



TAGD – through its Legislative Committee – developed this model rule as a potential template and resource to add a provision to their rules that establishes a process by which a person may petition a district to request adoption of a rule. A district may opt to utilize this model rule to comply with the new requirements of HB 2443 (Harris) approved by the 88th Legislature.

MODEL RULE FOR A PETITION FOR RULEMAKING

(a) A person with a real property interest in groundwater in the District may file a petition with the District to request the adoption of a rule.

(b) Petitions must be submitted in writing to the District office and must comply with the following requirements:

- (1) each rule requested must be submitted by separate petition;
- (2) each petition must be signed and state the name and address of each person signing the petition;
- (3) each petition must include:
 - (A) a brief description of the petitioner’s real property interest in groundwater in the District;
 - (B) a brief explanation of the proposed rule;
 - (C) the text of the proposed rule prepared in a manner to indicate the words to be added or deleted from the text of the current rule, if any; and
 - (D) an allegation of injury or inequity that could result from the failure to adopt the proposed rule.

(c) The General Manager may reject any petition for failure to comply with the requirements of Subsection (b) of this section and shall provide notice to the petitioner of the reason for the rejection.

(d) Within 90 days after submission of a petition that complies with this section, the Board shall either deny the petition, stating its reasons for denial in the minutes of the board meeting or in a letter providing a written explanation to the petitioner, or initiate rulemaking proceedings as provided by Section 36.101, Water Code.