic Sites; Chapter 19 - Texas Main Street Program; Chapter 20 - Awards; Chapter 22 - Cemeteries; Chapter 23 - Publications; Chapter 25 - State Archeological Program; and Chapter 26 - Practice and Procedure.

Pursuant to Texas Government Code 2001.039, the Texas Historical Commission will assess whether the reason(s) for initially adopting these rules continue to exist. The rules will be reviewed to determine whether it is obsolete, reflects current legal and policy considerations, reflects current general provisions in the governance of the Commission and/or whether it is in compliance with Chapter 2001 of the Texas Government Code (Administrative Procedures Act).

The Commission will accept written comments received on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*. Comments as to whether the reasons for initially adopting these rules continue to exist may be submitted to Esther Brickley, Texas Historical Commission, P.O. Box 12276, Austin, Texas 78711-2276, or by email to esther.brickley@thc.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 30-day public comment period prior to final adoption of any repeal, amendment, or re-adoption.

TRD-202102942

Mark Wolfe
Executive Director
Texas Historical Commission
Filed: July 29, 2021



Adopted Rule Reviews

Department of Information Resources

Title 1, Part 10

The Texas Department of Information Resources (department) has completed its review of 1 Texas Administrative Code (TAC) Chapter 215, concerning Statewide Technology Centers, pursuant to Texas Government Code §2001.039, which requires agency rules to be reviewed at least every four years. The department determined the reasons for initially adopting 1 TAC Chapter 215 continue to exist.

Notice of the rule review was published in the May 17, 2019, issue of the *Texas Register* (44 TexReg 2473). No comments were received as a result of that notice.

As a result of the rule review, the department published proposed amendments to 1 TAC Chapter 215 in the March 26, 2021, issue of the *Texas Register* (46 TexReg 1807). The DIR Board adopted the amended rules at the open meeting of the DIR Board of Directors on July 25, 2021, and the adoption notice was published in the July 30, 2021, issue of the *Texas Register* (46 TexReg 4681).

The department's review of 1 TAC Chapter 215 is concluded.

TRD-202103029

Kate Fite

General Counsel

Department of Information Resources

Filed: August 3, 2021



Commission on State Emergency Communications

Title 1, Part 12

The Commission on State Emergency Communications (CSEC) has concluded the statutory review of its Chapter 253 rules. Based on its review, CSEC readopts without amendment each of the rules in Chapter 253.

Chapter 253 consists of the following rules:

§253.1: Petitions for Rulemaking before the Commission

§253.2: Competitive Sealed Bids or Proposals

§253.3: Protest Procedures

§253.4: Negotiated Rulemaking and Alternative Dispute Resolution

§253.5: Enhanced Contract and Performance Monitoring

CSEC's notice of intent to review its Chapter 253 rules was published in the June 4, 2021, issue of the *Texas Register* (46 TexReg 3553). The review assessed and determined that the original reasons and justification for adopting each rule continue to exist and remain valid; each rule is required by statute.

No comments were received regarding CSEC's notice of review. This notice concludes CSEC's statutory review of its Chapter 253 rules.

TRD-202102917

Patrick Tyler

General Counsel

Commission on State Emergency Communications

Filed: July 29, 2021

