

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
TDHCA Governing Board Approved Proposed Repeal of  
10 TAC §1.9, Texas Public Information Act Training for Department Employees

Disclaimer

Attached is a draft of the proposed repeal of 10 TAC §1.9, Texas Public Information Act Training for Department Employees, that was approved by the TDHCA Governing Board on May 24, 2018. This action will entail the repeal of the current rule at this section. This document, including its preamble, is expected to be published in the June 8, 2018, edition of the Texas Register and that published version will constitute the official version for purposes of public comment and can be found at the following link: <https://www.sos.texas.gov/texreg/index.shtml>.

Public Comment

Public Comment Period: Start: 8:00 a.m. Austin local time on June 11, 2018  
End: 5:00 p.m. Austin local time on July 11, 2018

Comments received after 5:00 p.m. Austin local time on July 11, 2018, will not be accepted.

Written comments may be submitted, in hard copy/fax or electronic formats to:

Texas Department of Housing and Community Affairs  
Attn: Brooke Boston  
Rules Comments  
P.O. Box 13941  
Austin, Texas 78711-3941  
Email: [brooke.boston@tdhca.state.tx.us](mailto:brooke.boston@tdhca.state.tx.us)

Written comments may be submitted in hard copy or email formats within the designated public comment period. Those making public comment are encouraged to reference the specific draft rule, policy, or plan related to their comment as well as a specific reference or cite associated with each comment.

Please be aware that all comments submitted to the TDHCA will be considered public information.

TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS  
Street Address: 221 East 11th Street, Austin, TX 78701  
Mailing Address: PO Box 13941, Austin, TX 78711-3941  
Main Number: 512-475-3800 Toll Free: 1-800-525-0657  
Email: [info@tdhca.state.tx.us](mailto:info@tdhca.state.tx.us) Web: [www.tdhca.state.tx.us](http://www.tdhca.state.tx.us)

Attachment 1: Preamble for proposed repeal of 10 TAC §1.9, Texas Public Information Act Training for Department Employees

The Texas Department of Housing and Community Affairs (the "Department") proposes the repeal of 10 TAC §1.9, Texas Public Information Act ("TPIA") Training for Department Employees. After review of this rule in compliance with Tex. Gov't Code, §2001.039, the Department has assessed this rule and determined that there is no longer a need for this rule.

FISCAL NOTE. Timothy K. Irvine, Executive Director, has determined that, for each year of the first five years the repealed section is in effect, enforcing or administering the repealed section does not have any foreseeable implications related to costs or revenues of the state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT. Mr. Irvine also has determined that, for the first five years the repeal would be in effect:

1. The proposed repeal will not create or eliminate a government program;
2. The proposed repeal will not require a change in the number of employees of the Department;
3. The proposed repeal will not require additional future legislative appropriations;
4. The proposed repeal will result in neither an increase nor a decrease in fees paid to the Department;
5. The proposed repeal will not create a new regulation;
6. The proposed action will repeal an existing regulation, as it is no longer necessary.
7. The proposed repeal will decrease the number of individuals subject to the rule's applicability; and
8. The proposed repeal will neither positively nor negatively affect this state's economy.

PUBLIC BENEFIT/COST NOTE. Mr. Irvine also has determined that, for each year of the first five years the repeal is in effect, the public benefit anticipated as a result of the repealed section will be the elimination of unnecessary regulations. There will not be any economic cost to any individuals required to comply with the repealed section.

ADVERSE IMPACT ON SMALL OR MICRO-BUSINESSES OR RURAL COMMUNITIES. The Department has determined that there will be no economic effect on small or micro-businesses or rural communities.

REQUEST FOR PUBLIC COMMENT. The public comment period will be held June 11, 2018, to July 11, 2018, to receive input on the repealed section. Written comments may be submitted to the Texas Department of Housing and Community Affairs, Attn: Brooke Boston, Rule Comments, P.O. Box 13941, Austin, Texas 78711-3941, by fax to (512) 475-0220, or email brooke.boston@tdhca.state.tx.us. ALL COMMENTS MUST BE RECEIVED BY 5:00 P.M. Austin local time JULY 11, 2018.

STATUTORY AUTHORITY. The proposed repeal is made pursuant to TEX. GOV'T CODE, §2306.053, which authorizes the Department to adopt rules. Except as described herein the proposed repealed sections affect no other code, article, or statute.

Below is the excerpted rule so the reader can see what is proposed for repeal. (Not Part of Preamble Filing)

10 TAC §1.9, Texas Public Information Act Training for Department Employees

(a) All employees of the Department shall receive training on the roles and responsibilities of state agency employees under the Texas Public Information Act (the "Act"). Training shall take place at the time of initial employment with the Department, and thereafter from time to time as determined by the Executive Director.

(b) Each division in the Department shall designate a public information liaison for the division and an alternate. In addition to the training received upon initial employment the public information liaisons and alternates shall receive additional specialized training on the requirements of the Public Information Act. Public information liaisons shall be responsible for locating and assembling division documents responsive to public information requests in a timely manner, coordinating public information requests with other divisions including Legal Services and tracking the request in the Department's log used for such purpose. Additional public information liaison training sessions may be required from time to time by the Executive Director.