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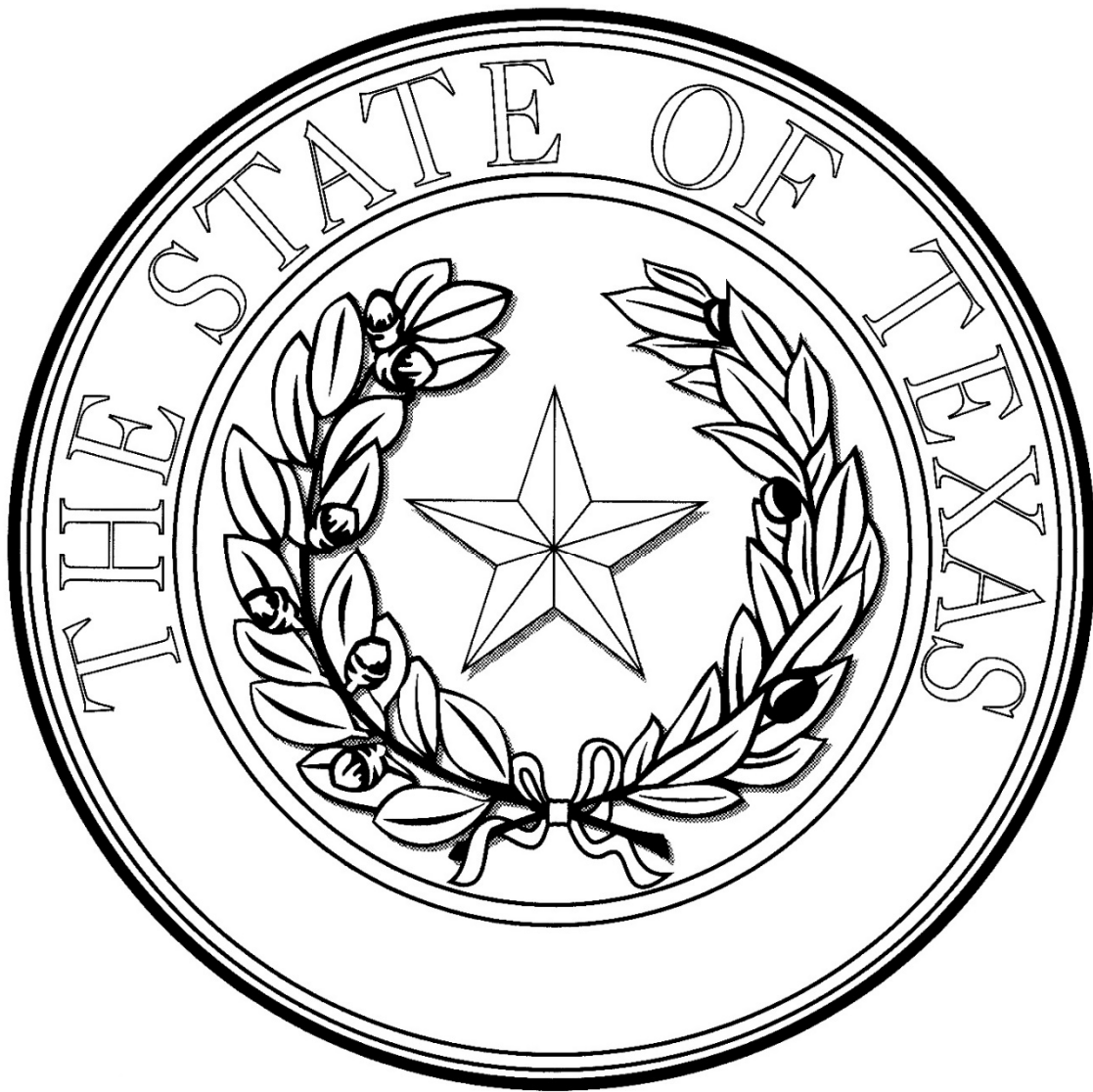
# TEXAS REGISTER

*Volume 51 Number 3*

*January 16, 2026*

*Pages 227 – 346*

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# THE GOVERNOR

As required by Government Code, §2002.011(4), the *Texas Register* publishes executive orders issued by the Governor of Texas. Appointments and proclamations are also published. Appointments are published in chronological order. Additional information on documents submitted for publication by the Governor's Office can be obtained by calling (512) 463-1828.

## Appointments

### Appointments for January 5, 2026

Appointed to the Texas Higher Education Coordinating Board for a term to expire August 31, 2031, Hugh D. "Darryl" Heath of Colleyville, Texas (replacing Emma C. Nevarez of El Paso whose term expired).

Appointed to the Texas Higher Education Coordinating Board for a term to expire August 31, 2031, Daniel C. "Colt" McCoy of Aledo, Texas (replacing Fred Farias, III, O.D. of McAllen whose term expired).

Appointed to the Texas Higher Education Coordinating Board for a term to expire August 31, 2031, Ashlie A. Thomas of Victoria, Texas (Ms. Thomas is being reappointed).

Appointed to the Texas Pharmaceutical Initiative Governing Board for a term to expire February 1, 2027, Jason R. LaFond of Austin, Texas.

### Appointments for January 6, 2026

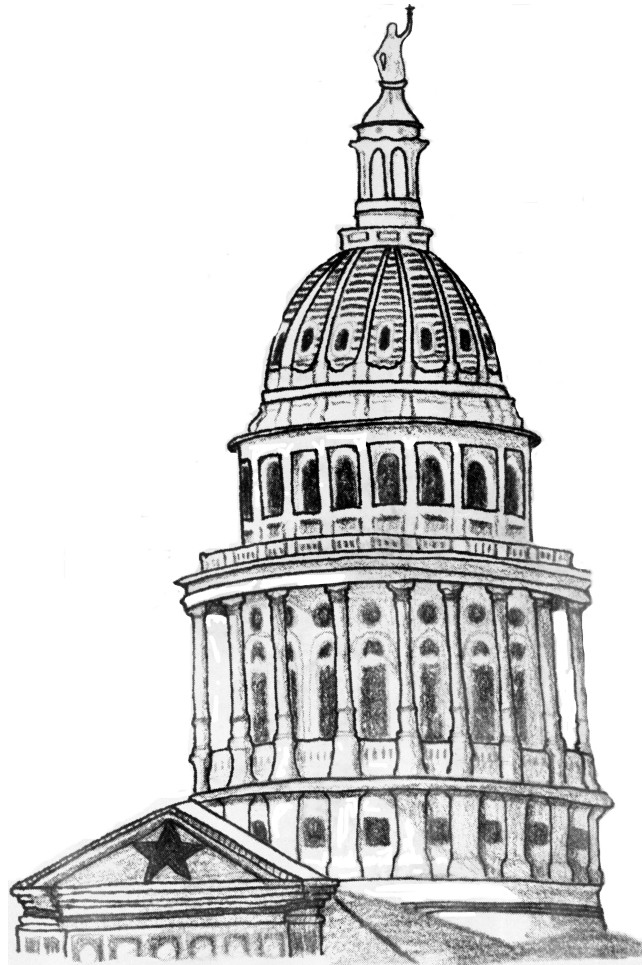
Appointed to the Texas Department of Housing and Community Affairs for a term to expire January 31, 2031, Kenny E. Marchant of Coppell, Texas.

Appointed to the Texas Department of Housing and Community Affairs for a term to expire January 31, 2031, Ajay K. Thomas of Austin, Texas.

Greg Abbott, Governor

TRD-202600032





# PROPOSED RULES

Proposed rules include new rules, amendments to existing rules, and repeals of existing rules. A state agency shall give at least 30 days' notice of its intention to adopt a rule before it adopts the rule. A state agency shall give all interested persons a reasonable opportunity to

submit data, views, or arguments, orally or in writing (Government Code, Chapter 2001).

**Symbols in proposed rule text.** Proposed new language is indicated by underlined text. ~~[Square brackets and strikethrough]~~ indicate existing rule text that is proposed for deletion. "(No change)" indicates that existing rule text at this level will not be amended.

## TITLE 19. EDUCATION

### PART 1. TEXAS HIGHER EDUCATION COORDINATING BOARD

#### CHAPTER 1. AGENCY ADMINISTRATION SUBCHAPTER D. RIGHT TO CORRECTION OF INCORRECT INFORMATION

##### 19 TAC §§1.96 - 1.99

The Texas Higher Education Coordinating Board (Coordinating Board) proposes repeal of Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter D, §§1.96 - 1.99, concerning Right to Correction of Incorrect Information. Specifically, these rules are being repealed because they were determined to be no longer necessary during the four-year rule review.

Texas Education Code, §61.027, provides the Coordinating Board with rulemaking authority.

Douglas Brock, General Counsel, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rules. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rules.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Douglas Brock, General Counsel, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be to remove a rule that was determined to be no longer necessary during the four-year rule review. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

##### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;

(5) the rules will not create a new rule;

(6) the rules will not limit an existing rule;

(7) the rules will not change the number of individuals subject to the rule; and

(8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Douglas Brock, General Counsel, P.O. Box 12788, Austin, Texas 78711-2788, or via email at RulesComments@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Section 61.027, which provides the Coordinating Board with rulemaking authority.

The proposed repeal affects Texas Administrative Code, Title 19, Part 1, Chapter 1, Subchapter D.

§1.96. *Scope and Purpose.*

§1.97. *Definitions.*

§1.98. *Individual's Right to Correction of Incorrect Information.*

§1.99. *Correction Procedure.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202504804

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6375



CHAPTER 4. RULES APPLYING TO  
ALL PUBLIC INSTITUTIONS OF HIGHER  
EDUCATION IN TEXAS  
SUBCHAPTER D. DUAL CREDIT  
PARTNERSHIPS BETWEEN SECONDARY  
SCHOOLS AND TEXAS PUBLIC COLLEGES  
19 TAC §§4.83 - 4.85

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter D, §§4.83 - 4.85, concerning Dual Credit Partnerships Between Secondary Schools and Texas Public Colleges. Specifically, this amendment implements the requirements of House Bill 3041, 89th Texas Legislature, Regular Session by providing additional guidance on the institutional obligations related to establishing institutional agreements with home schools and the offering of dual credit courses to home school students.

Texas Education Code, §28.009(b) provides authority to the Coordinating Board to adopt rules on dual credit.

Section 4.83, Definitions, is amended to add a definition of Home School for the purposes of this subchapter and to make grammatical changes to update the rules to *Texas Register* standards.

Section 4.84, Institutional Agreements, is amended to add new Subsection (d) to outline requirements for institutions regarding development of institutional agreements with home schools and to make grammatical changes to update the rules to *Texas Register* standards.

Section 4.85(a), Dual Credit Requirements, is amended to make grammatical changes to update the rules to *Texas Register* standards.

Section 4.85(b), Dual Credit Requirements, is amended to specifically include dual credit eligibility requirements for students enrolled in home schools.

Section 4.85(c), Dual Credit Requirements, is amended to clarify the requirements for institutions regarding the location in which a dual credit course can be offered to a home school student.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rules. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rules.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be improved transparency for home schools and institutions of higher education regarding requirements for institutional agreements for dual credit courses. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;

- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [AHAComments@highered.texas.gov](mailto:AHAComments@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 28.009(b), which provides authority to the Coordinating Board to adopt rules on dual credit.

The proposed amendment affects Texas Education Code, Sections 51.9675 and 28.009(b).

#### §4.83. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) **Avocational Course**--A course of study in a subject or activity that is usually engaged in by a person in addition to the person's regular work or profession for recreation or in relation to a hobby, including a community interest course, as defined in Education Code, §130.351(2).

(2) **Board**--The governing body of the agency known as the Texas Higher Education Coordinating Board.

(3) **Career and Technical Education Course**--A workforce or continuing education college course offered by an institution of higher education for which a high school student may earn credit toward satisfaction of a requirement necessary to obtain an industry-recognized credential, certificate, or associate degree.

(A) A career and technical education course is listed in the Workforce Education Course Manual (WECM).

(B) For the purpose of this subchapter, this definition excludes:

- (i) an avocational course;
- (ii) a continuing education course that is ineligible for conversion as articulated college credit; and
- (iii) a continuing education course that does not meet the institution's program or instructor accreditation standards.

(4) **Certificate**--A Certificate Program as defined in Education Code, §61.003(12).

(5) **College Board Advanced Placement** (also referred to as Advanced Placement or AP)--College-level courses and exams available to secondary students under the auspices of an approved College Board program.

(6) **Commissioner**--The Commissioner of Higher Education.

(7) **Coordinating Board**--The agency known as the Texas Higher Education Coordinating Board, including the agency staff.

(8) Credit--College credit earned through the successful completion of a college career and technical education or academic course that fulfills specific requirements necessary to obtain an industry-recognized credential, certificate, associate degree, or other academic degree.

(9) Degree-Seeking Student--A student who has filed a degree plan with an institution of higher education or is required to do so pursuant to Education Code §51.9685.

(10) Dual Credit Course or Dual Enrollment Course--A course that meets the following requirements:

(A) The course is offered pursuant to an agreement under §4.84 of this subchapter (relating to Institutional Agreements).

(B) A course for which the student may earn one or more of the following types of credit:

(i) joint high school and junior college credit under Education Code, §130.008, or

(ii) another course offered by an institution of higher education, for which a high school student may earn semester credit hours or equivalent of semester credit hours toward satisfaction of:

(I) a course defined in paragraph (3) of this section that satisfies a requirement necessary to obtain an industry-recognized credential, certificate, or an associate degree;

(II) a foreign language requirement at an institution of higher education;

(III) a requirement in the core curriculum, as that term is defined by Education Code, §61.821, at an institution of higher education; or

(IV) a requirement in a field of study curriculum developed by the Coordinating Board under Education Code, §61.823.

(C) Dual credit includes a course for which a high school student may earn credit only at an institution of higher education (previously referred to as a dual enrollment course) if the course meets the requirements of this section.

(D) A student may earn a single grade toward both the college course and the high school credit or may earn two separate grades where the high school grade only reflects a student's mastery of secondary content.

(E) Dual credit and dual enrollment are synonymous in Title 19, Part 1 of these rules unless otherwise expressly provided by rule.

(F) Each dual credit course must meet the requirements of this subchapter.

(11) Equivalent of a Semester Credit Hour--A unit of measurement for a continuing education course, determined as a ratio of one continuing education unit to 10 contact hours of instruction. This may be expressed as a decimal of 1.6 continuing education units of instruction which equals one semester credit hour of instruction. In a continuing education course, [course,] not fewer than 16 contact hours are equivalent to one semester credit hour.

(12) Field of Study Curriculum (FOSC)--A Board-approved set of courses authorized under Subchapter [subchapter] B of this chapter (relating to Transfer of Credit, Core Curriculum and Field of Study Curricula) that satisfies lower-division requirements for a baccalaureate degree in a specific academic area at a general academic teaching institution. A field of study curriculum is designed to facili-

tate transfer of courses toward designated academic degree programs at public junior colleges, public technical institutes, or universities.

(13) Home School--A school that provides secondary education instruction in a bona fide manner from curriculum designed to meet basic education goals at or through a child's home by the parent or a person standing in parental authority.

(14) [(13)] Institution of Higher Education or Institution--A public institution of higher education as defined in Education Code, §61.003(8).

(15) [(14)] International Baccalaureate Diploma Program (also referred to as IB)--The curriculum and examinations leading to an International Baccalaureate diploma awarded by the International Baccalaureate Organization.

(16) [(15)] Locally Articulated College Credit--Credit earned through a high school course that fulfills specific requirements identified by a college for a career and technical education course and provides a pathway for high school students to earn credit toward a technical certificate or technical degree at a partnering institution of higher education upon high school graduation.

(17) [(16)] Program of Study Curriculum (POSC)--A block of courses which is designed to progress in content specificity for an industry or career cluster while also incorporating rigorous college and career readiness standards, authorized under Education Code §61.8235. A POSC generally incorporates multiple entry and exit points for participating students with portable demonstrations of technical or career competency, including credit transfer agreements or industry-recognized credentials.

(18) [(17)] Public Two-Year College--Any public junior college, public technical institute, or public state college as defined in Education Code, §61.003.

(19) [(18)] School District--Under this subchapter, school district includes a charter school or district operating under Education Code, chapter 12, unless otherwise specified.

(20) [(19)] Semester Credit Hour--A unit of measure of instruction, represented in intended learning outcomes and verified by evidence of student achievement, that reasonably approximates one hour of classroom instruction or direct faculty instruction and a minimum of two hours out of class student work for each week over a 15-week period in a semester system or the equivalent amount of work over a different amount of time. An institution is responsible for determining the appropriate number of semester credit hours awarded for its programs in accordance with federal definitions, requirements of the institution's accreditor, and commonly accepted practices in higher education.

#### §4.84. Institutional Agreements.

(a) Need for Institutional Agreements. For any dual credit partnership between a school district or private school and an institution, an agreement must be approved by the governing boards or designated authorities (e.g., superintendent or chief academic officer) of both the public school district or private secondary school, as applicable, and the institution prior to the offering of such courses. Each institution shall report to the Coordinating Board a list of school districts and private schools with which it has agreements under this section, and the URL where these agreements are posted on the institution's Internet website.

(b) Elements of Institutional Agreements. An Institutional Agreement entered into or renewed between an institution and a school district or private school, including a memorandum of understanding or articulation agreement, shall include the following elements:

(1) Eligible Courses;

- (2) Student Eligibility;
- (3) Location of Class;
- (4) Student Composition of Class;
- (5) Faculty Selection, Supervision, and Evaluation;
- (6) Course Curriculum, Instruction, and Grading;
- (7) Academic Policies and Student Support Services;
- (8) Transcribing of Credit;

(9) Funding, including the sources of funding for courses offered under the program, including, at a minimum, the sources of funding for tuition, transportation, and any required fees, instructional materials, or textbooks for students participating in the program, including for students eligible to take dual credit courses at no cost to the student under the FAST program, under Texas Administrative Code, Chapter [chapter] 13, Subchapter [subchapter] Q;

(10) All requirements for joint implementation of the FAST program under Education Code, §28.0095, including ensuring the accurate and timely exchange of information necessary for an eligible student to enroll at no cost in a dual credit course, for eligible public schools and students participating in the FAST program, under Texas Administrative Code, Chapter [chapter] 13, Subchapter [subchapter] Q;

(11) Defined sequences of courses that apply to academic or career and technical education program requirements at the institution or industry-recognized credentials, where applicable;

(12) Specific program goals aligned with the statewide goals developed under Education Code, §§28.009(b-1), 130A.004, and 130A.101(c)(3);

(13) Coordinated advising strategies and terminology related to dual credit and college readiness, including strategies to assist students in selecting courses that will satisfy applicable high school and college requirements for the student's intended program;

(14) Provision for the alignment of endorsements described by Education Code, §28.025(c-1), offered by the school district and dual credit courses offered under the agreement that apply toward those endorsements with postsecondary pathways and credentials at the institution and industry-recognized credentials;

(15) Identification of tools, including online resources developed by the Texas Education Agency, Coordinating Board, or the Texas Workforce Commission, to assist counselors, students, and families in selecting endorsements offered by the school district and college courses offered by the institution under the agreement;

(16) A procedure for establishing the course credits that may be earned under the agreement, including developing a course equivalency crosswalk or other method of identifying the number of high school and college credits that may be earned for each course completed through the program;

(17) A description of the academic supports and, if applicable, other support that will be provided to students participating in the program (e.g., transportation to and from a college campus);

(18) The respective roles and responsibilities of the institution of higher education and the school district or private school in providing the program and ensuring the quality of instruction and instructional rigor of the program;

(19) A requirement that the school district and the institution consider the use of free or low-cost open educational resources in courses offered under the program; and

(20) Designation of at least one employee of the school district or private school, or the institution as responsible for providing academic advising to a student who enrolls in a dual credit course under the program before the student begins the course.

(c) Each Agreement must be posted each year on the institution of higher education's and the school district's respective Internet websites.

(d) Institutional Agreements for Dual Credit Purposes Between Institutions and Home schools.

(1) An institution that has an institutional agreement with a public school district, charter school or private secondary school for the purpose of a dual credit partnership shall similarly consider or offer an institutional agreement with a home school.

(2) An institution may not, on the basis that a school is a home school, deny, delay, or obstruct the provision or execution of an institutional agreement with the home school, or impose additional criteria, conditions, or requirements pertaining to the institutional agreement that would not otherwise be applicable to institutional agreements with a public school district, charter school or private secondary school. Final decisions regarding such agreements remain at the discretion of the institution.

(3) For the purpose of approving, signing, and executing an institutional agreement between an institution and a home school, the institution shall recognize a home school as having equivalent approval and signatory authority to a private secondary school as described by subsection (a) of this section.

§4.85. Dual Credit Requirements.

(a) Eligible Courses.

(1) An institution may offer any dual credit course as defined in §4.83(11) of this subchapter (relating to Definitions).

(2) A dual credit course offered by an institution must be in the approved undergraduate course inventory of the institution.

(3) An Early College High School may offer any dual credit course as defined in §4.83(11) or Texas Education Code, §28.009 and §130.008, subject to the provisions of Subchapter [subchapter] G of this chapter (relating to Early College High Schools).

(4) An institution may not offer a remedial or developmental education course for dual credit. This limitation does not prohibit an institution from offering a dual credit course that incorporates Non-Course-Based College Readiness content or other academic support designed to increase the likelihood of student success in the college course, including any course offered under §4.86 of this subchapter (relating to Optional Dual Credit Program: College Connect Courses).

(b) Student Eligibility.

(1) A high school student who attends a public school, private school, parochial school, or a home school so long as the student is at least 16 years of age, is eligible to enroll in dual credit courses if the student:

(A) is not a degree-seeking student as defined in §4.83(10) of this subchapter (relating to Definitions);

(B) demonstrates that he or she is exempt under the provisions of the Texas Success Initiative as set forth in §4.54 of this chapter (relating to Exemption);

(C) demonstrates college readiness by achieving the minimum passing standards under the provisions of the Texas Success Initiative as set forth in §4.57 of this chapter (relating to Texas Success Initiative Assessment College Readiness Standards) on relevant

section(s) of an assessment instrument approved by the Board as set forth in §4.56 of this chapter (relating to Assessment Instrument); or

(D) Meets the eligibility requirements for a Texas First Diploma under §21.52 of this title (relating to Eligibility for Texas First Diploma).

(2) In admitting or enrolling students in a dual credit course, an institution shall apply the same enrollment and admission criteria and conditions for a high school student who attends a public, private, parochial, or home school, in accordance with Texas Education Code, §51.9675.

~~{(2) A student who is enrolled in private or non-accredited secondary schools or who is home-schooled must satisfy paragraph (b)(1) of this subsection.}~~

(3) An institution may require a student who seeks to enroll in a dual credit course to meet all the institution's regular prerequisite requirements designated for that course (e.g., a minimum score on a specified placement test, minimum grade in a specified previous course, etc.).

(4) An institution may impose additional requirements for enrollment in specific dual credit courses that do not conflict with this subchapter.

(5) An institution is not required, under the provisions of this section, to offer dual credit courses for high school students.

(c) Location of Class. An institution may teach dual credit courses on the college or university campus or on the high school campus. ~~[For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught via distance education, the institution shall comply with chapter 2, subchapter J of this title (relating to Approval of Distance Education for Public Institutions).]~~

(1) For dual credit courses taught exclusively to high school students on the high school campus and for dual credit courses taught via distance education, the institution shall comply with Chapter 2, Subchapter J, of this title (relating to Approval of Distance Education for Public Institutions).

(2) An institution may offer the same dual credit course to a high school student who attends a public, private, parochial, or home school, through an alternate delivery method (e.g., distance education, asynchronous online, or hybrid format) if the existing method is not reasonably accessible to that student.

(3) If an institution offers a section of a dual credit course only on a high school campus, the institution is not required to create an additional section of the same course in another format or location (e.g., on campus, distance education, asynchronous online, or hybrid) to serve high school students.

(d) Composition of Class. A dual credit course may be composed of dual credit students only or of a mixture of dual credit and college students. Notwithstanding the requirements of subsection (e) of this section, exceptions for a mixed class that combines dual credit students and high school credit-only students may be allowed when the creation of a high school credit-only class is not financially viable for the high school and only under one of the following conditions:

(1) If the course involved is required for completion under the State Board of Education High School Program graduation requirements;

(2) If the high school credit-only students are College Board Advanced Placement or International Baccalaureate students; or

(3) If the course is a career and technical education course and the high school credit-only students are eligible to earn articulated college credit.

(e) Faculty Selection, Supervision, and Evaluation. Each institution shall apply the standards for selection, supervision, and evaluation for instructors of dual credit courses as required by the institution's accreditor. A high school teacher may only teach a high school course offered through a dual credit agreement if the teacher is approved by the institution offering the dual credit course.

(f) Course Curriculum, Instruction, and Grading. The institution shall ensure that a dual credit course offered at a high school is at least equivalent in quality to the corresponding course offered at the main campus of the institution with respect to academic rigor, curriculum, materials, instruction, and methods of student evaluation. These standards must be upheld regardless of the student composition of the class, location, and mode of delivery.

(g) Academic Policies and Student Support Services.

(1) Regular academic policies applicable to courses taught at an institution's main campus must also apply to dual credit courses. These policies may include the appeal process for disputed grades, drop policy, the communication of grading policy to students, when the syllabus must be distributed, etc. Additionally, each institution is strongly encouraged to provide maximum flexibility to high school students in dual credit courses, consistent with the institution's academic policies, especially with regard to drop policies, to encourage students to attempt rigorous courses without potential long-term adverse impacts on students' academic records.

(2) Each student in a dual credit course must be eligible to utilize support services that are appropriate for dual credit students. The institution is responsible for ensuring timely and efficient access to such services (e.g., academic advising and counseling), to learning materials (e.g., library resources), and to other benefits for which the student may be eligible.

(3) A student enrolled in a dual credit course at an institution shall file a degree plan with the institution as prescribed by Texas Education Code, §51.9685.

(h) Transcripting of Credit. Each institution or high school shall immediately transcript the credit earned by a student upon a student's completion of the performance required in the course.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600014

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6182

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## SUBCHAPTER F. TEXAS STATE SCIENCE AND ENGINEERING FAIR

### 19 TAC §§4.131 - 4.135

The Texas Higher Education Coordinating Board (Coordinating Board) proposes repeal of Texas Administrative Code, Title 19,



Part 1, Chapter 4, Subchapter F, §§4.131 - 4.135, concerning the Texas State Science and Engineering Fair. Specifically, this repeal will remove unnecessary rules in the Texas Administrative Code that are no longer needed.

Texas Education Code, §61.027, authorizes the Coordinating Board to adopt and repeal rules. The statute related to these rules has been repealed, and so the Coordinating Board has determined that the rules are no longer required.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the removal of unnecessary rules in the Texas Administrative Code. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [AHAComments@highered.texas.gov](mailto:AHAComments@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Section 61.027, which provides the Coordinating Board with the authority to adopt and repeal rules.

The proposed repeal affects Texas Education Code, Section 61.027.

§4.131. *Purpose, Scope, and Authority.*

§4.132. *Eligible Students.*

§4.133. *Awards.*

§4.134. *Organizations and Operations.*

§4.135. *Dissemination of Information and Rules.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6182



## SUBCHAPTER U. RECOMMENDED COURSE SEQUENCING; DEVELOPMENT AND INSTITUTIONAL REPORTING

### 19 TAC §§4.360 - 4.364

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter U, §§4.360 - 4.364, concerning Recommended Course Sequencing; Development and Institutional Reporting. Specifically, this repeal of existing rules is required to propose new rules for the Subchapter that will streamline reporting requirements and implement new statutory degree plan requirements. Replacement rules will be proposed at the same time under separate rulemaking.

Texas Education Code, §61.027, authorizes the Coordinating Board to adopt and repeal rules.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the repeal of existing rules and replacing them with new rules that will reduce the administrative burden on institutions relating to the reporting of degree planning requirements for academic undergraduate degrees. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;

- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed repeal information related to the cost, benefit, or effect of the proposed repeal, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [AHAComments@highered.texas.gov](mailto:AHAComments@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Section 61.027, which provides the Coordinating Board with the authority to adopt and repeal rules.

The proposed repeal affects Texas Education Code, Section 61.027.

*§4.360. Purpose.*

*§4.361. Authority.*

*§4.362. Definitions.*

*§4.363. Recommended Course Sequence Development.*

*§4.364. Recommended Course Sequence: Institutional Reporting.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600015

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6182



## 19 TAC §§4.360 - 4.365

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter U, §§4.360 - 4.365, concerning Required Degree and Course Planning. Specifically, this new section will implement degree and certificate plan transparency requirements of Senate Bill (SB) 3039, 89th Texas Legislature, Regular Session and update the degree planning and reporting requirements related to Texas Education Code (TEC), §51.96852, to better align with updated compliance practices at the Coordinating Board. These new rules will replace existing rules in Chapter 4, Subchapter U, which will be repealed at the same time. The Coordinating Board used negotiated rulemaking to develop these proposed rules. The Coordinating Board

will make reports of negotiated rulemaking committees available upon request.

Section 4.360, Purpose, establishes that the purpose of the subchapter is to establish requirements for institutions related to degree and course planning in alignment with statutory obligations.

Section 4.361, Authority, outlines the statutory authority for rule adoption by the Coordinating Board.

Section 4.362, Applicability, specifies which degree program the rules apply to, and clarifies that §4.364 is applicable only to academic undergraduate degree programs.

Section 4.363, Definitions, establishes definitions for key terms relevant to the subchapter, and establishes a new definition for a "Program Plan" that is designed to be broadly applicable to all types of degree plans.

Section 4.364, Certificate and Degree Program Plan Transparency, implements the requirements of SB 3039, 89th Texas Legislature, Regular Session under TEC, §61.07771.

Section 4.365, Requirements and Reporting for Undergraduate Program Plans, outlines degree planning and reporting requirements specific to academic undergraduate degree program plans as required by TEC, §51.96852. This section also proposes shifting the reporting requirements from an annual submission to a submission every five years, to follow the five-year review cycle for the core curriculum as required by TEC, §51.315.

TEC, §51.96852, requires each institution of higher education to develop and report to the Coordinating Board at least one sequence of courses that are recommended for a student to complete each academic undergraduate degree program with a specified period of time and requires the Coordinating Board to utilize negotiate rulemaking procedures for rulemaking related to these requirements. TEC, §61.07771, requires the Coordinating Board to adopt rules requiring institutions of higher education to provide transparency in certificate and degree program requirements for students enrolling in or transferring to the institution.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the clear requirements for institutions on degree program plan transparency and a streamline approach to reporting requirements for recommended degree plans for academic undergraduate degrees. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at AHAComments@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The new sections are proposed under Texas Education Code, Section 61.07771, and Section 51.96852, which provides the Coordinating Board with the authority to adopt rules relating to the implementation of these statutes.

The proposed new sections affect Texas Education Code, Section 61.07771, and Section 51.96852.

#### §4.360. Purpose.

The purpose of this subchapter is to establish requirements for institutions related to degree and course planning in alignment with statutory obligations.

#### §4.361. Authority.

Texas Education Code, §51.96852, requires the Board to adopt rules relating to the development, reporting, and publication of recommended course sequences. Texas Education Code, §61.07771, requires the Board to adopt rules regarding the availability of certificate and degree program requirements for students enrolling at or transferring into institutions of higher education.

#### §4.362. Applicability.

These rules apply to credit-bearing academic and workforce degree programs and certificates offered at institutions of higher education. These rules do not apply to Continuing Education Certificates, as defined in §2.262(2) of this title (relating to Certificate Titles, Length, and Program Content), Institutional Credential Leading to Licensure or Certification (ICLC) as defined in §2.262(4) of this title, Occupational Skills Award (OSA) as defined in §2.262(7) of this title, or Third-Party Credential as defined in §2.262(8) of this title, or microcredentials. Section 4.364 of this subchapter (relating to Certificate and Degree Program Plan Transparency), applies only to academic undergraduate degree program plans.

#### §4.363. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless otherwise defined in the subchapter:

- (1) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.

- (2) Certificate Program--Has the meaning as defined in §2.3(12) of this title (relating to Definitions).

- (3) Coordinating Board--The agency known as the Texas Higher Education Coordinating Board, including agency staff.

- (4) Degree Program--Has the meaning prescribed in §2.3(18) of this title.

- (5) Lower-Division Academic Course Guide Manual (ACGM)--a publication listing academic courses, as defined in §4.23(13) of this title (relating to Definitions).

- (6) Program Plan--a recommended sequence of courses by semester, term, or enrollment period that will satisfy the requirement for a student to complete a certificate or degree program.

- (7) Texas Common Course Numbering System (TC-CNS)--a common course numbering system, as defined in §4.23(10) of this title, and authorized by Texas Education Code, §61.832.

#### §4.364. Certificate and Degree Program Plan Transparency.

- (a) An institution of higher education shall ensure that each certificate and degree program at the institution has an associated program plan.

- (b) Each certificate and degree program plan shall:

- (1) be current, accessible, and consistent each catalog year for students enrolled at the institution and members of the public through the following sources, as applicable:

- (A) the institution's internal Internet website for students;

- (B) the institution's Internet website; and

- (C) the Internet website of the department at the institution that offers the certificate or degree program; and

- (2) state the prerequisites for each course required as part of the certificate or degree program;

- (3) list any non-course requirements for the certificate or degree program; and

- (4) provide the requirements for any track in the certificate or degree program.

#### §4.365. Requirements and Reporting for Undergraduate Program Plans.

- (a) An academic undergraduate program plan, as defined in §4.363(6) of this subchapter (relating to Definitions), shall:

- (1) identify all required lower-division courses for the applicable certificate or degree program;

- (2) include for each program plan course, if applicable:

- (A) the assigned course number under the common course numbering system under Texas Education Code, §61.832;

- (B) the course equivalent in the Lower-Division Academic Course Guide Manual or its successor adopted by the Board;

- (3) be designed to enable a full-time student to obtain a certificate or degree, as applicable, within the following time frames:

- (A) for a 60-hour degree or certificate program, two years;

- (B) for a 120-hour degree program, four years; or

- (C) a comparable time frame, for an approved certificate or degree program that requires credit hours other than those specified in subparagraph (A) or (B) of this paragraph;

(4) include a specific recommended sequence in which courses should be completed to ensure completion of the applicable program within the time frame described by paragraph (3) of this subsection; and

(5) be included in the institution's course catalog and on the institution's Internet website.

(b) Beginning September 1, 2027, each institution shall submit to the Coordinating Board not less than once every five (5) years:

(1) the location of each undergraduate program plan, as applicable, that is accessible on the institutions Internet website.

(2) a certification of compliance with the requirements of this section.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6182



## CHAPTER 5. RULES APPLYING TO PUBLIC UNIVERSITIES, HEALTH-RELATED INSTITUTIONS, AND/OR SELECTED PUBLIC COLLEGES OF HIGHER EDUCATION IN TEXAS

### SUBCHAPTER D. OPERATION OF OFF-CAMPUS EDUCATIONAL UNITS OF PUBLIC SENIOR COLLEGES, UNIVERSITIES AND HEALTH-RELATED INSTITUTIONS

#### 19 TAC §§5.71 - 5.73, 5.76, 5.78

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 5, Subchapter D, §§5.71 - 5.73, 5.76, and 5.78, concerning Operation of Off-Campus Educational Units of Public Senior Colleges, Universities and Health-Related Institutions. Specifically, this repeal will remove existing requirements for universities and health-related institutions to seek prior approval from the Coordinating Board to establish an off-campus educational unit.

Texas Education Code, §61.027, authorizes the Coordinating Board to adopt and repeal rules. The Coordinating Board has determined that statutory authority to require this approval does not exist and therefore the rules are being repealed.

David Troutman, Deputy Commissioner for Academic and Workforce Initiatives, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing

or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

David Troutman, Deputy Commissioner for Academic and Workforce Initiatives, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be reducing the administrative burden on universities and health-related institutions to establish off-campus educational units and streamlining the process to make courses and programs more accessible to students through off-campus education. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to David Troutman, Deputy Commissioner for Academic and Workforce Initiatives, P.O. Box 12788, Austin, Texas 78711-2788, or via email at AHAComments@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Section 61.027, which provides the Coordinating Board with the authority to adopt and repeal rules.

The proposed repeal affects Texas Education Code, Section 61.027.

