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# TEXAS REGISTER

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# IN THIS ISSUE

## **GOVERNOR**

Appointments .....	351
Proclamation 41-4256 .....	351

## **PROPOSED RULES**

### **TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS**

#### UNIFORM MULTIFAMILY RULES

10 TAC §10.612 .....	353
10 TAC §10.628 .....	355

### **STATE PRESERVATION BOARD**

#### RULES AND REGULATIONS OF THE BOARD

13 TAC §111.27 .....	357
----------------------	-----

### **TEXAS DEPARTMENT OF LICENSING AND REGULATION**

#### PROCEDURAL RULES OF THE COMMISSION AND THE DEPARTMENT

16 TAC §60.39 .....	359
---------------------	-----

### **TEXAS HIGHER EDUCATION COORDINATING BOARD**

#### ACADEMIC AND WORKFORCE EDUCATION

19 TAC §2.6 .....	361
-------------------	-----

#### RULES APPLYING TO ALL PUBLIC INSTITUTIONS OF HIGHER EDUCATION IN TEXAS

19 TAC §4.10 .....	362
19 TAC §4.52 .....	364

#### STUDENT FINANCIAL AID PROGRAMS

19 TAC §§22.226 - 22.230, 22.233 - 22.236, 22.241 .....	365
---	-----

#### STUDENT LOAN PROGRAMS

19 TAC §24.1 .....	373
19 TAC §24.45 .....	374

### **TEXAS EDUCATION AGENCY**

#### ADAPTATIONS FOR SPECIAL POPULATIONS

19 TAC §§89.1150, 89.1175, 89.1195, 89.1197 .....	375
---	-----

#### SCHOOL DISTRICT PERSONNEL

19 TAC §§153.1301 - 153.1306 .....	381
------------------------------------	-----

### **STATE BOARD OF DENTAL EXAMINERS**

#### DENTAL LICENSURE

22 TAC §101.1 .....	390
---------------------	-----

#### DENTAL HYGIENE LICENSURE

22 TAC §103.1 .....	391
---------------------	-----

#### EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL ASSISTANTS

22 TAC §114.6 .....	393
---------------------	-----

#### DENTAL LABORATORIES

22 TAC §116.3 .....	395
---------------------	-----

#### FACULTY AND STUDENTS IN ACCREDITED DENTAL SCHOOLS

22 TAC §117.2 .....	396
22 TAC §117.3 .....	398

### **TEXAS BOARD OF NURSING**

#### LICENSURE, PEER ASSISTANCE AND PRACTICE

22 TAC §217.8 .....	399
---------------------	-----

### **TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS**

#### TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS LICENSING AND ENFORCEMENT RULES

22 TAC §851.10 .....	401
22 TAC §851.24 .....	402

### **TEXAS PARKS AND WILDLIFE DEPARTMENT**

#### LAW ENFORCEMENT

31 TAC §55.1 .....	404
--------------------	-----

## **ADOPTED RULES**

### **TEXAS EDUCATION AGENCY**

#### ADAPTATIONS FOR SPECIAL POPULATIONS

19 TAC §89.1 .....	407
--------------------	-----

### **HEALTH AND HUMAN SERVICES COMMISSION**

#### FAMILY VIOLENCE PROGRAM

26 TAC §356.603 .....	408
26 TAC §356.1303, §356.1316 .....	408
26 TAC §356.1323 .....	408
26 TAC §356.1403 .....	409
26 TAC §356.2003, §356.2016 .....	409
26 TAC §356.2023 .....	409
26 TAC §356.2103 .....	409

