progressing towards the south and the access channel of Fulton Harbor. All construction activities will occur from a barge and no land access, or access from the Fulton Harbor side of the existing bulkhead. Ingress/egress to Fulton Harbor is not expected to be impacted by the proposed project. The original DA Permit 659 was issued 9 April 1948 and authorized a 570-foot bulkhead and to dredge up to -9 feet and the dredged materials used as fill material behind the bulkhead.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2021-00198. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 22-1016-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at *pialegal@glo.texas.gov*. Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at *federal.consistency@glo.texas.gov*.

TRD-202103849 Mark A. Havens Chief Clerk General Land Office Filed: September 28, 2021

Department of State Health Services

Order Placing Five Synthetic Cannabinoids, N-Ethylpentylone, and 4F-MDMB-BUTINACA into Schedule I, and Placing Lasmiditan in Schedule V

The Drug Enforcement Administration issued a final rule adopting an interim final rule placing lasmiditan (2,4,6-trifluoro-*N*-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl-benzamide), including its salts, in schedule V of the Controlled Substances Act without change. This final rule was published in the May 24, 2021 issue of the *Federal Register*, Volume 86, Number 98, pages 27803-27806 and was effective May 24, 2021.

The Drug Enforcement Administration issued a final rule permanently placing naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (Other names: NM2201 or CBL2201), N-(1-amino-3-methyl-1-oxobutan-2-yl)-1-(5fluoropentyl)-1H-indazole-3-carboxamide (Other name: 5F-AB-PINACA), 1-(4-cyanobutyl)-N-(2-phenylpropan-2-yl)-1H-indazole-3-carboxamide (Othernames: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYL BINACA, CUMYL-4CN-BINACA, or SGT-78); methyl 2-(1-(cyclohexylmethyl)-1H-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA or AMB-CHMICA); and, 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1Hpyrrolo[2,3-b]pyridine-3-carboxamide (other name: 5F-CUMYL-P7AICA), including their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible, into schedule I of the Controlled Substances Act. This final rule was published in the June 10, 2021 edition of the Federal Register, Volume 86, Number 110, pages 30775-30778 and was effective June 10, 2021. This action was based on the following:

- (1) NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA, and 5F-CUMYL-P7AICA have a high potential for abuse that is comparable to other schedule I substances such as delta-9-tetrahydrocannabinol and JWH-018;
- (2) NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA, and 5F-CUMYL-P7AICA currently have no accepted medical use in treatment in the United States; and,
- (3) There is a lack of accepted safety for use of NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA, and 5F-CUMYL-P7AICA under medical supervision.

The Drug Enforcement Administration permanently placed 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (Other names: *N*-ethylpentylone; ephylone) and its optical, positional, and geometric isomers, salts, and salts of isomers whenever the existence of such salts, isomers,

and salts of isomers is possible, in schedule I of the Controlled Substances Act. This final rule was published in the June 14, 2021 issue of the *Federal Register*, Volume 86, Number 112, pages 31427-31429 and was effective June 14, 2021. This action was based on the following:

- 1. N-Ethylpentylone has a high potential for abuse;
- 2. *N*-Ethylpentylone has no currently accepted medical use in treatment in the United States; and,
- 3. There is a lack of accepted safety for use of *N*-ethylpentylone under medical supervision.

The Drug Enforcement Administration issued a final rule creating a separate listing for 4F-MDMB-BINACA (Other names: 4F-MDMB-BUTINACA; methyl 2-(1-(4-fluorobutyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate) in schedule I of the Controlled Substances Act. This final rule was published in the June 22, 2021 edition of the *Federal Register*, Volume 86, Number 117, pages 32633-32635 and was effective June 22, 2021. This action was taken based on the following reasons:

- 1. 4F-MDMB-BINACA was added to Schedule II of the Convention on Psychotropic Substances of 1971 (1971 Convention); and
- 2. 4F-MDMB-BINACA is a positional isomer of 5F-AMB, an hallucinogenic substance in schedule I.

Pursuant to Section 481.034(g), as amended by the 75th legislature, of the Texas Controlled Substances Act, Health and Safety Code, Chapter 481, at least thirty-one days have expired since notice of the above referenced actions were published in the *Federal Register*. In the capacity as Commissioner of the Texas Department of State Health Services, John Hellerstedt, M.D., does hereby order the placement of the substances NM2201, 5F-AB-PINACA, 4-CN-CUMYL-BUTINACA, MMB-CHMICA, 5F-CUMYL-P7AICA, *N*-ethylpentylone, and 4F-MDMB-BUTINACA into schedule I, and maintenance of lasmiditan in schedule V.

