

Subchapter O. RULEMAKING.

§22.281. Initiation of Rulemaking.

- (a) **Petition for Rulemaking.** Any interested person may petition the commission requesting the adoption of a new rule or the amendment of an existing rule.
 - (1) The petition shall be in writing and shall include a brief explanation of the rule, the reason(s) the new or amended rule should be adopted, the statutory authority for such a rule or amendment, and complete proposed text for the rule. The proposed text for the rule shall indicate by striking through the words, if any, to be deleted from the current rule and by underlining the words, if any, to be added to the current rule.
 - (2) Upon receipt of a petition for rulemaking, the commission shall submit a notice for publication in the "In Addition" section of the *Texas Register*. The notice shall include a summary of the petition, the name of the individual, organization or entity that submitted the petition, and notification that a copy of the petition will be available for review and copying in the commission's central records. Comments on the petition shall be due 21 days from the date of publication of the notice. Failure to publish a notice of a petition for rulemaking in the *Texas Register* shall not invalidate any commission action on the petition for rulemaking.
 - (3) Within 60 days after submission of a petition, the commission either shall deny the petition in writing, stating its reasons for the denial, or shall initiate rulemaking proceedings.

- (b) **Commission Initiated Rulemaking.** The commission may initiate rulemaking proceedings on its own motion. Nothing in this section shall preclude the commission general counsel or commission staff from consideration or development of new rules or amendments to existing rules without express direction from the commission.