### **TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION**

#### GENERAL MEDICAL PROVISIONS

28 TAC §133.240, §133.250 .....	410
28 TAC §133.305, §133.308 .....	410

#### BENEFITS--GUIDELINES FOR MEDICAL SERVICES, CHARGES, AND PAYMENTS

28 TAC §134.600.....	411	Notice of Opportunity to Comment on a Default Order of Administrative Enforcement Actions .....	429
<b>RULE REVIEW</b>		Notice of Opportunity to Comment on a Shutdown/Default Order of an Administrative Enforcement Action .....	430
<b>Proposed Rule Reviews</b>		Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions .....	430
Credit Union Department.....	413	Notice of Water Quality Application - Minor Amendment WQ0016242001 .....	431
<b>Adopted Rule Reviews</b>		<b>Texas Health and Human Services Commission</b>	
Department of State Health Services .....	413	Public Notice.....	431
<b>TABLES AND GRAPHICS</b>		Public Notice.....	432
.....	415	<b>Texas Higher Education Coordinating Board</b>	
<b>IN ADDITION</b>		Notice of Opportunity to Comment on Proposed Field of Study Curriculum for Computer Science.....	432
<b>Office of the Attorney General</b>		<b>Texas Department of Insurance</b>	
Extension of Comment Period.....	419	Company Licensing .....	433
Notice of Settlement of a Recovery Action for Response Costs .....	419	<b>Texas Department of Licensing and Regulation</b>	
Notice of Update to the Texas Private Real Property Rights Preservation Act Guidelines .....	419	Correction of Error.....	433
<b>Comptroller of Public Accounts</b>		Scratch Ticket Game Number 2723 "LUCKY 7s TRIPLER" .....	433
Certification of the Average Closing Price of Gas and Oil - November 2025 .....	420	<b>North Central Texas Council of Governments</b>	
<b>Office of Consumer Credit Commissioner</b>		Request for Proposals for Public Engagement Software.....	440
Notice of Rate Ceilings.....	420	Request for Qualifications NCTCOG Traffic Incident Management Training Program .....	441
<b>Texas Commission on Environmental Quality</b>		<b>Public Utility Commission of Texas</b>	
Agreed Orders.....	420	Notice of Application to Adjust High-Cost Support Under 16 TAC §26.407(h).....	441
Enforcement Orders.....	422	<b>Texas Department of Transportation</b>	
Enforcement Orders .....	425	Request for Proposals - Traffic Safety Program .....	441
Notice and Comment Hearing Draft Permit No.: O4775 .....	426	<b>Workforce Solutions Deep East Texas</b>	
Notice of a Public Meeting and a Proposed Renewal with Amendment of General Permit TXG870000 Authorizing the Discharge of Pesticides .....	427	Request for Proposals #26-436 for the Operation and Management of Workforce Solutions Deep East Texas Workforce Centers & Programs.....	441
Notice of an Application to Amend a Certificate of Adjudication Application No. 12-3747A .....	428		
Notice of District Petition - D-012182025-029 .....	428		
Notice of District Petition - D-09022025-001 .....	429		

# 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 7, 2026

Appointed to the Aerospace and Aviation Advisory Committee for a term to expire September 1, 2027, Omar A. Perea of El Paso, Texas.

### Appointments for January 8, 2026

Appointed as the Commissioner of Insurance for a term to expire February 1, 2027, Amanda E. "Mandy" Crawford of Round Rock, Texas (replacing Cassandra J. "Cassie" Brown of Cost whose term expired).

Appointed to the Office of Small Business Assistance Advisory Task Force for a term to expire June 14, 2027, Eduardo A. Contreras of Austin, Texas (Mr. Contreras is being reappointed).

Appointed to the Office of Small Business Assistance Advisory Task Force for a term to expire June 14, 2027, Lisa A. Fullerton of San Antonio, Texas (Ms. Fullerton is being reappointed).

Appointed to the Office of Small Business Assistance Advisory Task Force for a term to expire June 14, 2027, Omar Veliz of El Paso, Texas (Mr. Veliz is being reappointed).

### Appointments for January 9, 2026

Appointed to the Texas State Affordable Housing Corporation Board of Directors for a term to expire February 1, 2031, Valerie V. Cardenas of San Juan, Texas (Ms. Cardenas is being reappointed).

Appointed to the Texas State Affordable Housing Corporation Board of Directors for a term to expire February 1, 2031, David V. Lewis of Austin, Texas (replacing William H. "Bill" Dietz, Jr. of Waco whose term expired).

Appointed as the presiding officer to the Texas State Affordable Housing Corporation Board of Directors for a term to expire at the pleasure of the Governor, Lemuel C. Williams, Jr. of Austin (replacing William H. "Bill" Dietz, Jr. of Waco).

Appointed to the Texas Agricultural Finance Authority Board of Directors for a term to expire January 1, 2028, Zachary A. "Zach" Davis of Decatur, Texas (Mr. Davis is being reappointed).

Appointed to the Texas Agricultural Finance Authority Board of Directors for a term to expire January 1, 2028, Charles T. "Tommy" Henderson, Sr. of Byers, Texas (pursuant to HB 43, 89th Legislature, Regular Session).

Appointed to the Texas Agricultural Finance Authority Board of Directors for a term to expire January 1, 2028, Justin G. Tucker of Cameron, Texas (pursuant to HB 43, 89th Legislature, Regular Session).

### Appointments for January 12, 2026

Appointed to the Texas State Board of Examiners of Psychologists for a term to expire October 31, 2031, Jamie A. Becker, Ph.D. of Lewisville, Texas (Dr. Becker is being reappointed).

Appointed to the Texas State Board of Examiners of Psychologists for a term to expire October 31, 2031, Christopher M. "Chris" Moose of

Austin, Texas (replacing Jeanette Deas Calhoun, Ph.D. of Tyler whose term expired).

Appointed to the Texas State Board of Examiners of Psychologists for a term to expire October 31, 2031, Sangeeta S. Singg, Ph.D. of San Angelo, Texas (Dr. Singg is being reappointed).

Appointed to the Child Protective Investigations Advisory Committee for a term to expire September 1, 2029, Terence M. Davis of Leander, Texas.

Appointed to the Child Protective Investigations Advisory Committee for a term to expire September 1, 2029, Ryan D. Larson of Hutto, Texas.

### Appointments for January 13, 2026

Appointed to the State Board of Veterinary Medical Examiners for a term to expire August 26, 2031, Sue T. Allen of Waco, Texas.

Appointed to the State Board of Veterinary Medical Examiners for a term to expire August 26, 2031, Lawrence J. "Larry" Moczygemba, D.V.M. of Berclair, Texas.

Appointed to the State Board of Veterinary Medical Examiners for a term to expire August 26, 2031, Victoria Rose Whitehead of Lubbock, Texas.

