

TREO Rulemaking Guide

Appendix F-1 – Adoption Order Template

Instructions

- This template is used to draft the Adoption Order for the rules. It includes the elements required by Government Code Chapters 2001 and 2002.
- Complete the Adoption Order using the template language provided below.
- See the sample adoption order in the [OAG Administrative Law Handbook](#) (2022), Figure 25: Order Adopting a Rule, page 70.
- The Adoption Justification (See Appendix F-2) attaches to the Adoption Order. The Adoption Justification is incorporated by reference into the Adoption Order. The Adoption Order and the Adoption Justification are for the agency's governing body to review and sign. These documents are internal documents memorializing the rule adoption.
- After the rules are adopted, the Adoption Order and the Adoption Justification are used to build the Adopted Rules Notice that is published in the *Texas Register*.

Start of Template

RULES ADOPTION ORDER

The [insert agency name] filed a notice to propose [new rules / amendments to existing rules / the repeal of existing rules] at ## Texas Administrative Code (TAC), Chapter ##, Subchapter __, Section ##, regarding the [insert name of program or rule chapter].

The proposed rules were filed with the Secretary of State's Office on [insert date], and published in the *Texas Register* on [insert date] (##TexReg #####). The public comment period closed on [Insert date]. [Insert one of the following sentences as applicable:

- The [insert agency name] received comments from ## interested parties in response to the published proposed rules. OR
- The [insert agency name] did not receive any comments from interested parties in response to the published proposed rules. OR
- The [insert agency name] received comments from ## interested parties in response to the required plain language summary that was on posted on [insert date], but no comments in response to the published proposed rules. OR
- The [insert agency name] received comments from ## interested parties, ## in response to the plain language summary that was on posted on [insert date], and ## in response to the published proposed rules.]

The Adoption Justification attached to this Order is incorporated by reference as if set forth verbatim herein. Any public comments received, and any changes made by the [insert agency governing body or official], during the public meeting on [insert date], are incorporated into this Order and will be documented in the Adopted Rules Notice published in the *Texas*

Register. The rule adoption has been reviewed by legal counsel and found to be a valid exercise of the agency's legal authority.

IT IS HEREBY ORDERED that the proposed [new rules, amendments, repeals] at ## TAC, Chapter ##, Subchapter ___, Section ##, regarding the [insert name of program or rule chapter], are adopted by the [insert agency name] [without changes to the proposed text as published OR with changes to the proposed text as published].

The effective date of this adoption is 20 days after filing notice hereof with the Secretary of State, or a later date as specified, pursuant to Texas Government Code Section 2001.036.

SIGNED AND ENTERED this, the ___ day of [Month/Year].

Name, Title

[Repeat the signature block as necessary to reflect the number of agency officials required to sign the order.]