§5.71. *Purpose.*

§5.72. *Authority.*

§5.73. *Definitions.*

§5.76. *General Principles for Off-Campus Educational Units.*

§5.78. *Supply/Demand Pathway.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6182



## CHAPTER 6. HEALTH EDUCATION, TRAINING, AND RESEARCH FUNDS SUBCHAPTER K. AUTISM GRANT PROGRAM

### 19 TAC §§6.210 - 6.218

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 6, Subchapter K, §§6.210 - 6.218, concerning the Autism Grant Program. Specifically, this repeal will shift grant administration rules for this program to more general rules designed for grant programs that do not have statutory authority for rulemaking and are only required by riders. Moving forward, the Autism Grant Program will be administered using rules in Chapter 10, Subchapter A.

Texas Education Code, §61.027, authorizes the Coordinating Board to adopt and repeal rules. The Coordinating Board has determined that statutory authority for specific rulemaking of this grant program does not exist and therefore the rules are being repealed.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the aligning the Autism Grant Program rules with more general procedures for grant programs that do not include statutory authority. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;

(4) the rules will not require an increase or decrease in fees paid to the agency;

(5) the rules will not create a new rule;

(6) the rules will not limit an existing rule;

(7) the rules will not change the number of individuals subject to the rule; and

(8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [AHAComments@highered.texas.gov](mailto:AHAComments@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Section 61.027, which provides the Coordinating Board with the authority to adopt and repeal rules.

The proposed repeal affects Texas Education Code, Section 61.027.

§6.210. *Purpose.*

§6.211. *Authority.*

§6.212. *Definitions.*

§6.213. *Eligibility.*

§6.214. *Grant Application Procedures.*

§6.215. *Award Amounts.*

§6.216. *Review Criteria.*

§6.217. *General Information.*

§6.218. *Reporting.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6182



## CHAPTER 8. CREATION, EXPANSION, DISSOLUTION, OR CONSERVATORSHIP OF PUBLIC COMMUNITY COLLEGE DISTRICTS SUBCHAPTER D. FORMATION OF A BRANCH CAMPUS

### 19 TAC §§8.71 - 8.76

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the repeal of Texas Administrative Code, Title

19, Part 1, Chapter 8, Subchapter D, §§8.71 - 8.76, concerning Formation of a Branch Campus. Specifically, this repeal will remove sections to allow the Coordinating Board to establish new updated rules to be considered for adoption at the April 2026 Board Meeting.

Texas Education Code, §61.053, §61.061, §61.063(c) - (d), §130.001(b)(3) - (4), and §130.251, provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to provide rules and regulations for a public community college district to operate such a campus.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the repeal of out-of-date rules concerning the establishment of branch campuses by two-year public institutions of higher education. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Tina Jackson, Assistant Commissioner for Workforce Education, P.O. Box 12788, Austin, Texas 78711-2788, or via email at Tina.Jackson@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Sections 61.053, 61.061, 61.063(c) - (d), 130.001(b)(3) - (4), and 130.251, which provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to

provide rules and regulations for a public community college district to operate such a campus.

The proposed repeal affects Texas Education Code, Sections 6.053, 61.061, 61.063(c) - (d), 130.001(b)(3) - (4), and 130.251.

§8.71. *Purpose.*

§8.72. *Authority.*

§8.73. *Provisions for Conversion of an Out-of-District Extension Center or Extension Facility to a Branch Campus.*

§8.74. *Application and Approval Procedures.*

§8.75. *Action and Order of the Board.*

§8.76. *Reclassification.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6209



#### 19 TAC §§8.71 - 8.75

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 8, Subchapter D, §§8.71 - 8.75, concerning Formation of a Branch Campus. Specifically, the new rules will clarify and streamline processes that public two-year institutions of higher education will go through to establish a branch campus.

Texas Education Code, §61.053, §61.061, §61.063(c) - (d), §130.001(b)(3) - (4), and §130.251 which provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to provide rules and regulations for a public community college district to operate such a campus.

Rule 8.71, Purpose, designates the purpose of the new rules as outlining processes to establish a branch campus.

Rule 8.72, Authority, indicates the Coordinating Board has the authority to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to provide rules and regulations for a public community college district to operate such a campus.

Rule 8.73, Application and Approval Procedures, outlines an institutional self-study that institutions must undertake, the nature of funding required, a regional review and certification process, and Coordinating Board staff site visits and reporting concerning the application.

Rules 8.74, Action and Order of the Board, details procedures and actions taken by the Coordinating Board in review and approval of a branch campus application.

Rule 8.75, Reclassification, outlines under what conditions the Coordinating Board may withdraw approval of a branch campus application.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be clarified rules concerning the establishment of branch campuses by two-year public institutions of higher education. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Tina Jackson, Assistant Commissioner for Workforce Education, P.O. Box 12788, Austin, Texas 78711-2788, or via email at Tina.Jackson@higher.ed.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The new section is proposed under Texas Education Code, Sections 61.053, 61.061, 61.063(c) - (d), 130.001(b)(3) - (4), and 130.251 which provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to provide rules and regulations for a public community college district to operate such a campus.

The proposed new section affects Texas Education Code, Sections 6.053, 61.061, 61.063(c) - (d), 130.001(b)(3) - (4), and 130.251.

#### §8.71. Purpose.

This subchapter provides rules and regulations for requesting approval from the Coordinating Board to establish, authorize, and operate a branch campus.

#### §8.72. Authority.

Texas Education Code, §61.053, §61.061, §61.062(c) - (d), §130.001(b)(3) - (4), and §130.251, authorize the Coordinating Board to adopt policies, enact regulations, and establish rules to define, establish, and authorize a branch campus and to provide rules and regulations for a public community college district to operate such a campus.

#### §8.73. Application and Approval Procedures.

(a) The governing board of a community college district requesting authority to create or convert a branch campus must submit a notice of intent to apply to the Commissioner, on the form required by the Coordinating Board.

(b) The community college district must conduct a self-study to assess whether the proposed branch campus meets the following criteria:

(1) Role and Mission; Purpose. In its program aspects, a branch campus shall be equivalent to a public community college. Therefore, the branch campus must provide:

(A) career and technical programs up to two years in length leading to associate degrees or certificates;

(B) lower-division courses, including the state-mandated core curriculum;

(C) continuing education programs for occupational training, upskilling, reskilling, licensure or certification;

(D) developmental education programs designed to fulfill the commitment of an admissions policy allowing enrollment of disadvantaged students;

(E) a continuing program of counseling and college and career advising designed to assist students in achieving their individual goals;

(F) career and technical education programs designed to meet local and statewide needs;

(G) adult literacy and other basic skills programs for adults; and

(H) such other purposes as may be prescribed by the Coordinating Board or local governing boards in the best interest of postsecondary education in Texas.

(2) Programs and Courses. All courses, programs, and degrees shall be offered in the name of the parent district, approved by THECB pursuant to applicable rules, included in the parent district's program inventory as applicable, and shall be subject to the following criteria:

(A) Courses and programs must meet the role, mission, and purposes described in paragraph (1) of this subsection.

(B) Courses and programs must be developed and operated with the ongoing assistance and involvement of the parent district faculty and staff.

(C) Instructional faculty credentials, full-time/part-time faculty ratios, teaching loads, faculty performance evaluation and effectiveness, student accessibility to faculty, etc., must be reviewed to ensure that these elements contribute to the quality of courses and programs offered in accordance with accreditation standards.

(D) If the proposed branch campus is within the service area of another operating public junior college, said public junior college must not offer or be capable of offering the proposed course. This requirement does not apply to a course offered in a county with a population of more than three million high school students enrolled in a

school district located wholly or partly in a county with a population of more than three million.

(3) Description of Staffing Plan. There must be sufficient academic and student support staff to meet the needs of faculty and students at the branch campus.

(4) Funding.

(A) The branch campus shall be supported either by means of a branch campus maintenance tax as set forth in Chapter 8, Subchapter E, of this title (relating to Branch Campus Maintenance Tax), or by local sources of community and/or economic support.

(B) If a local tax is not levied, local sources of support must be furnished at a level sufficient to provide adequate facilities needed at the proposed branch campus location. "Facilities" include the operation and maintenance of the physical plant including any rehabilitation and repairs. Local sources of support may be "in kind."

(C) Appropriate accounts which comply with generally accepted accounting principles for the branch campus must be kept and financial reports submitted as required for community college districts.

(D) State aid shall be earned according to community college finance methodologies as specified in Title 19.

(c) The Commissioner shall appoint a team, a majority of which should be community college presidents, for the purposes of reviewing the self-study and determining if the self-study meets the criteria set forth in §8.74(b) of this subchapter (relating to Action and Order of the Board). The team shall deliver a report on its findings to the Commissioner and Board staff.

(d) Board staff shall conduct a site visit and complete a report on whether the proposed branch campus meets the criteria set forth in §8.74(b). Board staff shall submit the report to the Commissioner. The report shall include a recommendation for approval or denial.

(e) A Board Committee may conduct one or more public hearings on the proposed branch campus to:

(1) assess public sentiment regarding the proposed branch campus;

(2) determine whether programs in the proposed branch campus will create unnecessary duplication or seriously harm programs in existing community college districts or other institutions of higher education in the area; and

(3) assess the potential impact of the proposed branch campus on existing community colleges or other institutions of higher education in the area and on the State of Texas.

§8.74. Action and Order of the Board.

(a) The Board shall take action on the request for approval for establishment of the branch campus at the next regularly scheduled quarterly Board meeting following completion of the report set forth in §8.73(b) (relating to Application and Approval Procedures). In making its decision, the Board shall consider the needs of the district, the needs of the community served by the proposed branch campus, the potential impact on other institutions of higher education, and the welfare of the state as a whole.

(b) A resolution shall be entered in the minutes of the Board and conveyed in writing by the Commissioner to the governing board of the community college district.

(c) Branch campus designation shall be used only upon approval by the Board.

(d) If the Board approves establishment of a branch campus, the governing board of the community college district may accept or acquire by purchase or rent land and facilities in the name of said institution.

§8.75. Reclassification.

The Board may withdraw approval for a branch campus whenever the Board:

(1) approves the establishment of a community college district which includes the site of the branch campus (Such local effort shall be reviewed by the Board according to the criteria as set forth in Subchapter B of this title) (relating to the Creation of a Public Community College District) as to the feasibility of establishing a separate community college district.

(2) approves the merger of the out-of-district area which includes the site of the branch campus with the parent district; or

(3) determines that the community college district has failed to maintain the standards and criteria of Board rules and regulations at the branch campus.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202504808

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6209



## **SUBCHAPTER E. BRANCH CAMPUS MAINTENANCE TAX**

### **19 TAC §§8.91 - 8.103**

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the repeal of Texas Administrative Code, Title 19, Part 1, Chapter 8, Subchapter E, §§8.91 - 8.103, concerning the Branch Campus Maintenance Tax. Specifically, this repeal will remove sections to allow the Coordinating Board to establish new updated rules to be considered for adoption at the April 2026 Board Meeting.

Texas Education Code, Sections 61.053, 130.001(b)(3)-(4), and 130.253 provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to adopt policies, enact regulations, and establish rules for a school district or county to request authorization from the Board to hold an election to establish and levy a branch campus maintenance tax.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.



There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the repeal of out-of-date rules concerning the process of establishing a Branch Campus Maintenance Tax. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Tina Jackson, Assistant Commissioner for Workforce Education, P.O. Box 12788, Austin, Texas 78711-2788, or via email at Tina.Jackson@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The repeal is proposed under Texas Education Code, Sections 61.053, 130.001(b)(3) - (4), and 130.253 which provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to adopt policies, enact regulations, and establish rules for a school district or county to request authorization from the Coordinating Board to hold an election to establish and levy a branch campus maintenance tax.

The proposed repeal affects Texas Education Code, Sections 6.053, 130.001(b)(3) - (4), and 130.251.

§8.91. *Purpose.*

§8.92. *Authority.*

§8.93. *Creation of a Local Steering Committee.*

§8.94. *Application Procedures.*

§8.95. *Conduct of a Local Feasibility Study and Survey.*

§8.96. *Circulation of a Petition.*

§8.97. *Legality of the Petition.*

§8.98. *Presentation of a Certified Petition to the Board.*

§8.99. *Standards and Board Procedures for Approval.*

§8.100. *Action and Order of the Board.*

§8.101. *Calling the Election.*

§8.102. *Election.*

#### §8.103. *Resubmission of Applications.*

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600018

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6209



### 19 TAC §§8.91 - 8.101

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 8, Subchapter E, §§8.91 - 8.101, concerning Branch Campus Maintenance Tax. Specifically, the new rules will clarify and streamline processes regarding the establishment of the branch campus maintenance tax process.

Texas Education Code, §61.053, §130.001(b)(3) - (4), and §130.253 provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to adopt policies, enact regulations, and establish rules for a school district or county to request authorization from the Board to hold an election to establish and levy a branch campus maintenance tax.

Rule 8.91, Purpose, designates the purpose of the new rules as outlining processes to obtain the Coordinating Board's authorization to call a branch maintenance tax election.

Rule 8.92, Authority, indicates the Coordinating Board has the authority to adopt policies, enact regulations, and establish rules for school district or county requests for authorization from the Coordinating Board to hold an election to establish and levy a branch campus maintenance tax.

Rule 8.93, Petition for a Branch Campus Maintenance Tax Election, describes the petition process for the authorization of an election to levy a public community college branch campus maintenance tax.

Rule 8.94, Legality of the Petition, describes how the governing body of the school district or county makes a determination of genuineness and legality of the petition.

Rule 8.95, Conduct of a Needs Assessment, indicates that a needs assessment of the branch maintenance tax may be conducted in lieu of a petition in the case of counties with a population of 150,000 or less. The needs assessment must be reviewed by the Coordinating Board and the county's governing board before formal submission for approval to the board.

Rule 8.96, Conduct of Feasibility Study, describes the topics and data that must be included in a mandatory feasibility study to be conducted by all school districts and counties proposing a branch maintenance tax.

Rule 8.97, Standards and Board Procedure for Approval, lays out the criteria and procedure for approval that the Coordinating Board must undertake, concluding with a report from Coordinating Board staff to the Commissioner on whether those criteria have been met.

Rule 8.98, Action and Order of the Board, describes the process of how the Coordinating Board acts on the request for approval to hold an election on a branch campus maintenance tax.

Rule 8.99, Calling the Election, describes how the governing body of a school district or county shall call and conduct an election regarding the establishment of a branch campus maintenance tax.

Rule 8.100, Election, indicates that a majority of electors in the branch campus maintenance tax jurisdiction shall determine the creation of a branch campus maintenance tax.

Rule 8.101, Resubmission of Applications, indicates that if a branch campus maintenance tax election fails, twelve months must elapse before resubmission of a proposed branch campus maintenance tax proposition to the Coordinating Board.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Tina Jackson, Assistant Commissioner for Workforce Education, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be clarified rules and regulations setting out the procedures for the Coordinating Board's authorization to call an election for a public community college district branch campus maintenance tax. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Tina Jackson, Assistant Commissioner for Workforce Education, P.O. Box 12788, Austin, Texas 78711-2788, or via email at Tina.Jackson@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The new sections are proposed under Texas Education Code, Sections 61.053, 130.001(b)(3) - (4), and 130.253 which provides the Coordinating Board with the authority to adopt policies, enact regulations, and establish rules to adopt policies, enact regulations, and establish rules for a school district or county to request authorization from the Board to hold an election to establish and levy a branch campus maintenance tax.

The proposed new sections affect Texas Education Code, Sections 6.053, 130.001(b)(3) - (4), and 130.253.

#### §8.91. Purpose.

This subchapter provides rules and regulations setting out the procedure by which a school district or county may obtain Coordinating Board authorization to call an election for a public community college district branch campus maintenance tax. The amount of a branch campus maintenance tax shall not exceed five cents on each \$100 valuation of all taxable property in the jurisdiction.

#### §8.92. Authority.

Texas Education Code, §61.053, §130.001(b)(3) - (4), and §130.253, authorizes the Coordinating Board to adopt policies, enact regulations, and establish rules for a school district or county to request authorization from the Board to hold an election to establish and levy a branch campus maintenance tax.

#### §8.93. Petition for a Branch Campus Maintenance Tax Election.

(a) A petition for the authorization of an election to levy a public community college branch campus maintenance tax shall be presented to the school district or county where the branch campus is located. At a minimum, the petition shall include the maintenance tax limits that will appear on the ballot in the event an election is authorized.

(b) The petition must incorporate and comply with all requirements as set forth in the Texas Election Code, chapter 277.

(c) A county with a population less than 150,000, the county may conduct a needs assessment pursuant to §8.95 of this subchapter (relating to Needs Assessment), in lieu of a petition.

#### §8.94. Legality of the Petition.

(a) After the petition has been signed by not less than five percent of the qualified electors of the proposed branch maintenance tax jurisdiction, the petition shall be presented to the governing body of the school district or county. The governing body at a lawfully called and held meeting must determine the legality and genuineness of the petition in accordance with Texas Education Code, §130.253, and Texas Election Code, chapter 277.

(b) The governing body shall make its determination on the genuineness and legality of the petition via a resolution.

(c) The governing body shall send the petition and resolution to the Coordinating Board a minimum of 45 days before the quarterly meeting of the Board.

#### §8.95. Needs Assessment.

(a) A needs assessment may be carried out by the governing body of a county if such county has a population of 150,000 or less. The needs assessment may be carried out by the county or by professionals contracted by the county.

(b) The needs assessment shall consider and address at a minimum a survey of need, potential student clientele, and financial ability of the jurisdiction.

(c) The county must submit a draft of the needs assessment to Coordinating Board staff. The Commissioner, in consultation with

Board staff, shall determine if further documentation or clarification is needed to supplement the information presented in the needs assessment and share such needs with the county. and share such needs with the county.

(d) The county's governing body must approve the needs assessment at a lawfully called and held meeting via a resolution.

(e) The county shall send the needs assessment and resolution to the Coordinating Board a minimum of 45 days before the quarterly meeting of the Board.

§8.96. Feasibility Study.

(a) The governing body proposing the branch campus maintenance tax shall carry out a feasibility study on the feasibility and desirability of the proposed tax. The feasibility study may be carried out by the governing body or by professional contracted by the governing body.

(b) The feasibility study shall consider and address:

(1) Demographic and economic characteristics of the jurisdiction seeking to establish the maintenance tax, including such things as:

- (A) population trends by age group;
- (B) economic development trends and projection;
- (C) employment trends and projection;
- (D) educational levels by age group; and
- (E) college-bound data (i.e., trends by age group).

(2) The financial status of the proposed jurisdiction to be taxed and the state as a whole, including:

- (A) any projected growth or decline in the tax base; and
- (B) trends in state appropriations for community/junior colleges and other institutions of higher education.

(3) financial or other limitations on existing institutions of higher education inhibiting the offering of programs and services in the proposed jurisdiction;

(A) availability of facilities, libraries, and equipment for institutions to offer classes in the proposed jurisdiction;

(B) distance and traffic patterns to existing institutions of higher education;

(C) effect on enrollments of existing institutions of higher education; and

(D) effect on financing of existing institutions of higher education.

(4) The governing body must approve the feasibility study at a lawfully called and held meeting via a resolution.

(5) The governing body shall send the needs assessment and resolution to the Coordinating Board a minimum of 45 days before the quarterly meeting of the Board.

§8.97. Standards and Board Procedure for Approval.

(a) The Texas Education Code, §130.253, requires the Board to determine that:

- (1) the branch campus maintenance tax rate does not exceed five cents on each \$100 valuation of all taxable property;
- (2) a certified petition or needs assessment has been submitted by the appropriate authorities to the Board; and

(3) the proposed tax is feasible and desirable based on the criteria set forth in §8.96(b) of this subchapter (relating to Feasibility Study).

(b) A Board Committee may conduct one or more public hearings in the proposed jurisdiction to:

(1) assess public sentiment regarding the levying of a branch campus maintenance tax;

(2) determine whether programs in the proposed jurisdiction would create unnecessary duplication or seriously harm programs in existing community/junior college districts or other institutions of higher education in the area; and

(3) assess the potential impact of the proposed jurisdiction on existing community/junior colleges or other institutions of higher education in the area and on the State of Texas.

(c) After the feasibility study has been reviewed and, if applicable, public hearings are conducted by a Board Committee, a report from Board staff shall be submitted to the Commissioner indicating whether the criteria as set out in this subchapter have been met. The report shall include a recommendation for approval or denial of the request for approval to hold an election to levy a branch campus maintenance tax but shall not be binding on the Commissioner or the Board.

§8.98. Action and Order of the Board.

(a) Board action on the request for approval to hold an election to levy a branch campus maintenance tax shall be taken at the next quarterly Board meeting. In making its decision, the Board shall consider the needs of the community/junior college and the district, the needs of the community or communities served by the branch campus maintenance tax jurisdiction, and the welfare of the state as a whole.

(b) A resolution shall be entered in the minutes of the Board and conveyed in writing by the Commissioner to the governing board of the community/junior college district and to the governing body of the county or school district.

§8.99. Calling the Election.

(a) If the Board approves the establishment of the branch campus maintenance tax, the governing body of the school district or county shall enter an order for an election to be held in the territory under its jurisdiction in accordance with the Texas Election Code, chapter 3. In the case of joint school district or joint county elections, by mutual agreement of the governing bodies, the elections shall be held on the same date throughout the jurisdictions.

(b) The president of the governing board of the school district or the county judge, as applicable, shall give notice of the election in the manner provided by law for notice by the county judge of general elections.

(c) The governing body of the school district or county, as applicable, shall procure the election supplies necessary to conduct the election and shall determine the quantity of the various types of supplies to be provided for use at each precinct polling place and early voting polling place.

(d) Any qualified voter residing within the boundaries of the jurisdiction in which the tax may be levied is entitled to vote at the election.

(e) The ballot shall comply with Texas Education Code, §130.253(h) and Texas Election Code, §52.072.

§8.100. Election.

A majority of the electors in the proposed branch campus maintenance tax jurisdiction voting in the election shall determine the question of the

creation of the branch campus maintenance tax jurisdiction submitted in the order.

§8.101. Resubmission of Applications.

Should an election to create a branch campus maintenance tax jurisdiction fail, a period of twelve months must elapse before resubmission of the proposition to the Board.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600019

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6209



## CHAPTER 10. GRANT PROGRAMS

### SUBCHAPTER C. STATEWIDE PRECEPTORSHIP GRANT PROGRAM

#### 19 TAC §§10.70 - 10.72, 10.74 - 10.76

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 10, Subchapter C, §§10.70 - 10.72 and §§10.74 - 10.76, concerning Statewide Preceptorship Grant Program. Specifically, this amendment will implement the requirements of Senate Bill 1998, 89th Texas Legislature, Regular Session and integrates a pediatric subspecialty into the Preceptorship Grant Program. The Coordinating Board used negotiated rulemaking to develop these proposed rules. The Coordinating Board will make reports of negotiated rulemaking committees available upon request.

The Coordinating Board is authorized to operate the Statewide Preceptorship Program under Texas Education Code §58.006, and §58.011, which establishes the Statewide Pediatric Subspecialty Preceptorship Program.

Section 10.70, Purpose, is amended to add pediatric subspecialties to the purpose of the Statewide Preceptorship Grant Program.

Section 10.71, Authority, is amended to add Texas Education Code, §58.011, to the authorizing statute for the grant program.

Section 10.72, Definitions, is amended to remove standardized definitions for the subchapter now found in Chapter 10, §10.2 relating to Definitions, and add definitions for family medicine and pediatric subspecialty.

Section 10.74, Application Process, is amended to add pediatric subspecialty to the criteria for applications.

Section 10.75, Evaluation, is amended to add pediatric subspecialty to the evaluation criteria.

Section 10.76, Grant Awards, is amended to specify that up to forty (40) percent of a general pediatrics award can be used for pediatric subspecialties.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years

the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be increased options for pediatric subspecialty residency positions. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [AHAComments@highered.texas.gov](mailto:AHAComments@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 58.011, which establishes the Statewide Pediatric Subspecialty Preceptorship Program, and Section 58.006, which provides the Coordinating Board with authority to operate the Statewide Preceptorship Program.

The proposed amendment affects Texas Education Code, Section 58.011.

#### *§10.70. Purpose.*

The purpose of this subchapter is to administer the Statewide Preceptorship Grant Program to provide funding support to preceptorship programs in general internal medicine, family medicine, [and] general pediatrics, and pediatric subspecialties.

#### *§10.71. Authority.*

The authority for this subchapter is found in Texas Education Code, §58.006, which provides the Coordinating Board with authority to operate the statewide preceptorship program and Texas Education Code §58.011 which provides the Coordinating Board with authority to in-

clude the pediatric subspecialty option in its statewide preceptorship program.

*§10.72. Definitions.*

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Family Medicine--The medical specialty that provides continuous, comprehensive health care for individuals, families, and communities across all ages.

~~[(1) Board--The governing body of the agency known as the Texas Higher Education Coordinating Board.]~~

~~[(2) Commissioner--The Texas Commissioner of Higher Education.]~~

~~[(3) Coordinating Board--The agency known as the Texas Higher Education Coordinating Board, including agency staff.]~~

(2) ~~[(4)]~~ General Internal Medicine--Primary care general internal medicine in which the internal medicine physician cares for patients longitudinally, throughout their health journey and provides preventive, acute, and chronic care, most often in the ambulatory setting.

(3) ~~[(5)]~~ General Pediatrics--Primary care pediatrics encompasses comprehensive care across the life cycle, from infancy to young adulthood. Health supervision is included, along with a focus on prevention of physical and mental health conditions; anticipatory guidance and promotion of wellness including mental health and monitoring physical, cognitive, and social growth and development; and age-appropriate screening for health promotion and disease prevention.

(4) ~~[(6)]~~ Medical School--An eligible medical institution as identified in Texas Education Code, chapter 61.501(1), and the school of osteopathic medicine at the University of the Incarnate Word, as authorized by Texas Education Code, §58.006(d).

(5) Pediatric Subspecialty--A pediatric medical subspecialty certification offered by a member board of the American Board of Medical Specialties or American Osteopathic Association.

(6) ~~[(7)]~~ Preceptor--A skilled and experienced physician who serves as a mentor to medical students in accordance with the terms and conditions of the Request for Application (RFA).

~~[(8) Request for Application (RFA)--The official document issued by the Coordinating Board to solicit applicants for an award of available grant funds.]~~

*§10.74. Application Process.*

(a) Unless otherwise specified in the RFA, an eligible entity may not submit more than one application.

(b) Each Applicant shall limit participation to students with a documented interest in a primary care or pediatric subspecialty career.

(c) To qualify for funding consideration, an eligible applicant must submit an application to the Board. The application shall:

(1) be submitted electronically in a format specified in the RFA;

(2) adhere to the grant program requirements contained in the RFA and these rules; and

(3) be submitted with proper authorization on or before the day and time specified by the RFA.

*§10.75. Evaluation.*

(a) The Commissioner shall competitively select applicants for funding based on requirements and award criteria provided in the RFA and these rules.

(b) At a minimum, an applicant shall:

(1) limit participation to students with a documented interest in a primary care or pediatric subspecialty career; and

(2) maximize use of award funds to support medical student participation in, and only for activities related to, preceptorship programs in general internal medicine, family medicine, ~~[and]~~ general pediatrics, and pediatric subspecialties.

*§10.76. Grant Awards.*

(a) The amount of funding available to the program is dependent on the legislative appropriation for the program for each biennial state budget. The Coordinating Board will provide award levels and an estimated number of awards in the RFA.

(b) Up to forty (40) percent of the general pediatrics award can be used for pediatric subspecialties.

~~(c) [(b)]~~ Program awards shall be subject to approval pursuant to §1.16, of this title (relating to Contract, Including Grants, for Materials and/or Services).

~~(d) [(e)]~~ The Commissioner of Higher Education may negotiate or adjust a grantee award to best fulfill the purpose of the RFA.

~~(e) [(d)]~~ The Coordinating Board shall not disburse any awarded funds until the Notice of Grant Award (NOGA) has been fully executed and, if applicable, the institution has filed and received acknowledgement of the Disclosure of Interested Parties, as described in the RFA or until the institution has filed and obtained Coordinating Board approval of its periodic expenditure reports for payment.

~~(f) [(e)]~~ The Coordinating Board shall set forth the determination of the allowability of administrative costs in the RFA unless otherwise agreed in writing by the Commissioner and Grantee.

~~(g) [(f)]~~ An entity shall use a grant award to support the preceptorship program as described in the RFA and these rules.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

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For further information, please call: (512) 427-6182



## SUBCHAPTER F. BEHAVIORAL HEALTH INNOVATION GRANT PROGRAM

### 19 TAC §§10.410 - 10.419

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 10, Subchapter F, §§10.410 - 10.419, concerning the Behavioral Health Innovation Grant Program. Specifically, this new section will establish key components of

administering the grant program including, but not limited to, application and awards processes, eligibility criteria, and reporting and evaluation requirements. The Coordinating Board used negotiated rulemaking to develop these proposed rules. The Coordinating Board will make reports of negotiated rulemaking committees available upon request.

Texas Education Code, §61.9991, establishes the Behavioral Health Innovation Grant Program and requires the Coordinating Board to administer the program, subject to available funds. Texas Education Code, §61.9993, authorizes the coordinating board to adopt rules to administer the grant program.

Section 10.410, Purpose, states that the purpose of the rules is to administer the Behavioral Health Innovation Grant Program.

Section 10.411, Authority, outlines the statutory authority for administration of the grant program.

Section 10.412, Definitions, defines key terms relevant to grant program administration.

Section 10.413, Eligibility, outlines criteria that institutions must meet to apply for and receive funding under the grant program.

Section 10.414, Application Process, outlines the steps required to apply for funding under the grant program.

Section 10.415, Evaluation, outlines the criteria that will be used to evaluate grant applications, including criteria for prioritizing certain grant applications.

Section 10.416, Grant Awards, specifies limits for funding amounts and process for awarding funds under this grant program.

Section 10.417, Reporting, establishes annual performance and financial reporting requirements.

Section 10.418, Additional Requirements, outlines requirements for the forfeiture and return of funds for the grant program.

Section 10.419, Monitoring Effectiveness of Grant, outlines statutory requirements for evaluation of the outcomes of the grant program.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be clear guidance on requirements for institutions seeking funding through the Behavioral Health Innovation Grant Program. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

Government Growth Impact Statement

(1) the rules will not create or eliminate a government program;

(2) implementation of the rules will not require the creation or elimination of employee positions;

(3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;

(4) the rules will not require an increase or decrease in fees paid to the agency;

(5) the rules will create a new rule;

(6) the rules will not limit an existing rule;

(7) the rules will not change the number of individuals subject to the rule; and

(8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at AHAComments@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The new section is proposed under Texas Education Code, Section 61.9993, which provides the Coordinating Board with the authority to adopt rules to administer the grant program.

The proposed new section affects Texas Education Code, Sections 61.9991- 61.9997.

§10.410. Purpose.

The purpose of this subchapter is to administer the Behavioral Health Innovation Grant Program to support institutions of higher education that administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals.

§10.411. Authority.

The authority for this subchapter is found in Texas Education Code, §61.9991- 61.9997, which provides the Coordinating Board with authority to operate the Behavioral Health Innovation Grant Program.

§10.412. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Innovative Programs--Innovative programs as defined by recruitment, training, or retention initiatives that introduce strategies, models, or partnerships designed to address persistent behavioral health workforce shortages, particularly in medically underserved or rural areas. Such a program is characterized by its capacity/ability to be scaled, sustained, evaluated for impact, and adapted in response to workforce and community needs.

(2) Institution of Higher Education--As defined by Texas Education Code, §61.003.

(3) Joint Program--A program where a student receives instruction at two (or more) institutions in prescribed curricula leading to the institutions granting a single academic award bearing the names, seals, and officials' signatures of each participating institution.

(4) Medically Underserved--Patient populations that experience challenges in accessing medical services due to the lack of adequate health insurance coverage or no insurance coverage, who have a low economic status as can reasonably be determined by the residency program, or experience other access barriers such as a shortage of available services. Access barriers may be demonstrated through references

to existing federal designations such as a Medically Underserved Area, as that term is defined in Texas Government Code, §487.251.

(5) Mental Health Professionals--As defined by Texas Education Code, §61.601.

(6) Professionals in Related Fields--Paraprofessionals whose education or training actively supports behavioral health service delivery, care coordination, or prevention, but who may not hold a credential specifically recognized under 'mental health professional' such as peer specialists, community health workers, behavior analysts, recovery coordinator, nurses, educators, public health practitioners, or other allied and support personnel whose work directly or indirectly impacts behavioral health care, prevention, or coordination.

(7) Rural--A location that is eligible for Federal Office of Rural Health Policy grant programs.

#### §10.413. Eligibility.

To be eligible to apply for and receive funding under the Program an entity must:

(1) Be an institution of higher education;

(2) Administer innovative recruitment, training, and retention programs designed to increase the number of mental health professionals, or professionals in related fields;

(3) Demonstrate the ability to be scaled, sustained, evaluated for impact, and adapted in response to workforce and community needs, particularly for medically underserved areas;

(4) Demonstrate regional and state workforce need; and

(5) Fulfill any other eligibility criteria set forth in the RFA.

#### §10.414. Application Process.

(a) The Board will request information from the Behavioral Health Executive Council to identify programs they anticipate to produce the best outcomes and serve the greatest needs of the state.

(b) Unless otherwise specified in the RFA, an eligible entity may not submit more than one application.

(c) To qualify for funding consideration, an eligible applicant must submit an application to the Board. The application shall:

(1) Be submitted electronically in a format specified in the RFA;

(2) Adhere to the grant program requirements contained in the RFA and these rules;

(3) Provide evidence of specific mental health professional regional or state workforce need in the profession targeted in the application; and

(4) Be submitted with proper authorization on or before the day and time specified by the RFA.

#### §10.415. Evaluation.

The Commissioner shall give priority to applicants for funding based on requirements and award criteria provided in the RFA, including the extent to which an applicant proposes to:

(1) Utilize existing behavioral health degree programs and thereby reduce the time and expenses necessary for seeking degree approval;

(2) Establish or grow a program that serves a rural or medically underserved area;

(3) Partner with:

(A) Another institution of higher education to develop a joint program; or

(B) A public Texas Independent School District or Texas public charter school for the purpose of creating and implementing an evidence-informed early recruitment program to behavioral health degree programs for high school students;

(4) Establish or grow a program that incentivizes professionals described by Texas Education Code, §61.9991, to serve in their field or a related field of study for at least three consecutive years following graduation in an inpatient or outpatient behavioral health facility or community behavioral health programs that receives any state funding in whole or in part;

(5) Establish or grow a degree or certificate program to educate behavioral health professionals in specialties that the applicant demonstrates faces significant regional or statewide workforce shortages; or

(6) Establish or grow psychiatric fellowship programs that serve correctional facilities or inpatient psychiatric facilities.

#### §10.416. Grant Awards.

(a) A grant awarded under this subchapter, including any amendments, may not exceed \$1 million.

(b) Program awards shall be subject to Coordinating Board approval pursuant to §1.16 of this title (relating to Contracts, Including Grants for Materials and/or Services).

(c) The Commissioner may negotiate or adjust a grantee award to best fulfill the purpose of the RFA.

(d) The Coordinating Board may advance a portion of the grant award to a grantee if such advancement is necessary for the success of the grant program, with the remainder of the award distributed based on grantee performance as determined by their reporting pursuant to §10.417 of this subchapter (relating to Reporting).

(e) Determination of the allowability of administrative costs will be set forth in the RFA.

(f) Grant awards may only be used on necessary and reasonable costs as described in the RFA.

#### §10.417. Reporting.

A grantee shall submit performance and financial reports in the format required by the Board based on deadlines set forth in the RFA, including an annual report.

#### §10.418. Additional Requirements.

(a) Forfeiture and Return of Funds.

(1) Each grantee shall return any award funds remaining unspent at the end of the grant term as set forth in the RFA or Notice of Grant Agreement (NOGA) to the Coordinating Board within ninety (90) calendar days after written request or an earlier due date if specified by the RFA.

(2) Each grantee shall return or repay to the Coordinating Board any award funds that the State determines an eligible institution improperly expended on items not listed in the RFA or otherwise prohibited by law within the time frame and subject to the requirements set forth in the RFA.

(b) The Commissioner may take the following actions if a grantee fails to comply with requirements set forth in the RFA:

(1) Reduce the grant award;

(2) Require the grantee to return unspent grant funds;

(3) Amend the grant agreement; or

(4) Terminate the grant agreement.

(c) The RFA may set forth additional return or reimbursement of fund requirements and termination provisions.