-Schedule I hallucinogenic substances

Unless specifically excepted or unless listed in another schedule, a material, compound, mixture, or preparation that contains any quantity of the following hallucinogenic substances or that contains any of the substance's salts, isomers, and salts of isomers if the existence of the salts, isomers, and salts of isomers is possible within the specific chemical designation (for the purposes of this Schedule I hallucinogenic substances section only, the term "isomer" includes optical, position, and geometric isomers):

- (1) a-Ethyltryptamine (Other names: etryptamine; Monase; a-ethyl-1*H*-indole-3-ethanamine; 3-(2-aminobutyl) indole; a-ET; AET);
- (2) 4-Bromo-2,5-dimethoxyamphetamine (Other names: 4-bromo-2,5-dimethoxy-a-methylphenethylamine; 4-bromo-2,5-DMA);
- (3) 4-Bromo-2,5-dimethoxyphenethylamine (Other names: Nexus; 2C-B; 2-(4-bromo-2,5-dimethoxyphenyl)-1-aminoethane; a-desmethyl DOB);
- (4) 2,5-Dimethoxyamphetamine (Other names: 2,5-dimethoxy-a-methylphenethylamine; 2,5-DMA);
 - (5) 2,5-Dimethoxy-4-ethylamphetamine (Other name: DOET);
- (6) 2,5-Dimethoxy-4-(n)-propylthiophenethylamine, its optical isomers, salts and salts of isomers (Other name: 2C-T-7);
- (7) 4-Methoxyamphetamine (Other names: 4-methoxy-a-methylphenethylamine; paramethoxyamphetamine; PMA);
- (8) 5-Methoxy-3,4-methylenedioxyamphetamine (Other name: MMDA);
- (9) 4-Methyl-2,5-dimethoxyamphetamine (Other names: 4-methyl-2,5-dimethoxy-a-methyl-phenethylamine; "DOM";"STP");
- (10) 3,4-Methylenedioxyamphetamine (Other names: MDA; Love Drug);
- (11) 3,4-Methylenedioxymethamphetamine (Other names: MDMA; MDM; Ecstasy; XTC);
- (12) 3,4-Methylenedioxy-*N*-ethylamphetamine (Other names: *N*-ethylamethyl-3,4(methylenedioxy)phenethylamine; *N*-ethyl MDA; MDE; MDEA);
- (13) *N*-Hydroxy-3,4-methylenedioxyamphetamine (Other name: *N*-hydroxy MDA);
 - (14) 3,4,5-Trimethoxyamphetamine (Other name: TMA);
- (15) 5-Methoxy-*N*, *N*-dimethyltryptamine (Other names: 5-methoxy-3-[2-(dimethylamino)ethyl]indole, 5-MeO-DMT);
- (16) a-Methyltryptamine (Other name: AMT), its isomers, salts, and salts of isomers;
- (17) Bufotenine (Other names: 3-β-Dimethylaminoethyl)-5-hydroxyindole; 3-(2-dimethylaminoethyl)-5-indolol; *N,N*-dimethylserotonin; 5-hydroxy-*N,N*-dimethyltryptamine; mappine);
 - (18) Diethyltryptamine (Other names: N,N-Diethyltryptamine; DET);
 - (19) Dimethyltryptamine (Other name: DMT);
- (20) 5-Methoxy-*N*, *N*-diisopropyltryptamine, its isomers, salts, and salts of isomers (Other name: 5-MeO-DIPT);
- (21) Ibogaine (Other names: 7-Ethyl-6,6- β -7,8,9,10,12,13-octhydro-2-methoxy-6,9-methano-5*H*-pyrido[1',2':1,2] azepino [5,4-b] indole; Tabernanthe iboga);
 - (22) Lysergic acid diethylamide;
 - (23) Marihuana.

The term marihuana does not include hemp, as defined in Title 5, Agriculture Code, Chapter 121.

