

TWC Quadrennial Rule Reviews

Introduction

The Texas Workforce Commission (TWC or Agency) reviews all its rules every four years. These quadrennial rule reviews are performed for each chapter and according to an established rule review plan. The purpose of these reviews is to *determine whether the reasons for initially adopting each rule continue to exist* and to identify any obsolete rule provisions.

Rule Review Plan

The Agency's rule review plan establishes the schedule for reviewing all rules in effect at the time the plan is adopted. The plan is posted on the Agency's rulemaking webpage at [\[URL\]](#).

Notice of Intent to Review

For each chapter under review, TWC publishes two notices in the "Review of Agency Rules" section of the *Texas Register*. The first, the "Notice of Intent to Review," announces the Agency's intention to review a specific rule chapter. This notice informs the public of the planned review and invites public comment, including information on how to submit comments. Public comments may address factual, legal, and policy reasons for adopting a rule, as well as experiences with the rule since its adoption or last review. The Commission will consider these comments when determining whether a rule should be republished, amended, or repealed. TWC retains comments unrelated to the statutory and regulatory purpose of the current rule review for consideration during future substantive rulemakings concerning the chapter. *The notice also informs the public of the date and time* the Commission will address the rule review at a Commission agenda meeting, which is open to the public.

Commission Agenda Meeting

The Commission considers each rule review at a public meeting, where the public has an additional opportunity to provide comment. During the meeting, the Commission will decide to republish, republish with further direction, or repeal the rule under review. The Commission may also direct the Executive Director to initiate a rulemaking as a result of the rule review. Following the meeting, a second notice conveying the Commission's decision is published in the *Texas Register*.

Rule Amendments Resulting from Rule Reviews

Generally, TWC does not modify rule sections during these reviews. Unless a rule is already undergoing changes and the rule review is included in the scope of those changes, substantive changes identified during the rule review process will be addressed during a separate rulemaking before the next scheduled quadrennial rule review. Any proposed rulemaking will be published in the *Texas Register* and will follow the rulemaking process described on TWC's rulemaking webpage located at [\[URL\]](#). The public will have additional opportunities to provide comment during the subsequent rulemaking.

Process Summary:

1. TWC posts its quadrennial rule review plan and schedule on its website.
2. A Notice of Intent to Review is published in the *Texas Register*, beginning the 30-day public comment period.
3. Agency staff review the rule and all public comments received.
4. The Commission considers the rule review and comments received at a public Commission meeting, where the public may also provide comment.
5. The Commission approves the adoption of the rule review and readopts the rule; approves the adoption of the rule review with changes and readopts the rule; or approves the repeal of the rule.
6. The Commission may direct the Executive Director to initiate a rulemaking to amend the rule based on information considered during the rule review.
7. Notice of the Commission's decision is published in the *Texas Register*.
8. TWC saves the public comments received and considers them when the rule is next substantively changed.
9. The Executive Director implements the Commission's directive, including any direction to initiate a rulemaking for the purpose of amending a rule.