(d) The Coordinating Board may retain returned and reimbursed funds for award in a future year as authorized by the General Appropriations Act.

§10.419. Monitoring Effectiveness of Grant.

The Coordinating Board shall use methods for tracking the effectiveness of the grant program that:

(1) Use data submitted in the performance reports submitted by grantees;

(2) Consider relevant information regarding the career paths of professionals described by Texas Education Code, §61.9991 during the four-year period following their graduation; and

(3) Evaluate whether, to what extent, and for how long those professionals practice in a field described by Texas Education Code, §61.9991 in this state; and

(4) Consider number of professionals serving rural and medically underserved communities.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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## CHAPTER 13. FINANCIAL PLANNING

### SUBCHAPTER G. TUITION AND FEES

#### 19 TAC §13.130

The Texas Higher Education Coordinating Board (Coordinating Board) proposes new rules in Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter G, §13.130, concerning Cost of Attendance Calculation for Competency-Based Baccalaureate Degree Programs. Specifically, this new section will effectuate the provisions of Texas Education Code (TEC), §51.3535, established by House Bill 4848, 89th Texas Legislature, Regular Session, which became effective September 1, 2025.

The Coordinating Board is authorized by TEC, §51.3535, to adopt rules necessary to administer the section.

Rule 13.130, Cost of Attendance Calculation for Competency-Based Baccalaureate Degree Programs, is created to describe the annual determination and publication of the maximum allowable cost of attendance for competency-based baccalaureate degree programs offered under TEC, §51.3535. Subsection (a) describes the statutory authority for the rule. Subsection (b) provides definitions for words and terms used throughout the rule, aligning directly with definitions for these terms already

present in statute or other Coordinating Board rules. Subsection (c) describes the applicability of the rule in applying only to competency-based baccalaureate degree programs offered under TEC, §51.3535, by general academic teaching institutions or medical or dental units associated with a university system.

Subsection (d) describes the Coordinating Board's annual determination of the maximum allowable cost of attendance for an applicable competency-based baccalaureate degree program, effectuating TEC, §51.3535(c) and (d). In setting the initial limit for the 2026 - 2027 academic year in Subsection (d)(1), the Coordinating Board would set the amount as one-half of the average cost of attendance for resident baccalaureate students at applicable institutions to maintain a clear connection between cost of attendance for students enrolled in competency-based baccalaureate degree programs and their peers in "traditional" degree programs at the same institutions. Subsection (d)(2) effectuates TEC, §51.3535(d), in describing how the Coordinating Board will apply an annual inflation adjustment to the maximum allowable cost of attendance, using the twelve-month Consumer Price Index calculated by the U.S. Bureau of Labor Statistics. Subsection (e) delineates that the cost of attendance of a competency-based baccalaureate degree program offered under TEC, §51.3535, may not exceed the amount announced by the Coordinating Board.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the clarified administration of competency-based baccalaureate degree programs. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.



Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The new section is proposed under Texas Education Code, Section 51.3535, which provides the Coordinating Board with the authority to adopt rules as necessary to administer the section.

The proposed new section affects Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter G.

§13.130. Cost of Attendance Calculation for Competency-Based Baccalaureate Degree Programs.

(a) Authority. Authority for this section is Texas Education Code, §51.3535, Responsibility of System Administration Regarding Competency-Based Education.

(b) Definitions. In addition to the words and terms defined in §13.1 of this chapter (relating to Definitions) and §13.121 of this subchapter (relating to Definitions), the following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Competency-Based Baccalaureate Degree Program--A baccalaureate degree program under which academic credit is awarded based solely on a student's attainment of competencies. The term may include a program that is organized around traditional course-based units, including for online or other distance education, that a student must earn for degree completion.

(2) Cost of Attendance/Total Cost of Attendance--An institution's estimate of the expenses incurred by a typical financial aid recipient in attending a particular institution of higher education. It includes direct educational costs (tuition and fees) as well as indirect costs (room and board, books and supplies, transportation, personal expenses, and other allowable costs for financial aid purposes).

(3) Medical or Dental Unit--As defined in Texas Education Code, §61.003.

(4) University System--As defined in Texas Education Code, §61.003.

(c) Applicability. The provisions of this section apply only to a general academic teaching institution or medical or dental unit associated with a university system in meeting the requirement to offer competency-based baccalaureate degree programs in high-demand fields of study under Texas Education Code, §51.3535.

(d) Maximum Allowable Cost of Attendance. The Coordinating Board shall annually determine and announce the maximum allowable cost of attendance for a competency-based baccalaureate degree program offered under Texas Education Code, §51.3535.

(1) For the 2026 - 2027 academic year, the amount will equal one-half of the average cost of attendance for resident baccalaureate students at general academic teaching institutions or medical or dental units associated with a university system.

(2) Not later than the final day of January prior to the start of each subsequent fiscal year, the Coordinating Board shall determine and announce the amount for the forthcoming fiscal year, calculated by using the Consumer Price Index for the preceding twelve months, as calculated by the U.S. Bureau of Labor Statistics, to apply an inflationary adjustment to amount announced for the prior fiscal year.

(e) The cost of attendance of a competency-based baccalaureate degree program offered under Texas Education Code, §51.3535, may not exceed the amount described by subsection (d) of this section for the applicable fiscal year.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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## SUBCHAPTER Q. FINANCIAL AID FOR SWIFT TRANSFER (FAST) PROGRAM

### 19 TAC §13.505

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter Q, §13.505, concerning the Financial Aid for Swift Transfer (FAST) Program (Program). Specifically, this amendment will substantively revise the process by which institutions of higher education receive Program funding.

The Coordinating Board is authorized by Texas Education Code, §28.0095, to adopt rules necessary to administer the Program.

Rule 13.505, FAST Funding Formula, is amended. The revisions are proposed for the purpose of improving program and funding efficiency and reflect the Coordinating Board's experience in administering the Program for two full years as well as improved data and data infrastructure. The proposed new model is within the parameters of the governing statute, and these amendments are undertaken in collaboration with the Texas Education Agency (TEA), in accordance with the shared responsibility for Program administration set forth in Texas Education Code, §28.0095.

These amendments will shift the Program funding model from a reimbursement model to more closely resemble formula funding. The proposed amendments do not represent a change in the amount of funding disbursed through the Program to any institution, but rather the process by which funding levels are determined and later adjusted. Each of Subsections (a) through (c), as revised, describes one of the three steps of the revised model: projection, disbursement, and true-up.

Subsection (a) describes the process by which the Coordinating Board will determine each participating institution's initial funding level for the upcoming fiscal year. Subsection (a)(1) describes the calculation for institutions that participated in the Program during the prior year; in such cases, the institution's prior year FAST-eligible credit hours (retrieved from the institution's CBM reporting to the Coordinating Board) will be used and multiplied by the upcoming fiscal year's FAST tuition rate. These calculations would be categorized into three terms, which correspond to disbursements in subsection (b): fall, spring, and summer, inclusive of any alternative term lengths. Subsection (a)(1)(A)

specifies that the Coordinating Board will use "FAST semester credit hours or equivalents [...] for the most recent summer, fall, and spring semesters [...] for which data are available"; because Subsection (a)(3) states that the projection calculation would be conducted and distributed not later than the end of June and prior-year data for the summer term would not be available, summer term data from the prior-prior year (i.e., two fiscal years prior to the year for which the projections are assembled) will be used.

Subsection (a)(2) describes the calculation for institutions newly entering the Program. For these, the Coordinating Board would use the institution's total dual credit semester credit hours for the most recent summer, fall, and spring terms for which data are available via CBM reports, assemble a statewide average percentage of dual credit semester credit hours or equivalents that are FAST eligible for the same period, and then multiply these two figures, multiplying the final result by the FAST funding rate for the upcoming fiscal year. Subsection (a)(3) describes the process by which the Coordinating Board would distribute these projections to participating institutions, providing ten business days for review and comment regarding potential inaccuracies. This aligns with Coordinating Board practice with similar functions, such as financial aid program allocations.

Subsection (b) describes the timeline by which the Coordinating Board disburses Program funds to participating institutions. Under the current rules, this timeline varies by institution, relying on data reporting and eligibility verification that can cause disbursement to occur months after the applicable semester or term has ended. The proposed rule, using the projections described in subsection (a), would allow for disbursements to occur by October 15 for the fall semester, March 15 for the spring semester, and June 15 for the summer semester for all institutions.

Subsection (c) describes the revised "true-up" process, the process by which institutional disbursements are reconciled against data provided by the TEA. A true-up occurs under the current rule, but other changes in the proposed rule- notably, the projections- necessitate changes to the process. Under the proposed rule, the true-up would involve a comparison between the projection assembled prior the fiscal year and what actually occurred. Institutions' CBM reporting to the Coordinating Board would be reconciled with TEA attendance and educationally disadvantaged status data to determine the actual number of semester credit hours or equivalents for which the institution is eligible to receive Program funds. The difference between the actual number and the projected number- positive or negative- multiplied by the FAST tuition rate for the applicable fiscal year is the institution's true-up adjustment. Subsection (c)(3) describes how this adjustment is then applied to the institution's next disbursement. Subsection (c)(4) provides for a ten-business-day review and comment period for institutions' true-up adjustments, as with the projections in Subsection (a).

Subsection (d) describes potential actions that could be taken by the Coordinating Board, including postponement of an institution's projection or withholding of a disbursement, if a participating institution fails to provide necessary information or data in a timely manner. The FAST Program relies on timely reporting from participating institutions, and this provision ensures that delayed data from a single institution does not adversely impact other institutions that met reporting deadlines.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the improved efficiency in program administration. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 28.0095, which provides the Coordinating Board with the authority to adopt rules for the administration of the Program.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 13, Subchapter Q.

#### *§13.505. FAST Funding Formula.*

(a) Projections. The Coordinating Board shall produce FAST funding projections for the upcoming fiscal year through the following process described in this subsection.

(1) Returning Institutions. For an institution that participated in the Program during the prior fiscal year, the institution's projected FAST funding shall be calculated for each semester of the upcoming fiscal year by multiplying:

(A) The number of FAST semester credit hours or equivalents reported by the institution to the Coordinating Board via CBM reports for the most recent summer, fall, and spring semesters (with "flex" terms being grouped with the following semester; e.g., spring-flex is included in the summer semester) for which data are available; and

(B) The FAST tuition rate for the upcoming fiscal year, as determined under §13.504 of this subchapter (relating to FAST Tuition Rate).

(2) New Institutions. For an institution that did not participate in the Program during the prior fiscal year, the institution's projected FAST funding shall be calculated for each semester of the upcoming fiscal year by multiplying:

(A) The number of dual credit semester credit hours or equivalents reported by the institution to the Coordinating Board via CBM reports for the most recent summer, fall, and spring semesters (inclusive of "flex" terms) for which data are available;

(B) The statewide average percentage of dual credit semester credit hours that are FAST eligible for the same period; and

(C) The FAST tuition rate for the upcoming fiscal year, as determined under §13.504 of this subchapter.

(3) Verification. The Coordinating Board will share projections for the upcoming fiscal year with each participating institution for comment and verification not later than the final day of June preceding the fiscal year for which the projections were assembled. The institution will be given ten business days, beginning the day of the notice's distribution, and excluding State holidays, to confirm that the calculation accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.

[(a) Frequency of Disbursements. The Coordinating Board will provide each participating institution with a disbursement for each fall, spring, and summer semester upon the certification of the institution's eligible enrollments. The Coordinating Board will combine enrollment periods under this subsection when a semester includes more than one enrollment period (for example, a Summer 1 and a Summer 2 session).]

(b) Disbursements. The Coordinating Board will make up to three disbursements per fiscal year to each participating institution based on the projections assembled under subsection (a) of this section.

(1) Fall Disbursement. Not later than October 15 of each fiscal year, the Coordinating Board shall disburse to each participating institution an amount equal to the institution's projected FAST funding calculated for the fall semester under either subsection (a)(1) or (a)(2) of this section.

(2) Spring Disbursement. Not later than March 15 of each fiscal year, the Coordinating Board shall disburse to each participating institution an amount equal to the institution's projected FAST funding calculated for the spring semester under either subsection (a)(1) or (a)(2) of this section.

(3) Summer Disbursement. Not later than June 15 of each fiscal year, the Coordinating Board shall disburse to each participating institution an amount equal to the institution's projected FAST funding calculated for the summer semester under either subsection (a)(1) or (a)(2) of this section.

[(b) Disbursement Calculation. Each disbursement will equal the amount outlined in §13.504 of this subchapter (relating to FAST Tuition Rate) for the relevant semester multiplied by the number of semester credit hours or equivalent in which students who met the eligibility criteria in §13.503 of this subchapter (relating to Eligible Students) were enrolled in dual credit courses at the institution for the relevant semester.]

[(e) Data Sources. The source of data for the disbursement calculation will be reports collected by Board staff and certified by the institution for the relevant semester which provide an eligible student's

dual credit enrollment in semester credit hours or their equivalent and the student's Texas Student Data System (TSDS) unique identification number issued by the Texas Education Agency, combined with data regarding educationally disadvantaged students, as reported by the Texas Education Agency, unless otherwise provided by rule.]

[(d) Verification of Data. The Coordinating Board will share each semester's calculation with the participating institution for comment and verification prior to disbursement. The institution will be given ten business days, beginning the day of the notice's distribution, and excluding State holidays, to confirm that the calculation accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.]

(c) [(e)] True-Up. Upon receipt of attendance data and educationally disadvantaged status data, including for students described by §13.503(a)(3)(A) of this subchapter (relating to Eligible Students), for the full school year from the Texas Education Agency, the Coordinating Board will conduct a true-up adjustment of the prior fiscal year's FAST disbursements in accordance with this subsection. [review all eligible students used in the calculation outlined in subsection (d) of this section to verify that those students were in attendance at the high school during the period of dual credit enrollment. If any student is identified as not having been in attendance in high school during the period of dual credit enrollment, then the Coordinating Board will calculate the amount of funding the institution received for that student's dual credit enrollment. The Coordinating Board shall reduce each institution's subsequent disbursement under subsection (a) of this section by the amount calculated in this subsection.]

(1) The Coordinating Board shall calculate, using its own CBM reports and the Texas Education Agency data, the number of semester credit hours or equivalents each participating institution provided to FAST-eligible students during the prior fiscal year.

(2) True-up Adjustment. An institution's True-up Adjustment, which may be a positive or negative amount, is:

(A) the amount calculated in paragraph (1) of this subsection multiplied by the FAST tuition rate for the prior fiscal year; minus

(B) the total of all FAST disbursements made to the institution during the prior fiscal year.

(3) Adjustment. Upon completion of the True-up process, the Coordinating Board will increase or decrease, as applicable, the amount of each institution's subsequent disbursement described by subsection (b) of this section, in an amount equal to the True-up Adjustment.

(4) Verification. The Coordinating Board will share its calculation of the true-up adjustment with the participating institution for comment and verification prior to its subsequent disbursement. The institution will be given ten business days, beginning the day of the notice's distribution, and excluding State holidays, to confirm that the calculation accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.

(d) If an institution fails to provide data or information necessary for the administration of the Program by the Coordinating Board's publicized dates, then the Coordinating Board may postpone the publication of the institution's projection under subsection (a) of this section or the disbursement of the funds to the institution under subsection (b) of this section.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.



## CHAPTER 20. APPLICATIONS AND ADMISSION FOR INSTITUTIONS OF HIGHER EDUCATION

### SUBCHAPTER B. FREE COLLEGE APPLICATION WEEK

#### 19 TAC §20.31

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 20, Subchapter B, §20.31, concerning Definitions. Specifically, this amendment will expand the definition of an undergraduate admission application to include all applications submitted for an undergraduate degree.

The Coordinating Board is authorized by Texas Education Code, §61.0731 to establish rules to implement Free College Application Week.

Rule 20.31, Definitions, is amended to revise the definition of undergraduate admission application from an application submitted for first-year freshman or undergraduate transfer admission to include all undergraduate admission application types.

Dr. Brandon Griggs, Assistant Commissioner for College and Career Advising, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Brandon Griggs, Assistant Commissioner for College and Career Advising, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the expanded definition of an undergraduate admission application to include all applications submitted for an undergraduate degree. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;

- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Brandon Griggs, Assistant Commissioner for College and Career Advising, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [collegeandcareeradvising@highered.texas.gov](mailto:collegeandcareeradvising@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 61.0731, which provides the Coordinating Board with the authority to establish rules to implement Free College Application Week.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 20, Subchapter B.

#### §20.31. Definitions.

The following words and terms when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Free College Application Week--The week starting on the second Monday in October and continuing through the following Sunday, during which application fees for undergraduate admission shall be waived for Texas residents using the ApplyTexas application system.

(2) Institution of Higher Education--A public institution as defined in Texas Education Code, §61.003, that offers undergraduate courses including any public technical institute, public junior college, public senior college and university, or state college. [5]

(3) Texas Resident--An individual who meets the residency requirements for in-state tuition under Texas Education Code, Chapter 54, Subchapter B.

(4) Undergraduate Admission Application--Any [An] application submitted for admission to an [first-year freshman or] undergraduate program for any available term [transfer admission]. This includes:

- (A) Undergraduate (two-year);
- (B) Undergraduate (four-year);
- (C) Transfer;
- (D) Returning Student; and
- (E) Visiting Student.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202504813



## CHAPTER 22. STUDENT FINANCIAL AID PROGRAMS

### SUBCHAPTER A. GENERAL PROVISIONS

#### 19 TAC §22.9

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter A, §22.9, concerning Institutional Responsibilities. Specifically, this amendment will codify an existing requirement that each institution participating in state financial aid programs designate a Disbursing Officer.

The Coordinating Board is authorized by Texas Education Code, §56.0035, to adopt rules necessary to carry out the purposes of that chapter.

Rule 22.9, Institutional Responsibilities, is amended by adding a Subsection (b)(1) that describes the responsibility of each institution participating in state financial aid programs in designating a Disbursing Officer. This officer, appointed by the institution's chief fiscal officer, is responsible for the administration of program funds in accordance with state law and Coordinating Board rules. The rule clarifies that the Disbursing Officer and Program Officer cannot be the same person and that, to ensure proper fiscal governance, in designating a Disbursing Officer, there should be a clear segregation of duties between selecting financial aid recipients and disbursing of program funds. Subsection (b)(1) codifies an existing requirement and does not constitute a change in policy regarding this institutional responsibility.

Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the improved transparency by codifying an existing compliance requirement. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rule will not create or eliminate a government program;
- (2) implementation of the rule will not require the creation or elimination of employee positions;

- (3) implementation of the rule will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rule will not require an increase or decrease in fees paid to the agency;
- (5) the rule will not create a new rule;
- (6) the rule will not limit an existing rule;
- (7) the rule will not change the number of individuals subject to the rule; and
- (8) the rule will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 56.0035, which provides the Coordinating Board with the authority to adopt rules necessary to carry out the purposes of that chapter.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter A.

#### §22.9. *Institutional Responsibilities.*

(a) Probation Notice. If the institution is placed on probation by its accrediting agency, the institution shall immediately notify the Coordinating Board and advise state financial aid recipients of this condition and maintain evidence to demonstrate that state financial aid program recipients were so informed.

(b) Disbursements to Students.

(1) Disbursing Officer. The chief fiscal officer of each institution participating in a program administered under this chapter or Chapter 24 of this title (relating to Student Loan Programs) shall designate a Disbursing Officer who is responsible for releasing state financial aid funds to financial aid recipients in accordance with program statutes and rules. The Disbursing Officer may not also be the institution's Program Officer, as defined in §22.1 of this subchapter (relating to Definitions). In designating a Disbursing Officer under this section, an institution shall ensure there is a clear segregation of duties between selecting financial aid recipients and disbursing funds.

(2) [(+)] Documentation. Each institution shall maintain records to prove the crediting of state financial aid program funds to the student's school account.

(3) [(2)] Procedures in Case of Unauthorized Disbursements. If an institution receives an audit or compliance monitoring finding or otherwise determines that the institution has disbursed state financial aid program funds for unauthorized purposes, whether over-allocated, misused, or misallocated, the Program Officer shall notify the Coordinating Board within five business days.

(4) [(3)] If the Commissioner determines that the institution has made an unauthorized disbursement, the Commissioner will notify the Program Officer of this determination in writing.

(5) [(4)] The Commissioner may demand, in writing, that the institution return the funds to the Coordinating Board. The institution may comply with this demand and return the funds to the Coordinating Board within thirty calendar days of receipt, unless the Commissioner specifically permits a later deadline. If the institution elects

not to comply with this demand, the Coordinating Board may utilize additional tools of recovery, as permitted by law, including any means of recovery authorized by Texas Education Code, §61.035.

(6) [(5)] In addition, the Commissioner may subject the institution to compliance monitoring.

(7) [(6)] The Coordinating Board shall not disburse further funds from the program in question to the institution until the funds have been repaid.

(c) Reporting Requirements/Deadlines. Each institution shall submit such reports and information as the Coordinating Board may require in connection with the administration or evaluation of the state financial aid programs. These materials must be submitted within the time allotted by the Coordinating Board for each such report or information request. The Program Officer shall ensure that all reports and information provided to the Coordinating Board properly reflect the facts and certify that those reports may be relied upon as being complete and accurate.

(d) Compliance Monitoring. If selected for such by the Board, Commissioner, or Internal Auditor, a participating institution shall submit to reviews of activities related to state financial aid programs.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600021

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6365



## SUBCHAPTER B. TUITION EQUALIZATION GRANT PROGRAM

### 19 TAC §§22.22, 22.23, 22.25

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter B, §§22.22, 22.23, and 22.25, concerning the Tuition Equalization Grant Program (Program). Specifically, this amendment will clarify existing practices relating to program administration and codify an existing reporting requirement for institutions participating in the Program.

Texas Education Code, §61.229, provides the Coordinating Board with the authority to adopt rules relating to the Program.

Rule 22.22, Definitions, is amended by clarifying the definition of "tuition differential" to codify how the Coordinating Board identifies "comparable" institutions. The definition now specifies that the Coordinating Board uses the Southern Association of Colleges and Schools Commission on Colleges' degree level designations. This does not represent a change in the administration of the Program.

Rule 22.23, Eligible Institutions, is amended by adding a new subsection (d), which describes the requirement of participating institutions to submit an audit engagement report for the prior fiscal year to the Coordinating Board no later than April 15 each year. The report must be addressed to the institution's chief ex-

ecutive officer and include any findings and a corrective action plan for any identified deficiencies. The new subsection codifies an existing requirement previously detailed in Coordinating Board guidance; nothing in the proposed rule constitutes a change in the administration of the Program.

Rule 22.25, Satisfactory Academic Progress, is amended by codifying Coordinating Board guidance to participating institutions regarding the interaction between summer terms and satisfactory academic progress (SAP) determinations. In summary, summer coursework funded by state grants must be included in SAP determinations, while summer coursework not funded by such grants may be used to reestablish eligibility for the Program if the student failed to meet SAP requirements in the prior term. However, unfunded summer coursework should not be used for SAP determinations if it would result in the student losing eligibility. This does not represent a change in the administration of the Program.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rules. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rules.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be improved transparency by codifying an existing reporting requirement and improved program administration by clarifying existing practices. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will

be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 61.229, which provides the Coordinating Board with the authority to adopt rules relating to the Program.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter B.

#### §22.22. *Definitions.*

In addition to the words and terms defined in §22.1 of this chapter (relating to Definitions) the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) **Adjusted Gross Need**--An amount equal to a student's financial need less the amount of his or her Federal Pell Grant and any categorical aid the student might have brought to the institution.

(2) **First Grant**--The first Tuition Equalization Grant ever offered to and received by a specific student.

(3) **Program or TEG**--The Tuition Equalization Grant Program.

(4) **Subsequent Grant**--A TEG grant received in any academic year other than the year in which an individual received his or her first TEG grant.

(5) **Tuition Differential**--The difference between the tuition paid at the private or independent institution attended and the tuition the student would have paid to attend a comparable public institution. Institutions with the same degree level designation from the Southern Association of Colleges and Schools Commission on Colleges are considered comparable.

#### §22.23. *Eligible Institutions.*

##### (a) Eligibility.

(1) Any private or independent institution of higher education, as defined in §22.1 of this chapter (relating to Definitions), or a branch campus of a private or independent institution of higher education located in Texas and accredited on its own or with its main campus institution by the Commission on Colleges of the Southern Association of Colleges and Schools, is eligible to participate in the TEG Program.

(2) No participating institution may, on the grounds of race, color, national origin, gender, religion, age, or disability exclude an individual from participation in, or deny the benefits of, the program described in this subchapter.

(3) Each participating institution must follow the Civil Rights Act of 1964, Title VI (Public Law 88-352) in avoiding discrimination in admissions or employment.

(4) A private or independent institution of higher education that previously qualified under paragraph (1) of this subsection but no longer holds the same accreditation as public institutions of higher education may temporarily participate in the TEG Program if it is:

(A) accredited by an accreditor recognized by the Board;

(B) actively working toward the same accreditation as public institutions of higher education;

(C) participating in the federal financial aid program under 20 United States Code (U.S.C.) §1070a; and

(D) a "part B institution" as defined by 20 U.S.C. §1061(2) and listed in 34 Code of Federal Regulations §608.2.

(5) The Commissioner may grant temporary approval to participate in the TEG program to an institution described under paragraph (4) of this subsection for a period of two years. The Commissioner may renew that approval for a given institution twice, each for a period of two additional years.

(6) A private or independent institution of higher education that previously qualified under paragraph (1) of this subsection but no longer holds the same accreditation as public institutions of higher education is eligible to participate in the TEG Program if it is:

(A) accredited by an accreditor recognized by the Board in accordance with §7.6 of this title (relating to Recognition of Accrediting Agencies);

(B) a work college, as that term is defined by 20 U.S.C. Section 1087-58; and

(C) participating in the federal financial aid program under 20 U.S.C. §1070(a).

##### (b) Participation Requirements.

(1) **Agreement.** Each eligible institution must enter into an agreement with the Coordinating Board, prior to participating in the program, the terms of which shall be prescribed by the Commissioner.

(2) **Intent to Participate.** An eligible institution interested in participating in the Program must indicate this intent by June 1 of each odd-numbered year in order for qualified students enrolled in that institution to be eligible to receive grants in the following fiscal biennium. An eligible institution's data submissions, as required in §22.29 of this subchapter (relating to Allocation of Funds), must occur on or before the institution's indication of its intent to participate.

(c) **Responsibilities.** Participating institutions are required to abide by the General Provisions outlined in subchapter A of this chapter (relating to General Provisions).

(d) **Audit Engagement Report.** An institution participating in the Program shall submit an audit engagement report for the prior fiscal year to the Coordinating Board not later than April 15 each year. The report must be addressed to the chief executive officer of the institution and include findings and a corrective action plan for any noted deficiencies.

#### §22.25. *Satisfactory Academic Progress.*

(a) **Eligibility at End of First Grant Year.** Students who complete their first year receiving a Tuition Equalization Grant in compliance with their institutions' financial aid satisfactory academic progress requirements are eligible to receive subsequent awards in the following year if they meet the other requirements listed in §22.24 of this subchapter (relating to Eligible Students).

(b) **Eligibility at End of a Subsequent Grant Year.** Students shall, unless granted a hardship provision in accordance with §22.27 of this subchapter (relating to Hardship Provisions), as of the end of an academic year in which the student receives a subsequent grant:

(1) have completed at least:

(A) for undergraduate students, 24 semester credit hours in the most recent academic year; or

(B) for graduate students, 18 semester credit hours in the most recent academic year;

(2) have an overall cumulative grade-point average of at least 2.5 on a four-point scale or its equivalent; and

(3) have completed at least 75 percent of the semester credit hours attempted in the most recent academic year.

(c) Summer Terms.

(1) If a student receives state grant funding for the summer term(s), an institution shall include credits attempted for summer coursework when determining whether a student is meeting satisfactory academic progress requirements.

(2) If a student does not receive state grant funding for the summer term(s), the student can take summer coursework to reestablish eligibility if the student failed to meet satisfactory academic progress requirements during the last term or semester. However, an institution shall not use summer coursework not funded by state grants to recalculate satisfactory academic progress if the attempted credits would result in a student losing eligibility for the fall term.

(d) [(e)] The institution shall calculate a student's GPA in accordance with §22.10 of this chapter (relating to Grade Point Average Calculations for Satisfactory Academic Progress).

(e) [(d)] The completion rate calculations may be made in keeping with institutional policies.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202504814

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6365



## CHAPTER 23. EDUCATION LOAN REPAYMENT PROGRAMS SUBCHAPTER C. PHYSICIAN EDUCATION LOAN REPAYMENT ASSISTANCE PROGRAM

### 19 TAC §23.65, §23.67

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 23, Subchapter C, §23.65 and §23.67, concerning the Physician Education Loan Repayment Assistance Program. Specifically, this amendment will add a definition of "outpatient setting" to clarify eligibility for primary care physicians and align rule language regarding applicant prioritization with similar provisions throughout the chapter.

The Coordinating Board is authorized by Texas Education Code, §61.537, to adopt rules necessary for the administration of the program.

Rule 23.65, Definitions, is amended by adding a definition for "outpatient setting." The definition aligns with that of Texas Occupations Code, §162.101 and §301.601. Defining "outpatient setting" further clarifies the definition of "primary care physician," which states that, "With the exception of psychiatrists and geriatricians, physicians must provide services in an outpatient setting to be considered primary care." An applicant's status as a primary care physician is relevant for both eligibility and prioritization determinations, warranting greater specificity.

Rule 23.67, Applicant Ranking Priorities, is amended to align with similar provisions in the chapter and to ensure that all applicants can be ranked in the event that insufficient funds are available to provide loan repayment assistance to all eligible persons. Subsection (a) is redundant with §23.66(a)(1) and its removed. The language introducing the section (previously (b)) is revised to align with phrasing in similar rules throughout the chapter. Subsection (2)(G) is added to provide a final criterion, student loan debt, on which to prioritize applicants in this category.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the improved rule clarity regarding eligibility and prioritization. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 61.537, which provides the Coordinating Board with the authority to adopt rules necessary for the administration of the Program.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 23 Subchapter C.



§23.65. *Definitions.*

In addition to the words and terms defined in §23.1 of this chapter (relating to Definitions), the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) Full-time Service--An average of at least thirty-two hours of direct patient care per week during the service period at the practice site.

(2) HPSAs--Health Professional Shortage Areas (HPSAs) are designated by the U. S. Department of Health and Human Services (HHS) as having shortages of primary medical care, dental or mental health providers and may be geographic (a county or service area), demographic (low income population) or institutional (comprehensive health center, federally qualified health center, as defined under 42 USC §1396d (1)(2)(B), or other public facility). Designations meet the requirements of Sec. 332 of the Public Health Service Act, 90 Stat. 2270-2272 (42 U.S.C. 254e).

(3) Medicaid--The medical assistance program authorized by Chapter 32, Human Resources Code.

(4) NPI--National Provider Identifier; the Health Insurance Portability and Accountability Act (HIPAA) Administrative Simplification Standard unique identification number for covered health care providers. Covered health care providers and all health plans and health care clearinghouses must use the NPIs in the administrative and financial transactions adopted under HIPAA.

(5) Outpatient Setting--A facility, clinic, center, office, or other setting that is not part of a licensed hospital or licensed ambulatory surgical center.

(6) ~~[(5)]~~ Primary Care Physician--Physicians practicing family medicine, family practice, general practice, obstetrics/gynecology, general internal medicine, general pediatrics, combined internal medicine and pediatrics (medicine-pediatrics) ~~[in an outpatient setting]~~, psychiatry, or geriatrics. With the exception of psychiatrists and geriatricians, physicians must provide services in an outpatient setting to be considered primary care.

(7) ~~[(6)]~~ Program--The Physician Education Loan Repayment Assistance Program.

(8) ~~[(7)]~~ Rural HPSA--A HPSA-designated whole county with a population of less than 50,000 persons or a HPSA-designated facility or population group located in a county with a population of less than 50,000 persons.

(9) ~~[(8)]~~ Service Period--A period of twelve consecutive months qualifying a physician for loan repayment.

(10) ~~[(9)]~~ Texas Women's Health Program--The program authorized by Health and Safety Code, §31.002(a)(4)(C) and (H), §31.003, and §31.004, which provides primary health care services, including family planning services and health screenings, at no cost to eligible low-income women; administered by the Texas Health and Human Services Commission.

(11) ~~[(10)]~~ TMHP--Texas Medicaid and Healthcare Partnership; the entity that administers Texas Medicaid and other state health-care programs on behalf of the Texas Health and Human Services Commission.

(12) ~~[(11)]~~ TPI--Texas Provider Identifier; the number Managed Care Medicaid Providers must use when filing claims with the Texas Medicaid and Healthcare Partnership (TMHP), for payment of services rendered.

§23.67. *Applicant Ranking Priorities.*

~~[(a) Application deadlines will be established throughout the fiscal year and will be posted on the program web page.]~~

~~[(b) If there are not sufficient funds to offer loan repayment assistance for all eligible physicians [whose applications are received by the stated deadline], then applications shall be ranked using priority determinations [according to the following criteria:] in the following [priority] order:~~

(1) the first ten applications received each year from eligible physicians serving persons committed to a secure correctional facility operated by or under contract with the Texas Juvenile Justice Department or its successor or persons confined to a secure correctional facility operated by or under contract with any division of the Texas Department of Criminal Justice or its successor;

(2) applications from physicians practicing in HPSAs, in the following priority order:

(A) renewal applications from primary care physicians practicing in HPSAs;

(B) applications from primary care physicians practicing in rural HPSAs, prioritizing higher HPSA scores;

(C) applications from primary care physicians practicing in non-rural HPSAs, prioritizing higher HPSA scores;

(D) renewal applications from non-primary care physicians practicing in HPSAs;

(E) applications from non-primary care physicians practicing in rural HPSAs, prioritizing higher HPSA scores;

(F) applications from non-primary care physicians practicing in non-rural HPSAs, prioritizing higher HPSA scores;

(G) applications from physicians having the greatest amount of student loan debt;

(3) applications from primary care physicians who have provided outpatient health care services to a designated number of Medicaid or Texas Women's Health Program enrollees, as established annually by methods outlined in the Coordinating Board's Memorandum of Understanding with the Texas Health and Human Services Commission, in the following order of priority:

(A) renewal applications;

(B) applications from physicians practicing in a county with a population of less than 50,000 persons;

(C) applications from geriatricians;

(D) applications from physicians having the greatest amount of student loan debt.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 427-6365



## SUBCHAPTER D. MENTAL HEALTH PROFESSIONALS LOAN REPAYMENT ASSISTANCE PROGRAM

### 19 TAC §§23.94, 23.96, 23.97, 23.100

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments Texas Administrative Code, Title 19, Part 1, Chapter 23, Subchapter D, §§23.94, 23.96, 23.97, and 23.100, concerning the Mental Health Professionals Loan Repayment Assistance Program (Program). Specifically, this amendment will provide for the consideration of program applicants who provide mental health services via telehealth, as well as clarify aspects of applicant eligibility.

The Coordinating Board is authorized by Texas Education Code, §61.608, to adopt rules necessary for the administration of the Program.

Rule 23.94, Definitions, is amended by clarifying the definition of "full-time service" and adding definitions for "mental health services" and "telehealth provider" to facilitate consideration of program applicants who provide services via telehealth and other aspects of eligibility and prioritization determinations. The "full-time service" definition is amended by removing the word "direct" before "mental health services" - this phrasing is unnecessary given the addition of a definition for that term - and by clarifying that full-time service applies only to mental health services provided to patients in Texas. Reference to "patients in Texas" also are added to §23.96(a)(5)(A) of the proposed rule. These additions do not represent changes in the administration of the Program, but rather are intended to clarify the scope of the Program with the addition of potentially eligible telehealth providers.

The rule is further revised by adding a definition of "mental health services" in §23.94(5) to further clarify the types of service that an individual must provide to be eligible for the Program. The definition cites to that of Texas Health and Safety Code, §531.002, ("Mental health services" includes all services concerned with research, prevention, and detection of mental disorders and disabilities, and all services necessary to treat, care for, supervise, and rehabilitate persons who have a mental disorder or disability, including persons whose mental disorders or disabilities result from a substance abuse disorder.) and further clarifies that such services delivered to patients via telehealth are considered mental health services. Finally, §23.94(13) provides a definition for "telehealth provider" as an eligible professional who delivers fifty percent or more of the professional's mental health services to patients via telehealth. This status, determined as part of the application process, will be used in prioritizing applicants but does not relate to eligibility.