Appointed to the Education Commission of the States for a term to expire at the pleasure of the Governor, Aubrey W. "Wynn" Rosser, Ph.D. of Austin, Texas.

### Appointments for January 14, 2026

Appointed to Humanities Texas for a term to expire December 31, 2027, Stacey Neal Combest of Huntsville, Texas (Ms. Combest is being reappointed).

Appointed to Humanities Texas for a term to expire December 31, 2027, Ellen K. Ramsey of Midland, Texas (Ms. Ramsey is being reappointed).

Appointed to Humanities Texas for a term to expire December 31, 2027, Julie Ruehle of Austin, Texas (replacing Elizabeth S. Johnson of Harlingen whose term expired).

Greg Abbott, Governor

TRD-202600114



### Proclamation 41-4256

#### TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation related to fire weather conditions that began on August 10, 2025, as amended and renewed in subsequent proclamations, certifying that increased fire weather conditions pose an imminent threat of widespread or severe damage, injury, or loss of life or property in several counties; and

WHEREAS, the Texas Division of Emergency Management has confirmed that those same increased fire weather conditions persist in certain counties in Texas;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Andrews, Aransas, Archer, Armstrong, Atascosa, Austin, Bailey, Bandera, Bastrop, Baylor, Bee, Bexar, Blanco, Borden, Bowie, Brazos, Briscoe, Brooks, Brown, Burlson, Burnet, Caldwell, Calhoun, Callahan, Cameron, Carson, Castro, Childress, Clay, Cochran, Coke, Coleman, Collingsworth, Colorado, Comal, Comanche, Concho, Cottle, Crane, Crockett, Crosby, Culberson, Dallam, Dawson, Deaf Smith, Delta, DeWitt, Dickens, Dimmit, Donley, Duval, Eastland, Ector, El Paso, Erath, Fannin, Fayette, Fisher, Floyd, Foard, Franklin, Frio, Gaines, Garza, Gillespie, Glasscock, Goliad, Gonzales, Gray, Grimes, Guadalupe, Hale, Hall, Hamilton, Hansford, Hardeman, Hartley, Haskell, Hays, Hemphill, Hidalgo, Hockley, Hopkins, Hood, Howard, Houston, Hudspeth, Hunt, Hutchinson, Irion, Jack, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Jones, Karnes, Kendall, Kenedy, Kent, Kerr, Kimble, King, Kleberg, Knox, La Salle, Lamb, Lampasas, Lavaca, Lee, Lipscomb, Live Oak, Llano, Loving, Lubbock, Lynn, Madison, Martin, Mason, Matagorda, Maverick, McCulloch, McMullen, Medina, Menard, Midland, Milam, Mills, Mitchell, Moore, Motley, Nolan, Nueces, Ochiltree, Oldham, Palo Pinto, Parker, Parmer, Pecos, Polk, Potter, Randall, Reagan, Real, Red River, Reeves, Refugio, Roberts, Robertson, Runnels, San Patricio, San Saba, San Jacinto, Schleicher, Scurry, Shackelford, Shelby, Sherman, Somervell, Starr, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terry, Titus, Throckmorton, Tom Green, Travis, Trinity, Upton,

Uvalde, Victoria, Walker, Waller, Ward, Washington, Webb, Wharton, Wheeler, Wichita, Wilbarger, Willacy, Williamson, Wilson, Winkler, Yoakum, Young, Zapata, and Zavala Counties.

Pursuant to Section 418.017 of the Texas Government Code, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 8th day of January, 2026.

Greg Abbott, Governor

TRD-202600080



# 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 10. COMMUNITY DEVELOPMENT

### PART 1. TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS

#### CHAPTER 10. UNIFORM MULTIFAMILY RULES

##### SUBCHAPTER F. COMPLIANCE MONITORING

###### 10 TAC §10.612

The Texas Department of Housing and Community Affairs (the Department) proposes the amendment of 10 TAC Chapter 10, Uniform Multifamily Rules, Subchapter F, Compliance Monitoring, §10.612 Tenant File Requirements.

The purpose of the proposed amendment is to update the rule to provide clarity with how adherence to Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) will be implemented for multifamily HOME, HOME-ARP, and National Housing Trust Fund properties in the Department's portfolio as required by the federal direction provided in the 2025 grant agreements issued by the United States Department of Housing and Urban Development (HUD). PRWORA provides that an alien who is not a qualified alien is not eligible for any federal public benefit.

Tex. Gov't Code §2001.0045(b) does not apply to the rule proposed for amendment because it is necessary to receive a source of federal funds or to comply with federal law.

The Department has analyzed this proposed rulemaking and the analysis is described below for each category of analysis performed.

###### a. GOVERNMENT GROWTH IMPACT STATEMENT REQUIRED BY TEX. GOV'T CODE §2001.0221.

Mr. Bobby Wilkinson has determined that, for the first five years the amendment would be in effect:

1. The amendment does not create or eliminate a government program but relates to changes to an existing activity: the implementation and applicability of Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) in the Department's HOME, HOME-ARP and NHTF properties.
2. The amendment does not require a change in work that creates new employee positions nor eliminates employee positions.
3. The amendment does not require additional future legislative appropriations.

