



GOVERNOR GREG ABBOTT

June 22, 2018

Dear Agency Head:

In 1981, President Reagan issued Executive Order 12291, establishing White House review of new regulations proposed by federal agencies. Since then, presidents have reviewed new regulations in order to coordinate policy among agencies, eliminate redundancies and inefficiencies, and provide a dispassionate "second opinion" on the costs and benefits of proposed agency actions.

In light of the success of regulatory review at the federal level, Governor Abbott is clarifying the process for review of new rules proposed by state agencies. Prior to publication of a proposed rule in the *Texas Register*, the Office of the Governor will review the Notice of Proposed Rule as well as the agency's internal analysis of the rule. The rulemaking memorandum template enclosed with this letter contains instructions for providing that information.

Thank you for your cooperation with this initiative. If you have any questions about this process, please contact the policy advisor assigned to your agency.

Sincerely,

A handwritten signature in black ink, appearing to read "Luis Saenz".

Luis Saenz  
Chief of Staff  
Office of the Governor

LS:clk

Enclosure

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

**Proposed Rulemaking Memorandum**

To: [Policy advisor]

From: [Counsel whose name will accompany the proposed rule in the *Texas Register*]

Date:

Subject: [Short description of nature of proposed rule]

LS:clk

Enclosure

POST OFFICE BOX 12428 AUSTIN, TEXAS 78711 512-463-2000 (VOICE) DIAL 7-1-1 FOR RELAY SERVICES

### Proposed Rulemaking Memorandum

To: [Policy advisor]

From: [Counsel whose name will accompany the proposed rule in the *Texas Register*]

Date:

Subject: [Short description of nature of proposed rule]

The [name of agency] proposes a rulemaking for [citation to administrative code].

1. **Provide the draft Notice of Proposed Rule that you intend to submit to the *Texas Register*, including preambles, comments, notices, and any other text that will be submitted to the *Texas Register*.**
2. **Attach to this memorandum a complete copy of the following analyses:**
  - a. The analysis supporting the draft government growth impact statement required by Texas Government Code § 2001.0221.
  - b. The analysis supporting the economic impact statement required by Texas Government Code § 2006.002.
  - c. The analysis supporting the regulatory flexibility analysis required by Texas Government Code § 2006.002.
  - d. The analysis supporting the takings impact assessment required by Texas Government Code § 2007.043.
  - e. The analysis supporting the local employment impact statement required by Texas Government Code § 2001.024(a)(6).
  - f. The analysis supporting the cost-benefit analysis required by Texas Government Code § 2001.024(a)(5).
  - g. The analysis supporting the fiscal note required by Texas Government Code § 2001.024(a)(4).
3. **If Texas Government Code § 2001.0045(b) applies to the proposed rule, identify the proposed repeal or amendment that offsets the costs imposed by the proposed rule and explain the reasoning behind your estimates of the costs. If Texas Government Code § 2001.0045(b) does not apply to the proposed rule, explain why.**
4. **Is there anything else you would like the Office of the Governor to know about this proposed rule?**