Rule 23.96, Applicant Eligibility, is amended to clarify program eligibility requirements and align rule language. Subsection (a)(5)(A) is amended to include reference to the state of Texas, as previously mentioned, and to replace "direct patient care" with the defined term "mental health services," which aligns with references elsewhere in the rule and the Program's statute.

Rule 23.97, Applicant Ranking Priorities, is amended to eliminate an unnecessary provision and situate telehealth providers in the Program's prioritization rule. Subsection (a) is redundant with §23.96(a)(1) and is removed. Telehealth providers are added to the prioritization rule such that, in the event of insufficient funding to offer loan repayment assistance to all eligible providers, they will be the final non-renewal applicants funded. Subsection (a)(8) is amended to prioritize providers

who practice in counties with populations of 150,000 persons or fewer, aligning with the one-time increase in §23.100(e). Portions of subsections (a)(3) and (a)(8) are removed or revised because they add unnecessary complexity to the prioritization determinations.

Rule 23.100, Amount of Repayment Assistance, is amended to clarify that a telehealth provider is not eligible to receive the one-time increase in loan repayment assistance for practicing in a county with population of 150,000 persons or fewer.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the expanded access to the Mental Health Professionals Loan Repayment Assistance Program to eligible providers offering services via telehealth. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 61.608, which provides the Coordinating Board with the authority to adopt rules necessary to administer the Program.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 23, Subchapter D.

§23.94. *Definitions.*

In addition to the words and terms defined in §23.1 of this chapter (relating to Definitions), the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

(1) CHIP--The Children's Health Insurance Program, authorized by the Texas Health and Safety Code, Chapter 62.

(2) Community-Based Mental Health Services--The services found under the Texas Health and Safety Code, Chapter 534, Subchapter B.

(3) Full-time Service--Employed or contracted full-time (at least 32 hours per week for providers participating only in the state-funded program, or at least 40 hours per week for providers participating in both the state funded program and the SLRP) by an agency or facility for the primary purpose of providing [direct] mental health services to patients in Texas.

(4) Medicaid--The medical assistance program authorized by the Texas Human Resources Code, Chapter 32.

(5) Mental Health Services--As defined in Texas Health and Safety Code, §531.002. For the purposes of this subchapter, such services delivered to patients at a different physical location than the professional using secure telecommunication or information technology are considered mental health services.

(6) ~~[(5)]~~ MHPSAs--Mental Health Professional Shortage Areas (MHPSAs) are designated by the U.S. Department of Health and Human Services (HHS) as having shortages of mental health providers and may be geographic (a county or service area), demographic (low income population), or institutional (comprehensive health center, federally qualified health center, or other public facility). Designations meet the requirements of Sec. 332 of the Public Health Service Act, 90 Stat. 2270-2272 (42 U.S.C. 254e).

(7) ~~[(6)]~~ Program--Mental Health Professionals Loan Repayment Assistance Program.

(8) ~~[(7)]~~ Psychiatrist--A licensed physician who is a graduate of a residency training program or fellowship program in psychiatry accredited by the Accreditation Council for Graduate Medical Education (ACGME) or the American Osteopathic Association (AOA).

(9) ~~[(8)]~~ Public school--A school in a Texas school district or a public charter school authorized to operate under Texas Education Code, chapter 12.

(10) ~~[(9)]~~ Service Period--A period of:

(A) twelve (12) consecutive months qualifying a mental health professional for loan repayment assistance; or

(B) for a mental health professional employed by a public school, at least nine (9) months of a 12-month academic year qualifying the professional for loan repayment assistance.

(11) ~~[(10)]~~ SLRP--A grant provided by the Health Resources and Services Administration to assist states in operating their own State Loan Repayment Program (SLRP) for primary care providers working in Health Professional Shortage Areas (HPSA).

(12) ~~[(11)]~~ State Hospital--Facilities found under the Texas Health and Safety Code, §552.0011.

(13) Telehealth Provider--An eligible professional who delivers fifty percent or more of the professional's applicable mental health services (measured in hours per week) to patients at a different physical location than the professional using secure telecommunication or information technology.

§23.96. *Applicant Eligibility.*

(a) To be eligible to receive loan repayment assistance, an applicant must:

(1) submit a completed application to the Coordinating Board by the established deadline, which will be posted on the program web page;

(2) be a U.S. citizen or a Legal Permanent Resident;

(3) at the time of application, hold a full license with no restrictions from the state of Texas for the applicant's practice specialty;

(4) currently be employed as one of the following eligible practice specialties:

(A) a psychiatrist;

(B) a psychologist, as defined by §501.002, Texas Occupations Code;

(C) a licensed professional counselor, as defined by §503.002, Texas Occupations Code;

(D) an advanced practice registered nurse, as defined by §301.152, Texas Occupations Code, who holds a nationally recognized board certification in psychiatric or mental health nursing;

(E) a licensed clinical social worker, as defined by §505.002, Texas Occupations Code;

(F) a licensed specialist in school psychology, as defined by §501.002, Texas Occupations Code;

(G) a licensed chemical dependency counselor, as defined by §504.001, Texas Occupations Code;

(H) a licensed marriage and family therapist, as defined by §502.002, Texas Occupations Code;

(I) a licensed master social worker, as defined by §505.002, Texas Occupations Code;

(J) a licensed professional counselor associate, as indicated by holding a licensed professional counselor associate license issued by the Texas State Board of Examiners of Professional Counselors;

(K) a licensed marriage and family therapist associate, as defined by §502.002, Texas Occupations Code; or

(L) a school counselor certified under Texas Education Code, chapter 21, subchapter B, who has earned at least a master's degree relating to counseling from any public or accredited private institution of higher education; and

(5) have completed one, two, or three consecutive service periods:

(A) in an MHPSA in Texas, providing mental health services [direct patient care] to:

(i) Medicaid enrollees;

(ii) CHIP enrollees, if the practice serves children;

(iii) persons in a secure correctional facility operated by or under contract with the Texas Juvenile Justice Department or its successor; or

(iv) persons in a secure correctional facility operated by or under contract with any division of the Texas Department of Criminal Justice or its successor;

(B) in a state hospital, providing mental health services to patients;

(C) providing mental health services to individuals receiving community-based mental health services from a local mental health authority, as defined in Texas Health and Safety Code, §531.002; or

(D) providing mental health services to students enrolled in a public school.

(b) Notwithstanding the number of consecutive service periods that qualify an applicant for eligibility described in subsection (a)(4) of this section, an otherwise eligible applicant who receives repayment assistance under this subchapter for three consecutive service periods is eligible to receive repayment assistance for a fourth and fifth consecutive service period in an amount described by §23.100(f) of this subchapter (relating to Amount of Repayment Assistance) and subject to the limitations established in §23.101 of this subchapter (relating to Limitations). An applicant who establishes eligibility under this subsection is not considered a renewal applicant for the purposes of §23.97 of this subchapter (relating to Applicant Ranking Priorities).

*§23.97. Applicant Ranking Priorities.*

~~{(a) Each fiscal year an application deadline will be posted on the program web page.}~~

(a) ~~[(b)]~~ If there are not sufficient funds to offer loan repayment assistance for all eligible providers, then applications shall be ranked using priority determinations in the following order:

- (1) renewal applications;
- (2) applications from providers who sign SLRP contracts;
- (3) applications from providers who are not telehealth providers whose employers are located in an MHPSA, prioritizing higher MHPSA scores. If a provider works for an agency located in an MHPSA that has satellite clinics and the provider works in more than one of the clinics, [the highest MHPSA score where the provider works shall apply. If a provider] travels to make home visits, or [the provider's agency base location and its MHPSA score shall apply. If a provider] works for different employers in multiple MHPSAs having different degrees of shortage, the Coordinating Board will use the address certified by the applicant's employer to determine MHPSA score [location having the highest MHPSA score shall apply];
- (4) applications from providers in state hospitals, excluding telehealth providers;
- (5) applications from providers in a local mental health authority, excluding telehealth providers;
- (6) applications from providers in public schools, excluding telehealth providers;
- (7) applications from telehealth providers;
- (8) ~~[(7)]~~ applications from providers who are not telehealth providers whose employers are located in counties with a population of less than 150,000 [50,000] persons. In the case of a provider [providers] serving at multiple sites, the Coordinating Board will use the address certified by the applicant's employer to determine whether an applicant is [at least 75 percent of their work hours are spent] serving in a county [counties] with a population of less than 150,000 [50,000] persons;
- (9) ~~[(8)]~~ applications from providers described by §23.96(b) of this subchapter (relating to Applicant Eligibility); and
- (10) ~~[(9)]~~ applications received on the earliest dates.

(b) ~~[(e)]~~ If state funds are not sufficient to allow for maximum loan repayment assistance amounts stated in §23.100 of this subchap-

ter (relating to Amount of Repayment Assistance) for all eligible applicants described by subsection (b)(1) of this section, the Coordinating Board shall adjust in an equitable manner the state-funded distribution amounts for a fiscal year, in accordance with Texas Education Code, §61.607(d).

*§23.100. Amount of Repayment Assistance.*

(a) Repayment assistance for each service period will be determined by applying the following applicable percentage to the lesser of the maximum total amount of assistance allowed for the provider's practice specialty, as established by §23.101 of this subchapter (relating to Limitations), or the total student loan debt owed at the time the provider established eligibility for the program:

- (1) for the first service period, 33.33 percent;
- (2) for the second service period, 33.33 percent; and
- (3) for the third service period, 33.34 percent.

(b) An eligible provider may receive prorated loan repayment assistance based on the percentage of full-time service provided for each service period, for a minimum of twenty (20) hours per week.

(c) Failure to meet the program requirements will result in non-payment for the applicable service period(s) and, except under circumstances determined by the Coordinating Board to constitute good cause, removal from the program.

(d) One-Time Increase for Fluency in Language of Need.

(1) Each biennium, the Coordinating Board shall publish for each profession described by §23.96(a)(3) of this subchapter (relating to Applicant Eligibility) a list of languages other than English for which there is a critical need for fluent providers in Texas.

(2) Subject to the limitations established in §23.101 of this subchapter, a provider whose employer certifies that the provider is fluent in a language listed by the Coordinating Board under paragraph (1) of this subsection shall receive an increase of \$5,000 to the amount of repayment assistance described by subsection (a) of this section.

(3) A provider may receive an increased amount of repayment assistance under this subsection only once. The increase will be applied to assistance received for the first service period during which the provider meets the criteria described in paragraph (2) of this subsection.

(4) This subsection applies only to providers who first establish eligibility for the program on or after September 1, 2025.

(e) One-Time Increase for Service in Less Populous Counties.

(1) Subject to the limitations established in §23.101 of this subchapter, a provider, other than a telehealth provider, who practices in a county with a population of 150,000 or fewer persons shall receive an increase of \$10,000 to the amount of repayment assistance described by subsection (a) of this section.

(2) A provider may receive an increased amount of repayment assistance under this subsection only once. The increase will be applied to assistance received for the first service period during which the provider meets the criteria described in paragraph (1) of this subsection.

(3) This subsection applies only to providers who first establish eligibility for the program on or after September 1, 2025.

(f) Subject to the limitations established in §23.101 of this subchapter, a provider who first established eligibility for the program on or after September 1, 2025, and who establishes eligibility under §23.96(b) of this subchapter (relating to Applicant Eligibility) may re-

ceive up to \$15,000 per service period for a maximum of two consecutive service periods.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6365



## SUBCHAPTER K. NURSE LOAN REPAYMENT ASSISTANCE PROGRAM

### 19 TAC §§23.301 - 23.303

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 23, Subchapter K, §§23.301 - 23.303, concerning the Nurse Loan Repayment Assistance Program. Specifically, this amendment will provide for the consideration of eligible nurses offering services via telehealth in the Program and make minor rule alignments relating to prioritization of applicants.

Texas Education Code, §61.656, provides the Coordinating Board with the authority to adopt rules necessary for the administration of the Program.

Rule 23.301, Definitions, is amended by revising the definition of "rural county" and adding a new definition for "telehealth provider." The definition of "rural county" in §23.301(7) is amended to change the population level from 50,000 or fewer persons to 150,000 or fewer persons, aligning with changes in other loan repayment assistance programs for administrative consistency. A definition of "telehealth provider" is added in §23.301(8) as an eligible nurse who delivers fifty percent or more of the nurse's applicable services using telecommunications or information technology. This status, determined as part of the application process, will be used in prioritizing applicants but does not relate to eligibility.

Rule 23.302, Applicant Eligibility, is amended to specify that an applicant's employer's certification of hours worked will delineate hours worked in-person and via telecommunications or information technology, allowing the Coordinating Board to determine whether an applicant is a telehealth provider, as previously defined.

Rule 23.303, Applicant Ranking Priorities, is amended to specify in paragraph (3) that eligible nurses who are not telehealth providers will be prioritized over telehealth providers if insufficient funds are available to offer loan repayment assistance to all eligible applicants. Portions of Subsections (a)(4), (a)(5), and (b) are removed or revised because they add unnecessary complexity to the prioritization determinations.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has determined that for each of the first five years the sections are in effect there would be no fiscal

implications for state or local governments as a result of enforcing or administering the rules. There are no estimated reductions in costs to the state and to local governments as a result of enforcing or administering the rule. There are no estimated losses or increases in revenue to the state or to local governments as a result of enforcing or administering the rule.

There is no impact on small businesses, micro businesses, and rural communities. There is no anticipated impact on local employment.

Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, has also determined that for each year of the first five years the section is in effect, the public benefit anticipated as a result of administering the section will be the increased clarity regarding how eligible nurses offering services via telehealth are considered in the Nurse Loan Repayment Assistance Program. There are no anticipated economic costs to persons who are required to comply with the sections as proposed.

#### Government Growth Impact Statement

- (1) the rules will not create or eliminate a government program;
- (2) implementation of the rules will not require the creation or elimination of employee positions;
- (3) implementation of the rules will not require an increase or decrease in future legislative appropriations to the agency;
- (4) the rules will not require an increase or decrease in fees paid to the agency;
- (5) the rules will not create a new rule;
- (6) the rules will not limit an existing rule;
- (7) the rules will not change the number of individuals subject to the rule; and
- (8) the rules will not affect this state's economy.

Comments on the proposed rule or information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research or analysis, may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at [SFAPPolicy@highered.texas.gov](mailto:SFAPPolicy@highered.texas.gov). Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under Texas Education Code, Section 61.656, which provides the Coordinating Board with the authority to adopt rules necessary for the administration of the Program.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 23, Subchapter K.

#### §23.301. Definitions.

In addition to the words and terms defined in §23.1 of this chapter (relating to Definitions), the following words and terms, when used in this subchapter, shall have the following meanings, unless the context clearly indicates otherwise:

- (1) Advanced Practice Nurse--A professional nurse, currently licensed in the State of Texas, who has been approved by the Texas Board of Nursing to practice as an advanced practice nurse based on completing an advanced educational program of study acceptable to the Texas Board of Nursing. The term includes a nurse practitioner, nurse-midwife, nurse anesthetist, and a clinical nurse specialist.

(2) Full-Time--An average of at least 32 hours per week during the service period.

(3) Licensed Vocational Nurse--A person currently licensed by the Texas Board of Nursing to practice vocational nursing.

(4) Primary Care HPSA--Primary Care Health Professional Shortage Areas (HPSAs) designated by the U.S. Department of Health and Human Services (HHS) as having shortages of primary care providers and may be geographic (a county or service area), demographic (low-income population), or institutional (comprehensive health center, federally qualified health center, or other public facility), in compliance with the requirements of Section 332 of the Public Health Service Act, 90 Stat. 2270-2272 (42 U.S.C.A. 254e).

(5) Registered Nurse--A person currently licensed by the Texas Board of Nursing to practice professional nursing. For the purposes of this subchapter, an advanced practice nurse is not considered a registered nurse.

(6) Rural County--A county with a population of less than 150,000 [50,000].

(7) Service Period--A period of 12 consecutive months qualifying an applicant for loan repayment.

(8) Telehealth Provider--An eligible nurse who delivers fifty percent or more of the nurse's applicable services (measured in hours per week) to patients at a different physical location than the nurse using secure telecommunication or information technology.

#### *§23.302. Applicant Eligibility.*

To be eligible to receive loan repayment assistance, an applicant must submit to the Coordinating Board an application for enrollment in the program that includes:

(1) employer verification of the applicant's employment as a nurse in Texas for at least one service period and the person's current employment in Texas as of the date of the application, including the average number of hours per week the applicant worked, both in-person and as a telehealth provider, during the last service period;

(2) documentation that the applicant is licensed by the Texas Board of Nursing as a Licensed Vocational Nurse, Registered Nurse, or Advanced Practice Nurse, with no restrictions; and

(3) a statement of the total amount of principal, accrued interest, fees, and other charges due on unpaid eligible education loans, as described in §23.2(c) of this chapter (relating to Eligible Lender and Eligible Education Loan), obtained for enrollment in a nursing degree or certificate program at:

(A) an institution of higher education, as defined in Texas Education Code, §61.003;

(B) a private or independent institution of higher education, as defined in Texas Education Code §61.003; or

(C) a college or university described by Texas Education Code, §61.651(1)(C); and

(4) any other document deemed necessary by the Coordinating Board.

#### *§23.303. Applicant Ranking Priorities.*

[(a)] If insufficient funds are available in a year to offer loan repayment assistance to all eligible applicants, then applications shall be ranked using priority determinations in the following order.

(1) The Coordinating Board may choose to post an application deadline, which will be posted on the program web page. In such

a case, applications received prior to the application deadline will be given priority over applications received after the application deadline.

(2) Renewal applications shall be given priority over initial-year applications, unless a break in service period has occurred, in which case the application would be treated as an initial-year application for priority ranking.

(3) Applications from eligible nurses who are not telehealth providers, as defined in §23.301 of this subchapter (relating to Definitions), shall be given priority over applications from telehealth providers.

(4) [(3)] Applications for those employed in rural counties shall be given priority over those who are not employed in rural counties. In the case of applicants serving at multiple sites, the Coordinating Board will use the address certified by the applicant's employer to determine whether the applicant [an applicant who spends at least 75 percent of their work hours serving in rural counties] is considered to be working in a rural county.

(5) [(4)] Applications shall be ranked based on the Primary Care HPSA score for the address certified by the applicant's [in which the] employer, including for applicants who work for agencies with satellite clinics or who conduct home visits [is located]. Applications with the highest Primary Care HPSA score shall be given priority over applications with the next highest Primary Care HPSA score, and so on.

(6) [(5)] Applications from Registered Nurses shall be given priority over applications from Licensed Vocational Nurses, who shall be given priority over applications from Advanced Practice Nurses.

(7) [(6)] Applications shall be ranked based on the date of application submission. Applications from the group with the earliest application submission date shall be given priority over applications from the next earliest application submission date, and so on.

[(b) In determining the Primary Care HPSA score, the following shall apply:]

[(1) If an applicant works for an agency located in a Primary Care HPSA that has satellite clinics and the nurse works in more than one of the clinics, the highest Primary Care HPSA score where the applicant works shall apply.]

[(2) If an applicant travels to make home visits, the applicant's agency base location and its Primary Care HPSA score shall apply.]

[(3) If an applicant works for different employers in multiple Primary Care HPSAs having different degrees of shortage, the location having the highest Primary Care HPSA score shall apply.]

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6365

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## PART 2. TEXAS EDUCATION AGENCY

### CHAPTER 74. CURRICULUM REQUIREMENTS

#### SUBCHAPTER AA. COMMISSIONER'S RULES ON COLLEGE AND CAREER READINESS

##### 19 TAC §74.1005

The Texas Education Agency (TEA) proposes an amendment to §74.1005, concerning college and career funding and reimbursements. The proposed amendment would update language concerning college and career related assessment reimbursements as required by House Bill (HB) 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, and make technical edits for clarification and consistency.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Texas Education Code (TEC), §48.106, establishes a weighted annual allotment for approved career and technical education (CTE) courses, and TEC, §48.155 and §48.156, establish college preparation assessments and certification examinations for which school districts may receive reimbursements.

Section 74.1005 describes the eligibility of school districts and charter schools to receive CTE weighted funding under TEC, §48.106. The rule also details school district eligibility for reimbursements for college preparation assessments and certification examinations, as allowed under TEC, §48.155 and §48.156.

HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, updated provisions related to allotments and reimbursements. To implement the legislation, the following changes would be made.

The proposed amendment would remove New Tech Network campuses from eligibility for allotment funding, add a career readiness assessment to the list of assessments for which districts may receive reimbursement, and increase the number of industry-based certification (IBC) examinations eligible for reimbursement per student.

Additional technical edits would be made for clarification and consistency throughout the rule.

**FISCAL IMPACT:** Monica Martinez, associate commissioner for standards and programs, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

**LOCAL EMPLOYMENT IMPACT:** The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

**SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT:** The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

**COST INCREASE TO REGULATED PERSONS:** The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

**TAKINGS IMPACT ASSESSMENT:** The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

**GOVERNMENT GROWTH IMPACT:** TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand an existing regulation by adding career readiness assessments to the options for which districts may be reimbursed and increase the number of IBC exams that are reimbursable per student. The proposed rulemaking would also limit an existing regulation by eliminating New Tech Network campuses from eligibility for the \$150 per student allotment.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Ms. Martinez has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to clarify expanded college and career assessment reimbursements and additional college and career related funding. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** TEA has determined that the proposal would not require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** TEA requests public comments on the proposal, including, per Texas Government Code, §2001.024(a)(8), information related to the cost, benefit, or effect of the proposed rule and any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. The public comment period on the proposal begins January 16, 2026, and ends February 16, 2026. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on January 16, 2026. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/Commissioner\\_Rules\\_\(TAC\)/Proposed\\_Commissioner\\_of\\_Education\\_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

**STATUTORY AUTHORITY.** The amendment is proposed under TEC, §29.190(a-1), as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, which establishes that a student may not receive more than two subsidies if the student passes a certification examination to qualify for a license or certificate that is an industry certification for purposes of TEC, §39.053(c)(1)(B)(v), administered while the student is enrolled in a school district; TEC, §39.0261(a)(3), as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025,

which permits high school students in the spring of the 11th grade or during the 12th grade to select and take once, at state cost, one of the valid, reliable, and nationally norm-referenced assessment instruments used by colleges and universities as part of their undergraduate admissions processes; the assessment instrument designated by the Texas Higher Education Coordinating Board; or a nationally recognized career readiness assessment instrument that measures foundational workforce skills approved by commissioner rule; TEC, §48.106, as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, which specifies certain students for whom a district is entitled to \$150 in addition to the amount under TEC, §48.106(a); and TEC, §48.156, as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, which entitles a school district to reimbursement for the amount of a subsidy paid by the district for not more than two certification examinations per student.

CROSS REFERENCE TO STATUTE. The amendment implements TEC, §§29.190(a-1), 39.0261(a)(3), and 48.106, and §48.156, as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025.

*§74.1005. College and Career Funding and Reimbursements.*

(a) Applicability. The provisions of this section apply to school districts and open-enrollment charter schools.

(b) Eligibility for funding.

(1) A district is eligible to receive funding under Texas Education Code (TEC), §48.106(a) [~~§48.106(a)(1)~~], for students in Grades 7-12 who take an approved career and technical education (CTE) course designated with an "H" in the CTE Course column of the Texas Education Data Standards, Section 4, Service-ID (CO22) code table.

(2) A district is eligible to receive funding under TEC, §48.106(a)(2)(A), for an advanced CTE course identified as Level 3 or Level 4 in a statewide CTE program of study.

(3) A district is eligible to receive funding under TEC, §48.106(a)(2)(B), for a campus that has been designated by the Texas Education Agency (TEA) as a Pathways in Technology Early College High School (P-TECH) for the current school year or a student who completes a course of study in a P-TECH program or a Rural Pathway Excellence Partnership program.

~~{(4) A district is eligible to receive funding under TEC, §48.106(a)(2)(C), for a campus that has an active agreement with the New Tech Network as defined by the New Tech Network for the current school year.}~~

(c) Eligibility for reimbursement.

(1) A district is eligible to receive a certification examination reimbursement for a certification identified on the TEA list of industry-based certifications (IBCs) for public school accountability, pursuant to §74.1003 of this title (relating to Industry-Based Certifications for Public School Accountability).

(A) A district is eligible to receive the certification examination reimbursement for students in Grades 9-12 who pass an examination beginning in the 2019-2020 school year.

(B) Examinations must be taken between September 1 and August 31 of any school year.

(C) A district is eligible for reimbursement for a student's first examination reported in the Texas Student Data System Public Education Information Management System with an associated dollar amount.

(2) A district is eligible to receive a reimbursement for a college preparation assessment administered under TEC, §39.0261(a)(3)(A), for ~~[the amount of]~~ fees paid by the district for the state negotiated rate for the SAT® or ACT® for students in spring of their junior year or during their senior year.

(A) Assessment reimbursement only includes the standard ~~[basic]~~ SAT® and ACT® test. Additional ~~[Other additional]~~ costs ~~[or fees]~~ such as writing tests, subject area tests, or late fees are not eligible for reimbursement.

(B) A student must take the assessment between January of Grade 11 and ~~[through]~~ August 31 of the year the student graduates.

(3) A district is eligible to receive a reimbursement for a college preparation assessment administered under TEC, §39.0261(a)(3)(B), for ~~[the amount of]~~ fees paid by the district for the Texas Success Initiative Assessment for students in spring of their junior year or during their senior year.

(A) Assessment reimbursement includes both the reading and mathematics portions of the examination. Neither portion is eligible for reimbursement on its own, and additional costs ~~[and fees]~~ such as writing tests and late fees are not eligible for reimbursement.

(B) A student must take the assessment between January of Grade 11 and ~~[through]~~ August 31 of the year the student graduates.

(4) A district is eligible to receive reimbursement for a nationally recognized career readiness assessment administered under TEC, §39.0261(a)(3)(C), for fees paid by the district for the assessment for students in spring of their junior year or during their senior year.

(A) Assessment reimbursement only includes the primary assessments(s) associated with the TEA-identified nationally recognized career readiness assessment. Additional costs such as subject area tests or late fees are not eligible for reimbursement.

(B) A student must take the assessment between January of Grade 11 and August 31 of the year the student graduates.

(5) ~~[(4)]~~ A district may only be reimbursed under this subsection for up to two ~~[one]~~ IBC examinations ~~[examination]~~ per student and one college preparation assessment or one career readiness assessment per student.

(6) ~~[(5)]~~ A district must submit reimbursement requests and data in accordance with instructions provided by TEA within the published timeline.

(d) Final decisions. Reimbursement decisions are final and may not be appealed.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 5, 2026.

TRD-202600013

Cristina De La Fuente Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 475-1497



## TITLE 22. EXAMINING BOARDS



# PART 1. TEXAS BOARD OF ARCHITECTURAL EXAMINERS

## CHAPTER 1. ARCHITECTS

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 1 relating to Architects, §1.27, relating to Provisional Licensure, and §1.149, relating to Criminal Convictions.

### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1080 (89th Regular Session, 2025), which amends provisions in Chapter 53, Texas Occupations Code, relating to licensing and Consequences of Criminal Conviction.

Through Senate Bill 1080, the legislature provides licensing authorities discretion to revoke a license following imprisonment for a felony conviction, unless the felony offense is directly related to the duties and responsibilities of the licensed occupation, the felony offense is a sexually violent offense under Article 62.001, Code of Criminal Procedure, or the felony offense is an offense listed in Article 42A.054, Code of Criminal Procedure, pursuant to §53.021, Texas Occupations Code.

Additionally, SB 1080 added §53.0211(b-1), Texas Occupations Code, which allows licensing authorities discretion to consider the issuance of a provisional license to an applicant who has committed an offense and is an imprisoned inmate of the Texas Department of Criminal Justice (TDCJ) or is an applicant on parole or mandatory supervision who is residing at a halfway house or community residential facility. The applicant must be a student or graduate of the Windham School District or an institution of higher education. A provisional license issued under §53.0211(b-1), Texas Occupations Code is valid for twelve (12) months, and the term begins on the date an applicant who is an inmate is released, pursuant to amendments to §53.0211(b)(2) and §53.0211(c), Texas Occupations Code

### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1080 by amending 22 Texas Administrative Code §1.27 and §1.149. The amendments to §53.0211, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §1.27. The amendments to §53.021, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §1.149. Both rule sections also include non-substantive grammatical changes, changes for clarity in accordance with Chapter 53, Texas Occupations Code, and paragraph renumbering.

### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable implications relating to the costs or revenues of state or local government.

### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public ben-

efit includes reducing barriers to entry for applicants with felony criminal convictions. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses, micro-businesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §1.27

### STATUTORY AUTHORITY

The amendments to §1.27 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of archi-

ture; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.0211, Texas Occupations Code, which provides licensing authorities authority grant licenses and provisional licenses to certain applicants with prior criminal convictions.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

##### *§1.27. Provisional Licensure Following Criminal Conviction.*

(a) The Board shall grant a certificate [Certificate] of registration [Registration] or a provisional certificate [Certificate] of registration [Registration] to an otherwise qualified Candidate who has been convicted of an offense that:

(1) is not directly related to the Practice of Architecture as determined by the executive director [directory] under §1.149 of this chapter (relating to Criminal Convictions);

(2) - (3) (No change.)

(b) The Board may issue a provisional certificate of registration to an Applicant who has been convicted of an offense, including an Applicant who:

(1) is:

(A) an inmate imprisoned in the Texas Department of Criminal Justice; or

(B) a person released on parole or mandatory supervision and residing at a place described by §508.118 or §508.119, Texas Government Code; and

(2) is enrolled in or has completed an educational program offered by:

(A) the Windham School District; or

(B) an institution of higher education, as defined by §61.003, Education Code.

(c) [(b)] A provisional certificate [Certificate] of registration [Registration] expires twelve (12) [~~six (6)~~] months after the date it is issued.

(d) The term of a provisional certificate of registration issued to an Applicant who is an inmate imprisoned in the Texas Department of Criminal Justice begins on the date the Applicant is released.

(e) [(e)] A provisional certificate [Certificate] of registration [Registration] shall [may] be Revoked for the following reasons:

(1) the [The] provisional Registrant commits a new offense [another offense during the 6-month provisional registration period];

(2) the [The] provisional Registrant's community supervision, mandatory supervision, or parole is revoked [Revoked]; or

(3) the [The] provisional Registrant violates a statute or rule enforced by the Board.

(f) [(d)] A provisional Registrant who is subject to community supervision, mandatory supervision, or parole shall provide the Board name and contact information of the probation or parole department to which the provisional Registrant reports. The Board shall provide notice to the department upon the issuance of the provisional certificate [Certificate] of registration [Registration], as well as any terms, conditions or limitations upon the provisional Registrant's practice.

(g) [(e)] Upon successful completion of the provisional registration [Registration] period, the Board shall issue a certificate

[Certificate] of registration [Registration] to the provisional Registrant. If a provisional Registrant's provisional certificate [Certificate] is Revoked, the provisional Registrant is disqualified from receiving a certificate [Certificate] of registration [Registration] and may not apply for a certificate [Certificate] of registration [Registration] for a period of three (3) years from the date of Revocation.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

TRD-202600005

Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 305-9040



## SUBCHAPTER H. PROFESSIONAL CONDUCT

### 22 TAC §1.149

#### STATUTORY AUTHORITY

The amendments to §1.149 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of architecture; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.021, Texas Occupations Code, which provides licensing authorities authority to revoke, suspend, or deny a license based on a criminal conviction.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

##### *§1.149. Criminal Convictions.*

(a) Pursuant to Chapter 53, Texas Occupations Code and §2005.052, Texas Government Code, the Board may suspend or Revoke [revoke] an existing certificate of registration, disqualify a person from receiving a certificate of registration, issue a provisional license subject to the terms and limitations of §1.27 of this chapter (relating to Provisional Licensure Following Criminal Conviction), or deny to a person the opportunity to be examined for a certificate of registration because of the person's conviction for [committing an offense if]:

(1) an [the] offense that directly relates to the duties and responsibilities of an Architect;

(2) an [the] offense [is] listed in Article 42A.054, Texas Code of Criminal Procedure; or

(3) [the offense is] a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure.

(b) A Registrant's registration shall be Revoked on the Registrant's imprisonment following:

(1) a felony conviction for:

(A) an offense that directly relates to the duties and responsibilities of an Architect;

(B) an offense listed in Article 42A.054, Texas Code of Criminal Procedure; or

(C) a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure;

(2) felony community supervision revocation;

(3) revocation of parole; or

(4) revocation of mandatory supervision.

(c) A Registrant's registration may be Revoked on the Registrant's imprisonment following a conviction for a felony other than those listed in subsection (b)(1) of this section.

(d) [(b)] The following procedures will apply in the consideration of an application for registration as an Architect or in the consideration of a Registrant's criminal history:

(1) - (3) (No change.)

(4) The notice provided by the executive director under this subsection must contain:

(A) a statement that the person is disqualified from being registered or being examined for registration because of the person's prior conviction of an offense specified in the notice; or

(B) a statement that:

(i) the final decision of the Board to Revoke [revoke] or suspend the registration or deny the person a registration or the opportunity to be examined for the registration will be based on the factors listed in subsection (f) [(d)] of this section; and

(ii) it is the person's responsibility to obtain and provide to the Board evidence regarding the factors listed in subsection (f) [(d)] of this section.

(5) (No change.)

(e) [(e)] In determining whether a criminal conviction is directly related to the duties and responsibilities of an Architect, the executive director and the Board shall consider each of the following factors:

(1) - (5) (No change.)

(f) [(d)] If the executive director or the Board determines under subsection (e) [(e)] of this section that a criminal conviction directly relates to the duties and responsibilities of an Architect, the executive director and the Board shall consider the following in determining whether to suspend or Revoke [revoke] a registration, disqualify a person from receiving a registration, or deny to a person the opportunity to take a registration examination:

(1) - (7) (No change.)

(g) [(e)] Crimes directly related to the duties and responsibilities of a Registered Architect include any crime that reflects a lack of fitness for professional licensure or a disregard of the standards commonly upheld for the professional Practice of Architecture, such as the following:

(1) - (5) (No change.)

[(f)] The Board shall revoke the certificate of registration of any Registrant who is convicted of any felony if the felony conviction results in incarceration. The Board also shall revoke the certificate of registration of any Registrant whose felony probation, parole, or mandatory supervision is revoked.]

(h) [(g)] If an Applicant is incarcerated as the result of a felony conviction, the Board may not approve the Applicant for registration during the period of incarceration, other than the issuance of a provisional certificate of registration under §1.27 of this chapter (relating to

Provisional Licensure Following Criminal Conviction). If an Applicant's felony probation, parole, or mandatory supervision is revoked, the Board may not approve the Applicant for registration until the Applicant successfully completes the sentence imposed as a result of the revocation.

(i) [(h)] If the Board takes action against any Applicant or Registrant pursuant to this section, the Board shall provide the Applicant or Registrant with the following information in writing:

(1) the reason for rejecting the application or taking action against the Registrant's certificate of registration, including any factor considered under subsections (e) [(e)] or (f) [(d)] of this section that served as the basis for the action;

(2) - (3) (No change.)

(j) [(i)] All proceedings pursuant to this section shall be governed by the Administrative Procedure Act, Chapter 2001, Government Code.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

TRD-202600006

Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 305-9040



## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §1.29

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 1 relating to Architects, §1.29 relating to Registration of a Military Service Member, Military Veteran, or Military Spouse.

#### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1818 and House Bill 5629 (89th Regular Session, 2025), which amend provisions in Chapter 55, Texas Occupations Code, relating to Licensing of Military Service Members, Military Veterans, and Military Spouses.

Senate Bill 1818 mandates the prompt issuance of a provisional registration to an applicant under §55.004 or §55.0041, Texas Occupations Code if the agency is unable to promptly issue a license or recognition of an out-of-state license, respectively. A provisional license expires the earlier of the date the license is issued or recognition is granted, or the 180th day after the date the provisional registration is issued.

House Bill 5629 makes several changes to Chapter 55, Texas Occupations Code. Under the changes to §55.004, Texas Occupations Code, licensing agencies are required to issue a license to a military service member, military veteran, or military spouse who holds a license in good standing in another state with a similar scope of practice to Texas. Amendments to §55.0041, Texas Occupations Code, allow a military service member, military veteran, or military spouse to practice in Texas under an out-of-state

license without having to become registered in Texas, and provides procedures for recognizing the out-of-state license.