- (24) Mescaline;
- (25) Parahexyl (Other names: 3-Hexyl-1-hydroxy-7,8,9,10-tetrahydro-6,6,9-trimethyl-6*H*-dibenzo[b,d]pyran; Synhexyl);
- (26) Peyote, unless unharvested and growing in its natural state, meaning all parts of the plant classified botanically as *Lophophora williamsii Lemaire*, whether growing or not, the seeds of the plant, an extract from a part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or extracts;
 - (27) N-ethyl-3-piperidyl benzilate;
 - (28) N-methyl-3-piperidyl benzilate;
 - (29) Psilocybin;
 - (30) Psilocyn;
- (31) Tetrahydrocannabinols, meaning tetrahydrocannabinols naturally contained in a plant of the genus Cannabis (cannabis plant), except for up to 0.3 percent delta-9-tetrahydrocannabinols in hemp (as defined under Texas Agriculture Code 121), as well as synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant, such as the following:
 - 1 cis or trans tetrahydrocannabinol, and their optical isomers;
 - 6 cis or trans tetrahydrocannabinol, and their optical isomers;
 - 3,4 cis or trans tetrahydrocannabinol, and its optical isomers;

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of numerical designation of atomic positions covered.)

- (32) Ethylamine analog of phencyclidine (Other names: *N*-ethyl-1-phenylcyclohexylamine; (1-phenylcyclohexyl)ethylamine; *N*-(1-phenylcyclohexyl)ethylamine; cyclohexamine; PCE);
- (33) Pyrrolidine analog of phencyclidine (Other names: 1-(1 phenylcyclohexyl)-pyrrolidine; PCPy; PHP; rolicyclidine);
- (34) Thiophene analog of phencyclidine (Other names: 1-[1-(2-thienyl)-cyclohexyl]-piperidine; 2-thienyl analog of phencyclidine; TPCP; TCP);
 - (35) 1-[1-(2-Thienyl)cyclohexyl]pyrrolidine (Other name: TCPy);
- (36) 4-Methylmethcathinone (Other names: 4-methyl-*N*-methylcathinone; mephedrone);
 - (37) 3,4-Methylenedioxypyrovalerone (MDPV);
- (38) 2-(2,5-Dimethoxy-4-ethylphenyl)ethanamine (Other name: 2C-E);

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(39) 2-(2,5-Dimethoxy-4-methylphenyl)ethanamine (Other name: 2C-
D);
     (40) 2-(4-Chloro-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-
C);
     (41) 2-(4-Iodo-2,5-dimethoxyphenyl)ethanamine (Other name: 2C-I);
     (42) 2-[4-(Ethylthio)-2,5-dimethoxyphenyl]ethanamine (Other name:
2C-T-2);
     (43) 2-[4-(Isopropylthio)-2,5-dimethoxyphenyl]ethanamine (Other
name: 2C-T-4);
     (44) 2-(2,5-Dimethoxyphenyl)ethanamine (Other name:2C-H);
     (45) 2-(2,5-Dimethoxy-4-nitro-phenyl)ethanamine (Other name: 2C-
N);
     (46) 2-(2,5-Dimethoxy-4-(n)-propylphenyl)ethanamine (Other name:
2C-P);
     (47) 3,4-Methylenedioxy-N-methylcathinone (Other name:
Methylone);
     (48) (1-Pentyl-1H-indol-3-yl)(2,2,3,3-
tetramethylcyclopropyl)methanone (Other names: UR-144; 1-pentyl-3-
(2,2,3,3-tetramethylcyclopropoyl)indole);
     (49) [1-(5-Fluoro-pentyl)-1H-indol-3-yl](2,2,3,3-
tetramethylcyclopropyl)methanone (Other names: 5-fluoro-UR-144, 5-F-UR-
144, XLR11, (5-flouro-pentyl)-3-(2,2,3,3-tetramethylcyclopropoyl)indole);
     (50) N-(1-Adamantyl)-1-pentyl-1H-indazole-3-carboxamide (Other
names: APINACA, AKB48);
     (51) Quinolin-8-yl 1-pentyl-1H-indole-3-carboxylate, its optical,
positional, and geometric isomers, salts and salts of isomers (Other names:
PB-22; QUPIC);
     (52) Quinolin-8-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, its
optical, positional, and geometric isomers, salts and salts of isomers (Other
names: 5-fluoro-PB-22; 5F-PB-22);
     (53) N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1H-
indazole-3-carboxamide, its optical, positional, and geometric isomers, salts
and salts of isomers (Other name: AB-FUBINACA);
     (54) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-
3-carboxamide (Other name: ADB-PINACA);
     (55) 2-(4-Iodo-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine (Other names: 25I-NBOMe; 2CI-NBOMe; 25I;
Cimbi-5);
     (56) 2-(4-Chloro-2,5-dimethoxyphenyl)-N-(2-
methoxybenzyl)ethanamine (Other names: 25C-NBOMe; 2C-C-NBOMe; 25C;
Cimbi-82);
     (57) 2-(4-Bromo-2,5-dimethoxyphenyl)-N-(2-
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methoxybenzyl)ethanamine (Other names: 25B-NBOMe; 2C-B-NBOMe; 25B;

