

**Texas Real Estate Commission**  
**Chapter 534, General Administration**  
**Rules Adopted at the May 17, 2009 Meeting**

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**Chapter 534. General Administration**  
**§534.1, §534.4, and §534.5**

The Texas Real Estate Commission (TREC) adopts amendments to §534.1 concerning Charges for Copies of Public Information, §534.4 concerning Historically Underutilized Businesses Program, and §534.5 concerning Bid Opening and Tabulation without changes to the proposed text as published in the February 26, 2010 issue of the *Texas Register* (35 TexReg 1564) and will not be republished. The proposed amendments update the references to the rules promulgated by other state agencies that are adopted by reference by the commission.

No comments were received on the rules as proposed. The reasoned justification for the amendments is administrative compliance with statutory rulemaking requirements.

The amendments are adopted under Texas Occupations Code, §1101.151, which authorizes the Texas Real Estate Commission to make and enforce all rules and regulations necessary for the performance of its duties and to establish standards of conduct and ethics for its licensees in keeping with the purpose and intent of the Act to ensure compliance with the provisions of the Act.

The statute affected by this adoption is Texas Occupations Code, Chapter 1101. No other statute, code or article is affected by the amendments.

**§534.1. Charges for Copies of Public Information.**

(a) Charge for copies of public information provided by the commission shall be based upon the current charges established by the Office of the Attorney General; provided, however, that the commission shall charge its actual costs if the actual costs of providing copies exceed the established charges, and an exemption has been granted by the Office of the Attorney General.

(b) The commission may furnish copies of public information without charge or at a

reduced charge if the commission determines that waiver or reduction of the fee is in the public interest. The commission also may waive the charge if the cost of processing the collection of a charge will exceed the amount of the charge.

**§534.4. Historically Underutilized Businesses Program.** In accordance with Texas Government Code §2161.003, the commission adopts by reference the rules of the Comptroller of Public Accounts in 34 TAC Part 1, Chapter 20, Subchapter B, relating to the Historically Underutilized Business Program. The Comptroller of Public Accounts rules are located at the Office of the Secretary of State's internet website: [www.sos.state.tx.us/tac/index.html](http://www.sos.state.tx.us/tac/index.html).

**§534.5. Bid Opening and Tabulation**

(a) The commission adopts by reference the rules of the Texas Comptroller of Public Accounts in 34 TAC §20.35 relating to bid submission, bid opening, and tabulation.

(b) The adoption of this rule is required by Texas Government Code, §2156.005(d).

This agency hereby certifies that the proposal has been reviewed by legal counsel and found to be within the agency's legal authority to adopt.

Issued in Austin, Texas, on May 24, 2010.

TRD #: 201002847  
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