

Steps in the Rule Revision Process

1. The current rules committee, appointed by the executive director, identifies a need to revise, change, or create a rule. Legal counsel may be consulted to determine whether the creation of a new rule, or the anticipated revision, falls within the legal authority granted to the Commission.
 - 1(a). In addition, an interested person may petition the commission to request the adoption of a rule. The petition shall comply with the requirements of the Administrative Procedures Act (APA), Texas Government Code, Chapter 2001. The petition shall be submitted in writing, and contain a reasoned justification for the rule being proposed, the text of the rule, a concise statement of the statutory or other provisions under which the rule is being proposed and how these provisions authorize or require the proposed rule. The executive director shall, within 60 days of submission, either place the petition on the agenda for the next regular meeting or deny the petition in writing. A denial will be reported at the next meeting. The commission staff or its attorney may modify the language or format of the petition before it is submitted as a proposed rule. (211.11)
2. The rules committee drafts a proposed rule in the form of a Proposed Order.
3. In accordance with the Open Meetings Act, the Proposed Orders as part of the agenda, are posted on the Commission website at least 10 days prior to the next regularly scheduled Commission meeting.
5. Proposed Orders are presented at the next regularly scheduled Commission meeting.
6. Provided no substantive revisions are necessary, the Commissioners take formal action to adopt the proposed order(s) and thereby approve the proposed rule(s).
 - 6(a). Substantive revisions require the proposed order(s) to be pulled down, reviewed, rewritten, and re-submitted at a subsequent meeting as a new proposed order or it is abandoned.
7. Following adoption of the proposed rule(s), it is submitted to the Texas Register for publication and posted to the Commission's website.
8. The Commission receives comments for 30 days following publication in the Texas Register.
9. Based on the feedback from the Texas Register publication, the Commission's website, or any other source, non-substantive revisions are made as necessary.
 - 9(a). When information is received that would require substantive revisions to the rule, the rulemaking process starts over, which means that the proposed order is pulled down, rewritten, and brought back to the Commission as a new proposed order or it is abandoned.
10. Proposed rules are presented as final orders, along with all comments received during the 30-day period, to the Commissioners at the next Commission meeting.
11. Provided that no substantive revisions are required by the Commissioners, formal action to adopt the final order(s) is taken and they become effective on the date agreed and adopted by the Commission at that meeting.
 - 11(a). In the event Commissioners are unable to adopt as presented, the final order is pulled down, reviewed, rewritten, and brought back as a new proposed order at a subsequent Commission meeting or it is abandoned.
12. Following adoption of the final order(s) it is submitted to the Texas Register for publication and posted to the Commission's website.