4. The amendment will not result in an increase in fees paid to the Department, nor in a decrease in fees paid to the Department.

5. The amendment is creating a new regulation because it is necessary to receive a source of federal funds or to comply with federal law.

6. The amendment is considered to expand an existing regulation.

7. The amendment does increase the number of individuals subject to the rule's applicability. Through this rule Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) will be implemented for multifamily HOME, HOME-ARP and National Housing Trust Fund properties in the Department's portfolio as required by the federal direction provided in the 2025 grant agreements issued by the United States Department of Housing and Urban Development (HUD). PRWORA provides that an alien who is not a qualified alien is not eligible for any federal public benefit. Therefore, individuals not previously subject to this verification will now require verification of US Citizen, US National, or qualified alien status.

8. The amendment will not negatively or positively affect the state's economy.

b. ADVERSE ECONOMIC IMPACT ON SMALL OR MICRO-BUSINESSES OR RURAL COMMUNITIES AND REGULATORY FLEXIBILITY REQUIRED BY TEX. GOV'T CODE §2006.002.

The Department has evaluated the amendment and determined that the amendment will not create an economic effect on small or micro-businesses or rural communities.

c. TAKINGS IMPACT ASSESSMENT REQUIRED BY TEX. GOV'T CODE §2007.043. The amendment does not contemplate or authorize a taking by the Department; therefore, no Takings Impact Assessment is required.

d. LOCAL EMPLOYMENT IMPACT STATEMENTS REQUIRED BY TEX. GOV'T CODE §2001.024(a)(6).

The Department has evaluated the amendment as to its possible effects on local economies and has determined that for the first five years the amendment would be in effect there would be no economic effect on local employment; therefore, no local employment impact statement is required to be prepared for the rule.

e. PUBLIC BENEFIT/COST NOTE REQUIRED BY TEX. GOV'T CODE §2001.024(a)(5). Mr. Wilkinson has determined that, for each year of the first five years the amendment is in effect, the public benefit anticipated as a result of the changed sections would be ensuring compliance with federal guidance and ensuring that federal public benefits are being received by qualified

aliens, US Nationals or US citizens. There will not be economic costs to individuals to comply with the amended section.

f. FISCAL NOTE REQUIRED BY TEX. GOV'T CODE §2001.024(a)(4). Mr. Wilkinson has determined that for each year of the first five years the amendment is in effect, enforcing or administering the amendment may have some costs to the Department, to the extent that the Department needs to establish a staff member to assist properties in evaluating individuals for their qualified legal status.

REQUEST FOR PUBLIC COMMENT AND INFORMATION RELATED TO COST, BENEFIT OR EFFECT. The Department requests comments on the rule and also requests information related to the cost, benefit, or effect of the proposed rule, including 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 will be held January 30 to March 3, 2026, to receive input on the proposed action. Comments may be submitted to the Texas Department of Housing and Community Affairs, Attn: Brooke Boston at [brooke.boston@tdhca.texas.gov](mailto:brooke.boston@tdhca.texas.gov). ALL COMMENTS AND INFORMATION MUST BE RECEIVED BY 5:00 p.m., Austin local (Central) time, March 3, 2026.

STATUTORY AUTHORITY. The amendment is made pursuant to Tex. Gov't Code §2306.053, which authorizes the Department to adopt rules.

Except as described herein the amendment affects no other code, article, or statute.

*§10.612. Tenant File Requirements.*

(a) At the time of program designation as a low income household (or Qualified Population for HOME-ARP), typically at initial occupancy, Owners must create and maintain a file that at a minimum contains:

(1) A Department approved Income Certification form signed by all adults. At the time of program designation as a low income household or Qualified Population, Owners must certify and document household income. In general, all low-income households and Qualified Populations for HOME-ARP must be certified prior to move in. The Department requires the use of the TDHCA Income Certification form, unless the Development also participates in the USDA - Rural Development or a Project Based HUD Program, in which case, the other program's Income Certification form will be accepted;

(2) Documentation to support the Income Certification form including, but not limited to, applications (one per adult or married couple), first hand or third party verification of income and assets, and documentation of student status (if applicable). The application must provide a space for applicants to indicate if they are a veteran. In addition, the application must include the following statement: "Important Information for Former Military Services Members. Women and men who served in any branch of the United States Armed Forces, including Army, Navy, Marines, Coast Guard, Air Force, Reserves or National Guard, may be eligible for additional benefits and services. For more information please visit the Texas Veterans Portal at <https://veterans.portal.texas.gov/>;"

(3) The Department permits Owners to use check stubs or other firsthand documentation of income and assets provided by the applicant or household in lieu of third party verification forms. It is not necessary to first attempt to obtain a third party verification form. Owners should scrutinize these documents to identify and address any

obvious attempts at forgery, alteration, or generation of falsified documents; [and]

(4) A lease with all necessary addendums to ensure that compliance with applicable federal regulations and §10.613 of this subchapter (relating to Lease Requirements);[-]

(5) For HOME, HOME-ARP Rental, and NHTF Developments, in accordance with §10.628 of this subchapter (relating to Verification of Occupant Legal Status for HOME, HOME-ARP Rental, and NHTF Developments) documentation to support that legal status of all persons signing the lease has been verified; and

(6) For HOME, HOME-ARP Rental, and NHTF Developments, in accordance with §10.628 of this subchapter an attestation signed by all parties signing the lease that they are not harboring an illegal immigrant in violation of federal law.