Additionally, HB 5629 adds §55.0042, Texas Occupations Code, which specifies how "good standing" is determined, and also adds §55.0043, Texas Occupations Code, which requires that agencies track and publish complaints made against a military service member, military veteran, or military spouse. The law also modifies §55.005(a), Texas Occupations Code, which requires agencies to process applications and issue registrations for qualified applicants within 10 business days instead of 30. Finally, HB 5629 modifies §55.009, Texas Occupations Code to waive application fees for any individual who is a military service member, military veteran, or military spouse.

#### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1818 and House Bill 5629 by amending 22 Texas Administrative Code §1.29. The amendments to Chapter 55, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §1.29. The proposed amendments also include non-substantive grammatical changes and paragraph renumbering.

#### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable implications relating to the costs or revenues of state or local government.

#### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public benefit includes reducing barriers to entry for military service members, military veterans, and military spouses. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

#### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

#### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

#### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses, micro-businesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

#### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

#### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

#### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

#### STATUTORY AUTHORITY

The amendment of §1.29 is proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of architecture; §1051.704, Texas Occupations Code, which requires the Board to examine each applicant for registration on any architectural subject or procedure the Board requires and to issue a certificate of registration to each applicant who passes the examination; and §§55.004, 55.0041, 55.0042, 55.0043, 55.005, and 55.009, Texas Occupations Code, which relate to the Licensing of Military Service Members, Military Veterans, and Military Spouses.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

*§1.29. Registration of a Military Service Member, Military Veteran, or Military Spouse.*

(a) For the purposes of this section, terms shall have the following definitions: [Definitions:]

(1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section 437.001, Government Code, or similar military service of another state.

(2) "Armed forces of the United States" means the army, navy, air force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "Good Standing" means an Applicant:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or person's practice of architecture; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.

(4) "License" means a license or registration to practice architecture.

(5) [(3)] "Military service member" means a person who is on active duty.

(6) [(4)] "Military spouse" means a person who is married to a military service member.

(7) [(5)] "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

(b) Expedited Licensure Procedure for a Military Service Member, Military Veteran, or Military Spouse.

(1) A military service member, military veteran, or military spouse may apply for a registration in accordance with:

(A) §1.21 of this chapter (relating to Registration by Examination);

(B) §1.22 of this chapter (relating to Registration by Reciprocal Transfer); or

(C) §55.004, Texas Occupations Code.

(2) A military service member, military veteran, or military spouse is eligible for registration under §55.004, Texas Occupations Code if:

(A) the Applicant holds a current license issued by another state that is similar in scope of practice to a Texas architectural registration and is in Good Standing with that state's licensing authority; or

(B) the Applicant held a Texas architectural registration within the five years preceding the application date under this subsection.

(3) Not later than the 10th business day after the date a military service member, military veteran, or military spouse files an application for registration under §1.21 or §1.22 of this chapter, the Board shall process the application and issue a registration to a qualifying Applicant.

(4) On receipt of an application for registration in accordance with §55.004, Texas Occupations Code, the Board shall promptly issue a provisional registration to the Applicant while the Board processes the application or issue the registration. A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board approves or denies the application for registration; or

(B) the 180th day after the date the provisional registration is issued.

[(b) Architectural registration eligibility requirements for military service members, military veterans, and military spouses.]

[(1) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.]

[(2) An Applicant who is a military service member, military veteran, or military spouse may be eligible for registration if the Applicant:]

[(A) Holds an active architectural registration issued by another jurisdiction that has licensing or registration requirements that are substantially equivalent to the requirements for registration in this state; or]

[(B) Held an active architectural registration in this state within the five years preceding the application.]

[(3) Not later than 30 days after a military service member, military veteran, or military spouse files an application for registration, the Board shall process the application, and if the applicant qualifies for registration under this subsection, issue the registration.]

[(4) This subsection does not apply if the Applicant holds a restricted registration issued by another jurisdiction or has an unacceptable criminal history.]

(c) Recognition of Out-of-State License of Military Service Members and Military Spouses.

(1) As applicable, a military service member or military spouse who holds a current license issued by another state that is similar in scope of practice to a Texas architectural registration and who is in Good Standing with that state's licensing authority may submit an application to the Board to request recognition of the out-of-state license in accordance with the provisions of §55.0041, Texas Occupations Code, if:

(A) the military service member has been ordered to relocate to Texas, or

(B) the military spouse is married to a military service member who has been ordered to relocate to Texas.

(2) An Applicant whose out-of-state license is recognized under this subsection may engage in the Practice of Architecture in this state without obtaining a registration.

(3) Prior to engaging in the Practice of Architecture under this subsection, the Applicant must submit the following information to the Board to demonstrate eligibility for recognition of an out-of-state license:

(A) a copy of the member's military orders showing relocation to this state;

(B) if the Applicant is a military spouse, a copy of the military spouse's marriage license; and

(C) a notarized affidavit affirming under penalty of perjury that:

(i) the Applicant is the person described and identified in the application;

(ii) all statements in the application are true, correct, and complete;

(iii) the Applicant understands the scope of practice for an architect in this state and will not perform outside of that scope of practice; and

(iv) the Applicant is in Good Standing in each state in which the Applicant holds or has held a license.

(4) Not later than 10 business days after a military service member or military spouse files an application for registration under this subsection, the Board shall:

(A) Notify the Applicant of the Board's determination that:

(i) the Board recognizes the Applicant's out-of-state license;

(ii) the application is incomplete; or  
(iii) the Board is unable to recognize the Applicant's out-of-state license because the Board does not issue a registration similar in scope of practice to the Applicant's license; or

(B) Issue a provisional registration to the Applicant pending the issuance of a determination under paragraph (4)(A) of this subsection.

(5) A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board issues a determination under paragraph (4)(A) of this subsection; or

(B) the 180th day after the date the provisional registration is issued.

(6) An Applicant under this subsection shall comply with all other laws and regulations applicable to the Practice of Architecture in this state.

(7) A military service member or military spouse may engage in the Practice of Architecture under the authority of this subsection only for the period during which the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in this state.

(8) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to engage in the Practice of Architecture under the authority of this subsection until the third anniversary of the date the spouse submitted the application required under paragraph (3) of this subsection.

[(e) Alternative temporary registration procedure for an individual who is a military service member or military spouse.]

[(1) An individual who is a military service member or military spouse may qualify for a temporary architectural registration if the individual:]

[(A) holds a current architectural license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for architectural registration in this state;]

[(B) notifies the Board in writing of the individual's intent to practice Architecture in this state;]

[(C) submits to the Board required information to demonstrate eligibility for temporary architectural registration; and]

[(D) receives a verification letter from the Board that:]

[(i) the Board has verified the individual's license or registration in the other jurisdiction; and]

[(ii) the individual is issued a temporary architectural registration.]

[(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for an architectural registration in Texas:]

[(A) whether the other jurisdiction requires an applicant to pass the Architect Registration Examination (ARE);]

[(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and]

[(C) any education credentials required by the jurisdiction to obtain the license or registration.]

[(3) The individual must submit the following information to the Board to demonstrate eligibility for temporary architectural registration:]

[(A) a written request for the Board to review the individual's eligibility for temporary architectural registration;]

[(B) sufficient documentation to verify that the individual is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;]

[(C) proof of residency in this state;]

[(D) a copy of the individual's military identification card; and]

[(E) proof the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas.]

[(4) Not later than the 30th day after the date an individual submits the information described by paragraph (3) of this subsection, the Board shall provide the verification described by paragraph (1)(D) of this subsection if the individual is eligible for a temporary registration under this subsection.]

[(5) A temporary architectural registration issued under this subsection expires three years from the date of issuance or when the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed.]

[(6) In the event of a divorce or similar event that affects an individual's status as a military spouse, the spouse's registration will continue in effect until the registration expires three years from the date of issuance.]

[(7) Except as provided under this subsection, an individual who receives a temporary architectural registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the Practice of Architecture in this state.]

[(8) A temporary architectural registration issued under this subsection may be revoked if the individual:]

[(A) fails to comply with paragraph (7) of this subsection; or]

[(B) the individual's license or registration required under paragraph (1)(A) of this subsection expires or is suspended or revoked.]

[(9) The Board shall not charge a fee for the issuance of a temporary architectural registration under this subsection.]

(d) The Board will review and evaluate the following criteria when determining whether another state's scope of practice of a licensed architect is similar to the scope of practice of an Architect in Texas:

(1) Whether the statutory definition of the practice of architecture includes the core functions recognized in Texas;

(2) Whether architects are responsible for public health, safety, and welfare in a manner comparable to Texas;

(3) Whether the other state restricts architectural services to licensed architects in a manner consistent with Texas practice;

(4) The similarity of exemptions from licensure, including building-type or size exemptions, and whether such exemptions materially alter the scope of services architects perform;

(5) Whether architects in the other state are authorized or required to perform construction observation services similar to those required in Texas;

(6) The similarity of requirements for responsible charge or responsible control, including duties related to supervision, document preparation, and sealing construction documents for regulatory approval, permitting, or construction;

(7) Whether architects have comparable responsibilities for building code compliance, accessibility, life-safety considerations, and related regulatory obligations;

(8) The extent to which the division of responsibilities between architects and other licensed professions, such as engineers, aligns with Texas practice;

(9) Whether requirements for architectural involvement in public-sector projects align with Texas standards;

(10) Whether rules, interpretations, or guidance issued by the other state's architectural licensing board result in a functional scope of practice comparable to Texas; and

(11) The similarity of enforcement mechanisms, disciplinary authority, and standards of professional responsibility that define and limit the scope of practice.

(e) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.

(f) The Board shall not charge an application or examination fee paid to the Board for any Applicant who is a military service member, military veteran, or military spouse.

(g) A military service member is exempt from any increased fee or other penalty for failing to renew a registration in a timely manner if the individual establishes to the satisfaction of the Board that the failure was due to the individual serving as a military service member.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

TRD-202600002

Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

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For further information, please call: (512) 305-9040



## CHAPTER 3. LANDSCAPE ARCHITECTS

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 3 relating to Landscape Architects, §3.27, relating to Provisional Licensure, and §3.149, relating to Criminal Convictions.

### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1080 (89th Regular Session, 2025), which amends provisions in

Chapter 53, Texas Occupations Code, relating to licensing and Consequences of Criminal Conviction.

Through Senate Bill 1080, the legislature provides licensing authorities discretion to revoke a license following imprisonment for a felony conviction, unless the felony offense is directly related to the duties and responsibilities of the licensed occupation, the felony offense is a sexually violent offense under Article 62.001, Code of Criminal Procedure, or the felony offense is an offense listed in Article 42A.054, Code of Criminal Procedure, pursuant to §53.021, Texas Occupations Code.

Additionally, SB 1080 added §53.0211(b-1), Texas Occupations Code, which allows licensing authorities discretion to consider the issuance of a provisional license to an applicant who has committed an offense and is an imprisoned inmate of the Texas Department of Criminal Justice (TDCJ) or is an applicant on parole or mandatory supervision who is residing at a halfway house or community residential facility. The applicant must be a student or graduate of the Windham School District or an institution of higher education. A provisional license issued under §53.0211(b-1), Texas Occupations Code is valid for twelve (12) months, and the term begins on the date an applicant who is an inmate is released, pursuant to amendments to §53.0211(b)(2) and §53.0211(c), Texas Occupations Code

### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1080 by amending 22 Texas Administrative Code §3.27 and §3.149. The amendments to §53.0211, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §3.27. The amendments to §53.021, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §3.149. Both rule sections also include non-substantive grammatical changes, changes for clarity in accordance with Chapter 53, Texas Occupations Code, and paragraph renumbering.

### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable implications relating to the costs or revenues of state or local government.

### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public benefit includes reducing barriers to entry for applicants with felony criminal convictions. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

#### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses, microbusinesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

#### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

#### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

#### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §3.27

#### STATUTORY AUTHORITY

The amendments to §3.27 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of landscape architecture; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.0211, Texas Occupations Code, which provides licensing authorities authority grant licenses and provisional licenses to certain applicants with prior criminal convictions.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

§3.27. *Provisional Licensure Following Criminal Conviction.*

(a) The Board shall grant a certificate [Certificate] of registration [Registration] or a provisional certificate [Certificate] of registration [Registration] to an otherwise qualified Candidate who has been convicted of an offense that:

(1) - (3) (No change.)

(b) The Board may issue a provisional certificate of registration to an applicant who has been convicted of an offense, including an Applicant who:

(1) is:

(A) an inmate imprisoned in the Texas Department of Criminal Justice; or

(B) a person released on parole or mandatory supervision and residing at a place described by §508.118 or §508.119, Government Code; and

(2) is enrolled in or has completed an educational program offered by:

(A) the Windham School District; or

(B) an institution of higher education, as defined by §61.003, Education Code.

(c) [(b)] A provisional certificate [Certificate] of registration [Registration] expires twelve (12) [six (6)] months after the date it is issued.

(d) The term of a provisional certificate of registration issued to an Applicant who is an inmate imprisoned in the Texas Department of Criminal Justice begins on the date the Applicant is released.

(e) [(e)] A provisional certificate [Certificate] of registration shall [Registration may] be Revoked for the following reasons:

(1) the provisional Registrant commits a new offense [another offense during the 6-month provisional registration period];

(2) the provisional Registrant's community supervision, mandatory supervision, or parole is revoked [Revoked]; or

(3) (No change.)

(f) [(d)] A provisional Registrant who is subject to community supervision, mandatory supervision, or parole shall provide the Board name and contact information of the probation or parole department to which the provisional Registrant reports. The Board shall provide notice to the department upon the issuance of the provisional certificate [Certificate] of registration [Registration], as well as any terms, conditions or limitations upon the provisional Registrant's practice.

(g) [(e)] Upon successful completion of the provisional registration [Registration] period, the Board shall issue a certificate [Certificate] of registration [Registration] to the provisional Registrant. If a provisional Registrant's provisional certificate [Certificate] is Revoked, the provisional Registrant is disqualified from receiving a certificate [Certificate] of registration [Registration] and may not apply for a certificate [Certificate] of registration [Registration] for a period of three (3) years from the date of Revocation.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

TRD-202600007





## SUBCHAPTER H. PROFESSIONAL CONDUCT

### 22 TAC §3.149

#### STATUTORY AUTHORITY

The amendments to §3.149 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of landscape architecture; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.021, Texas Occupations Code, which provides licensing authorities authority to revoke, suspend, or deny a license based on a criminal conviction.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

#### §3.149. Criminal Convictions.

(a) Pursuant to Chapter 53, Texas Occupations Code and §2005.052, Texas Government Code, the Board may suspend or revoke an existing certificate of registration, disqualify a person from receiving a certificate of registration, issue a provisional license subject to the terms and limitations of §3.27 of this chapter (relating to Provisional Licensure Following Criminal Conviction), or deny to a person the opportunity to be examined for a certificate of registration because of the person's conviction for ~~committing an offense if~~:

(1) ~~an [the] offense that directly relates to the duties and responsibilities of a Landscape Architect;~~

(2) ~~an [the] offense [is] listed in Article 42A.054, Texas Code of Criminal Procedure; or~~

(3) ~~[the offense is] a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure.~~

(b) A Registrant's registration shall be Revoked on the Registrant's imprisonment following:

(1) a felony conviction for:

(A) an offense that directly relates to the duties and responsibilities of a Landscape Architect;

(B) an offense listed in Article 42A.054, Texas Code of Criminal Procedure; or

(C) a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure;

(2) felony community supervision revocation;

(3) revocation of parole; or

(4) revocation of mandatory supervision.

(c) A Registrant's registration may be Revoked on the Registrant's imprisonment following a conviction for a felony other than those listed in subsection (b)(1) of this section.

(d) [(b)] The following procedures will apply in the consideration of an application for registration as a Landscape Architect or in the consideration of a Registrant's criminal history:

(1) - (3) (No change.)

(4) The notice provided by the executive director under this subsection must contain:

(A) a statement that the person is disqualified from being registered or being examined for registration because of the person's prior conviction of an offense specified in the notice; or

(B) a statement that:

(i) the final decision of the Board to Revoke ~~[revoke]~~ or suspend the registration or deny the person a registration or the opportunity to be examined for the registration will be based on the factors listed in subsection (f) ~~[(d)]~~ of this section; and

(ii) it is the person's responsibility to obtain and provide to the Board evidence regarding the factors listed in subsection (f) ~~[(d)]~~ of this section.

(5) (No change.)

(e) [(e)] In determining whether a criminal conviction is directly related to the duties and responsibilities of a Landscape Architect, the executive director and the Board shall consider each of the following factors:

(1) - (5) (No change.)

(f) [(d)] If the executive director or the Board determines under subsection (e) [(e)] of this section that a criminal conviction directly relates to the duties and responsibilities of a Landscape Architect, the executive director and the Board shall consider the following in determining whether to suspend or Revoke ~~[revoke]~~ a registration, disqualify a person from receiving a registration, or deny to a person the opportunity to take a registration examination:

(1) - (7) (No change.)

(g) [(e)] Crimes directly related to the duties and responsibilities of a Landscape Architect include any crime that reflects a lack of fitness for professional licensure or a disregard of the standards commonly upheld for the professional practice of Landscape Architecture, such as the following:

(1) - (5) (No change.)

~~[(f) The Board shall revoke the certificate of registration of any Registrant who is convicted of any felony if the felony conviction results in incarceration. The Board also shall revoke the certificate of registration of any Registrant whose felony probation, parole, or mandatory supervision is revoked.]~~

(h) [(g)] If an Applicant is incarcerated as the result of a felony conviction, the Board may not approve the Applicant for registration during the period of incarceration, other than the issuance of a provisional Certificate of Registration under §3.27 of this chapter (relating to Provisional Licensure Following Criminal Conviction). If an Applicant's felony probation, parole, or mandatory supervision is revoked, the Board may not approve the Applicant for registration until the Applicant successfully completes the sentence imposed as a result of the revocation.

(i) [(h)] If the Board takes action against any Applicant or Registrant pursuant to this section, the Board shall provide the Applicant or Registrant with the following information in writing:

(1) the reason for rejecting the application or taking action against the Registrant's certificate of registration including any factor considered under subsections (e) [(e)] or (f) [(d)] of this section that served as the basis for the action;

(2) - (3) (No change.)

(j) [(i)] All proceedings pursuant to this section shall be governed by the Administrative Procedure Act, Chapter 2001, Government Code.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

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Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 305-9040



## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §3.29

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 3 relating to Landscape Architects, §3.29 relating to Registration of a Military Service Member, Military Veteran, or Military Spouse.

#### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1818 and House Bill 5629 (89th Regular Session, 2025), which amend provisions in Chapter 55, Texas Occupations Code, relating to Licensing of Military Service Members, Military Veterans, and Military Spouses.

Senate Bill 1818 mandates the prompt issuance of a provisional registration to an applicant under §55.004 or §55.0041, Texas Occupations Code if the agency is unable to promptly issue a license or recognition of an out-of-state license, respectively. A provisional license expires the earlier of the date the license is issued or recognition is granted, or the 180th day after the date the provisional registration is issued.

House Bill 5629 makes several changes to Chapter 55, Texas Occupations Code. Under the changes to §55.004, Texas Occupations Code, licensing agencies are required to issue a license to a military service member, military veteran, or military spouse who holds a license in good standing in another state with a similar scope of practice to Texas. Amendments to §55.0041, Texas Occupations Code, allow a military service member, military veteran, or military spouse to practice in Texas under an out-of-state license without having to become registered in Texas, and provides procedures for recognizing the out-of-state license.

Additionally, HB 5629 adds §55.0042, Texas Occupations Code, which specifies how "good standing" is determined, and also adds §55.0043, Texas Occupations Code, which requires that agencies track and publish complaints made against a military service member, military veteran, or military spouse. The law also modifies §55.005(a), Texas Occupations Code, which requires agencies to process applications and issue registrations for qualified applicants within 10 business days instead of 30. Finally, HB 5629 modifies §55.009, Texas Occupations Code to waive application fees for any individual who is a military service member, military veteran, or military spouse.

#### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1818 and House Bill 5629 by amending 22 Texas Administrative Code §3.29. The amendments to Chapter 55, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §3.29. The proposed amendments also include non-substantive grammatical changes and paragraph renumbering.

#### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable implications relating to the costs or revenues of state or local government.

#### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public benefit includes reducing barriers to entry for military service members, military veterans, and military spouses. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

#### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

#### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

#### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses, micro-businesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

#### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules

do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

#### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

#### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

#### STATUTORY AUTHORITY

The amendment of §3.29 is proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of landscape architecture; and §§55.004, 55.0041, 55.0042, 55.0043, 55.005, and 55.009, Texas Occupations Code, which relate to the Licensing of Military Service Members, Military Veterans, and Military Spouses.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

*§3.29. Registration of a Military Service Member, Military Veteran, or Military Spouse.*

(a) For the purposes of this section, terms shall have the following definitions: [Definitions.]

(1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section 437.001, Government Code, or similar military service of another state.

(2) "Armed forces of the United States" means the army, navy, air force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "Good Standing" means an Applicant:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or person's practice of landscape architecture; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.

(4) "License" means a license or registration to practice landscape architecture.

(5) [(3)] "Military service member" means a person who is on active duty.

(6) [(4)] "Military spouse" means a person who is married to a military service member.

(7) [(5)] "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

(b) Expedited Licensure Procedure for a Military Service Member, Military Veteran, or Military Spouse.

(1) A military service member, military veteran, or military spouse may apply for a registration in accordance with:

(A) §3.21 of this chapter (relating to Registration by Examination);

(B) §3.22 of this chapter (relating to Registration by Reciprocal Transfer); or

(C) §55.004, Texas Occupations Code.

(2) A military service member, military veteran, or military spouse is eligible for registration under §55.004, Texas Occupations Code if:

(A) the Applicant holds a current license issued by another state that is similar in scope of practice to a Texas landscape architectural registration and is in Good Standing with that state's licensing authority; or

(B) the Applicant held a Texas landscape architectural registration within the five years preceding the application date under this subsection.

(3) Not later than the 10th business day after the date a military service member, military veteran, or military spouse files an application for registration under §3.21 or §3.22 of this chapter, the Board shall process the application and issue a registration to a qualifying Applicant.

(4) On receipt of an application for registration in accordance with §55.004, Texas Occupations Code, the Board shall promptly issue a provisional registration to the Applicant while the Board processes the application or issue the registration. A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board approves or denies the application for registration; or

(B) the 180th day after the date the provisional registration is issued.

[(b) Landscape architectural registration eligibility requirements for military service members, military veterans, and military spouses.]

[(1) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.]

[(2) An Applicant who is a military service member, military veteran, or military spouse may be eligible for registration if the Applicant:]

[(A) Holds an active landscape architectural registration issued by another jurisdiction that has licensing or registration requirements that are substantially equivalent to the requirements for registration in this state; or]

[(B) Held an active landscape architectural registration in this state within the five years preceding the application.]

[(3) Not later than 30 days after a military service member, military veteran, or military spouse files an application for registration, the Board shall process the application, and if the applicant qualifies for registration under this subsection, issue the registration.]

[(4) This subsection does not apply if the Applicant holds a restricted registration issued by another jurisdiction or has an unacceptable criminal history.]

(c) Recognition of Out-of-State License of Military Service Members and Military Spouses.

(1) As applicable, a military service member or military spouse who holds a current license issued by another state that is similar in scope of practice to a Texas landscape architectural registration and who is in Good Standing with that state's licensing authority may submit an application to the Board to request recognition of the out-of-state license in accordance with the provisions of §55.0041, Texas Occupations Code, if:

(A) the military service member has been ordered to relocate to Texas, or

(B) the military spouse is married to a military service member who has been ordered to relocate to Texas.

(2) An Applicant whose out-of-state license is recognized under this subsection may engage in the practice of landscape architecture in this state without obtaining a registration.

(3) Prior to engaging in the practice of landscape architecture under this subsection, the Applicant must submit the following information to the Board to demonstrate eligibility for recognition of an out-of-state license:

(A) a copy of the member's military orders showing relocation to this state;

(B) if the Applicant is a military spouse, a copy of the military spouse's marriage license; and

(C) a notarized affidavit affirming under penalty of perjury that:

(i) the Applicant is the person described and identified in the application;

(ii) all statements in the application are true, correct, and complete;

(iii) the Applicant understands the scope of practice for a landscape architect in this state and will not perform outside of that scope of practice; and

(iv) the Applicant is in Good Standing in each state in which the Applicant holds or has held a license.

(4) Not later than 10 business days after a military service member or military spouse files an application for registration under this subsection, the Board shall:

(A) Notify the Applicant of the Board's determination that:

(i) the Board recognizes the Applicant's out-of-state license;

(ii) the application is incomplete; or

(iii) the Board is unable to recognize the Applicant's out-of-state license because the Board does not issue a registration similar in scope of practice to the Applicant's license; or

(B) Issue a provisional registration to the Applicant pending the issuance of a determination under paragraph (4)(A) of this subsection.

(5) A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board issues a determination under paragraph (4)(A) of this subsection; or

(B) the 180th day after the date the provisional registration is issued.

(6) An Applicant under this subsection shall comply with all other laws and regulations applicable to the practice of landscape architecture in this state.

(7) A military service member or military spouse may engage in the practice of landscape architecture under the authority of this subsection only for the period during which the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in this state.

(8) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to engage in the practice of landscape architecture under the authority of this subsection until the third anniversary of the date the spouse submitted the application required under paragraph (3) of this subsection.

[(e) Alternative temporary registration procedure for an individual who is a military service member or military spouse:]

[(1) An individual who is a military service member or military spouse may qualify for a temporary landscape architectural registration if the individual:]

[(A) holds a current landscape architectural license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for landscape architectural registration in this state;]

[(B) notifies the Board in writing of the individual's intent to practice Landscape Architecture in this state;]

[(C) submits to the Board required information to demonstrate eligibility for temporary landscape architectural registration; and]

[(D) receives a verification letter from the Board that:]

[(i) the Board has verified the individual's license or registration in the other jurisdiction; and]

[(ii) the individual is issued a temporary landscape architectural registration.]

[(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for a landscape architectural registration in Texas:]

[(A) whether the other jurisdiction requires an applicant to pass the Landscape Architect Registration Examination (LARE);]

[(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and]

[(C) any education credentials required by the jurisdiction to obtain the license or registration.]

[(3) The individual must submit the following information to the Board to demonstrate eligibility for temporary landscape architectural registration:]

[(A) a written request for the Board to review the individual's eligibility for temporary landscape architectural registration;]

[(B) sufficient documentation to verify that the individual is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;]

[(C) proof of residency in this state;]

[(D) a copy of the individual's military identification card; and]

[(E) proof the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas;]

[(4) Not later than the 30th day after the date an individual submits the information described by paragraph (3) of this subsection, the Board shall provide the verification described by paragraph (1)(D) of this subsection if the individual is eligible for a temporary registration under this subsection;]

[(5) A temporary landscape architectural registration issued under this subsection expires three years from the date of issuance or when the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed;]

[(6) In the event of a divorce or similar event that affects an individual's status as a military spouse, the spouse's registration will continue in effect until the registration expires three years from the date of issuance;]

[(7) Except as provided under this subsection, an individual who receives a temporary landscape architectural registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the practice of Landscape Architecture in this state;]

[(8) A temporary landscape architectural registration issued under this subsection may be revoked if the individual;]

[(A) fails to comply with paragraph (7) of this subsection; or]

[(B) the individual's license or registration required under paragraph (1)(A) of this subsection expires or is suspended or revoked;]

[(9) The Board shall not charge a fee for the issuance of a temporary landscape architectural registration under this subsection;]

(d) The Board will review and evaluate the following criteria when determining whether another state's scope of practice of a licensed landscape architect is similar to the scope of practice of a landscape architect in Texas:

(1) Whether the statutory definition of the practice of landscape architecture includes the core functions recognized in Texas;

(2) Whether landscape architects are responsible for public health, safety, and welfare in a manner comparable to Texas;

(3) Whether the other state restricts landscape architectural services to licensed landscape architects in a manner consistent with Texas practice;

(4) The similarity of exemptions from licensure and whether such exemptions materially alter the scope of services landscape architects perform;

(5) The similarity of requirements for responsible charge or responsible control, including duties related to supervision, document preparation, and sealing construction documents for regulatory approval, permitting, or construction;

(6) Whether landscape architects have comparable responsibilities for building code compliance, accessibility, life-safety considerations, and related regulatory obligations;

(7) The extent to which the division of responsibilities between landscape architects and other licensed professions, such as architects and engineers, aligns with Texas practice;

(8) Whether rules, interpretations, or guidance issued by the other state's landscape architectural licensing board result in a functional scope of practice comparable to Texas; and

(9) The similarity of enforcement mechanisms, disciplinary authority, and standards of professional responsibility that define and limit the scope of practice.

(e) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.

(f) The Board shall not charge an application or examination fee paid to the Board for any Applicant who is a military service member, military veteran, or military spouse.

(g) A military service member is exempt from any increased fee or other penalty for failing to renew a registration in a timely manner if the individual establishes to the satisfaction of the Board that the failure was due to the individual serving as a military service member.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

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Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

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For further information, please call: (512) 305-9040



## CHAPTER 5. REGISTERED INTERIOR DESIGNERS

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 5 relating to Registered Interior Designers, §5.37, relating to Provisional Licensure, and §5.158, relating to Criminal Convictions.

### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1080 (89th Regular Session, 2025), which amends provisions in Chapter 53, Texas Occupations Code, relating to licensing and Consequences of Criminal Conviction.

Through Senate Bill 1080, the legislature provides licensing authorities discretion to revoke a license following imprisonment for a felony conviction, unless the felony offense is directly related to the duties and responsibilities of the licensed occupation, the felony offense is a sexually violent offense under Article 62.001, Code of Criminal Procedure, or the felony offense is an offense listed in Article 42A.054, Code of Criminal Procedure, pursuant to §53.021, Texas Occupations Code.

Additionally, SB 1080 added §53.021(b-1), Texas Occupations Code, which allows licensing authorities discretion to consider the issuance of a provisional license to an applicant who has committed an offense and is an imprisoned inmate of the Texas Department of Criminal Justice (TDCJ) or is an applicant on parole or mandatory supervision who is residing at a halfway house or community residential facility. The applicant must be a student or graduate of the Windham School District or an in-

stitution of higher education. A provisional license issued under §53.0211(b-1), Texas Occupations Code is valid for twelve (12) months, and the term begins on the date an applicant who is an inmate is released, pursuant to amendments to §53.0211(b)(2) and §53.0211(c), Texas Occupations Code

#### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1080 by amending 22 Texas Administrative Code §5.37 and §5.158. The amendments to §53.0211, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §5.37. The amendments to §53.021, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §5.158. Both rule sections also include non-substantive grammatical changes, changes for clarity in accordance with Chapter 53, Texas Occupations Code, and paragraph renumbering.

#### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable implications relating to the costs or revenues of state or local government.

#### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public benefit includes reducing barriers to entry for applicants with felony criminal convictions. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

#### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

#### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

#### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses,

microbusinesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

#### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

#### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

#### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §5.37

#### STATUTORY AUTHORITY

The amendments to §5.37 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of interior design; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.0211, Texas Occupations Code, which provides licensing authorities authority grant licenses and provisional licenses to certain applicants with prior criminal convictions.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

#### *§5.37. Provisional Licensure Following Criminal Conviction.*

(a) The Board shall grant a certificate [Certificate] of registration [Registration] or a provisional certificate [Certificate] of registration [Registration] to an otherwise qualified Applicant who has been convicted of an offense that:

(1) - (3) (No change.)

(b) The Board may issue a provisional certificate of registration to an Applicant who has been convicted of an offense, including an Applicant who:

(1) is:

(A) an inmate imprisoned in the Texas Department of Criminal Justice; or

(B) a person released on parole or mandatory supervision and residing at a place described by §508.118 or §508.119, Government Code; and

(2) is enrolled in or has completed an educational program offered by:

(A) the Windham School District; or

(B) an institution of higher education, as defined by §61.003, Education Code.

(c) [(b)] A provisional certificate [Certificate] of registration [Registration] expires twelve (12) [six (6)] months after the date it is issued.

(d) The term of a provisional certificate of registration issued to an Applicant who is an inmate imprisoned in the Texas Department of Criminal Justice begins on the date the Applicant is released.

(e) [(e)] A provisional certificate [Certificate] of registration [Registration] shall [may] be Revoked for the following reasons:

(1) the provisional Registrant commits a new offense [another offense during the 6-month provisional registration period];

(2) the provisional Registrant's community supervision, mandatory supervision, or parole is revoked [Revoked]; or

(3) (No change.)

(f) [(d)] A provisional Registrant who is subject to community supervision, mandatory supervision, or parole shall provide the Board name and contact information of the probation or parole department to which the provisional Registrant reports. The Board shall provide notice to the department upon the issuance of the provisional certificate [Certificate] of registration [Registration], as well as any terms, conditions or limitations upon the provisional Registrant's practice.

(g) [(e)] Upon successful completion of the provisional registration [Registration] period, the Board shall issue a certificate [Certificate] of registration [Registration] to the provisional Registrant. If a provisional Registrant's provisional certificate [Certificate] is Revoked, the provisional Registrant is disqualified from receiving a certificate [Certificate] of registration [Registration] and may not apply for a certificate [Certificate] of registration [Registration] for a period of three (3) years from the date of Revocation.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

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Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

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For further information, please call: (512) 305-9040



## SUBCHAPTER H. PROFESSIONAL CONDUCT

### 22 TAC §5.158

#### STATUTORY AUTHORITY

The amendments to §5.158 are proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of interior design; §1051.207, Texas Occupations Code, which authorizes the Board to adopt rules as necessary to comply with Chapter 53, Texas Occupations Code; and §53.021, Texas Occupations Code, which provides licensing authorities authority to revoke, suspend, or deny a license based on a criminal conviction.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

### §5.158. Criminal Convictions.

(a) Pursuant to Chapter 53, Texas Occupations Code and §2005.052, Texas Government Code, the Board may suspend or Revoke [revoke] an existing certificate of registration, disqualify a person from receiving a certificate of registration, issue a provisional license subject to the terms and limitations of §5.37 of this chapter (relating to Provisional Licensure Following Criminal Conviction), or deny to a person the opportunity to be examined for a certificate of registration because of the person's conviction for [committing an offense if]:

(1) an [the] offense that directly relates to the duties and responsibilities of a Registered Interior Designer;

(2) an [the] offense [is] listed in Article 42A.054, Texas Code of Criminal Procedure; or

(3) [the offense is] a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure.

(b) A Registrant's registration shall be Revoked on the Registrant's imprisonment following:

(1) a felony conviction for:

(A) an offense that directly relates to the duties and responsibilities of a Registered Interior Designer;

(B) an offense listed in Article 42A.054, Texas Code of Criminal Procedure; or

(C) a sexually violent offense, as defined by Article 62.001, Texas Code of Criminal Procedure;

(2) felony community supervision revocation;

(3) revocation of parole; or

(4) revocation of mandatory supervision.

(c) A Registrant's registration may be Revoked on the Registrant's imprisonment following a conviction for a felony other than those listed in subsection (b)(1) of this section.

(d) [(b)] The following procedures will apply in the consideration of an application for registration as a Registered Interior Designer or in the consideration of a Registrant's criminal history:

(1) - (3) (No change.)

(4) The notice provided by the executive director under this subsection must contain:

(A) a statement that the person is disqualified from being registered or being examined for registration because of the person's prior conviction of an offense specified in the notice; or

(B) a statement that:

(i) the final decision of the Board to Revoke [revoke] or suspend the registration or deny the person a registration or the opportunity to be examined for the registration will be based on the factors listed in subsection (f) [(d)] of this section; and

(ii) it is the person's responsibility to obtain and provide to the Board evidence regarding the factors listed in subsection (f) [(d)] of this section.

(5) (No change.)

(e) [(e)] In determining whether a criminal conviction is directly related to the duties and responsibilities of a Registered Interior Designer, the executive director and the Board shall consider each of the following factors:

(1) - (5) (No change.)

(f) [(d)] If the executive director or the Board determines under subsection (e) [(e)] of this section that a criminal conviction directly relates to the duties and responsibilities of a Registered Interior Designer, the executive director and the Board shall consider the following in determining whether to suspend or **Revoke** [revoke] a registration, disqualify a person from receiving a registration, or deny to a person the opportunity to take a registration examination:

(1) - (7) (No change.)

(g) [(e)] Crimes directly related to the duties and responsibilities of a Registered Interior Designer include any crime that reflects a lack of fitness for professional licensure or a disregard of the standards commonly upheld for the professional practice of Interior Design, such as the following:

(1) - (5) (No change.)

