



Draft Administrative Rules (Chapter 255)

July 2025

CHAPTER 255: CONTINUITY OF OPERATIONS

Subchapter A: General Provisions

§255.101. Applicability

- (a) This Chapter applies to any covered entity and any other agency that is involved in the delivery of emergency services as a member of the governor's Emergency Management Council or is part of the State Data Center program.

§255.102. Confidentiality

- (a) Continuity of Operations Plans, Exercises, and materials used in preparation thereof are confidential and exempt from disclosure under the Public Information Act.
- (b) State agencies may voluntarily disclose Continuity of Operations Plans and other related confidential information to the Office, other state agencies, federal agencies, or other governmental entities without affecting the confidentiality of that information.

Subchapter B: Responsibilities of the Office

§255.201. Provision of Guidance Materials

- (a) The Office shall make the following guidance materials available to state agencies:
 - (1) the Office's Continuity Planning Guidance Letter,
 - (2) recommended templates for Continuity of Operations Plans and Agency Exercises,
 - (3) links to continuity planning guidance from other state and federal entities, and
 - (4) other guidance materials as necessary to explain and model each element of continuity planning listed in §412.054(a), Texas Labor Code.

Subchapter C: Program Requirements

§255.301. Continuity Coordinators

- (a) Each state agency shall designate at least one continuity coordinator who will serve as the primary liaison between the agency and the Office for continuity planning purposes.

§255.302. Collaboration with Related Agencies

- (a) To ensure efficient and effective continuity planning, state agencies shall, as directed by the Office, coordinate with

agencies instrumental in continuity planning and emergency response, including those in the fields of information technology, cybersecurity, homeland security, and disaster relief.

§255.303. Submission of Continuity of Operations Plans and Exercises

- (a) Continuity of Operations Plans and Exercises shall be submitted in the form and manner prescribed by the Office. Instructions for submission shall be available on the Office's website.

§255.304. Compliance Standards

- (a) The Office shall evaluate agency Continuity of Operations Plans for alignment with the requirements of §412.054, Texas Labor Code, and federal, state or other industry standards.

§255.305. Reporting of Noncompliance

- (a) A state agency that fails to comply with this Chapter by creating a Continuity of Operations Plan in collaboration with the Office as required by §412.054, Texas Labor Code may be identified as noncompliant in the Board's biennial report to the Legislature.