(b) Annually thereafter on the anniversary date of the household's move in or initial designation:

(1) Throughout the Affordability Period, all Owners of Housing Tax Credit, TCAP, and Exchange Developments must collect and maintain current data on each household that includes the number of household members, age, ethnicity, race, disability status, student status, and rental assistance (if any). This information can be collected on the Department's Annual Eligibility Certification form, the Income Certification form, HUD Income Certification form, USDA-Rural Development Income Certification form (as applicable).

(2) During the Compliance Period for all Housing Tax Credit, TCAP, and Exchange Developments and throughout the Affordability Period for all Bond Developments and HOME, TCAP RF, and HOME-ARP Units Owners must collect and maintain current student status data for each low-income household. This information must be collected within 120 days before the anniversary of the effective date of the original Income Certification and can be collected on the Department's Annual Eligibility Certification or the Department's Certification of Student Eligibility form or the Department's Income Certification form. Throughout the Compliance Period for HTC, TCAP, and Exchange developments, low-income households comprised entirely of full-time students must qualify for a HTC program exception, and supporting documentation must be maintained in the household's file. For Bond Developments, if the household is not an eligible student household, it may be possible to re-designate the full-time student household to an Eligible Tenant (ET). For HOME, TCAP RF, and HOME-ARP Units an individual does not qualify as a low income or very low income family if the individual is a student who is not eligible to receive Section 8 assistance under 24 CFR §5.612.

(3) The types of Developments described in subparagraphs (A) - (D) of this paragraph are required to recertify annually the income of each low-income household using a Department approved Income Certification form and documentation to support the Income Certification (see subsection (a)(1) - (2) of this section):

(A) Mixed income Housing Tax Credit, TCAP and Exchange projects (as defined by line 8(b) of IRS Form(s) 8609 and accompanying statements, if any) that have not completed the 15 year Compliance Period.

(B) All Bond Developments with less than 100% of the Units set aside for households with an income less than 50% or 60% of area median income. If subsequent legislation allows for the use of the Average Income minimum set aside for the Bond program, the income threshold will increase to 80% area median income.

(C) THTF Developments with Market Rate Units. However, THTF Developments with other Department administered programs will comply with the requirements of the other program.

(D) HOME, TCAP RF, NHTF, and HOME-ARP Developments. Refer to subsection (c) of this section.

(c) Ongoing tenant file requirements for HOME, TCAP RF, NHTF, and HOME-ARP Developments:

(1) HOME, TCAP RF, NHTF, and HOME-ARP Developments must complete a recertification with verifications of each assisted Unit every sixth year of the Development's Affordability Period. The recertification is due on the anniversary of the household's move-in date. For purposes of this section the beginning of a HOME, TCAP RF, NHTF, HOME-ARP Development Affordability Period is the effective date in the HOME, TCAP RF, NHTF, and HOME-ARP LURA. Example 612(1): A HOME Development with a LURA effective date of May 2020, will have the following years of the affordability period:

- (A) Year 1: May 15, 2020 - May 14, 2021;
- (B) Year 2: May 15, 2021 - May 14, 2022;
- (C) Year 3: May 15, 2022 - May 14, 2023;
- (D) Year 4: May 15, 2023 - May 14, 2024;
- (E) Year 5: May 15, 2024 - May 14, 2025;
- (F) Year 6: May 15, 2025 - May 14, 2026;
- (G) Year 7: May 15, 2026 - May 14, 2027;
- (H) Year 8: May 15, 2027 - May 14, 2028;
- (I) Year 9: May 15, 2028 - May 14, 2029;
- (J) Year 10: May 15, 2029 - May 14, 2030;
- (K) Year 11: May 15, 2030 - May 14, 2031; and
- (L) Year 12: May 15, 2031 - May 14, 2032.

(2) In the scenario described in paragraph (1) of this subsection, all households in HOME, TCAP RF, NHTF, and HOME-ARP Units must be recertified with source documentation during the sixth and twelfth years or between May 15, 2025, to May 14, 2026, and between May 15, 2031, and May 14, 2032.

(3) In the intervening years the Development must collect a self-certification within 120 days before the anniversary of the effective date of the original Income Certification from each household that is assisted with HOME, TCAP RF, NHTF, and HOME-ARP funds. The Development must use the Department's Income Certification form, unless the property also participates in the Rural Development or a project Based HUD program, in which case, the other program's Income Certification form will be accepted. If the household reports on their self-certification that their annual income exceeds the current 80% applicable income limit or there is evidence that the household's written statement failed to completely and accurately provide information about the household's characteristics and/or income, then an annual income recertification with verifications is required.