[(f)] The Board shall revoke the certificate of registration of any Registrant who is convicted of any felony if the felony conviction results in incarceration. The Board also shall revoke the certificate of registration of any Registrant whose felony probation, parole, or mandatory supervision is revoked.]

(h) [(g)] If an Applicant is incarcerated as the result of a felony conviction, the Board may not approve the Applicant for registration during the period of incarceration, other than the issuance of a provisional Certificate of Registration under §5.37 of this chapter (relating to Provisional Licensure Following Criminal Conviction). If an Applicant's felony probation, parole, or mandatory supervision is revoked, the Board may not approve the Applicant for registration until the Applicant successfully completes the sentence imposed as a result of the revocation.

(i) [(h)] If the Board takes action against any Applicant or Registrant pursuant to this section, the Board shall provide the Applicant or Registrant with the following information in writing:

(1) the reason for rejecting the application or taking action against the Registrant's certificate of registration, including any factor considered under subsections (e) [(e)] or (f) [(d)] of this section that served as the basis for the action;

(2) - (3) (No change.)

(j) [(i)] All proceedings pursuant to this section shall be governed by the Administrative Procedure Act, Chapter 2001, Government Code.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

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Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

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For further information, please call: (512) 305-9040



## SUBCHAPTER B. ELIGIBILITY FOR REGISTRATION

### 22 TAC §5.39

The Texas Board of Architectural Examiners ("Board") proposes the amendment of 22 Texas Administrative Code, Chapter 5 relating to Registered Interior Designers, §5.39 relating to Registration of a Military Service Member, Military Veteran, or Military Spouse.

#### SUBJECT MATERIAL STATEMENT

This proposed rulemaking action would implement Senate Bill 1818 and House Bill 5629 (89th Regular Session, 2025), which amend provisions in Chapter 55, Texas Occupations Code, relating to Licensing of Military Service Members, Military Veterans, and Military Spouses.

Senate Bill 1818 mandates the prompt issuance of a provisional registration to an applicant under §55.004 or §55.0041, Texas Occupations Code if the agency is unable to promptly issue a license or recognition of an out-of-state license, respectively. A provisional license expires the earlier of the date the license is issued or recognition is granted, or the 180th day after the date the provisional registration is issued.

House Bill 5629 makes several changes to Chapter 55, Texas Occupations Code. Under the changes to §55.004, Texas Occupations Code, licensing agencies are required to issue a license to a military service member, military veteran, or military spouse who holds a license in good standing in another state with a similar scope of practice to Texas. Amendments to §55.0041, Texas Occupations Code, allow a military service member, military veteran, or military spouse to practice in Texas under an out-of-state license without having to become registered in Texas, and provides procedures for recognizing the out-of-state license.

Additionally, HB 5629 adds §55.0042, Texas Occupations Code, which specifies how "good standing" is determined, and also adds §55.0043, Texas Occupations Code, which requires that agencies track and publish complaints made against a military service member, military veteran, or military spouse. The law also modifies §55.005(a), Texas Occupations Code, which requires agencies to process applications and issue registrations for qualified applicants within 10 business days instead of 30. Finally, HB 5629 modifies §55.009, Texas Occupations Code to waive application fees for any individual who is a military service member, military veteran, or military spouse.

#### EXPLANATION OF ACTION

The Board proposes to implement Senate Bill 1818 and House Bill 5629 by amending 22 Texas Administrative Code §5.39. The amendments to Chapter 55, Texas Occupations Code are incorporated into proposed changes to 22 Texas Administrative Code §5.39. The proposed amendments also include non-substantive grammatical changes and paragraph renumbering.

#### CERTIFICATION

The Board certifies that these proposed rules have been reviewed by legal counsel and found to be within the Board's legal authority to adopt.

#### FISCAL NOTE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the amendments will have no significant adverse fiscal impact upon state government, local government, or the Texas Board of Architectural Examiners. Ms. Mayo has determined that enforcing or administering the rules will not result in additional estimated costs, reduction in costs, loss or increase in revenue, or foreseeable



implications relating to the costs or revenues of state or local government.

#### PUBLIC BENEFIT/COST OF COMPLIANCE

Pim Mayo, General Counsel, has determined that for the first five-year period the proposed rules are in effect, the public benefit includes reducing barriers to entry for military service members, military veterans, and military spouses. Compliance with the proposed rules is not expected to result in any additional economic costs to persons who are impacted by the rules.

#### LOCAL EMPLOYMENT IMPACT STATEMENT

The agency has determined that the proposed rules will not affect any local economy, so the agency is not required to prepare a local employment impact statement under §2001.022, Texas Government Code.

#### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years the proposed rules would be in effect, no government program would be created or eliminated. The adoption of the proposed rules would not result in the creation or elimination of employee positions. Implementation of the proposed rules is not expected to require an increase or decrease in legislative appropriations to the agency. The proposed rules do not require an increase or decrease in fees paid to the Board. The proposed rules would not result in the adoption of new regulations. The proposed rules amend existing regulations in a manner consistent with statutory requirements. The proposed rules may increase the number of individuals subject to the rule's applicability. The proposed rules are not expected to have a significant impact on the state's economy.

#### IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Since the agency has determined that the proposed rules will have no adverse economic effect on small businesses, microbusinesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under §2006.002, Texas Government Code, is not required.

#### TAKINGS IMPACT ASSESSMENT

The agency has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules do not constitute a taking or require a takings impact assessment under §2007.043, Texas Government Code.

#### ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

As a self-directed semi-independent agency, §2001.0045, Texas Government Code does not apply to rules adopted by the Board.

#### PUBLIC COMMENT

Comments on the proposed rule may be submitted to Pim Mayo, General Counsel, Texas Board of Architectural Examiners, P.O. Box 12337, Austin, Texas 78711-2337.

#### STATUTORY AUTHORITY

The amendment of §5.39 is proposed under §1051.202, Texas Occupations Code, which authorizes the Board to adopt reasonable rules as necessary to regulate the practice of interior design; and §§55.004, 55.0041, 55.0042, 55.0043, 55.005, and 55.009, Texas Occupations Code, which relate to the Licensing of Military Service Members, Military Veterans, and Military Spouses.

#### CROSS REFERENCE TO STATUTES

The proposed rules do not affect any other statute.

*§5.39. Registration of a Military Service Member, Military Veteran, or Military Spouse.*

(a) For the purposes of this section, terms shall have the following definitions: [Definitions.]

(1) "Active duty" means current full-time military service in the armed forces of the United States or active duty military service as a member of the Texas military forces, as defined by Section 437.001, Government Code, or similar military service of another state.

(2) "Armed forces of the United States" means the army, navy, air force, coast guard, or marine corps of the United States or a reserve unit of one of those branches of the armed forces.

(3) "Good Standing" means an Applicant:

(A) holds a license that is current, has not been suspended or revoked, and has not been voluntarily surrendered during an investigation for unprofessional conduct;

(B) has not been disciplined by the licensing authority with respect to the license or person's practice of interior design; and

(C) is not currently under investigation by the licensing authority for unprofessional conduct related to the person's license or profession.

(4) "License" means a license or registration to practice interior design or utilize a title relating to interior design.

(5) [(3)] "Military service member" means a person who is on active duty.

(6) [(4)] "Military spouse" means a person who is married to a military service member.

(7) [(5)] "Military veteran" means a person who has served on active duty and who was discharged or released from active duty.

(b) Expedited Licensure Procedure for a Military Service Member, Military Veteran, or Military Spouse.

(1) A military service member, military veteran, or military spouse may apply for a registration in accordance with:

(A) §5.31 of this Chapter (relating to Registration by Examination);

(B) §5.32 of this Chapter (relating to Registration by Reciprocal Transfer); or

(C) §55.004, Texas Occupations Code.

(2) A military service member, military veteran, or military spouse is eligible for registration under §55.004, Texas Occupations Code if:

(A) the Applicant holds a current license issued by another state that is similar in scope of practice to a Texas interior design registration and is in Good Standing with that state's licensing authority; or

(B) the Applicant held a Texas interior design registration within the five years preceding the application date under this subsection.

(3) Not later than the 10th business day after the date a military service member, military veteran, or military spouse files an application for registration under §5.31 or §5.32 of this chapter, the Board shall process the application and issue a registration to a qualifying Applicant.

(4) On receipt of an application for registration in accordance with §55.004, Texas Occupations Code, the Board shall promptly issue a provisional registration to the Applicant while the Board processes the application or issue the registration. A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board approves or denies the application for registration; or

(B) the 180th day after the date the provisional registration is issued.

[(b) Interior design registration eligibility requirements for military service members, military veterans, and military spouses.]

[(1) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.]

[(2) An Applicant who is a military service member, military veteran, or military spouse may be eligible for registration if the Applicant:]

[(A) Holds an active interior design registration issued by another jurisdiction that has licensing or registration requirements that are substantially equivalent to the requirements for registration in this state; or]

[(B) Held an active interior design registration in this state within the five years preceding the application.]

[(3) Not later than 30 days after a military service member, military veteran, or military spouse files an application for registration, the Board shall process the application, and if the applicant qualifies for registration under this subsection, issue the registration.]

[(4) This subsection does not apply if the Applicant holds a restricted registration issued by another jurisdiction or has an unacceptable criminal history.]

(c) Recognition of Out-of-State License of Military Service Members and Military Spouses.

(1) As applicable, a military service member or military spouse who holds a current license issued by another state that is similar in scope of practice to a Texas interior design registration and who is in Good Standing with that state's licensing authority may submit an application to the Board to request recognition of the out-of-state license in accordance with the provisions of §55.0041, Texas Occupations Code, if:

(A) the military service member has been ordered to relocate to Texas, or

(B) the military spouse is married to a military service member who has been ordered to relocate to Texas.

(2) An Applicant whose out-of-state license is recognized under this subsection may practice as a registered interior designer without obtaining a registration.

(3) Prior to practicing as a registered interior designer under this subsection, the Applicant must submit the following information to the Board to demonstrate eligibility for recognition of an out-of-state license:

(A) a copy of the member's military orders showing relocation to this state;

(B) if the Applicant is a military spouse, a copy of the military spouse's marriage license; and

(C) a notarized affidavit affirming under penalty of perjury that:

(i) the Applicant is the person described and identified in the application;

(ii) all statements in the application are true, correct, and complete;

(iii) the Applicant understands the scope of practice for a registered interior designer in this state and will not perform outside of that scope of practice; and

(iv) the Applicant is in Good Standing in each state in which the Applicant holds or has held a license.

(4) Not later than 10 business days after a military service member or military spouse files an application for registration under this subsection, the Board shall:

(A) Notify the Applicant of the Board's determination that:

(i) the Board recognizes the Applicant's out-of-state license;

(ii) the application is incomplete; or

(iii) the Board is unable to recognize the Applicant's out-of-state license because the Board does not issue a registration similar in scope of practice to the Applicant's license; or

(B) Issue a provisional registration to the Applicant pending the issuance of a determination under subparagraph (A) of this paragraph.

(5) A provisional registration issued under this subsection expires on the earlier of:

(A) the date the Board issues a determination under paragraph (4)(A) of this subsection; or

(B) the 180th day after the date the provisional registration is issued.

(6) An Applicant under this subsection shall comply with all other laws and regulations applicable to the practice of registered interior design in this state.

(7) A military service member or military spouse may practice as a registered interior designer under the authority of this subsection only for the period during which the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in this state.

(8) In the event of a divorce or similar event that affects a person's status as a military spouse, the former spouse may continue to practice as a registered interior designer under the authority of this subsection until the third anniversary of the date the spouse submitted the application required under paragraph (3) of this subsection.

[(e) Alternative temporary registration procedure for an individual who is a military service member or military spouse.]

[(1) An individual who is a military service member or military spouse may qualify for a temporary Interior Design registration if the individual:]

[(A) holds a current interior design license or registration in good standing in another jurisdiction that has licensing requirements substantially equivalent to the requirements for Interior Design registration in this state;]

[(B) notifies the Board in writing of the individual's intent to practice Interior Design in this state;]

[(C) submits to the Board required information to demonstrate eligibility for temporary Interior Design registration; and]

[(D) receives a verification letter from the Board that:]

[(i) the Board has verified the individual's license or registration in the other jurisdiction; and]

[(ii) the individual is issued a temporary Interior Design registration.]

[(2) The Board will review and evaluate the following criteria when determining whether another jurisdiction's licensing requirements are substantially equivalent to the requirements for an Interior Design registration in Texas:]

[(A) whether the other jurisdiction requires an applicant to pass the Council for Interior Design Qualification (CIDQ) examination;]

[(B) any experience qualifications required by the jurisdiction to obtain the license or registration; and]

[(C) any education credentials required by the jurisdiction to obtain the license or registration.]

[(3) The individual must submit the following information to the Board to demonstrate eligibility for temporary Interior Design registration:]

[(A) a written request for the Board to review the individual's eligibility for temporary Interior Design registration;]

[(B) sufficient documentation to verify that the individual is currently licensed or registered in good standing in another jurisdiction and has no restrictions, pending enforcement actions, or unpaid fees or penalties relating to the license or registration;]

[(C) proof of residency in this state;]

[(D) a copy of the individual's military identification card; and]

[(E) proof the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is stationed at a military installation in Texas.]

[(4) Not later than the 30th day after the date an individual submits the information described by paragraph (3) of this subsection, the Board shall provide the verification described by paragraph (1)(D) of this subsection if the individual is eligible for a temporary registration under this subsection.]

[(5) A temporary Interior Design registration issued under this subsection expires three years from the date of issuance or when the military service member or, with respect to a military spouse, the military service member to whom the spouse is married is no longer stationed at a military installation in Texas, whichever occurs first. The registration may not be renewed.]

[(6) In the event of a divorce or similar event that affects an individual's status as a military spouse, the spouse's registration will

continue in effect until the registration expires three years from the date of issuance.]

[(7) Except as provided under this subsection, an individual who receives a temporary Interior Design registration under this subsection is subject to and shall comply with all applicable laws, rules, and standards governing the practice of Interior Design in this state.]

[(8) A temporary Interior Design registration issued under this subsection may be revoked if the individual:]

[(A) fails to comply with paragraph (7) of this subsection; or]

[(B) the individual's license or registration required under paragraph (1)(A) of this subsection expires or is suspended or revoked.]

[(9) The Board shall not charge a fee for the issuance of a temporary Interior Design registration under this subsection.]

(d) The Board will review and evaluate the following criteria when determining whether another state's scope of practice of a licensed interior designer is similar to the scope of practice of a registered interior designer in Texas:

(1) Whether the statutory definition of the practice of interior design includes the core functions recognized in Texas;

(2) Whether licensed interior designers are responsible for public health, safety, and welfare in a manner comparable to Texas;

(3) Whether the other state restricts the practice of interior design to licensed interior designers;

(4) The similarity of exemptions from licensure;

(5) The similarity of requirements for responsible charge or responsible control, including duties related to supervision, document preparation, and sealing construction documents for regulatory approval, permitting, or construction;

(6) Whether licensed interior designers have comparable responsibilities for building code compliance, accessibility, life-safety considerations, and related regulatory obligations;

(7) The extent to which the division of responsibilities between licensed interior designers and other licensed professions, such as architects and engineers, aligns with Texas practice;

(8) Whether rules, interpretations, or guidance issued by the other state's licensing board result in a functional scope of practice comparable to Texas; and

(9) The similarity of enforcement mechanisms, disciplinary authority, and standards of professional responsibility that define and limit the scope of practice.

(e) Verified military service, training, or education will be credited toward the registration requirements, other than an examination requirement, of an Applicant who is a military service member or a military veteran.

(f) The Board shall not charge an application or examination fee paid to the Board for any Applicant who is a military service member, military veteran, or military spouse.

(g) A military service member is exempt from any increased fee or other penalty for failing to renew a registration in a timely manner if the individual establishes to the satisfaction of the Board that the failure was due to the individual serving as a military service member.

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on January 2, 2026.

TRD-202600004

Pim S. Mayo

General Counsel

Texas Board of Architectural Examiners

Earliest possible date of adoption: February 15, 2026

For further information, please call: (512) 305-9040



## **TITLE 37. PUBLIC SAFETY AND CORRECTIONS**

### **PART 13. TEXAS COMMISSION ON FIRE PROTECTION**

#### **CHAPTER 469. TECHNICAL RESCUE**

The Texas Commission on Fire Protection (the Commission) proposes amendments to 37 Texas Administrative Code (TAC) Chapter 469, Technical Rescue, concerning §469.1, Rope Rescue Awareness Level/Operations Level Certification, and §469.201, Rope Rescue Technician Level.

The proposed amendments clarify and update certification pathways for Rope Rescue Awareness/Operations Level and Rope Rescue Technician Level personnel. The amendments align Commission certification requirements with NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications, and provide clearer standards for training, examination, and certification.

The proposed amendments also include temporary transition provisions that allow eligible individuals currently performing rope rescue duties to test for certification during a defined time period. These provisions are intended to ensure continuity while updated certification requirements are implemented. No new certification levels are created by the proposed amendments.

#### **FISCAL NOTE / IMPACT ON STATE AND LOCAL GOVERNMENT**

Mike Wisko, Agency Chief, has determined that for each year of the first five-year period the proposed amendments are in effect, there will be no fiscal impact to state or local governments as a result of enforcing or administering the proposed amendments.

#### **PUBLIC BENEFIT AND COST NOTE**

Mr. Wisko has also determined that for each of the first five years the proposed amendments are in effect, the public benefit anticipated will be improved clarity, consistency, and administration of technical rescue certification requirements. There are no anticipated economic costs to individuals required to comply with the proposed amendments.

#### **LOCAL ECONOMY IMPACT STATEMENT**

There is no anticipated effect on local economies; therefore, no local employment impact statement is required under Texas Government Code §§2001.022 and 2001.024(a)(6).

#### **ECONOMIC IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES**

The proposed amendments do not have an adverse economic impact on small businesses, micro-businesses, or rural communities. Accordingly, no regulatory flexibility analysis is required under Texas Government Code §2006.002.

#### **GOVERNMENT GROWTH IMPACT STATEMENT**

The Commission has determined that during the first five years the proposed amendments are in effect:

The proposed amendments will not create or eliminate a government program;

The proposed amendments will not require an increase or decrease in future legislative appropriations;

The proposed amendments will not require an increase or decrease in fees paid to the agency;

The proposed amendments will not create a new regulation;

The proposed amendments will not expand, limit, or repeal an existing regulation;

The proposed amendments will not increase the number of individuals subject to the rule; and

The proposed amendments are not anticipated to have an adverse effect on the state's economy.

#### **TAKINGS IMPACT ASSESSMENT**

The Commission has determined that the proposed amendments do not restrict or limit an owner's right to property that would otherwise exist in the absence of government action; therefore, no takings impact assessment is required under Texas Government Code §2007.043.

#### **COSTS TO REGULATED PERSONS**

The proposed amendments do not impose a cost on regulated persons, including other state agencies, special districts, or local governments, and therefore are not subject to Texas Government Code §2001.0045.

#### **ENVIRONMENTAL IMPACT STATEMENT**

The Commission has determined that the proposed amendments do not require an environmental impact analysis because they are not a major environmental rule under Texas Government Code §2001.0225.

#### **REQUEST FOR PUBLIC COMMENT**

Written comments regarding the proposed amendments may be submitted within 30 days of publication in the *Texas Register* to:

Frank King

General Counsel

Texas Commission on Fire Protection

4800 North Lamar Boulevard, Suite 342

Austin, Texas 78756

Email: [frank.king@tcfp.texas.gov](mailto:frank.king@tcfp.texas.gov)

### **SUBCHAPTER A. MINIMUM STANDARDS FOR ROPE RESCUE AWARENESS AND OPERATIONS**

#### **37 TAC §469.1**

#### **STATUTORY AUTHORITY**

The proposed amendments are authorized by Texas Government Code §§419.008 and 419.032, which authorize the Commission to adopt rules for the administration of its statutory responsibilities.

CROSS-REFERENCE TO STATUTE

No other statutes, articles, or codes are affected by this proposal.

§469.1. *Rope Rescue Awareness Level/Operations Level Certification.*

(a) A Rope Rescue Awareness Level/Operations Level Rescuer is an individual who has met the requirements of Chapters 5.1 and 5.2 of NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications and has the knowledge, skills, and ability to perform Rope Rescue at the Awareness Level/Operations Level.

(b) All individuals holding a Rope Rescue Awareness Level/Operations Level certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

[(e) *Special temporary provision:* Individuals are eligible to take the commission examination for Rope Rescue Awareness Level/Operations Level by:]

[(1) holding as a minimum, Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel through the commission; and]

[(2) providing documentation acceptable to the commission, in the form of an affidavit from the individual's Head of Department or Chief Training Officer, that the individual has met the department's requirements to perform as a Rope Rescuer and has demonstrated proficiency as a Rope Rescuer at the Rope Rescue Awareness Level/Operations Level.]

[(d) All applications for testing during the special temporary provision period must be received no earlier than October 1, 2024, and no later than October 1, 2025.]

[(e) This special temporary provision will expire on November 1, 2025.]

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202504826  
Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Earliest possible date of adoption: February 15, 2026  
For further information, please call: (512) 936-3812



SUBCHAPTER B. MINIMUM STANDARDS  
FOR ROPE RESCUE TECHNICIAN

37 TAC §469.201

STATUTORY AUTHORITY

The proposed amendments are authorized by Texas Government Code §§419.008 and 419.032, which authorize the Commission to adopt rules for the administration of its statutory responsibilities.

CROSS-REFERENCE TO STATUTE

No other statutes, articles, or codes are affected by this proposal.

§469.201. *Rope Rescue Technician Level.*

(a) A Rope Rescue Technician Level Rescuer is an individual who has met the requirements of chapter 5.3 of NFPA 1006, Standard for Technical Rescue Personnel Professional Qualifications, and has the knowledge, skills, and ability to perform Rope Rescue at the Technician Level.

(b) All individuals holding a Rope Rescue Technician Level certification shall be required to comply with the continuing education requirements in Chapter 441 of this title (relating to Continuing Education).

[(e) *Special temporary provision:* Individuals are eligible to take the commission examinations for the Rope Rescue Technician Level by:]

[(1) holding as a minimum, Structural Fire Protection Personnel, Aircraft Rescue Fire Fighting Personnel, or Marine Fire Protection Personnel through the commission; and]

[(2) providing documentation acceptable to the commission, in the form of an affidavit from the individual's Head of Department or Chief Training Officer, that the individual has met the department's requirements to perform as a Rope Rescuer and has demonstrated proficiency as a Rope Rescuer at the Rope Rescue Technician Level.]

[(d) All applications for testing during the special temporary provision period must be received no earlier than October 1, 2024, and no later than October 1, 2025.]

[(e) This special temporary provision will expire on November 1, 2025.]

The agency certifies that legal counsel has reviewed the proposal and found it to be within the state agency's legal authority to adopt.

Filed with the Office of the Secretary of State on December 31, 2025.

TRD-202600001  
Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Earliest possible date of adoption: February 15, 2026  
For further information, please call: (512) 936-3812



# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

## Proposed Rule Reviews

Texas Higher Education Coordinating Board

### Title 19, Part 1

The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 4, Subchapter U, Recommended Course Sequencing; Development and Institutional Reporting, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 4, Subchapter U, should continue.

Comments on the review may be submitted to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at AHAComments@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 4, Subchapter U.

TRD-202600017

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: January 5, 2026



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter D, Texas Public Educational Grant and Emergency Tuition, Fees, and Textbook Loan Programs, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 22, Subchapter D, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 22, Subchapter D.

TRD-202504815

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 22, Subchapter T, Texas First Scholarship Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 22, Subchapter T, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 22, Subchapter T.

TRD-202504816

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 23, Subchapter A, General Provisions, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 23, Subchapter A, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at

SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 23, Subchapter A.

TRD-202504817

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 23, Subchapter C, Physician Education Loan Repayment Assistance Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 23, Subchapter C, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 23, Subchapter C.

TRD-202504819

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 23, Subchapter D, Mental Health Professionals Loan Repayment Assistance Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 23, Subchapter D, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 23, Subchapter D.

TRD-202504821

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 23, Subchapter H, Peace Officer Loan Repayment Assistance Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 23, Subchapter H, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 23, Subchapter H.

TRD-202504822

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



The Texas Higher Education Coordinating Board (Coordinating Board) proposes the review of Texas Administrative Code (TAC), Title 19, Part 1, Chapter 23, Subchapter K, Nurse Loan Repayment Assistance Program, pursuant to Texas Government Code §2001.039.

This review is conducted as required by law, which states that state agencies must assess whether the initial reasons for adopting a rule continue to exist every four years. As required by statute, the Coordinating Board will accept comments as to whether TAC, Chapter 23, Subchapter K, should continue.

Comments on the review may be submitted to Dr. Charles W. Contero-Puls, Assistant Commissioner for Student Financial Aid Programs, P.O. Box 12788, Austin, Texas 78711-2788, or via email at SFAPPolicy@highered.texas.gov. Comments will be accepted for 30 days following publication of this notice in the *Texas Register*.

The text of the rule section being reviewed will not be published, but may be found in TAC, Title 19, Part 1, Chapter 23, Subchapter K.

TRD-202504824

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: December 31, 2025



## Adopted Rule Reviews

Texas Commission on Fire Protection

### Title 37, Part 13

The Texas Commission on Fire Protection (the Commission) adopts the review of the Texas Administrative Code, Title 37, Part 13, Chapter 433, Driver/Operator. The review was conducted pursuant to the Texas Government Code, Chapter 2001, §2001.039.

Notice of the review of this chapter was published in the November 14, 2025 issue of the *Texas Register* (50 TexReg 7435). The Commission received no comments on the proposed rule review.

The Commission has determined that the reasons for initially adopting the rules continue to exist and readopts the chapter without changes.

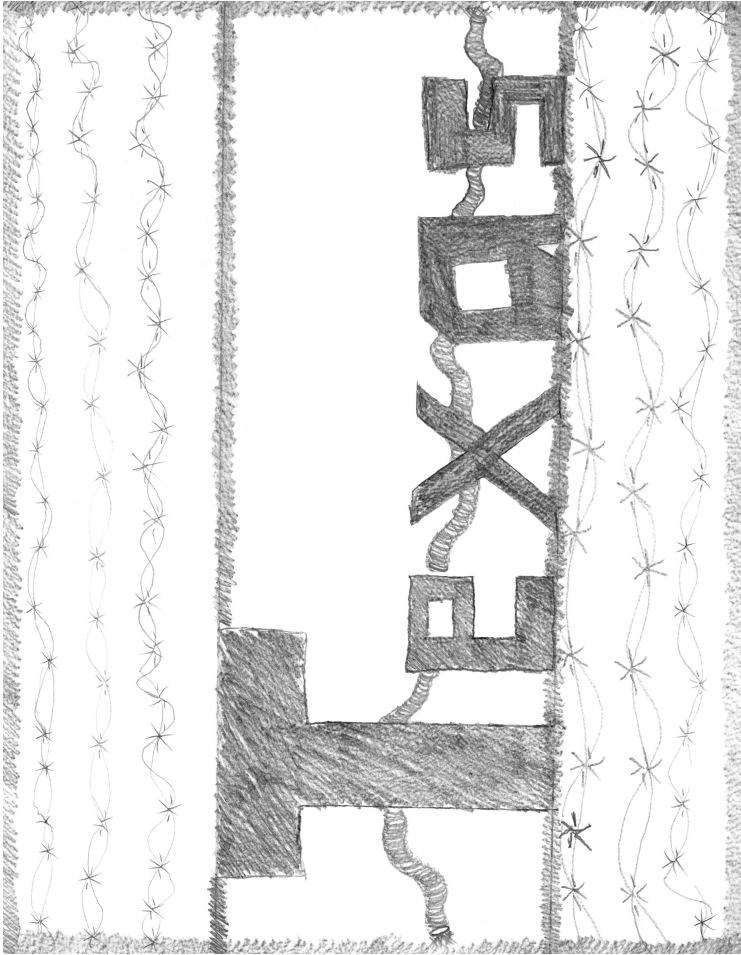
This concludes the review of the Texas Administrative Code, Title 37, Part 13, Chapter 433.

TRD-202504799

Mike Wisko  
Agency Chief  
Texas Commission on Fire Protection  
Filed: December 29, 2025

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The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

## Office of the Attorney General

### Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Health and Safety Code and the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas and the State of Texas v. Christina Hence d/b/a Waste Depot and Waste Depot, LLC*; Cause No. 2022-74332; in the 190th District Court of Harris County, Texas

Background: Christina Hence d/b/a Waste Depot and Waste Depot, LLC ("Defendants") operate a business advertised as providing curbside garbage collection, waste recycling, and roll-off box and dumpster rentals with pickups. Harris County filed its Original Petition for violations of the Texas Solid Waste Disposal Act, and Texas Clean Air Act. Harris County documented violations, including 7 days of violations consisting of leaking trailers and litter scattered on the ground throughout the property, as well as one instance of outdoor burning. Harris County also documented violations of waste processed and stored without a permit at the defendants' property for several years. The State, Harris County, and the Defendants have reached a mediation agreement to resolve the pending claims against the defendant.

Proposed Settlement: The State, Harris County, and Christina Hence, propose an Agreed Final Judgment that awards the State and Harris County the following monetary judgments as well as injunctive relief against the Defendants: \$35,000.00 in civil penalties, to be split equally between the State and Harris County, of which, \$25,000 is to be deferred upon full compliance with the injunctive provisions the State and Harris County are seeking. In addition, the State and Harris County will each be awarded \$3,000.00 in attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Claudia Gutierrez, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: [Claudia.Gutierrez@oag.texas.gov](mailto:Claudia.Gutierrez@oag.texas.gov). Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202600034

Justin Gordon  
General Counsel  
Office of the Attorney General  
Filed: January 7, 2026

### Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Health and Safety Code and the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas and the State of Texas v. Smyrna Ready Mix Concrete, LLC*; Cause No. 2024-46626, in the 165th District Court of Harris County, Texas.

Background: Defendant Smyrna Ready Mix Concrete, LLC ("Smyrna Ready Mix") owns and operates a concrete batch plant located at 5220 Winfield Road, Houston, Texas 77039 (the "Facility"). The Facility operates under the Texas Commission on Environmental Quality's ("TCEQ") Concrete Batch Plant Standard Permit and Texas Pollutant Discharge Elimination System General Permit. Over the course of seven investigations conducted from March 2, 2020, to January 17, 2023, Harris County Pollution Control Services documented permit violations at the Facility. On July 24, 2024, Harris County, Texas filed suit against Defendant for violations of the Texas Health and Safety Code, Texas Water Code, TCEQ rules, TCEQ permits, and Harris County regulations. The State of Texas, acting on behalf of the Texas Commission on Environmental Quality, joined the lawsuit as a necessary and indispensable party. The State, Harris County, and Smyrna Ready Mix have reached a mediation agreement to resolve the pending claims against the defendant.

Proposed Settlement: The State, Harris County, and Smyrna Ready Mix propose an Agreed Final Judgment that awards the State and Harris County the following monetary judgments against Smyrna Ready Mix Concrete: \$175,000.00 in civil penalties, to be split evenly between the State and Harris County; \$35,780.00 in attorney's fees to the State; and \$35,780.00 in attorney's fees to Harris County.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Shelby Thompson, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: [Shelby.Thompson@oag.texas.gov](mailto:Shelby.Thompson@oag.texas.gov). Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202600035

Justin Gordon  
General Counsel  
Office of the Attorney General  
Filed: January 7, 2026

## Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Health and Safety Code and the Texas Water Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *Harris County, Texas and the State of Texas v. Smyrna Ready Mix Concrete, LLC*; Cause No. 2024-68466, in the 215th District Court of Harris County, Texas.

Background: Defendant Smyrna Ready Mix Concrete, LLC ("Smyrna Ready Mix") owns and operates a concrete batch plant located at 4318 N Highway 146, Baytown, Texas 77520 (the "Facility"). The Facility operates under the Texas Commission on Environmental Quality's ("TCEQ") Concrete Batch Plant Standard Permit and Texas Pollutant Discharge Elimination System General Permit. Over the course of six investigations conducted from May 29, 2020, to November 3, 2023, Harris County Pollution Control Services documented permit violations at the Facility. On October 3, 2024, Harris County, Texas filed suit against Defendant for violations of the Texas Health and Safety Code, Texas Water Code, TCEQ rules, TCEQ permits, and Harris County regulations. The State of Texas, acting on behalf of the Texas Commission on Environmental Quality, joined the lawsuit as a necessary and indispensable party. The State, Harris County, and Smyrna Ready Mix have reached a mediation agreement to resolve the pending claims against the defendant.

Proposed Settlement: The State, Harris County, and Smyrna Ready Mix propose an Agreed Final Judgment that awards the State and Harris County the following monetary judgments against Smyrna Ready Mix: \$143,675.00 in civil penalties, to be split evenly between the State and Harris County; \$19,250.00 in attorney's fees to the State; and \$19,250.00 in attorney's fees to Harris County.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Shelby Thompson, Assistant Attorney General, Office of the Texas Attorney General, P. O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: [Shelby.Thompson@oag.texas.gov](mailto:Shelby.Thompson@oag.texas.gov). Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202600036

Justin Gordon

General Counsel

Office of the Attorney General

Filed: January 7, 2026

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003, §303.005, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/12/26 - 01/18/26 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/12/26 - 01/18/26 is 18.00% for commercial<sup>2</sup> credit.

The monthly ceiling as prescribed by §303.005<sup>3</sup> and §303.009 for the period of 01/01/26 - 01/31/26 is 18.00%.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

<sup>3</sup> Only for variable rate commercial transactions, as provided by §303.004(a).

TRD-202600026

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: January 6, 2026

## Texas Commission on Environmental Quality

### Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **February 18, 2026**. TWC, §7.075 also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building C, 1st Floor, Austin, Texas 78753, (512) 239-2545 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at Enforcement Division, MC 128, P.O. Box 13087, Austin, Texas 78711-3087 and must be postmarked by 5:00 p.m. on **February 18, 2026**. Written comments may also be sent to the enforcement coordinator by email to [ENF-COMNT@tceq.texas.gov](mailto:ENF-COMNT@tceq.texas.gov) or by facsimile machine at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed contact information; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: Antoine CH Investments, LLC; DOCKET NUMBER: 2024-0730-PST-E; IDENTIFIER: RN101775104; LOCATION: Houston, Harris County; TYPE OF FACILITY: convenience store with re-

tail sales of gasoline; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(2) COMPANY: CSWR-TEXAS UTILITY OPERATING COMPANY, LLC; DOCKET NUMBER: 2025-0714-PWS-E; IDENTIFIER: RN101217651; LOCATION: Sealy, Austin County; TYPE OF FACILITY: public water supply; PENALTY: \$1,750; ENFORCEMENT COORDINATOR: Obianuju Iyasele, (512) 239-5280; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(3) COMPANY: Chevron Phillips Chemical Company LP; DOCKET NUMBER: 2025-1350-AIR-E; IDENTIFIER: RN100209857; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: petrochemical manufacturing plant; PENALTY: \$12,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$5,100; ENFORCEMENT COORDINATOR: John Burkett, (512) 239-4169; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(4) COMPANY: City of Ackerly; DOCKET NUMBER: 2025-1131-PWS-E; IDENTIFIER: RN101174985; LOCATION: Ackerly, Dawson County; TYPE OF FACILITY: public water supply; PENALTY: \$1,750; ENFORCEMENT COORDINATOR: Anjali Talpallikar, (512) 239-2507; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: City of Anton; DOCKET NUMBER: 2025-0639-PWS-E; IDENTIFIER: RN101202448; LOCATION: Anton, Hockley County; TYPE OF FACILITY: public water supply; PENALTY: \$1,875; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(6) COMPANY: City of Laredo; DOCKET NUMBER: 2025-0566-PWS-E; IDENTIFIER: RN100524099; LOCATION: Laredo, Webb County; TYPE OF FACILITY: public water supply; PENALTY: \$51,330; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$41,064; ENFORCEMENT COORDINATOR: Ryan Byer, (512) 239-2571; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(7) COMPANY: Corral Prime LLC; DOCKET NUMBER: 2025-1434-PST-E; IDENTIFIER: RN101489458; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: temporarily out-of-service underground storage tank system; PENALTY: \$4,557; ENFORCEMENT COORDINATOR: Lauren Little, (817) 588-5888; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 04 - DALLAS/FORT WORTH.