Cimbi-36);

- (58) Marihuana extract, meaning an extract containing one or more cannabinoids that has been derived from any plant of the genus Cannabis, except for extracts derived from hemp (as defined under Texas Agriculture Code 121) containing up to 0.3% delta-9-tetrahydrocannabinol on a dry weight basis, other than separated resin (whether crude or purified) obtained from the plant;
 - (59) 4-Methyl-N-ethylcathinone (4-MEC);
 - (60) 4-Methyl-a-pyrrolidinopropiophenone (4-MePPP);
 - (61) a-Pyrrolidinopentiophenone ([a]-PVP);
- (62) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)butan-1-one (Other names: butylone; bk-MBDB);
- (63) 2-(Methylamino)-1-phenylpentan-1-one (Other name: pentedrone);
- (64) 1-(1,3-Benzodioxol-5-yl)-2-(methylamino)pentan-1-one (Other names: pentylone; bk-MBDP);
 - (65) 4-Fluoro-N-methylcathinone (Other names: 4-FMC; flephedrone);
 - (66) 3-Fluoro-N-methylcathinone (Other name: 3-FMC);
- (67) 1-(Naphthalen-2-yl)-2-(pyrrolidin-1-yl)pentan-1-one (Other name: naphyrone);
 - (68) a-Pyrrolidinobutiophenone (Other name: a-PBP);
- (69) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(cyclohexylmethyl)-1*H*-indazole-3-carboxamide (Other name: AB-CHMINACA);
- (70) N-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-pentyl-1H-indazole-3-carboxamide (Other name: AB-PINACA);
- (71) [1-(5-Fluoropentyl)-1*H*-indazol-3-yl](naphthalen-1-yl)methanone (Other name: THJ-2201);
- (72) 1-Methyl-4-phenyl-1,2,5,6-tetrahydro-pyridine (Other name: MPTP);
- (73) N-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(cyclohexyl-methyl)-1H-indazole-3-carboxamide (Other names: MAB-CHMINACA; ABD-CHMINACA);
- (74) Methyl 2-(1-(5-fluoropentyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other names: 5F-ADB; 5F-MDMB-PINACA);
- (75) Methyl 2-(1-(5-fluoropentyl)-1H-indazole-3-caboxamido)-3-methylbutanoate (Other name: 5F-AMB);
- (76) *N*-(Adamantan-1-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other names: 5F-APINACA; 5F-AKB48);
- (77) *N*-(1-Amino-3,3-dimethyl-1-oxobutan-2-yl)-1-(4-fluorobenzyl)-1*H*-indazole-3-carboxamide (Other name: ADB-FUBINACA);
- (78) Methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3,3-dimethylbutanoate (Other names: MDMB-CHMICA; MMB-CHMINACA);
- (79) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate (Other name: MDMB-FUBINACA);

- (80) Methyl 2-(1-(4-fluorobenzyl)-1H-indazole-3-carboxamido)-3-methylbutanoate (Other names: FUB-AMB; MMB-FUBINACA; AMB-FUBINACA);
- *(81) Naphthalen-1-yl 1-(5-fluoropentyl)-1*H*-indole-3-carboxylate (Other names: NM2201; CBL2201);
- *(82) *N*-(1-Amino-3-methyl-1-oxobutan-2-yl)-1-(5-fluoropentyl)-1*H*-indazole-3-carboxamide (Other name: 5F-AB-PINACA);
- *(83) 1-(4-Cyanobutyl)-*N*-(2-phenylpropan-2-yl)-1*H*-indazole-3-carboxamide (Other names: 4-CN-CUMYL-BUTINACA; 4-cyano-CUMYL-BUTINACA; 4-CN-CUMYL BINACA; CUMYL-4CN-BINACA; SGT-78);
- *(84) Methyl 2-(1-(cyclohexylmethyl)-1*H*-indole-3-carboxamido)-3-methylbutanoate (Other names: MMB-CHMICA; AMB-CHMICA);
- *(85) 1-(5-Fluoropentyl)-*N*-(2-phenylpropan-2-yl)-1*H*-pyrrolo[2,3-*b*]pyridine-3-carboxamide (Other name: 5F-CUMYL-P7AICA);
- *(86) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino)pentan-1-one (Other names: *N*-ethylpentylone, ephylone); and,
- *(87) Methyl 2-(1-(4-fluorobutyl)-1*H*-indazole-3-carboxamido)-3,3-dimethylbutanoate) (Other names: 4F-MDMB-BINACA; 4F-MDMB-BUTINACA).