(d) Tenant File requirements for HOME-ARP Qualified Populations Units. Files for households assisted under the HOME-ARP program as Qualified Population must document evidence that the households meet the definition of:

- (1) Homeless as defined in 24 CFR §91.5;
- (2) At-risk of homelessness as defined in 24 CFR §91.5;

(3) Fleeing, or Attempting to Flee, Domestic Violence, Dating Violence, Sexual Assault, Stalking, or Human Trafficking, as defined in CPD Notice 21-10;

(4) Other Families Requiring Services or Housing Assistance to Prevent Homelessness, which are households who have previously been qualified as homeless, are currently housed due to temporary, or emergency assistance, including financial assistance, services, temporary rental assistance or some type of other assistance to allow the household to be housed, and who need additional housing assistance or supportive services to avoid a return to homelessness;

(5) At Greatest Risk of Housing Instability as cost burdened, which are households who have an annual income that is less than or equal to 30% of the area median income, as determined by HUD and is experiencing severe cost burden (i.e. is paying more than 50% of monthly household income toward housing costs.); or

(6) At Greatest Risk of Housing Instability, which meets the definition of at-risk of homelessness as defined in 24 CFR §91.5, but with an income up to 50% AMI.

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 12, 2026.

TRD-202600061

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 475-3959



### 10 TAC §10.628

The Texas Department of Housing and Community Affairs (the Department) proposes new 10 TAC Chapter 10, Uniform Multifamily Rules, Subchapter F Compliance Monitoring, §10.628 Verification of Occupant Legal Status for HOME, HOME-ARP Rental and NHTF Developments. The purpose of the proposed rule is to update the rule to provide clarity with how adherence to Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) will be implemented for multifamily HOME, HOME-ARP Rental and National Housing Trust Fund properties in the Department's portfolio as required by the federal direction provided in the 2025 grant agreements issued by the United States Department of Housing and Urban Development (HUD). PRWORA provides that an alien who is not a qualified alien is not eligible for any federal public benefit.

Tex. Gov't Code §2001.0045(b) does not apply to the rule proposed for amendment because it is necessary to receive a source of federal funds or to comply with federal law.

The Department has analyzed this rulemaking and the analysis is described below for each category of analysis performed.

a. GOVERNMENT GROWTH IMPACT STATEMENT REQUIRED BY TEX. GOV'T CODE §2001.0221.

Mr. Bobby Wilkinson has determined that, for the first five years the new section would be in effect:

1. The rule does not create or eliminate a government program but relates to changes to an existing activity: the implementation and applicability of Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) in the Department's HOME, HOME-ARP Rental and NHTF properties.

2. The rule may require a change in work that could require the creation of approximately 1-2 new employee positions to perform the tenant verifications, however there are sufficient federal administrative funds to support this activity.

3. The new section does not require additional future legislative appropriations.

4. The new section will not result in an increase in fees paid to the Department, nor in a decrease in fees paid to the Department.

5. The new section is creating a new regulation because it is necessary to receive a source of federal funds or to comply with federal law.

6. The new section is considered to expand on an existing regulation.

7. The new section does increase the number of individuals subject to the rule's applicability. Through this rule Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) will be implemented for multifamily HOME, HOME-ARP Rental and National Housing Trust Fund properties in the Department's portfolio as required by the federal direction provided in the 2025 grant agreements issued by the United States Department of Housing and Urban Development (HUD). PRWORA provides that an alien who is not a qualified alien is not eligible for any federal public benefit. Therefore, individuals not previously subject to this verification will now require verification of US Citizen, US National, or qualified alien status.

8. The new section will not negatively or positively affect the state's economy.

b. ADVERSE ECONOMIC IMPACT ON SMALL OR MICRO-BUSINESSES OR RURAL COMMUNITIES AND REGULATORY FLEXIBILITY REQUIRED BY TEX. GOV'T CODE §2006.002.

The Department has evaluated the new section and determined that it will not create an economic effect on small or micro-businesses or rural communities.

c. TAKINGS IMPACT ASSESSMENT REQUIRED BY TEX. GOV'T CODE §2007.043. The new section does not contemplate or authorize a taking by the Department; therefore, no Takings Impact Assessment is required.

d. LOCAL EMPLOYMENT IMPACT STATEMENTS REQUIRED BY TEX. GOV'T CODE §2001.024(a)(6).

The Department has evaluated the new section as to its possible effects on local economies and has determined that for the first five years the new section would be in effect there would be no economic effect on local employment; therefore, no local employment impact statement is required to be prepared for the rule.

e. PUBLIC BENEFIT/COST NOTE REQUIRED BY TEX. GOV'T CODE §2001.024(a)(5). Mr. Wilkinson has determined that, for each year of the first five years the new section is in effect, the public benefit anticipated as a result of the new section would be ensuring compliance with federal guidance and ensuring that

federal public benefits are being received by qualified aliens, US Nationals, or US citizens.

f. FISCAL NOTE REQUIRED BY TEX. GOV'T CODE §2001.024(a)(4). Mr. Wilkinson also has determined that for each year of the first five years the new section is in effect, enforcing or administering the sections may have some costs to the Department, to the extent that the Department needs to establish a staff member to assist properties in evaluating individuals for their qualified legal status.

REQUEST FOR PUBLIC COMMENT AND INFORMATION RELATED TO COST, BENEFIT OR EFFECT. The Department requests comments on the rule and also requests information related to the cost, benefit, or effect of the proposed rule, including 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 will be held January 30 to March 3, 2026, to receive input on the proposed action. Comments may be submitted to the Texas Department of Housing and Community Affairs, Attn: Brooke Boston at brooke.boston@tdhca.texas.gov. ALL COMMENTS AND INFORMATION MUST BE RECEIVED BY 5:00 p.m., Austin local (Central) time, March 3, 2026.

