

# 2025-9561

TITLE 28. INSURANCE  
Part I. Texas Department of Insurance  
Chapter 1. General Administration

Adopted Sections  
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## **Subchapter B. Fees, Charges, and Cost 28 TAC §1.301 and §1.302**

## **Subchapter J. Procedures for Vendor Protests of Procurements 28 TAC §1.1101**

## **Subchapter Q. Assignment and Use of Agency Vehicles 28 TAC §1.1901 and §1.1904**

**INTRODUCTION.** The commissioner of insurance adopts amendments to 28 TAC §§1.301, 1.302, 1.1101, 1.1901, and 1.1904, concerning various sections that reference the General Services Commission (GSC). The amendments are adopted without changes to the proposed text published in the August 15, 2025, issue of the *Texas Register* (50 TexReg 5303).

**REASONED JUSTIFICATION.** The amended sections are necessary to remove references to the GSC and its rules because the GSC was abolished under Senate Bill 311, 77th Legislature, 2001. After the GSC was abolished, its authority to determine the cost for copies of public records was transferred to the Office of the Attorney General (OAG) under Senate Bills 452 and 727, 79th Legislature, 2005. The GSC's authority to determine procedures for vendor protests of procurement and determine the assignment and use of agency vehicles was transferred to the Texas Comptroller of Public Accounts (CPA) under House Bill 3560, 80th Legislature, 2007. Because the GSC's authority was transferred to other agencies after its abolition, the amendments are needed to accurately cite the proper agencies and their rules. The amended sections as adopted are otherwise consistent with OAG and CPA rules.

Descriptions of the sections' adopted amendments follow.

**Section 1.301.** Amendments to §1.301 replace a reference to the GSC and its rules with a reference to the OAG and its rules, add the abbreviation "TDI" for the Texas Department of Insurance, and replace the word "shall" with "will" for consistency with TDI plain language preferences.

**Section 1.302.** Amendments to §1.302 remove the \$1 fee a custodian of records is entitled to under Civil Practice and Remedies Code §22.004, reducing the fee amount required by the section to \$10. Amendments also update the section for plain language by replacing "shall be" with "is."

**Section 1.1101.** An amendment to §1.1101 replaces a reference to the GSC with a reference to the CPA and adds the relevant CPA rules' titles for clarity.

**Section 1.1901.** Amendments to §1.1901 replace a reference to the GSC with a reference to the CPA and add the title of Government Code §2171.1045 for clarity. The citation to Government Code §2171.1045 is also updated for plain language.

**Section 1.1904.** Amendments to §1.1904 replace the reference to the GSC with a reference to the CPA and ensure the full title of the State Vehicle Fleet Management Plan is in the text.

In addition, the amendments include nonsubstantive rule drafting and formatting changes for plain language and to conform the sections to TDI's current style and improve the sections' clarity. These changes include replacing "shall" with "must" or "will."

**SUMMARY OF COMMENTS.** TDI provided an opportunity for public comment on the rule proposal for a period that ended on September 15, 2025. TDI did not receive any comments on the proposed amendments.

**Subchapter B. Fees, Charges, and Costs**  
**28 TAC §1.301 and §1.302**

**STATUTORY AUTHORITY.** The commissioner adopts the amendments to §1.301 and §1.302 under Government Code §552.262 and Insurance Code §§202.003(a), 202.051(2), and 36.001.

Government Code §552.262 requires each state agency to use the rules adopted by the OAG in determining charges for providing copies of public information.

Insurance Code §202.003(a) directs TDI to set and collect a fee for copying any paper of record in an amount sufficient to reimburse the state for the actual expense.

Insurance Code §202.051(2) directs TDI to impose and receive from each authorized insurer writing insurance in Texas a fee for affixing the official seal and certifying to the seal in an amount not to exceed \$20.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

**TEXT.****§1.301. Charges for Copies of Public Records.**

(a) The charge to any person requesting copies of any public record of the Texas Department of Insurance (TDI) will be the charge for such copy or copies as established by the Office of the Attorney General in 1 TAC Chapter 70 (relating to Cost of Copies of Public Information).

(b) TDI may waive the charges addressed in subsection (a) of this section, at the discretion of the commissioner or the commissioner's designee, if a public benefit would result from such waiver.

**§1.302. Charges for Affixing the Official Seal and Certifying to the Seal.**

The charge to any person or entity requesting the affixing of the official seal and certifying to the seal is \$10.

**Subchapter J. Procedures for Vendor Protests of Procurements  
28 TAC §1.1101**

**STATUTORY AUTHORITY.** The commissioner adopts the amendments to §1.1101 under Government Code §2155.076 and Insurance Code §36.001.

Government Code §2155.076 requires each state agency by rule to develop and adopt protest procedures for resolving vendor protests relating to purchasing issues that are consistent with the CPA's rules.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

**TEXT.****§1.1101. Purpose.**

The purpose of this subchapter is to provide a protest procedure to be used by any actual or prospective bidder, offeror, proposer, or contractor who is aggrieved in connection with the solicitation, evaluation, or award of a contract by the department. These procedures are consistent with rules adopted by the Texas Comptroller of Public Accounts in 34 TAC Chapter 20, Subchapter F, Division 3 (relating to Protests and Appeals).

**Subchapter Q. Assignment and Use of Agency Vehicles  
28 TAC §1.1901 and §1.1904**

**STATUTORY AUTHORITY.** The commissioner adopts the amendments to §1.1901 and §1.1904 under Government Code §2171.1045 and Insurance Code §36.001. Government Code §2171.1045 requires each state agency to adopt rules consistent with the management plan adopted by the CPA under Government Code §2171.104.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

**TEXT.**

**§1.1901. Purpose.**

This subchapter sets out the process for the assignment and use of the department's vehicles. This subchapter implements Government Code §2171.1045, concerning Restrictions on Assignment of Vehicles, and is consistent with the State Vehicle Fleet Management Plan as adopted by the Office of Vehicle Fleet Management of the Texas Comptroller of Public Accounts.

**§1.1904. Waiver or Exemption.**

The department will cooperate with the Texas Comptroller of Public Accounts to identify, request and, if appropriate, use any waiver or exemption provision in the State Vehicle Fleet Management Plan based on conditions specific to the department in the interest of promoting fiscal efficiency and good business practices.

**CERTIFICATION.** The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Issued at Austin, Texas, on October 17, 2025.

Signed by:  
*Jessica Barta*  
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Jessica Barta, General Counsel  
Texas Department of Insurance

The amendments to 28 TAC §§1.301, 1.302, 1.1101, 1.1901, and 1.1904 are adopted.

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Signed by:  
  
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Cassie Brown  
Commissioner of Insurance

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