

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

Credit Union Department

Title 7, Part 6

Chapter 91, Subchapter D, concerning Powers of Credit Unions, consisting of §§91.401, (Credit Union Ownership of Property), 91.402 (Insurance for Members), 91.403 (Debt Cancellation Products; Federal Parity; Adoption by Reference), 91.404 (Purchasing Assets and Assuming Deposits and Liabilities of Another Financial Institution), 91.405 (Records Retention and Preservation), 91.406 (Credit Union Service Contracts), 91.407 (Electronic Notification), and 91.408 (User Fee for Shared Electronic Terminal).

Chapter 91, Subchapter M, Electronic Operations, consisting of §91.4001 (Authority to Conduct Electronic Operations), and §91.4002 (Transactional Web Site Notice Requirements; and Security Review).

Chapter 91, Subchapter N, Emergency or Permanent Closing of Office or Operation of §91.5001 (Emergency Closing), §91.5002 (Effect of Closing), and §91.5005 (Permanent Closing of an Office).

This rule review will be conducted pursuant to Texas Government Code, §2001.039. The commission believes that the reasons for adopting the rules contained in these chapters continue to exist. 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* as to whether the reasons for adopting these rules continue to exist. The commission also invites comments on how to make these rules easier to understand. For example:

- Does the rule organize the material to suit your needs? If not, how could the material be better organized?
- Does the rule clearly state the requirements? If not, how could the rule be more clearly stated?
- Does the rule contain technical language or jargon that is not clear? If so, what language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand? If so, what changes to the format would make the rule easier to understand?
- Would more (but shorter) sections be better in any of the rules? If so, what sections should be changed?

Each rule will also be reviewed to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current procedures of the Credit Union Department.

Any questions or written comments pertaining to this notice should be directed to the Credit Union Department, 914 East Anderson Lane,

Austin, Texas 78752-1699, or by email to cudmail@cud.texas.gov. Any proposed amendments as a result of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for an additional 31-day public comment period prior to final adoption or repeal by the commission.

TRD-202503104

Michael S. Riepen

Commissioner

Credit Union Department

Filed: August 27, 2025



Chapter 93, Subchapter A, Common Terms, consisting of §93.101 (Scope; Definitions; Severability).

Chapter 93, Subchapter B, General Rules §§93.201 (Appeals to the Commission, Appointment to SOAH, 93.202 (Computation of Time), 93.203 (Ex Parte Communications), 93.204 (Informal Disposition), 93.205 (Notice of Hearing), 93.207 (Service of Documentation on Parties), 93.208 (Delegation of Authority), 93.209 (Subpoenas) 93.210 (Discovery; Protective Orders; Motions to Compel, 93.211 (Administrative Record), 93.212 (Proposal for Decision), 93.213 (Appearances and Representation), and 93.214 (Recovery of Department Costs).

Chapter 93, Subchapter C, Appeals of Preliminary Determinations on Applications §§93.301 (Finality of Decision; Request for SOAH Hearing; Waiver of Appeal), 93.302 (Referral to ADR), 93.303 (Hearings on Applications), and 93.305 (Appeals of all Other Applications for which no Specific Procedure is Provided by this Title).

Chapter 93, Subchapter D, Appeals of Cease and Desist Orders and Orders of Removal §§93.401 (Appeals of Cease and Desist Orders and Orders of Removal), and 93.402 (Stays).

Chapter 93, Subchapter E, Appeals of Orders of Conservation §§93.501 (Appeals of Orders of Conservation) and 93.502 (Retention of Attorney).

Chapter 93, Subchapter F, Appeal of Commissioner's Final Determination to the Commission §§93.602 (Decision by the Commission), 93.603 (Oral Arguments Before the Commission), 93.604 (Motion for Rehearing), and 93.605 (Final Decisions and Appeals).

This rule review will be conducted pursuant to Texas Government Code, §2001.039. The commission believes that the reasons for adopting the rules contained in these chapters continue to exist. 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* as to whether the reasons for adopting these rules continue to exist. The commission also invites comments on how to make these rules easier to understand. For example:

- Does the rule organize the material to suit your needs? If not, how could the material be better organized?
- Does the rule clearly state the requirements? If not, how could the rule be more clearly stated?
- Does the rule contain technical language or jargon that is not clear? If so, what language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand? If so, what changes to the format would make the rule easier to understand?
- Would more (but shorter) sections be better in any of the rules? If so, what sections should be changed?

Each rule will also be reviewed to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current procedures of the Credit Union Department.

Any questions or written comments pertaining to this notice should be directed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699, or by email to cudmail@cupd.texas.gov. Any proposed amendments as a result of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for an additional 31-day public comment period prior to final adoption or repeal by the commission.

TRD-202503105
Michael S. Riepen
Commissioner
Credit Union Department
Filed: August 27, 2025

◆ ◆ ◆
Adopted Rule Reviews

Office of the Governor, Economic Development and Tourism Office

Title 10, Part 5

In accordance with Texas Government Code §2001.039, the Office of the Governor, Texas Economic Development and Tourism Office ("Office") has concluded its review of 10 TAC Chapter 176, concerning the Enterprise Zone Program. The notice of proposed rule review was published in the May 2, 2025 issue of the *Texas Register* (50 TexReg 2697).

The Office has determined the reasons for adopting the rules continue to exist. Furthermore, the review process may indicate that a specific rule needs to be amended to further refine or better reflect current the

Office's procedures and policy considerations, or that rules be combined or reduced for simplification and clarity. Accordingly, the Office adopts with amendments 10 TAC §§176.1 - 176.5, as proposed in the May 2, 2025 issue of the *Texas Register* (50 TexReg 2663) and adopted elsewhere in this issue of the *Texas Register*.

No comments were received regarding Office's notice of review. This notice concludes the Office's review.

TRD-202503033
Adriana Cruz
Executive Director
Office of the Governor, Economic Development and Tourism Office
Filed: August 21, 2025

◆ ◆ ◆
Texas Water Development Board

Title 31, Part 10

The Texas Water Development Board (TWDB) files the adoption of its review of the rules in 31 Texas Administrative Code, Title 31, Part 10, Chapter 362.

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 readoption each of their rules every four years.

Notice of the review of the aforementioned chapter was published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2628). TWDB received no comments during the comment period.

TWDB conducted its review in accordance with the requirements of the Texas Government Code §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years. TWDB considered whether the initial factual, legal, and policy reasons for adopting each rule in this chapter continued to exist and determined that the original reasons for adopting these rules continue to exist and readopts these rules. This concludes TWDB's review of 31 TAC, Title 31, Part 10, Chapter 362. Changes to the rules identified as part of this review process may be addressed in a separate rulemaking.

TRD-202503028
Ashley Harden
General Counsel
Texas Water Development Board
Filed: August 21, 2025