STATUTORY AUTHORITY. The new section is made pursuant to Tex. Gov't Code §2306.053, which authorizes the Department to adopt rules.

Except as described herein the new section affects no other code, article, or statute.

§10.628. Verification of Occupant Legal Status for HOME, HOME ARP Rental, and NHTF Developments.

(a) Purpose. The purpose of this section is to provide uniform Department guidance on the applicability and implementation of Section 401(a) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA), which provides that an alien who is not a Qualified Alien is not eligible for any federal or state public benefit.

(b) Applicability. This rule applies to existing and future National Housing Trust Fund, HOME-ARP Rental and HOME Developments for their state and federal affordability periods. For Developments with floating HOME, HOME-ARP Rental and NHTF Units, all prospective tenants intended to be on any Unit's lease must be verified as required by this section. For Developments with fixed HOME, HOME-ARP Rental and NHTF Units only prospective tenants intended to be on the lease for the fixed Units must be verified as required by this section. Populations that are documented by the Development as covered by the Violence Against Women Act (VAWA) or the Family Violence Prevention and Services Act (FVPSA) are excepted from having verification under this rule performed, unless required to do so under federal guidance.

(c) Definitions. The words and terms in this chapter shall have the meanings described in this subsection unless the context clearly indicates otherwise. Capitalized words used herein have the meaning assigned in the specific Chapters and Rules of this Title that govern the program under which program eligibility is seeking to be determined or assigned by federal or state law.

(1) Qualified Alien--A person that is not a U.S. Citizen or a U.S. National and is described at 8 U.S.C. §1641(b) or (c).

(2) State--The State of Texas or the Department, as indicated by context.

(3) Systematic Alien Verification for Entitlements (SAVE)-Automated intergovernmental database that allows authorized users to verify the immigration status of program applicants.

(d) Owners must verify U.S. Citizen, U.S. National, or Qualified Alien status ("legal status") using the methods provided for in subsection (f) of this section for all residents that will be signing the lease.

(e) Implementation Timing. All HOME, HOME ARP Rental, and NHTF Developments must confirm legal status at initial lease-up of a Unit and at the time of the first Unit recertification or lease renewal that occurs after the effective date of this rule. Verification does not need to be confirmed thereafter for a household if no changes to the household members having signed the lease have changed; any new signatories to the lease at the time of subsequent Unit recertification or lease renewal must be confirmed for legal status. To the extent that the household no longer qualifies to reside in the Unit notification requirements as provided for in §10.613 of this title (relating to Lease Requirements), must be met.

(f) Verification Process Under PRWORA.

(1) Owners must verify legal status through the use of several established documents as described more fully in guidance provided by the Department. If unable to verify legal status of each person signing the lease with those documents the Owner must utilize the SAVE system as described in this subsection. Verification of a Household member under Section 214 of the Housing and Community Development Act of 1980, as amended, will satisfy verification for purposes of this section.

(2) If unable to verify legal status of each person signing the lease with those documents, Owners authorized to utilize the SAVE system are required to ensure compliance with the verification requirement as provided for in subparagraph (A) of this paragraph. If an Owner is not authorized to utilize the SAVE system, Owners must select an option under subparagraphs (B) or (C) of this paragraph. Records must be maintained as required by subparagraph (D) of this paragraph.

(A) The Owner electing to perform the verifications through the SAVE system, if authorization is permitted by USCIS; OR

(B) Owner requesting from the household and transmitting to the Department, or a party contracted by the Department, sufficient information or documentation so that the Department or its vendor can perform such verification and provide a determination to the Owner; OR

(C) Owner electing to procure an eligible qualified organization or service to perform such verifications on its behalf, subject to Department approval.

(D) In the administration of subparagraph (B) of this paragraph, the Owner must provide and maintain a sufficient method of electronic transmittal system that allows for such information to be provided to the Department or its vendor, and ensures the secure safekeeping of such paper and/or electronic files, and receipt of subsequent response back from the Department or its contracted party. In the administration of subparagraphs (B) or (C) of this paragraph, the Owner or its procured provider must maintain sufficient evidence and documentation that verification has taken place so that such verification can be confirmed by the Department.

(E) Notification of Election of method under subparagraph (B) or (C) of this paragraph by Owners must be provided to the Department as specified in this subparagraph.

(i) For existing Developments no later than 60 days after the effective date of this rule, an Owner shall submit their elec-

tion under subparagraph (B) or (C) of this paragraph in writing to the Compliance division.

(ii) For newly constructed/reconstructed Developments, an Owner must make their election under subparagraph (B) or (C) of this paragraph in its Application, or if there is no Application prior to the issuance of certificates of occupancy.

(iii) For an incoming Owner, an election must be made as part of the Ownership Transfer Notification, as part of 10 TAC §10.406.

(iv) Once an election is made under this subsection it does not need to be resubmitted or reelected, but will continue from the election made in the prior year unless the Owner notifies the Department otherwise in writing at least one month prior to the implementation of the change at the Development.