-Schedule V depressants

Unless specifically exempted or excluded or unless listed in another schedule, any material, compound, mixture, or preparation, which contains any quantity of the following substances having a depressant effect on the central nervous system, including its salts:

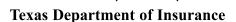
- (1) Brivaracetam ((2S)-2-[(4R)-2-oxo-4-propylpyrrolidin-1-yl]butanamide) (Other names; BRV; UCB-34714; Briviact);
- (2) Cenobamate [(1R-1-(2-chlorophenyl)-2-(tetrazol-2-yl)ethyl] carbamate;
- (3) Ezogabine including its salts, isomers and salts of isomers, whenever the existence of such salts, isomers and salts of isomers is possible;
- (4) Lacosamide [(R)-2-acetoamido-N-benzyl-3-methoxy-proprionamide];
- *(5) Lasmiditan [2,4,6-trifluoro-*N*-(6-(1-methylpiperidine-4-carbonyl)pyridine-2-yl-benzamide]; and,
- (6) Pregabalin [(S)-3-(aminomethyl)-5-methylhexanoic acid].

Changes are marked by an asterisk(*)

TRD-202103746

Scott A. Merchant Interim General Counsel Department of State Health Services

Filed: September 23, 2021



Company Licensing

Application for Colonial Lloyds, a domestic Lloyds plan, to convert and change its name to Roadrunner Indemnity Company, a domestic fire and/or casualty company. The home office is in Waco, Texas.

Application for incorporation in the state of Texas for SCAN Health Plan Texas, Inc. (DBA SCAN Health Plan), a domestic Health Maintenance Organization (HMO). The home office is in Austin, Texas.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of Amy Garcia, 333 Guadalupe Street, MC 103-CL, Austin, Texas 78701.

TRD-202103853
James Person
General Counsel
Texas Department of Insurance
Filed: September 29, 2021

Public Utility Commission of Texas

Notice of Application to Adjust High Cost Support Under 16 TAC §26.407(h)

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on September 24, 2021, to adjust the high-cost support it receives from the Small and Rural Incumbent Local Exchange Company Universal Service Plan without effect to its current rates.

Docket Title and Number: Application of Poka Lambro Telephone Cooperative, Inc. to Adjust High Cost Support under 16 Texas Administrative Code §26.407(h), Docket Number 52638.

Poka Lambro requests a high-cost support adjustment increase of \$373,491. The requested adjustment complies with the cap of 140% of the annualized support the provider received in the previous 12 months, as required by 16 Texas Administrative Code \$26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at (888) 782-8477 as a deadline to intervene may be imposed. Hearing and speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 52638.

TRD-202103854 Andrea Gonzalez Rules Coordinator Public Utility Commission of Texas Filed: September 29, 2021

Rio Grande Council of Governments

Request for Qualifications for Professional Engineering Services for Region E Water Planning Group

The Region E - FWTWPG, acting through the Rio Grande Council of Governments (RGCOG) invites all qualified parties to submit a Request for Qualifications for Engineering Services to prepare a regional water plan as prescribed by the TWDB. The qualified firm shall also assist the FWTWPG in preparing an appropriate scope of work that adequately addresses all tasks as described in *TWDB's Initial SOW for 2026*

Proposals must be received no later than 2:00 p.m., Mountain Time, on Saturday, October 16, 2021, to Annette Gutierrez through electronic submission at *annetteg@riocog.org*.

RGCOG encourages participation by disadvantaged business enterprises and does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202103835 Annette Gutierrez Executive Director Rio Grande Council of Governments Filed: September 27, 2021

Supreme Court of Texas

Preliminary Approval of Amendments to Canon 6(B) of the Code of Judicial Conduct