

Chapter: Agency Supports and Controls	Effective Date: 7/15/24
Title: Texas Administrative Code and Rule Review	Page: 1 of 2
	Replaces: GAP.05.13, 3/1/23

(a) **Policy.**

The Texas Juvenile Justice Department (TJJD) complies with the [Texas Administrative Procedure Act](#) for publishing and implementing rules and procedures in the Texas Administrative Code.

(b) **Requirements.**

(1) **Compliance with the Administrative Procedure Act.**

In compliance with the Administrative Procedure Act, TJJD:

- (A) indexes, cross-indexes to statute, and makes available for public inspection all rules and all other written statements of policy or interpretation that are prepared, adopted, or used by the agency in discharging its functions;
- (B) indexes, cross-indexes to statute, and makes available for public inspection all final orders, decisions, and opinions, consistent with other TJJD policies and state law; and
- (C) provides for public participation in the formal rulemaking process.

(2) **Publication Requirements.**

- (A) A state agency statement of general applicability that implements, interprets, or prescribes law or policy or describes the procedure or practice requirements of a state agency, other than those regarding only the internal management or organization of a state agency and not affecting private rights or procedure, is subject to publication requirements of the Administrative Procedure Act.
- (B) Communications that change policies and rules of general applicability or interpret or prescribe policy or practice other than internal management or organizational change are subject to publication requirements of the Administrative Procedure Act.
- (C) Communications concerning only internal management or organization of a state agency and that do not affect private rights or procedures are not subject to publication requirements of the Administrative Procedure Act.
- (D) TJJD makes available on its internet site its rules and any material, such as a letter, opinion, or compliance manual, that explains or interprets one or more rules and that has been issued for general distribution.

(3) **Policy and Rule Changes.**

- (A) New and revised nonemergency rules that are subject to the Administrative Procedure Act are published according to legal requirements and are not effective until the official effective date established by the *Texas Register*.
- (B) New and revised rules that are subject to the Administrative Procedure Act and that are communicated by executive notice or administrative memo to alleviate an emergency situation of imminent peril to the public health, safety, or welfare are published in the *Texas Register* under emergency adoption of a rule procedures and are effective as provided by statute.

(4) **Rule Review.**

- (A) According to the schedule made available to the public on the agency's website, TJJJ:
 - (i) reviews its rules for continuing legal, practical, and operational relevance every four years to determine whether the reasons for initially adopting the rule continue to exist; and
 - (ii) publishes the results in the *Texas Register*.
 - (B) A rule that is reviewed is:
 - (i) readopted without revisions;
 - (ii) readopted with revisions; or
 - (iii) repealed.
 - (C) TJJJ reviews and updates the rule review schedule as needed.
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