ATTACHMENT I

Statutory Citations Relating to the Review of and Proposed Revisions to 19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials

Rule Review

Texas Government Code, §2001.039, Agency Review of Existing Rules:

(a) A state agency shall review and consider for readoption each of its rules in accordance with this section.

(b) A state agency shall review a rule not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date. The adoption of an amendment to an existing rule does not affect the dates on which the rule must be reviewed except that the effective date of an amendment is considered to be the effective date of the rule if the agency formally conducts a review of the rule in accordance with this section as part of the process of adopting the amendment.

(c) The state agency shall readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section.

(d) The procedures of this subchapter relating to the original adoption of a rule apply to the review of a rule and to the resulting repeal, readoption, or readoption with amendments of the rule, except as provided by this subsection. Publishing the Texas Administrative Code citation to a rule under review satisfies the requirements of this subchapter relating to publishing the text of the rule unless the agency readopts the rule with amendments as a result of the review.

(e) A state agency's review of a rule must include an assessment of whether the reasons for initially adopting the rule continue to exist.

19 TAC Chapter 66, State Adoption and Distribution of Instructional Materials

Texas Education Code, §7.102, State Board of Education Powers and Duties (excerpt):

(c)(23) The board shall adopt and purchase or license textbooks as provided by Chapter 31 and adopt rules required by that chapter.

Texas Education Code, §31.003, Rules:

The State Board of Education may adopt rules, consistent with this chapter, for the adoption, requisition, distribution, care, use, and disposal of textbooks.