(8) COMPANY: FMR Texas Limited Partnership; DOCKET NUMBER: 2025-0759-PST-E; IDENTIFIER: RN103015764; LOCATION: Westlake, Tarrant County; TYPE OF FACILITY: investment firm with an emergency underground storage tank system; PENALTY: \$1,750; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(9) COMPANY: Harris County Water Control & Improvement District No. 99; DOCKET NUMBER: 2025-1247-PWS-E; IDENTIFIER: RN102684776; LOCATION: Spring, Harris County; TYPE OF FACILITY: public water supply; PENALTY: \$275; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(10) COMPANY: Intercontinental Terminals Company LLC; DOCKET NUMBER: 2025-0661-AIR-E; IDENTIFIER: RN100210806; LOCATION: La Porte, Harris County; TYPE OF FACILITY: bulk liquid storage terminal; PENALTY: \$14,100; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(11) COMPANY: Intercontinental Terminals Company LLC; DOCKET NUMBER: 2025-1478-AIR-E; IDENTIFIER: RN100210806; LOCATION: La Porte, Harris County; TYPE OF FACILITY: liquid bulk storage terminal; PENALTY: \$14,100; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(12) COMPANY: L Cinco Properties, LLC; DOCKET NUMBER: 2025-1202-EAQ-E; IDENTIFIER: RN112205448; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: construction site; PENALTY: \$4,500; ENFORCEMENT COORDINATOR: Jasmine Jimerson, (512) 239-2552; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(13) COMPANY: Liberty Paving, LLC; DOCKET NUMBER: 2025-1662-WQ-E; IDENTIFIER: RN111845335; LOCATION: Plum Grove, Liberty County; TYPE OF FACILITY: soil stabilization plant; PENALTY: \$1,625; ENFORCEMENT COORDINATOR: Matthew Devay, (512) 239-4632; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(14) COMPANY: MARLIN, VANESSA M; DOCKET NUMBER: 2025-1896-WOC-E; IDENTIFIER: RN105713093; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: retail public utility; PENALTY: \$175; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(15) COMPANY: Monument Chemical Houston, LLC; DOCKET NUMBER: 2022-1203-IWD-E; IDENTIFIER: RN100219237; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$47,587; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$28,200; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(16) COMPANY: QESC, LLC; DOCKET NUMBER: 2025-1168-AIR-E; IDENTIFIER: RN100209790; LOCATION: Houston, Harris County; TYPE OF FACILITY: steel foundry; PENALTY: \$3,250; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 03 - ABILENE.

(17) COMPANY: Riderville Water Supply Corporation; DOCKET NUMBER: 2025-1022-PWS-E; IDENTIFIER: RN101450963; LOCATION: Panola, Panola County; TYPE OF FACILITY: public water supply; PENALTY: \$1,437; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(18) COMPANY: Undine Texas, LLC; DOCKET NUMBER: 2025-0919-PWS-E; IDENTIFIER: RN101241255; LOCATION: Baytown, Chambers County; TYPE OF FACILITY: public water supply; PENALTY: \$483; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

TRD-202600024



## Notice of an Application for a Water Use Permit WRPERM 13902

Notice Issued December 23, 2025

Port of Corpus Christi Authority of Nueces County, P.O. Box 1541, Corpus Christi, Texas 78403, seeks a water use permit to authorize the diversion and use of 350,000 acre-feet of water per year from a point in the Gulf for municipal and industrial purposes in Aransas, Nueces, and San Patricio counties. More information on the application and how to participate in the permitting process is given below.

The application and fees were received on February 14, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on March 14, 2023. Additional information was received on February 22 and April 22, 2024, and May 13, June 6, September 16, September 26, and November 17, 2025.

The Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions, including, but not limited to, measures to reduce impacts to aquatic resources due to impingement and entrainment and installation of a measuring device. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ webpage at: [https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/view-wr-pend-apps](https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps).

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, within 30 days of the date of newspaper publication of the notice. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed within 30 days of the date of newspaper publication of this notice. The Executive Director may approve the application unless a written request for a contested case hearing is filed within 30 days after newspaper publication of this notice.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to

the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRPERM 13902 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202504800

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 29, 2025



## Notice of an Application to Amend a Certificate of Adjudication 12-5271A

Notice Issued December 23, 2025

Texas A&M University, 600 John Kimbrough Blvd. Suite 512 TAMU 2142, College Station, Texas 77843, seeks to amend Certificate of Adjudication No. 12-5271 to add a place of use for 80 acre-feet of water per year for agricultural purposes to irrigate a total of 40 acres of land out of a 347-acre tract in Palo Pinto County and to add a diversion reach on the Brazos River. More information on the application and how to participate in the permitting process is given below.

The application was received on January 3, 2024, and partial fees were received on January 8, 2024. Additional information was received on September 16 and 17, 2024, and additional fees were received on October 1, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on October 4, 2024.

The Executive Director completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would include special conditions including, but not limited to streamflow restrictions. The application, technical memoranda, and Executive Director's draft amendment are available for viewing on the TCEQ webpage at: [https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/view-wr-pend-apps](https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps).

Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below by January 6, 2026. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by January 6, 2026. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by January 6, 2026.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering ADJ 5271 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202504801

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: December 29, 2025



#### Notice of District Petition - D-07012025-018

Notice issued December 2, 2025

TCEQ Internal Control No. D-07012025-018: Andiron TX 2, LLC, a Delaware limited liability company (Petitioner) filed a petition with the Texas Commission on Environmental Quality (TCEQ) for the annexation of land into FM 875 of Ellis County (District) under Local Government Code Section (§) 42.042 and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to all the property in the proposed annexation area to be included in the District; (2) there are no lienholders on the property to be annexed into the District; (3) the proposed property annexation will contain approximately 9.87 acres located within Ellis County; and (4) all of the land within the proposed property annexation is within the extraterritorial jurisdiction of the City of Midlothian, Texas (City). In accordance with Texas Local Government Code §§42.0425 and 42.042, the Petitioner submitted a petition to the City, requesting the City's consent to the annexation of land into the District. Information provided indicates that the City did not consent to the inclusion of the land into the District's area. After the 90-day period passed without receiving the City's consent to the annexation, the Petitioner submitted a petition to the City requesting the City provide water and sanitary sewer services to the proposed annexation area. The 120-day period for reaching a mutually agreeable contract expired and the information provided indicates that the Petitioner and the City have not executed a mutually agreeable contract for service. Pursuant to Texas Local Government Code §42.042, failure to execute such an agreement constitutes authorization for the Petitioner to initiate proceedings to include the proposed annexation area into the District.

#### INFORMATION SECTION

To view the complete issued notice, view the notice on our website at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://www.tceq.texas.gov/agency/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "[I/we request a contested case hearing]"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202600028

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 6, 2026



#### Notice of District Petition - D-11112025-019

Notice issued December 30, 2025

TCEQ Internal Control No. D-11112025-019: CR 207 LP, a Texas limited liability company (Petitioner) filed a petition for creation of Williamson County Municipal Utility District No. 70 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are five lienholders, Woodforest National Bank, Scott Felder Homes, LLC, Weekly Homes, LLC, Westin Homes and Properties, L.P., and EHT of Texas, LP on the property to be included in the proposed District and information provided indicates the lienholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 763.958 acres of land located wholly within Williamson County, Texas; and (4) the land to be included within the proposed District is located outside of any city limits or the extraterritorial jurisdiction. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair,

improve and extend a water works and wastewater system for residential and commercial purposes; (2) construct, acquire, improve, extend, maintain, and operate works, improvements, facilities, plants, equipment, and appliances helpful or necessary to provide more adequate drainage for the proposed District; (3) control, abate, and amend local storm waters or other harmful excesses of waters; and (4) purchase, construct, acquire, maintain, own, operate, repair, improve, and extend such additional facilities, including roads, park and recreational facilities systems, plants, and enterprises, as shall be consistent with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$129,260,000 (\$87,460,000 for water, wastewater, and drainage; \$40,450,000 for roads; and \$1,350,000 for park and recreational facilities).

#### INFORMATION SECTION

To view the complete issued notice, view the notice on our website at [www.tceq.texas.gov/agency/cc/pub\\_notice.html](http://www.tceq.texas.gov/agency/cc/pub_notice.html) or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at [www.tceq.texas.gov](http://www.tceq.texas.gov).

TRD-202600029

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 6, 2026



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Tonya Pieri  
SOAH Docket No. 582-26-04777 TCEQ Docket No. 2022-0107-MLM-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing via Zoom videoconference:

10:00 a.m. (CT) - January 22, 2026

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

**Meeting ID:** 161 984 0712

**Password:** TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

**Meeting ID:** 161 984 0712

**Password:** 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed December 10, 2024 concerning assessing administrative penalties against and requiring certain actions of Tonya Pieri, for violations in Montgomery County, Texas, of: Tex. Water Code §26.014, Tex. Health & Safety Code §§361.032 and 382.085(b), and 30 Texas Administrative Code §111.201 and §330.15(a) and (c).

The hearing will allow Tonya Pieri, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Tonya Pieri, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. Upon failure of Tonya Pieri to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes. Tonya Pieri, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054, Tex. Water Code chs. 7 and 26, Tex. Health & Safety Code chs. 361 and 382, and 30 Texas Administrative Code ch. 70, 111, and 330; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §70.108 and §70.109 and ch. 80, and 1 Texas Administrative Code ch. 155.

Further information regarding this hearing may be obtained by contacting Allison Alt, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Staff Attorney, Office of Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.

In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: December 23, 2025

TRD-202600033

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 7, 2026



#### Notice of Public Meeting for TPDES Permit for Municipal Wastewater New Permit No. WQ00166600

**APPLICATION.** Lennar Homes of Texas Land and Construction, Ltd., Bobbie J. Neff, and Jeanette R. Morris, 5505 Waterford District Drive, Miami, Florida 33126, have applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016660001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 600,000 gallons per day. TCEQ received this application on November 6, 2024.

The facility will be located approximately 750 feet southeast of the intersection of Rocky Ranch Road and Farm-to-Market Road 484, in Comal County, Texas 78133. The treated effluent will be discharged to an unnamed tributary, thence to Potter Creek, thence to Canyon Lake in Segment No. 1805 of the Guadalupe River Basin. The unclassified receiving water use is minimal aquatic life use for the unnamed tributary and Potter Creek. The designated uses for Segment No. 1805 are primary contact recreation, public water supply, aquifer protection, and exceptional aquatic life use. In accordance with 30 Texas Administrative Code §307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards (June 2010)*, an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action.

Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Canyon Lake, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-98.260277,29.948611&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements.

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

**PUBLIC COMMENT / PUBLIC MEETING.** A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

#### The Public Meeting is to be held:

**Tuesday, February 10, 2026 at 7:00 p.m.**

**Canyon Lake High School Cafeteria**

**8555 Farm to Market 32**

**Fischer, Texas 78623**

**INFORMATION.** Members of the public are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment). If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. *Si desea información en español, puede llamar (800) 687-4040.* General information about the TCEQ can be found at our website at <https://www.tceq.texas.gov>.

The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Mammen Family Public Library, 131 Bulverde Crossing, Bulverde, in Comal County, Texas. The application is also available at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

Further information may also be obtained from Lennar Homes of Texas Land and Construction, Ltd., Bobbie J. Neff, and Jeanette R. Morris at the address stated above or by calling Ms. Janela Revilla, JA Wastewater, LLC, at (737) 864-3476.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300



or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

Issuance Date: December 30, 2025

TRD-202600030

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 6, 2026

## General Land Office

### Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of November 14, 2025 to December 26, 2025. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, January 2, 2026. The public comment period for this project will close at 5:00 p.m. on Sunday, February 1, 2026.

Federal Agency Activities:

**Applicant:** U.S. Coast Guard

**Location:** The project site is located at the U.S. Coast Guard Station South Padre Island, Cameron County, Texas.

**Latitude and Longitude:** 26.0729575, -97.1660876

**Project Description:** The proposed Action includes rebuilding and expanding waterfront and shore facilities at U.S. Coast Guard Station South Padre Island, Texas required as a result deteriorated facilities and damages sustained during a recent fire and the need to modernize. The shore work includes but is not limited to:

Demolition and disposal of existing facilities;

Construction of multiple new facilities which includes, but is not limited to a new Station building, helipad, aerostat support, small arms range, dog kennels, seized property storage, Unaccompanied Personnel Housing (UPH), and etc. New facilities may be co-located or stand-alone (to be determined during design).

Site development (grading, habitat removal, etc), utilities, roads, infrastructure, and outfitting.

Use of facilities

The landside work would occur within the maximum extent of ground disturbance. Building configuration, number of buildings, functions of buildings, and other differences in layout will be determined as the project progresses. For analysis purposes, the Coast Guard is assuming that the bounds for the in-water and on-land work will be fully disturbed. This may include work on wetlands that are on USCG property. While work will most likely occur within the existing footprint it may require some additional lands. It is not anticipated that all of the

footprint will be necessary, but due to the siting of the helipad, it may be necessary to use further areas of the footprint to ensure safety.

Waterfront work includes providing a minimum of 13 total mooring slips within the break wall (unless not possible due to space constraints) with covered moorings (50-100% of moorings) and providing a boat ramp with enough space for launching and recovery of a ~41ft vessel.

Functions may be co-located in the same facility or split into multiple buildings as determined during design. Any waste generated will be disposed off properly per local/state/federal regulations. Building configuration, number of buildings, and other differences in layout will be determined as the project progresses. Disturbance will be within the maximum extent area. It will likely occur within the existing footprint but may require some additional lands. It is not anticipated that all of the footprint will be necessary, but due to the siting of the helipad, it may be necessary to use further areas of the footprint to ensure safety.

Current estimates are that the work within the boat basin will include approximately forty (40) 20" RCP piles and no dredging. The construction of the boat ramp is planned to occur north of the seawall with a new rip-rap segment, smaller (~80LF) seawall, and fixed pier (approximately~200LF).

**Type of Application:** U.S. Coast Guard federal agency activity. SWG-2025-00641 pending.

**CMP Project No:** 26-1042-F2

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](mailto: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](mailto:federal.consistency@glo.texas.gov).

TRD-202504798

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: December 29, 2025

## Texas Health and Human Services Commission

### Notice of Public Hearing on Proposed Updates to Medicaid Payment Rates

Hearing. The Texas Health and Human Services Commission (HHSC) will conduct a public hearing on February 10, 2026, at 9:00 a.m., to receive public comments on proposed payment updates to the Medicaid Biennial Calendar Fee Review, Healthcare Common Procedural Coding System Updates (HCPCS), and Medical Policy Reviews.

This hearing will be conducted both in-person and as an online event. To join the hearing from your computer, tablet, or smartphone, register for the hearing in advance using the following link:

Registration URL:

<https://attendee.gotowebinar.com/register/1703578270903751000>

After registering, you will receive a confirmation email containing information about joining the webinar. Instructions for dialing-in by phone will be provided after you register.

Members of the public may attend the rate hearing in person, which will be held in the Public Hearing Room 1.401, 1.402, 1.403 & 1.404 in the North Austin Complex located at 4601 W Guadalupe Street,

Austin, Texas, or they may access a live stream of the meeting at <https://www.hhs.texas.gov/about/live-archived-meetings>. For the live stream, select the "North Austin Complex Live" tab. A recording of the hearing will be archived and accessible on demand at the same website under the "Archived" tab. The hearing will be held in compliance with Texas Human Resources Code section 32.0282, which requires public notice of and hearings on proposed Medicaid reimbursements.

Any updates to the hearing details will be posted on the HHSC website at <https://www.hhs.texas.gov/about/meetings-events>.

Proposal. The effective date of the proposed payment rates for the topics presented during the rate hearing will be as follows:

Effective January 1, 2026

HCPCS Updates:

Non-Quarterly HCPCS Drugs – Skysona – J3387

Non-Quarterly HCPCS Drugs – Ohtuvayre – J7601

Effective March 1, 2026

Calendar Fee Review:

Ambulance Services

Effective April 1, 2026

Calendar Fee Review:

-Long-Acting Reversible Contraceptives (LARCs)

Effective May 1, 2026

Medical Policy Review:

-Senate Bill 989: Biomarker Testing

Effective June 1, 2026

Medical Policy Review:

-Office Setting Skin Substitute Codes

Methodology and Justification. The proposed payment rates were calculated in accordance with Title 1 of the Texas Administrative Code:

Section 355.8085 – Reimbursement Methodology for Physicians and Other Practitioners;

Section 355.8441 – Reimbursement Methodologies for Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) Services [known in Texas as Texas Health Steps];

Section 355.8581 - Reimbursement Methodology for Family Planning Services;

Section 355.8600 – Reimbursement Methodology for Ambulance Services; and

Section 355.8610 – Reimbursement for Clinical Laboratory Services.

Rate Hearing Packet. A briefing packet describing the proposed payment rates will be made available at <https://pfd.hhs.texas.gov/rate-packets> on or before January 27, 2026. Interested parties may obtain a copy of the briefing packet on or after that date by contacting Provider Finance by telephone at (512) 730-7401; by fax at (512) 730-7475; or by e-mail at [PFDAcuteCare@hhs.texas.gov](mailto:PFDAcuteCare@hhs.texas.gov).

Written Comments. Written comments regarding the proposed payment rates may be submitted in lieu of, or in addition to, oral testimony until 5 p.m. the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, P.O. Box 149030, Austin,

Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by e-mail to [PFDAcuteCare@hhs.texas.gov](mailto:PFDAcuteCare@hhs.texas.gov). In addition, written comments may be sent by overnight mail to Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 Guadalupe St, Austin, Texas 78751.

Preferred Communication. For quickest response please use e-mail or phone, if possible, for communication with HHSC related to this rate hearing.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202600011

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 2, 2026



## Public Notice - Texas State Plan for Medical Assistance Amendment

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance, under Title XIX of the Social Security Act. The proposed amendments will be effective March 1, 2026.

The purpose of the amendments is to update the fee schedules in the current state plan by adjusting fees, rates, or charges for the following services:

Clinical Diagnostic Labs;

Durable Medical Equipment, Prosthetics, Orthotics, and Supplies (DMEPOS);

Early and Periodic Screening, Diagnostic, and Treatment (EPSDT);

Outpatient Hospital Services; and

Physicians and Other Practitioners.

The proposed amendments are estimated to result in an increase to annual aggregate expenditure of \$387,671 for federal fiscal year (FFY) 2026, consisting of \$231,944 in federal funds and \$155,727 in state general revenue. For FFY 2027, the estimated result is an increase to annual aggregate expenditure of \$673,430 consisting of \$402,778 in federal funds and \$270,652 in state general revenue. For FFY 2028, the estimated result is an increase to annual aggregate expenditure of \$682,322 consisting of \$408,097 in federal funds and \$274,225 in state general revenue.

Further detail on specific reimbursement rates and percentage changes will be made available on the HHSC Provider Finance website before the proposed effective date at: <https://pfd.hhs.texas.gov/rate-packets>.

Rate Hearings.

A rate hearing was conducted in person and online on November 10, 2025. Information about the proposed rate changes and hearing was published in the October 10, 2025, issue of the *Texas Register* (50 TexReg 6711). Additional information and the notice of hearings can be found at <http://www.sos.state.tx.us/texreg/index.shtml>.

Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Jayasree Sankaran, State Plan Policy Advisor, by mail at the Health and Human Services Com-

mission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 487-3349; by facsimile at (512) 730-7472; or by e-mail at Medicaid\_Chip\_SPA\_Inquiries@hhsc.state.tx.us. Once submitted to the Centers for Medicare and Medicaid Services for approval, copies of the proposed amendment will be available for review at the HHSC Access and Eligibility Services for local benefit offices.

Written Comments.

Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email:

U.S. Mail

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

Phone number for package delivery: (512) 730-7401

Fax

Attention: Provider Finance at (512) 730-7475

Email

PFDAcuteCare@hhs.texas.gov

Preferred Communication.

For quickest response, please use e-mail or phone, if possible, for communication with HHSC related to this state plan amendment.

TRD-202600012

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 2, 2026

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**Department of State Health Services**

Licensing Actions for Radioactive Materials

During the first half of December 2025, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: RAMlicensing@dshs.texas.gov.

<b>NEW LICENSES ISSUED</b>					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
STAFFORD	ETI SERVICES INC	L07290	STAFFORD	00	12/12/25
THROUGHOUT TX	TURNAROUND CONSULTING SERVICES LLC	L07296	CORPUS CHRISTI	000	12/12/25

NEW LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	ALLIANCE HEALTHCARE SERVICES INC	L07295	EL PASO	000	12/04/25
THROUGHOUT TX	MAK LONESTAR CONSULTING LLC	L07294	IRVING	000	12/04/25
THROUGHOUT TX	BRAVO INSPECTION LLC	L07293	MIDLAND	000	12/03/25

AMENDMENTS TO EXISTING LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AMARILLO	BSA HOSPITAL LLC DBA BSA HOSPITAL	L06573	AMARILLO	24	12/12/25
ARLINGTON	TEXAS HEALTH ARLINGTON MEMORIAL HOSPITAL	L02217	ARLINGTON	131	12/08/25
AUSTIN	ATLAS SAND COMPANY LLC	L07149	AUSTIN	05	12/04/25
AUSTIN	ASCENSION SETON MEDICAL CENTER	L00268	AUSTIN	180	12/04/25
AUSTIN	AUSTIN RADIOLOGICAL ASSOCIATION	L00545	AUSTIN	259	12/09/25
BORGER	CHEVRON PHILLIPS CHEMICAL COMPANY LP	L05181	BORGER	31	12/02/25
CORPUS CHRISTI	CARDINAL HEALTH 414 LLC DBA CARDINAL HEALTH NUCLEAR PHARMACY SERVICES	L04043	CORPUS CHRISTI	66	12/03/25
DALLAS	MEMORIAL MRI & DIAGNOSTIC PLLC DBA PRIME DIAGNOSTIC IMAGING	L06309	DALLAS	11	12/08/25

<b>AMENDMENTS TO EXISTING LICENSES ISSUED</b>					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
DALLAS	THE UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	L00384	DALLAS	148	12/10/25
DEL RIO	VAL VERDE HOSPITAL CORPORATION DBA VAL VERDE REGIONAL MEDICAL CENTER	L01967	DEL RIO	44	12/12/25
DENTON	COLUMBIA MEDICAL CENTER OF DENTON SUBSIDIARY LP DBA MEDICAL CITY DENTON	L02764	DENTON	82	12/12/25
FORT WORTH	TARRANT COUNTY COLLEGE DISTRICT	L07138	FORT WORTH	04	12/03/25
FORT WORTH	ONCOLOGY HEMATOLOGY CONSULTANTS PA DBA THE CENTER FOR CANCER AND BLOOD DISORDERS	L05919	FORT WORTH	41	12/08/25
HOUSTON	EAGLE ANALYTICAL SERVICES INC	L07231	HOUSTON	02	12/02/25
HOUSTON	THE METHODIST HOSPITAL RESEARCH INSTITUTE DBA HOUSTON METHODIST RESEARCH INSTITUTE	L06331	HOUSTON	23	12/03/25
KERMIT	ATLAS SAND COMPANY LLC	L07149	AUSTIN	6	12/10/25
KINGWOOD	TEXAS ONCOLOGY PA	L07282	KINGWOOD	01	12/08/25

<b>AMENDMENTS TO EXISTING LICENSES ISSUED</b>					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
LAKE JACKSON	DOW HYDROCARBONS AND RESOURCES LLC	L07234	LAKE JACKSON	05	12/02/25
LUBBOCK	LUBBOCK COUNTY HOSPITAL DISTRICT OF LUBBOCK COUNTY TEXAS	L04719	LUBBOCK	183	12/02/25
MCKINNEY	TEXAS ONCOLOGY PA DBA TEXAS ONCOLOGY	L06947	MCKINNEY	19	12/05/25
ODESSA	TEXAS ONCOLOGY PA DBA TEXAS ONCOLOGY	L05140	ODESSA	29	12/05/25
ORANGE	THE DOW CHEMICAL COMPANY	L07026	ORANGE	08	12/03/25
PASADENA	SEKISUI SPECIALTY CHEMICALS AMERICA LLC	L06260	PASADENA		12/04/25
PLANO	ORANO MED THERANOSTICS LLC	L07255	PLANO	02	12/12/25
PLANO	TEXAS ONCOLOGY PA DBA TEXAS ONCOLOGY	L06917	PLANO	10	12/01/25
ROUND ROCK	SCOTT & WHITE HOSPITAL ROUND ROCK DBA BAYLOR SCOTT & WHITE MEDICAL CENTER – ROUND ROCK	L06085	ROUND ROCK	43	12/02/25
SAN ANTONIO	INDO-MIM INC	L07164	SAN ANTONIO	02	12/04/25
SNYDER	SCURRY COUNTY HOSPITAL DISTRICT DBA DM COGDELL MEMORIAL HOSPITAL	L02409	SNYDER	40	12/08/25
STAFFORD	OLIDEN TECHNOLOGY LLC	L06977	STAFFORD	05	12/02/25

<b>AMENDMENTS TO EXISTING LICENSES ISSUED</b>					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	TEXAS DEPARTMENT OF STATE HEALTH SERVICES	L05865	AUSTIN	22	12/12/25
THROUGHOUT TX	TEXAS A&M UNIVERSITY	L05683	COLLEGE STATION	52	12/04/25
THROUGHOUT TX	LEC ENGINEERING INC	L06478	EL PASO	11	12/03/25
THROUGHOUT TX	JOHNSON MIRMIRMAN & THOMPSON INC	L06987	EL PASO	13	12/10/25
THROUGHOUT TX	THE UNIVERSITY OF TEXAS MEDICAL BRANCH OFFICE OF ENVIRONMENTAL HEALTH AND SAFETY	L01299	GALVESTON	127	12/01/25
THROUGHOUT TX	AMERICAN DIAGNOSTIC TECH LLC	L05514	HOUSTON	179	12/12/25
THROUGHOUT TX	KLEINFELDER INC	L06960	IRVING	20	12/08/25
THROUGHOUT TX	NONDESTRUCTIVE & VISUAL INSPECTION LLC	L06162	KILGORE	32	12/03/25
THROUGHOUT TX	BILFINGER INC	L07048	LA PORTE	08	12/04/25
THROUGHOUT TX	QSA GLOBAL INC	L06566	LA PORTE	17	12/04/25
THROUGHOUT TX	ACUREN INSPECTION INC	L01774	LA PORTE	324	12/04/25
THROUGHOUT TX	XCEL NDT LLC	L07039	LONGVIEW	10	12/11/25
THROUGHOUT TX	MCBRIDE NDT INSPECTION SERVICES INC	L06835	LONGVIEW	25	12/08/25
THROUGHOUT TX	B2Z ENGINEERING LLC	L06996	MCALLEN	11	12/12/25
THROUGHOUT TX	GUARDIAN NDT LLC	L07204	ODESSA	03	12/04/25



RENEWAL OF LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	GEOSCIENCE ENGINEERING & TESTING INC	L05180	HOUSTON	24	12/11/25
THROUGHOUT TX	SOUTH TEXAS TESTING LABORATORIES INC	L05190	LAREDO	04	12/04/25
THROUGHOUT TX	GCT INSPECTION INC	L02378	PASADENA	116	12/04/25

TERMINATIONS OF LICENSES ISSUED					
Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	MES PARTNERS INC	L07029	CORPUS CHRISTI	03	12/12/25
THROUGHOUT TX	TURNER INDUSTRIES GROUP LLC	L07211	PARIS	04	12/09/25

TRD-202600022  
Cynthia Hernandez  
General Counsel  
Department of State Health Services  
Filed: January 5, 2026

## Texas Higher Education Coordinating Board

### Notice of Opportunity to Comment on Proposed Field of Study Curriculum for History

The Texas Higher Education Coordinating Board (Coordinating Board) staff is providing an opportunity for written public comment on a revision of the Field of Study Curriculum (FOSC) for History.

Texas Education Code (TEC) Chapter 61, Subchapter S, establishes policies to facilitate statewide transfer, including the FOSC. Institutions must accept partially or fully completed Field of Study Curricula for academic credit toward the degree program in which the transfer student enrolls (TEC §61.823). The Coordinating Board has promulgated rules related to transfer policy in 19 Texas Administrative Code (TAC) Chapter 1, Subchapter V, and Chapter 4, Subchapter B. Posting requirements may be found in 19 TAC §4.33(f) and §1.239(b).

The History Discipline-Specific Subcommittee met on May 7, 2025, to consider and make recommendations to the Texas Transfer Advisory Committee regarding the FOSC for this discipline using the FOSC framework as outlined in 19 TAC §4.32. On December 8, 2025, the Texas Transfer Advisory Committee adopted the subcommittee recommendations for the designated Texas Core Curriculum courses and the Discipline Foundation Courses and recommended their submission to the Commissioner of Higher Education for final approval.

The recommended courses are as follows:

Designated Core Courses in the Field of Study: HIST 1301: United States History I (3 SCH) HIST 1302: United States History II (3 SCH)

Discipline Foundation Courses: HIST 2321: World Civilizations I (3 SCH) HIST 2322: World Civilizations II (3 SCH) HIST 2301: Texas History (3 SCH)

In addition to these courses, each general academic institution will have the opportunity to submit to the Coordinating Board up to nine (9) semester credit hours of Directed Electives selected by the institution from the Academic Course Guide Manual. The complete FOSC will consist of the Designated Core Courses and Discipline Foundation Courses listed above, as well as Directed Electives selected by the relevant general academic institutions in compliance with the transfer rules in TAC Chapter 4, Subchapter B, including §§4.23(4), 4.32(b)(3), and 4.33.

General academic institutions will be required to transfer these courses and apply them for academic credit towards degree programs with majors in the following CIP Code:

54.0101 - History, General

Written comments about the proposed field of study must be sent to Elizabeth Mayer, Assistant Commissioner for Academic and Health Affairs, Texas Higher Education Coordinating Board, P.O. Box 12788, Austin, Texas 78711, or via email to AHAComments@highered.texas.gov. Comments must be received by 5:00 p.m., February 2, 2026, to be considered.

TRD-202504827

Douglas Brock  
General Counsel  
Texas Higher Education Coordinating Board  
Filed: December 31, 2025

◆ ◆ ◆  
**Texas Department of Housing and Community Affairs**

**Notice of Public Comment Period and Public Hearing on the Draft 2026 State of Texas Low Income Housing Plan and Annual Report**

The Texas Department of Housing and Community Affairs (TDHCA) will hold a public comment period from Friday, January 16, 2026 through 5:00 p.m. on Monday, February 16, 2026, to obtain public comment on the Draft 2026 State of Texas Low Income Housing Plan and Annual Report (SLIHP).

The SLIHP offers a comprehensive reference on statewide housing needs, housing resources, and strategies for funding allocations. It reviews TDHCA's housing programs, current and future policies, resource allocation plans to meet state housing needs, and reports on performance during the preceding state fiscal year (September 1, 2024, through August 31, 2025).

During the public comment period, a public hearing will take place as follows:

Tuesday, February 10, 2026

2:00 p.m.

Stephen F. Austin Building Room 172

1700 N Congress Ave,

Austin, Texas 78701

Anyone may submit comments on the SLIHP in written form or oral testimony at the public hearing. Written comments may be submitted to Texas Department of Housing and Community Affairs, Attn: Housing Resource Center, P.O. Box 13941, Austin, Texas 78711-3941, by email to the following address: [info@tdhca.texas.gov](mailto:info@tdhca.texas.gov).

The full text of the Draft 2026 SLIHP and its associated Rule may be viewed at the Department's website: <https://www.tdhca.texas.gov/tdhca-public-comment-center>. The public may also receive a copy of the Draft 2026 SLIHP by contacting TDHCA's Housing Resource Center at (512) 475-3976.

Individuals who require auxiliary aids, services or sign language interpreters for this public hearing should contact Nancy Dennis, at (512) 475-3959 or by email at [nancy.dennis@tdhca.texas.gov](mailto:nancy.dennis@tdhca.texas.gov) or Relay Texas at 1-800-735-2989, at least five (5) days before the meeting so that appropriate arrangements can be made.

Non-English speaking individuals who require interpreters for the public hearings should contact Danielle Leath by phone at (512) 475-4606 or by email at [Dannielle.Leath@tdhca.texas.gov](mailto:Dannielle.Leath@tdhca.texas.gov) at least five (5) days before the hearings so that appropriate arrangements can be made.

Personas que hablan español y requieren un intérprete, favor de llamar a Danielle Leath al siguiente número (512) 475-4606 o enviarle un correo electrónico a [Dannielle.Leath@tdhca.texas.gov](mailto:Dannielle.Leath@tdhca.texas.gov) por lo menos cinco días antes de la junta para hacer los preparativos apropiados.

TRD-202600023

Bobby Wilkinson  
Executive Director  
Texas Department of Housing and Community Affairs  
Filed: January 5, 2026

◆ ◆ ◆  
**Texas Housing Trust Fund Fiscal Year 2026 Texas Bootstrap Loan Program Notice of Funding Availability**

The Texas Department of Housing and Community Affairs (the Department) announces the availability of approximately \$2,970,432 in funding for the 2026 Texas Bootstrap Loan (Bootstrap) Program funded through the Texas Housing Trust Fund (Texas HTF). The funds include \$2,700,393 in Project Costs, and \$270,039 in Administrative funds. The funds will be made available to Bootstrap Reservation System Participants, with a current Loan Origination and Reservation System Access Agreement (Reservation Agreement). Applications for a Reservation Agreement are accepted on an ongoing basis.

Funds will be made available beginning January 20, 2026 in accordance with the NOFA. From time to time, additional funding may be made available under the NOFA through transfer of prior year balances, deobligated funds, and Program Income. Amendments will be published on the TDHCA website.

Information is available on the Department's web site at <https://www.tdhca.texas.gov/notices-funding-availability-nofas>. Questions regarding the 2026 Texas Bootstrap Loan Program NOFA may be addressed to the Single Family and Homeless Programs Division via email at [Bootstrap@tdhca.texas.gov](mailto:Bootstrap@tdhca.texas.gov).

TRD-202600025

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: January 6, 2026

◆ ◆ ◆  
**Texas Department of Insurance**

**Company Licensing**

Application for incorporation in the state of Texas for American Independent Life Insurance Company, a domestic life, accident, and/or health company. The home office is in Plano, Texas.

Application for incorporation in the state of Texas for Elite Customer Insurance Exchange, a domestic Lloyds/reciprocal. The home office is in Dallas, 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 Andrew Guerrero, 1601 Congress Ave., Suite 6.900, Austin, Texas 78701.

TRD-202504825

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: December 31, 2025

◆ ◆ ◆  
**Texas Department of Licensing and Regulation**

**Scratch Ticket Game Number 2707 "FABULOUS 5s"**

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2707 is "FABULOUS 5s". The play style is "coordinate with prize legend".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2707 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2707.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except

for dual-image games. The possible black Play Symbols are: HEART SYMBOL, STAR SYMBOL, FROG SYMBOL, HORSESHOE SYMBOL, PIGGYBANK SYMBOL, HIVE SYMBOL, STACK OF CASH SYMBOL, COIN SYMBOL, BALL SYMBOL, DIAMOND SYMBOL, SAILBOAT SYMBOL, POT OF GOLD SYMBOL, WATERMELON SYMBOL, LADYBUG SYMBOL, LEMON SYMBOL, SUN SYMBOL, CHERRY SYMBOL, BANANA SYMBOL, DOVE SYMBOL, FOX SYMBOL and 5 SYMBOL.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2707 - 1.2D

PLAY SYMBOL	CAPTION
HEART SYMBOL	HEART
STAR SYMBOL	STAR
FROG SYMBOL	FROG
HORSESHOE SYMBOL	HRSHOE
PIGGYBANK SYMBOL	PIGBNK
HIVE SYMBOL	HIVE
STACK OF CASH SYMBOL	BILLS
COIN SYMBOL	COIN
BALL SYMBOL	BALL
DIAMOND SYMBOL	DIAMND
SAILBOAT SYMBOL	BOAT
POT OF GOLD SYMBOL	GOLD
WATERMELON SYMBOL	WTRMLN
LADYBUG SYMBOL	LADYBG
LEMON SYMBOL	LEMON
SUN SYMBOL	SUN
CHERRY SYMBOL	CHERRY
BANANA SYMBOL	BANANA
DOVE SYMBOL	DOVE
FOX SYMBOL	FOX
5 SYMBOL	FIVE

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2707), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2707-0000001-001.

