SUMMARY OF PROPOSED RULES

37 Tex. Admin. Code § 217.3. *Application for License and Initial Report of Appointment*.
37 Tex. Admin. Code § 217.5. *Denial and Cancellation*.
37 Tex. Admin. Code § 217.7. *Reporting Appointment and Separation of a Licensee*.
37 Tex. Admin. Code § 217.8. *Contesting an Employment Termination Report*.
The proposed repeal of these four rules would be part of a reorganization and simplification of Chapter 217 of the Commission's rules. Commission Rules 217.3, 217.5, and 217.7 would be replaced with new rules, while Commission Rule 217.8 is obsolete and would not be replaced.

RESUMEN DE LAS NORMAS PROPUESTAS

37 Tex. Admin. Code § 217.3. *Solicitud de licencia e informe inicial de nombramiento.*
37 Tex. Admin. Code § 217.5. *Denegación y cancelación.*
37 Tex. Admin. Code § 217.7. *Notificación del nombramiento y la separación de un licenciatario.*
37 Tex. Admin. Code § 217.8. *Impugnar un informe de terminación de empleo.*
La propuesta de derogación de estas cuatro reglas formaría parte de una reorganización y simplificación del Capítulo 217 del reglamento de la Comisión. Las Reglas 217.3, 217.5 y 217.7 de la Comisión serían reemplazadas por nuevas reglas, mientras que la Regla 217.8 de la Comisión está obsoleta y no sería reemplazada.

PUBLICATION IN *TEXAS REGISTER*

The Texas Commission on Law Enforcement (Commission) proposes the repeal of 37 Texas Administrative Code §217.3, Application for License and Initial Report of Appointment, 37 Texas Administrative Code §217.5, Denial and Cancellation, 37 Texas Administrative Code §217.7, Reporting Appointment and Separation of a Licensee, and 37 Texas Administrative Code §217.8, Contesting an Employment Termination Report. These proposed repeals are part of the proposed reorganization and clarification of Chapter 217, concerning Enrollment, Licensing, Appointment, and Separation. It would remove outdated enrollment, licensing, and appointment language, would move enrollment and appointment processes to their own respective rules, and would clarify the language of this chapter. Updated new rules will be proposed simultaneously to replace §217.3, Application for License and Initial Report of Appointment, §217.5, Denial and Cancellation, and §217.7, Reporting Appointment and Separation of a Licensee. However, §217.8, Contesting an Employment Termination Report, will not be replaced because Senate Bill 1445 (88R) removed the discharge designations and the authority to contest the contents of a report of separation, effective March 1, 2024, making this rule obsolete.

Mr. John P. Beauchamp, General Counsel, has determined that for each year of the first five years these proposed repealed rules will be in effect, there will be no foreseeable fiscal implications to state or local governments as a result of enforcing or administering the proposed repeals.

Mr. Beauchamp has determined that for each year of the first five years these proposed repealed rules will be in effect, there will be a positive benefit to the public by reorganizing and clarifying Chapter 217 for ease of understanding. There will be no anticipated economic costs to persons required to comply with the proposed repeals.

Mr. Beauchamp has determined that for each year of the first five years these proposed repealed rules will be in effect, there will be no adverse economic effects to small businesses, microbusinesses, or rural communities as a result of implementing the proposed repeals.

Mr. Beauchamp has determined that for each year of the first five years these proposed repealed rules will be in effect, there will be no effects to a local economy as a result of implementing the proposed repeals.

Mr. Beauchamp has determined the following:
(1) the proposed repeals do not create or eliminate a government program;
(2) implementation of the proposed repeals does not require the creation of new employee positions or the elimination of existing employee positions;
(3) implementation of the proposed repeals does not require an increase or decrease in future legislative appropriations to the agency;
(4) the proposed repeals do not require an increase or decrease in fees paid to the agency;
(5) the proposed repeals do not create a new regulation;
(6) the proposed repeals do not expand or limit an existing regulation, but do repeal outdated Commission processes relating to applying for a license or contesting a report of separation;
(7) the proposed repeals do not increase or decrease the number of individuals subject to the rule's applicability; and
(8) the proposed repeals do not positively or adversely affect this state's economy.

The Commission is requesting comments regarding the proposed repealed rules and information related to the cost, benefit, or effect of the proposed repealed rules, including any applicable data, research, or analysis, from any person required to comply with the proposed repealed rules or any other interested person. The comment period will last 30 days following the publication of this proposal in the *Texas Register*. Comments and information may be submitted electronically to public.comment@tcole.texas.gov or in writing to Mr. John P. Beauchamp, General Counsel, Texas Commission on Law Enforcement, 6330 E. Highway 290, Suite 200, Austin, Texas 78723-1035.

The repealed rules are proposed pursuant to Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701.

The repealed rules as proposed affect or implement Texas Occupations Code Chapter 1701, Law Enforcement Officers. No other code, article, or statute is affected by this proposal.

The proposed repealed rules have been reviewed by legal counsel and have been found to be within the Commission's authority to adopt.

§217.3. Application for License and Initial Report of Appointment.
§217.5. Denial and Cancellation.
§217.7. Reporting Appointment and Separation of a Licensee.
§217.8. Contesting an Employment Termination Report.