

TITLE 40 SOCIAL SERVICES AND ASSISTANCE

PART 21 TEXAS COUNCIL FOR DEVELOPMENTAL DISABILITIES

CHAPTER 876 GENERAL PROVISIONS

The Texas Council for Developmental Disabilities (TCDD) proposes amendments to §876.9 concerning Charges to Access to Public Records.

The purpose of the amendments to §876.9 is to correctly identify the statute establishing charges for public records.

FISCAL NOTE

Beth Stalvey, PhD, Council Executive Director, has determined for each year of the first five years that the rules will be in effect, there will be no fiscal implications to state or local governments as a result of enforcing and administering the rules as proposed.

GOVERNMENT GROWTH IMPACT STATEMENT

TCDD has determined that during the first five years that the rules will be in effect:

- (1) the proposed rules will not create or eliminate a government program;
- (2) implementation of the proposed rules will not affect the number of TCDD employee positions;
- (3) implementation of the proposed rules will result in no assumed change in future legislative appropriations;
- (4) the proposed rules will not affect fees paid to the agency;
- (5) the proposed rules will not create a new regulation;
- (6) the proposed rules will not expand, limit, or repeal an existing regulation;
- (7) the proposed rules will not change the number of individuals subject to the rules; and
- (8) the proposed rules will not affect the state's economy.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT ANALYSIS

Dr. Stalvey has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The rules do not apply to small or micro-businesses, or rural communities.

PUBLIC BENEFIT

Dr. Stalvey has also determined that for each year of the first five years the rules are in effect, the updates will further efforts to create change so that all people with disabilities are fully included in their communities and exercise control over their own lives.

Comments on the proposal may be submitted to Koren Vogel, 6201 E. Oltorf, Suite 600, Austin, Texas 78741-7509, or e-mail comments to: koren.vogel@tcdd.texas.gov. Comments must be submitted by October 25, 2021, 31 days from publication in the *Texas Register*.

The proposed amendments are authorized under the Texas Human Resources Code, §112.020, which provides authority for the Council to adopt rules as necessary to implement the Council's duties and responsibilities.

The amendments will affect Texas Human Resources Code, Title 7, Chapter 112, Developmental Disabilities.

<rule>

§876.9 Charges for Access to Public Records

(a) The charge to any person requesting copies of any public record of the Council will be the charge established by the [Texas Government Code, Chapter 552 – Public Information Act](#). ~~Buildings and Procurements Commission at 1 TAC §§111.61-111.70.~~

(b) The Council may reduce or waive these charges at the discretion of the executive director if there is a public benefit.