H. Pack - A Pack of the "FABULOUS 5s" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation (Texas Lottery) pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "FABULOUS 5s" Scratch Ticket Game No. 2707.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 140.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "FABULOUS 5s" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twelve (12) Play Symbols. If a player reveals 2 or more "5" Play Symbols in the play area, the player wins the corresponding prize in the PRIZE LEGEND. (Only highest prize paid.) No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly twelve (12) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly twelve (12) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch

Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the twelve (12) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twelve (12) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery (Executive Director) may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

#### 2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of Play Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to one (1) time.

D. On both winning and Non-Winning Tickets, the "5" (FIVE) Play Symbol will appear at least one (1) time and will win as per the prize structure.

E. Non-Winning Tickets will never have more than one (1) "5" (FIVE) Play Symbol.

F. On Non-Winning Tickets, at least two (2) of the following Play Symbols will individually appear one (1) time on a Ticket, with respect to other parameters: "HIVE" (HIVE), "DOVE" (DOVE), "FOX" (FOX) and "FROG" (FROG).

G. Non-winning Play Symbols will not appear more than one (1) time on a Ticket.

H. Winning Tickets will contain two (2) or more "5" (FIVE) Play Symbols.

I. Winning Tickets will display the number of "5" (FIVE) Play Symbols as dictated in the PRIZE LEGEND shown on the Ticket.

#### 2.3 Procedure for Claiming Prizes.

A. To claim a "FABULOUS 5s" Scratch Ticket Game prize of \$2.00, \$3.00, \$6.00, \$10.00, \$20.00, \$40.00, \$60.00, \$100 or \$300, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$40.00, \$60.00, \$100 or \$300 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "FABULOUS 5s" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "FABULOUS 5s" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "FABULOUS 5s" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "FABULOUS 5s" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

### 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 9,120,000 Scratch Tickets in Scratch Ticket Game No. 2707. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2707 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	1,118,720	8.15
\$3.00	656,640	13.89
\$6.00	206,720	44.12
\$10.00	218,880	41.67
\$20.00	60,800	150.00
\$40.00	14,440	631.58
\$60.00	7,600	1,200.00
\$100	9,500	960.00
\$300	2,774	3,287.67
\$1,000	40	228,000.00
\$30,000	6	1,520,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 3.97. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2707 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §140.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2707, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140, and all final decisions of the Executive Director.

TRD-202600039  
 Deanne Rienstra  
 Interim General Counsel Lottery and Charitable Bingo  
 Texas Department of Licensing and Regulation  
 Filed: January 7, 2026



Scratch Ticket Game Number 2720 "CHAMELEON CASH"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2720 is "CHAMELEON CASH". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2720 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2720.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 2X SYMBOL, 5X SYMBOL, CATERPIL-

LAR SYMBOL, \$5.00, \$10.00, \$20.00, \$50.00, \$100, \$300, \$1,000 and \$100,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears

under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:



Figure 1: GAME NO. 2720 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFO
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON

32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRT0
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
2X SYMBOL	DBL
5X SYMBOL	WINX5
CATERPILLAR SYMBOL	WIN\$50
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$300	THHN
\$1,000	ONTH
\$100,000	100TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2720), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 075 within each Pack. The format will be: 2720-0000001-001.

H. Pack - A Pack of the "CHAMELEON CASH" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 075 will be revealed on the back of the Pack. All packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse; i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 075 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation (Texas Lottery) pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CHAMELEON CASH" Scratch Ticket Game No. 2720.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 140.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "CHAMELEON CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose fifty-five (55) Play Symbols. In each GAME, if the player matches any of the YOUR NUMBERS Play Symbols to the WINNING NUMBER Play Symbol, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "CATERPILLAR" Play Symbol, the player wins \$50 instantly! EACH GAME IS PLAYED SEPARATELY. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly fifty-five (55) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;

4. Each of the Play Symbols must be printed in black ink except for dual image games;

5. The Scratch Ticket shall be intact;

6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;

7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;

8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;

9. The Scratch Ticket must not be counterfeit in whole or in part;

10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;

11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;

12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly fifty-five (55) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the fifty-five (55) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the fifty-five (55) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery (Executive Director) may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund

the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to twenty-five (25) times.

D. All non-winning YOUR NUMBERS Play Symbols will be different.

E. All WINNING NUMBER Play Symbols will be different.

F. On both winning and Non-Winning Tickets, a WINNING NUMBER Play Symbol in a GAME will never match a YOUR NUMBERS Play Symbol from a different GAME.

G. Consecutive Non-Winning Tickets within a Pack will not have matching GAMES.

H. Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

I. Non-winning Prize Symbols will not appear more than two (2) times in the same GAME.

J. On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

K. On winning and Non-Winning Tickets, the top cash prizes \$1,000 and \$100,000 will each appear at least one (1) time, except on Tickets winning twenty-five (25) times and with respect to other parameters, play action or prize structure.

L. On Non-Winning Tickets, a WINNING NUMBER Play Symbol will never match a YOUR NUMBERS Play Symbol.

M. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 10 and \$10, 20 and \$20 and 50 and \$50).

N. The "CATERPILLAR" (WIN\$50) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

O. The "CATERPILLAR" (WIN\$50) Play Symbol will never appear on a Non-Winning Ticket.

P. The "CATERPILLAR" (WIN\$50) Play Symbol will never appear more than one (1) time on a Ticket.

Q. The "CATERPILLAR" (WIN\$50) Play Symbol will only appear with the \$50 Prize Symbol.

R. The "CATERPILLAR" (WIN\$50) Play Symbol will win \$50 instantly and will win as per the prize structure.

S. The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

T. The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

U. The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

V. The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

W. The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

X. The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

Y. The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

Z. The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBER Play Symbol.

AA. The "2X" (DBL), "5X" (WINX5) and "CATERPILLAR" (WIN\$50) Play Symbols can all appear on the same winning Ticket, as per the prize structure.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "CHAMELEON CASH" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$50.00, \$100 or \$300, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100 or \$300 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "CHAMELEON CASH" Scratch Ticket Game prize of \$1,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "CHAMELEON CASH" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "CHAMELEON CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "CHAMELEON CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a

prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 5,040,000 Scratch Tickets in Scratch Ticket Game No. 2720. The approximate number and value of prizes in the game are as follows:

Figure 2: TAC GAME NO. 2720 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	548,800	9.18
\$10.00	403,200	12.50
\$20.00	134,400	37.50
\$50.00	100,800	50.00
\$100	15,834	318.30
\$300	1,610	3,130.43
\$1,000	65	77,538.46
\$100,000	5	1,008,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 4.18. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2720 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §140.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2720, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140, and all final decisions of the Executive Director.

TRD-202600037

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: January 7, 2026



Scratch Ticket Game Number 2722 "MEGA MILLIONAIRE"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2722 is "MEGA MILLIONAIRE". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2722 shall be \$20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2722.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: \$20.00, \$50.00, \$100, \$200, \$500, \$1,000, \$10,000, \$1,000,000, 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL and 20X SYMBOL.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2722 - 1.2D

PLAY SYMBOL	CAPTION
\$20.00	TWY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$10,000	10TH
\$1,000,000	TPPZ
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
21	TWON
22	TWTO
23	TWTH

24	TWFR
25	TWFO
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFO
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFO
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO



53	FFTH
54	FFFR
55	FFFV
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
20X SYMBOL	WINX20

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2722), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 025 within each Pack. The format will be: 2722-0000001-001.

H. Pack - A Pack of the "MEGA MILLIONAIRE" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The front of Ticket 001 will be shown on the front of the Pack; the back of Ticket 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation (Texas Lottery) pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "MEGA MILLIONAIRE" Scratch Ticket Game No. 2722.

2.0 Determination of Prize Winners. The determination of prize winners is subject to the general Scratch Ticket validation requirements set forth in Texas Lottery Rule 140.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "MEGA MILLIONAIRE" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy (70) Play Symbols. BONUS PLAY INSTRUCTIONS: If a player reveals 2 matching prize amounts in the same BONUS, the player wins that amount. MEGA MILLIONAIRE PLAY INSTRUCTIONS: If the player matches any of the YOUR

NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "20X" Play Symbol, the player wins 20 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

- Exactly seventy (70) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
- Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
- Each of the Play Symbols must be present in its entirety and be fully legible;
- Each of the Play Symbols must be printed in black ink except for dual image games;
- The Scratch Ticket shall be intact;
- The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
- The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
- The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
- The Scratch Ticket must not be counterfeit in whole or in part;
- The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
- The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
- The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;

13. The Scratch Ticket must be complete and not miscut, and have exactly seventy (70) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the seventy (70) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the seventy (70) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery (Executive Director) may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to thirty-two (32) times.

D. GENERAL: The "2X" (DBL), "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols will never appear in either of the two (2) BONUS play areas.

E. BONUS: A Ticket can win up to one (1) time in each of the two (2) BONUS play areas.

F. BONUS: A Ticket will not have matching, non-winning Prize Symbols across the two (2) BONUS play areas.

G. BONUS: Non-winning Prize Symbols in a BONUS play area will not be the same as winning Prize Symbols from the other BONUS play area.

H. BONUS: A non-winning BONUS play area will have two (2) different Prize Symbols.

I. MEGA MILLIONAIRE: A Ticket can win up to thirty (30) times in the main play area.

J. MEGA MILLIONAIRE: All non-winning YOUR NUMBERS Play Symbols will be different.

K. MEGA MILLIONAIRE: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

L. MEGA MILLIONAIRE: All WINNING NUMBERS Play Symbols will be different.

M. MEGA MILLIONAIRE: Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

N. MEGA MILLIONAIRE: On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

O. MEGA MILLIONAIRE: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

P. MEGA MILLIONAIRE: All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 50 and \$50).

Q. MEGA MILLIONAIRE: On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$10,000 and \$1,000,000 will each appear at least one (1) time, except on Tickets winning thirty-two (32) times and with respect to other parameters, play action or prize structure.

R. MEGA MILLIONAIRE: The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

S. MEGA MILLIONAIRE: The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

T. MEGA MILLIONAIRE: The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

U. MEGA MILLIONAIRE: The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

V. MEGA MILLIONAIRE: The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

W. MEGA MILLIONAIRE: The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

X. MEGA MILLIONAIRE: The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

Y. MEGA MILLIONAIRE: The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

Z. MEGA MILLIONAIRE: The "10X" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

AA. MEGA MILLIONAIRE: The "10X" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

BB. MEGA MILLIONAIRE: The "10X" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.

CC. MEGA MILLIONAIRE: The "10X" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.

DD. MEGA MILLIONAIRE: The "20X" (WINX20) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

EE. MEGA MILLIONAIRE: The "20X" (WINX20) Play Symbol will never appear on a Non-Winning Ticket.

FF. MEGA MILLIONAIRE: The "20X" (WINX20) Play Symbol will win 20 TIMES the prize for that Play Symbol and will win as per the prize structure.

GG. MEGA MILLIONAIRE: The "20X" (WINX20) Play Symbol will never appear more than one (1) time on a Ticket.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "MEGA MILLIONAIRE" Scratch Ticket Game prize of \$20.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00, \$100, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "MEGA MILLIONAIRE" Scratch Ticket Game prize of \$1,000, \$10,000 or \$1,000,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "MEGA MILLIONAIRE" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "MEGA MILLIONAIRE" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "MEGA MILLIONAIRE" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

### 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2722. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2722 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$20.00	624,000	9.62
\$50.00	576,000	10.42
\$100	288,000	20.83
\$200	70,450	85.17
\$500	3,000	2,000.00
\$1,000	180	33,333.33
\$10,000	20	300,000.00
\$1,000,000	4	1,500,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 3.84. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2722 without advance notice, at which point no further Scratch Tickets in that game may be sold. The determination of the closing date and reasons for closing will be made in accordance with the Scratch Ticket closing procedures and the Scratch Ticket Game Rules. See 16 TAC §140.302(j).

6.0 Governing Law. In purchasing a Scratch Ticket, the player agrees to comply with, and abide by, these Game Procedures for Scratch Ticket Game No. 2722, the State Lottery Act (Texas Government Code, Chapter 466), applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140, and all final decisions of the Executive Director.

TRD-202600038

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: January 7, 2026

## Texas Medical Board

Correction of Error

The Texas Medical Board filed the adoption of an amendment to 22 TAC §161.53 for publication in the January 2, 2026, issue of the *Texas Register* (51 TexReg 145). Due to an error by the Texas Register, this submission was published with the incorrect Texas Register Docket Number (TRD). The correct TRD number for this submission is TRD-202504741.

TRD-202600027

## Public Utility Commission of Texas

Notice of Application for Designation as an Eligible Telecommunications Carrier

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on December 18, 2025, for designation as an eligible telecommunications carrier (ETC) in the state of Texas under 47 U.S.C. § 214(e) and 16 Texas Administrative Code §26.418.

Docket Title and Number: Application of Comp-U-Dopt, Inc. for Designation as an Eligible Telecommunications Carrier for the Limited Purpose of Offering Lifeline Service, Docket Number 59150.

The Application: Comp-U-Dopt, Inc. seeks an eligible telecommunications carrier designation in Texas.

Persons who wish to comment on this application should notify the Public Utility Commission by January 29, 2026. Requests for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the PUCT Consumer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals may contact the commission through Relay Texas at (800) 735-2989. All comments should reference Docket Number 59150.

TRD-202504797  
Andrea Gonzalez  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: December 29, 2025

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**Notice of Application for Designation as an Eligible Telecommunications Carrier and Eligible Telecommunications Provider**

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on December 22, 2025, for designation as an eligible telecommunications carrier (ETC) and eligible telecommunications provider (ETP) in the state of Texas under 47 U.S.C. § 214(e) and 16 Texas Administrative Code §26.417 and §26.418.

Docket Title and Number: Application of Kinetic ABS TX LLC for Designation as an Eligible Telecommunications Carrier and Eligible Telecommunications Provider, Docket Number 59162.

The Application: Kinetic ABS TX LLC seeks eligible telecommunications carrier and eligible telecommunications provider designations in Texas.

Persons who wish to comment on this application should notify the Public Utility Commission by January 30, 2026. Requests for further information should be mailed to the Public Utility Commission

of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the PUCT Consumer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing- and speech-impaired individuals may contact the commission through Relay Texas at (800) 735-2989. All comments should reference Docket Number 59162.

TRD-202504802  
Andrea Gonzalez  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: December 30, 2025

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**Supreme Court of Texas**

**Amended Order Giving Preliminary Approval of Amendments to Rule 143a and Part V of the Texas Rules of Civil Procedure**

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included in the print version of the Texas Register. The order is available in the on-line version of the January 16, 2026, issue of the Texas Register.)*

TRD-202504829  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: December 31, 2025

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**Final Approval of Amendments to Rule 1 of the Rules Governing Admission to the Bar of Texas**

# Supreme Court of Texas

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Misc. Docket No. 26-9002

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## **Final Approval of Amendments to Rule 1 of the Rules Governing Admission to the Bar of Texas**

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**ORDERED** that:

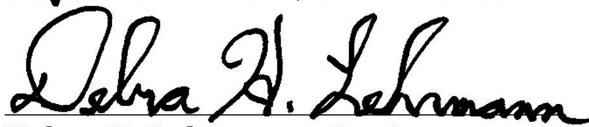
1. On April 4, 2025, in Misc. Dkt. No. 25-9018, the Court invited comments on the law school accreditation component of the Rules Governing Admission to the Bar of Texas. Specifically, the Court requested feedback on:
  - a. whether to reduce or end the Rules' reliance on the American Bar Association; and
  - b. alternatives the Court should consider.
2. On September 26, 2025, in Misc. Dkt. No. 25-9070, the Court proposed amendments to Rule 1 of the Rules Governing Admission to the Bar of Texas and again invited public comment.
3. No additional changes have been made to the proposed amendments following the comment period. This order gives final approval to the amendments set forth in Misc. Dkt. No. 25-9070 and reproduced below, effective immediately.
4. This order also gives final approval to the initial list of law schools approved by the Court as satisfying the law study requirements for licensure, published in Misc. Dkt. No. 25-9070 and attached to this order. The list includes all law schools that are currently approved under the Court's existing rules.
5. In Misc. Dkt. No. 25-9070, the Court advised that it intends to provide stability, certainty, and flexibility to currently approved law schools by guaranteeing ongoing approval to schools that satisfy a set of simple, objective, and ideologically neutral criteria using metrics no more onerous than those currently required by the ABA. At this time, the Court has concluded that a law school already on Texas's list of approved schools need only ensure


compliance with ABA standards 316, 502(a)-(c), 503, and 509 in order to maintain ongoing approval by the Court.

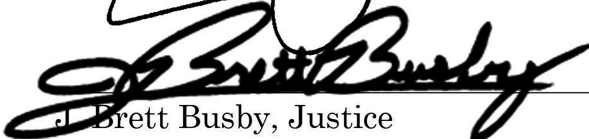
6. In re-asserting its authority over the approval of law schools, the Court continues to advise that it:
  - a. intends to preserve the portability of Texas law-school degrees into other states and to preserve the portability of out-of-state law-school degrees into Texas;
  - b. does not intend to impose additional accreditation, compliance, or administrative burdens on currently approved law schools, which need not take any additional action in order to remain approved law schools in Texas;
  - c. will not consider the fact that a law school loses ABA accreditation to be sufficient grounds for removal of the school from Texas's list of approved schools;
  - d. intends to develop, in consultation with the Texas Board of Law Examiners, a deliberative approach to requests from law schools not currently accredited by the ABA that wish to be added to Texas's list;
  - e. does not anticipate immediate changes to the current list of approved law schools; and
  - f. may consider, in the future, returning to greater reliance on a multi-state accrediting entity other than the ABA should a suitable entity become available.
7. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
  - d. submit a copy of this order for publication in the *Texas Register*.

Date: January 6, 2026.

  
James D. Blacklock, Chief Justice

  
Debra H. Lehrmann, Justice

  
John P. Devine, Justice

  
J. Brett Busby, Justice

  
Jane N. Bland, Justice

  
Rebeca A. Huddle, Justice

  
Evan A. Young, Justice

  
James P. Sullivan, Justice

  
Kyle D. Hawkins, Justice



**Rule 1**  
**Definitions and General Provisions**

(a) Frequently used terms are defined as follows:

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(4) “Approved law school” means a law school approved by the ~~American Bar Association~~ Supreme Court.

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# Supreme Court of Texas

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## Approved Law Schools

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The below law schools are approved by the Court as satisfying the law study requirements for admission to the Texas Bar:

Akron	Chicago
Alabama	Chicago-Kent
Albany	Cincinnati
American	City University of New York
Appalachian	Cleveland State
Arizona	Colorado
Arizona State	Columbia
Arkansas – Fayetteville	Connecticut
Arkansas – Little Rock	Cooley Law School
Atlanta’s John Marshall Law School	Cornell
Ave Maria School of Law	Creighton
Baltimore	Dayton
Barry University	Denver
Baylor	DePaul
Belmont University	Detroit Mercy
Boston College	District of Columbia
Boston University	Drake
Brigham Young	Drexel
Brooklyn	Duke
Buffalo	Duquesne
California – Berkeley	Elon
California – Davis	Emory
California – San Francisco	Faulkner
California – Irvine	Florida
California – Los Angeles	Florida A&M
California Western	Florida International
Campbell	Florida State
Capital	Fordham
Case Western Reserve	George Mason
Catholic University of America	Georgetown
Chapman	George Washington
Charleston	Georgia

Georgia State  
Golden Gate  
Gonzaga  
Harvard  
Hawaii  
Hofstra  
Houston  
Howard  
Idaho  
Illinois Chicago  
Illinois  
Indiana University – Bloomington  
Indiana University – Indianapolis  
Inter American  
Iowa  
Jacksonville  
Judge Advocate General’s School  
Kansas  
Kentucky  
Lewis and Clark  
Liberty  
Lincoln Memorial  
Louisiana State  
Louisville  
Loyola – Chicago  
Loyola – Los Angeles  
Loyola – New Orleans  
Maine  
Marquette  
Maryland  
Massachusetts  
McGeorge  
Memphis  
Mercer  
Miami  
Michigan State  
Michigan  
Minnesota  
Mississippi College  
Mississippi  
Missouri  
Missouri – Kansas City  
Mitchell Hamline  
Montana

Nebraska  
Nevada  
New England Law – Boston  
New Hampshire  
New Mexico  
New York Law School  
New York University  
North Carolina  
North Carolina Central  
North Dakota  
Northeastern  
Northern Illinois  
Northern Kentucky  
Northwestern  
Notre Dame  
Nova Southeastern  
Ohio Northern  
The Ohio State  
Oklahoma  
Oklahoma City  
Oregon  
Pace  
Pennsylvania  
Penn State – Dickinson Law  
Pepperdine  
Pittsburgh  
Pontifical Catholic of Puerto Rico  
Puerto Rico  
Quinnipiac  
Regent  
Richmond  
Roger Williams  
Rutgers  
St. John’s  
Saint Louis  
St. Mary’s  
St. Thomas (Florida)  
St. Thomas (Minnesota)  
Samford  
San Diego  
San Francisco  
Santa Clara  
Seattle  
Seton Hall

South Carolina  
South Dakota  
South Texas – Houston  
Southern University  
Southern California  
Southern Illinois  
Southern Methodist  
Southwestern  
Stanford  
Stetson  
Suffolk  
Syracuse  
Temple  
Tennessee  
Texas  
Texas A&M  
Texas Southern  
Texas Tech  
Toledo  
Touro  
Tulane  
Tulsa  
UNT Dallas  
Utah  
Vanderbilt  
Vermont  
Villanova  
Virginia  
Wake Forest  
Washburn  
Washington and Lee  
Washington  
Washington University  
Wayne State  
Western New England  
Western State  
West Virginia  
Widener – Delaware  
Widener – Commonwealth  
Willamette  
William and Mary  
Wilmington  
Wisconsin  
Wyoming

Yale  
Yeshiva

TRD-202600031  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: January 6, 2026

◆ ◆ ◆  
Preliminary Approval of Amendments to Rule 166a of the  
Texas Rules of Civil Procedure

# Supreme Court of Texas

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Misc. Docket No. 25-9106

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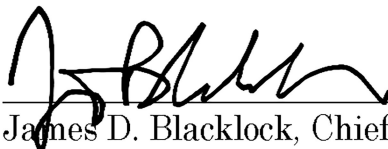
## Preliminary Approval of Amendments to Rule 166a of the Texas Rules of Civil Procedure

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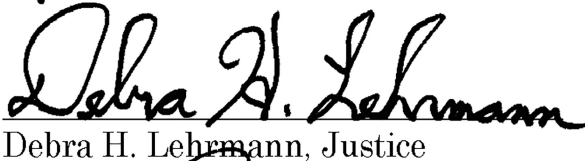
### ORDERED that:

1. In accordance with the Act of June 2, 2025, 89th Leg., R.S., ch. 1130 (S.B. 293) and the Act of August 26, 2026, 89th Leg., 2d C.S., ch. 7 (H.B. 16), the Court invites public comments on proposed amendments to Texas Rule of Civil Procedure 166a. Rule 166a has been completely rewritten. Therefore, this order includes only a clean version of the rule.
2. Comments regarding the amendments should be submitted in writing to [rulescomments@txcourts.gov](mailto:rulescomments@txcourts.gov) by February 28, 2026.
3. The Court will issue an order finalizing the amendments after the close of the comment period. The Court may change the amendments in response to public comments. The Court expects the amendments to take effect on March 1, 2026.
4. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. send a copy of this order to the Governor, the Lieutenant Governor, and each elected member of the Legislature; and
  - c. submit a copy of this order for publication in the *Texas Register*.
5. The State Bar of Texas is directed to:
  - a. cause a copy of this order to be sent to each registered member of the State Bar of Texas by email; and
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*.

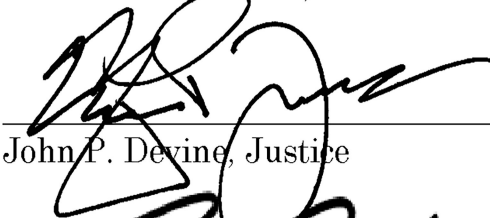
Dated: December 30, 2025.

A handwritten signature in black ink, appearing to read "J. Blacklock", written over a horizontal line.

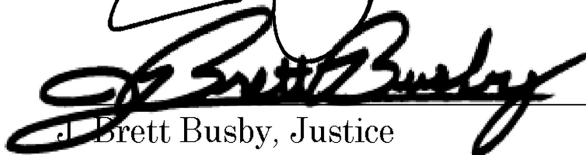
James D. Blacklock, Chief Justice

A handwritten signature in black ink, appearing to read "Debra H. Lehrmann", written over a horizontal line.

Debra H. Lehrmann, Justice

A handwritten signature in black ink, appearing to read "John P. Devine", written over a horizontal line.

John P. Devine, Justice

A handwritten signature in black ink, appearing to read "J. Brett Busby", written over a horizontal line.

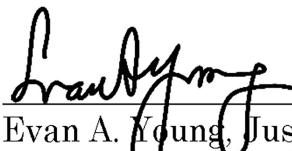
J. Brett Busby, Justice

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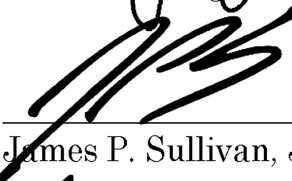
Jane N. Bland, Justice

A handwritten signature in black ink, appearing to read "Rebeca A. Huddle", written over a horizontal line.

Rebeca A. Huddle, Justice

A handwritten signature in black ink, appearing to read "Evan A. Young", written over a horizontal line.

Evan A. Young, Justice

A handwritten signature in black ink, appearing to read "James P. Sullivan", written over a horizontal line.

James P. Sullivan, Justice

A handwritten signature in black ink, appearing to read "Kyle D. Hawkins", written over a horizontal line.

Kyle D. Hawkins, Justice

## RULE 166a. SUMMARY JUDGMENT

(a) *Definitions.*

- (1) A “traditional motion” for summary judgment is a motion claiming there is no genuine issue as to any material fact of a claim or defense on which the movant would have the burden of proof at trial.
- (2) A “no-evidence motion” for summary judgment is a motion claiming there is no evidence of one or more essential elements of a claim or defense on which an adverse party would have the burden of proof at trial.

(b) *Motion.*

- (1) In General. A party may move for summary judgment on a claim or defense. The motion may combine both traditional and no-evidence motions.
- (2) Contents.
  - (A) Title. A motion for summary judgment must be titled “Traditional Motion for Summary Judgment,” “No-Evidence Motion for Summary Judgment,” or “Combined Motion for Summary Judgment.” An absent or incorrect title is not grounds for denying the motion.
  - (B) Hearing Request. If a movant requests an oral hearing on the motion, the request must appear on the cover of the motion.
  - (C) Traditional Motion. A traditional motion must state the specific grounds in support of the motion.
  - (D) No-Evidence Motion. A no-evidence motion must state the elements as to which there is no evidence.
- (3) Time to File.
  - (A) Traditional Motion. Unless a deadline for filing is set by court order, a party may file a traditional motion at any time after the adverse party has appeared or answered.
  - (B) No-Evidence Motion. A party may file a no-evidence motion after adequate time for discovery.



- (c) *Clerk and Court Duties Upon Filing.* Upon the motion's filing, the clerk must immediately call the motion to the court's attention. The court must promptly set the motion for submission or a hearing according to this rule.
- (d) *Response.*
  - (1) Time to File. Except on leave of court, the nonmovant must file any response within 21 days after the motion is filed.
  - (2) Contents. The response must include any evidence in support of the response and objections to the evidence supporting the motion. If the non-movant requests an oral hearing on the motion, the request must appear on the cover of the response. The court may reset the motion for a hearing if no hearing has been set.
  - (3) When Evidence Unavailable. If the nonmovant needs additional time to secure evidence in support of the response, the nonmovant must file an affidavit or declaration specifying the reasons why the nonmovant cannot present facts essential to justify its opposition. The court may extend the time to file the response, deny the motion without prejudice to permit additional discovery, or issue any other appropriate order.
- (e) *Reply.*
  - (1) Time to File. The movant may file a reply. Except on leave of court, the movant must file the reply within 7 days after the response is filed.
  - (2) Contents. A reply must not raise new or independent summary judgment grounds, other than to address an amended pleading filed in response to the motion for summary judgment.
- (f) *Withdrawal.* Any withdrawal of the motion must be filed and must identify the date the motion was filed.
- (g) *Hearing or Written Submission.*
  - (1) Timing. A hearing or submission date must not be set within 35 days after the motion's filing. Unless the motion is withdrawn, the court must set the motion for a hearing or written submission within:
    - (A) 60 days after the motion's filing; or
    - (B) 90 days after the motion's filing:

- (i) if the court's docket so requires;
  - (ii) on a showing of good cause; or
  - (iii) if the movant agrees.
- (2) **Reset Permitted.** The court may reset a hearing or submission date within the time frames specified in this rule.
- (3) **Proposed Order.** The parties must each submit a proposed order before the hearing or written submission date.
- (4) **No Oral Testimony.** No oral testimony will be received at a hearing on a summary judgment motion.
- (5) **Docket.** The court must record in the docket the date the motion was heard or submitted.
- (h) *Standards.*
  - (1) **Grounds.** No judgment will be granted except on the grounds stated under (b)(2)(C) and (b)(2)(D).
  - (2) **Traditional Motion.** The court must grant a traditional motion for summary judgment if the movant shows that, except as to damages, there is no genuine issue as to any material fact and the movant is entitled to judgment as a matter of law on the issues expressly set out in the motion.
  - (3) **No-Evidence Motion.** The court must grant a no-evidence motion unless the respondent produces summary judgment evidence raising a genuine issue of material fact.
- (i) *Ruling.* The court must sign a written ruling on the motion, file it with the clerk, and provide the ruling to the parties within 90 days after the hearing or written submission date.
- (j) *Use of Discovery Not Otherwise on File.* Discovery not on file may be used as summary judgment evidence if copies of the material, appendices containing the evidence, or a notice containing specific references to the discovery or specific references to other instruments are filed with a statement of intent to use the specified discovery as summary judgment evidence:

- (1) at the time the motion is filed, if the evidence to be used to support the summary judgment; or
  - (2) at the time the response is filed, if the evidence is to be used to oppose the summary judgment.
- (k) *All Requested Relief Not Granted.* If the court does not grant all the relief requested by the motion, the court may ascertain what material fact issues exist, issue an order specifying the facts that are established as a matter of law, and direct any other appropriate proceedings.
- (l) *Form of Affidavit or Declaration; Further Testimony.* An affidavit or declaration used to support or oppose a motion must be made on personal knowledge, set out facts that would be admissible in evidence, and show that the affiant or declarant is competent to testify to the matters stated. A document referred to in an affidavit or declaration must be attached and sworn or certified. The court may permit an affidavit or declaration to be supplemented or opposed by deposition or by another affidavit or declaration.
- (m) *Affidavit or Declaration Submitted in Bad Faith.* If satisfied that an affidavit or declaration is submitted in bad faith or solely for delay, the court—after notice and a reasonable time to respond—may order the submitting party to pay the other party the reasonable expenses, including attorney’s fees, it incurred as a result. An offending party or attorney may also be held in contempt or subject to other appropriate sanctions.

### Notes and Comments

Comment to 1990 change: This amendment provides a mechanism for using previously non-filed discovery in summary judgment practice. Such proofs must all be filed in advance of the hearing in accordance with Rule 166a. Paragraphs (d) through (g) are renumbered (e) through (h).

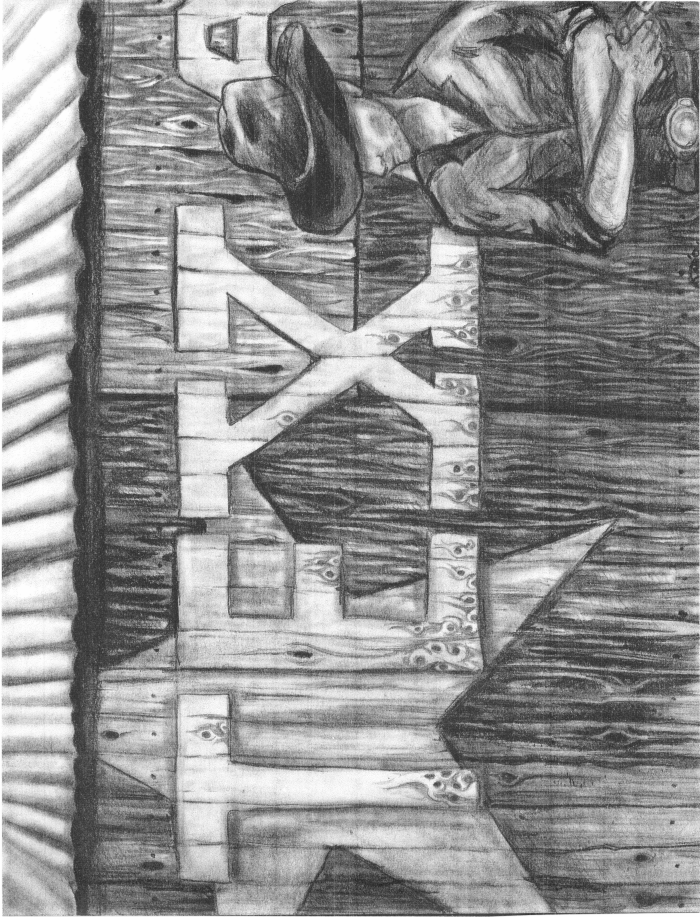
Comment to 1997 change: This comment is intended to inform the construction and application of the rule. Paragraph (i) authorizes a motion for summary judgment based on the assertion that, after adequate opportunity for discovery, there is no evidence to support one or more specified elements of an adverse party’s claim or defense. A discovery period set by pretrial order should be adequate opportunity for discovery unless there is a showing to the contrary, and ordinarily a motion under paragraph (i) would be permitted after the period but not before. The motion must be specific in challenging the evidentiary support for an element of a claim or defense; paragraph (i) does not authorize conclusory motions or general no-evidence challenges to an opponent’s case. Paragraph (i) does not apply to ordinary motions for summary judgment under paragraphs (a) or (b), in which the movant must prove it

is entitled to judgment by establishing each element of its own claim or defense as a matter of law or by negating an element of the respondent's claim or defense as a matter of law. To defeat a motion made under paragraph (i), the respondent is not required to marshal its proof; its response need only point out evidence that raises a fact issue on the challenged elements. The existing rules continue to govern the general requirements of summary judgment practice. A motion under paragraph (i) is subject to sanctions provided by existing law (Tex Civ. Prac. & Rem. Code §§ 9.001-10.006) and rule (Tex R. Civ. P. 13). The denial of a motion under paragraph (i) is no more reviewable by appeal or mandamus than the denial of a motion under paragraph (c).

Comment to 2026 change: Rule 166a is rewritten to implement section 23.303 of the Texas Government Code and to modernize the rule. Other than the deadline changes, Rule 166a's rewrite is not intended to substantively change the law.

TRD-202504803  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: December 30, 2025

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## How to Use the Texas Register

**Information Available:** The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

**Governor** - Appointments, executive orders, and proclamations.

**Attorney General** - summaries of requests for opinions, opinions, and open records decisions.

**Texas Ethics Commission** - summaries of requests for opinions and opinions.

**Emergency Rules** - sections adopted by state agencies on an emergency basis.

**Proposed Rules** - sections proposed for adoption.

**Withdrawn Rules** - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

**Adopted Rules** - sections adopted following public comment period.

**Texas Department of Insurance Exempt Filings** - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

**Review of Agency Rules** - notices of state agency rules review.

**Tables and Graphics** - graphic material from the proposed, emergency and adopted sections.

**Transferred Rules** - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

**In Addition** - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

**How to Cite:** Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words “TexReg” and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 51 (2026) is cited as follows: 51 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written “51 TexReg 2 issue date,” while on the opposite page, page 3, in the lower right-hand corner, would be written “issue date 51 TexReg 3.”

**How to Research:** The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: <https://www.sos.texas.gov>. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

## Texas Administrative Code

The *Texas Administrative Code (TAC)* is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the *TAC*.

The *TAC* volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete *TAC* is available through the Secretary of State’s website at <http://www.sos.state.tx.us/tac>.

The Titles of the *TAC*, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

**How to Cite:** Under the *TAC* scheme, each section is designated by a *TAC* number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

**How to Update:** To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule’s *TAC* number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

### TITLE 1. ADMINISTRATION

#### Part 4. Office of the Secretary of State

#### Chapter 91. Texas Register

1 TAC §91.1.....950 (P)

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