(g) The Department may further describe an Owner's responsibilities under PRWORA, including but not limited to use of the SAVE system, in its Contract or in further guidance. Nothing in this rule shall be construed to be a waiver, ratification, or acceptance of noncompliant administration of a program prior to the rule becoming effective.

(h) Regardless of method of verification, the results of the verification performed or received by the Owner must be utilized by the Owner in determining household eligibility.

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 12, 2026.

TRD-202600062  
Bobby Wilkinson  
Executive Director

Texas Department of Housing and Community Affairs  
Earliest possible date of adoption: February 22, 2026  
For further information, please call: (512) 475-3959

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## TITLE 13. CULTURAL RESOURCES

### PART 7. STATE PRESERVATION BOARD

#### CHAPTER 111. RULES AND REGULATIONS OF THE BOARD

##### 13 TAC §111.27

INTRODUCTION: The State Preservation Board (SPB) proposes the amendment of 13 TAC §111.27(b)(2), concerning General Rules for Use of the Capitol, Capitol Extension, and Capitol Grounds. Section 111.27 is being amended to change the terminology from "seeing eye" dogs to "service" dogs.

The SPB proposes the amendment in response to SB 2333, 88 Reg. which changes the language in Texas Government Code §443.018(b) and requires the same change to the Texas Administrative Code.

Fiscal Note: Ms. Cindy Provine, Chief Financial Officer, has determined for each year of the first five years the proposed amendment is in effect, there will be no adverse fiscal impact to state

or local governments because of this proposal. There will be no measurable effect on local employment or the local economy because of the proposal. Therefore, a local employment impact statement under Government Code §2001.022 is not required.

**Public Benefit/Cost Note:** Ms. Provine has also determined that for each year of the first five years the proposal amendment is in effect, there is no change to public benefit. She has further determined that there will be no economic cost to any member of the public or any other public or private entity.

Government Code §2001.0045 requires a state agency to offset any costs associated with a proposed rule by (1) repealing a rule imposing a total cost that is equal to or greater than that of the proposed rule; or (2) amending a rule to decrease the total costs imposed by an amount that is equal to or greater than the cost of the proposed rule. As described above, the SPB has determined that the proposed amendment will not impose any cost on anyone, and so §2001.0045 does not apply.

**Government Growth Impact Statement:** Government Code §2001.0221 requires that a state agency prepare a government growth impact statement that reasonably describes what effects a proposed rule may have during the first five years it is in effect. The SPB has determined that the proposed amendment will not create or eliminate a government program, and will not require an increase or decrease in fees paid to the agency. Implementation of the proposal will not require the creation or elimination of employee positions and will not require an increase or decrease in further legislative appropriations to the agency. The proposal does amend an existing procedural rule regarding voluntary conduct, but it does not create a new prescriptive or proscriptive regulation, or expand, limit, or repeal such a regulation. Though the public's ability to seek to display exhibits in the Capitol through this program will be eliminated, the regulation was not prescriptive. Thus, the number of individuals whose conduct is subject to the rule's applicability is neither increased nor decreased by the proposal, and the proposal has no impact on the state's economy.

**Economic Impact Statement and Regulatory Flexibility Analysis:** The SPB has determined the proposed rule amendment will not have an economic effect on small businesses, micro businesses, or rural communities. Therefore, an economic impact statement and regulatory flexibility analysis are not required under Government Code §2006.002(c).

**Takings impact assessment:** The SPB has determined that this proposal affects no private real property interests and does not restrict or limit an owner's right to property that would exist in the absence of government action and, therefore, does not constitute a taking or require a takings impact assessment under Government Code §2007.043.

**Request for Public Comment:** To comment on the proposal, submit written comments by 5:00 p.m. (Central) on February 23, 2026 to [spbadmin@tspb.texas.gov](mailto:spbadmin@tspb.texas.gov). Please add the words Rule Comments in the subject line. A request for public hearing must be in writing and sent separately from any written comments. Send these requests to [spbadmin@tspb.texas.gov](mailto:spbadmin@tspb.texas.gov).

**Statutory Authority:** This action is requested under Texas Government Code §443.007(b), which authorizes the SPB to adopt rules concerning certain buildings, their contents, and their grounds.

The proposed amendment affects no other code, article, or statute.

*§111.27. General Rules for Use of the Capitol, Capitol Extension, and Capitol Grounds.*

(a) Visitors and persons using the Capitol, Capitol extension, or Capitol grounds for any purpose are prohibited from:

(1) attaching signs, banners, or other displays to a part of the Capitol or to a structure, including a fence, on the grounds of the Capitol except as approved by the board;

(2) placing furniture in the Capitol or on the grounds of the Capitol for a period that exceeds 24 hours except as approved by the board;

(3) setting up or placing camping equipment, shelter, tents, or related materials in the Capitol or on the grounds of the Capitol except as approved by the board for special events;

(4) blocking ingress and egress:

(A) into the Capitol; or

(B) into rooms or hallways within the Capitol, except as approved by the board;

(5) conducting actions that pose a risk to safety;

(6) smoking in the public areas of the Capitol and Capitol extension;

(7) bringing balloons into the Capitol or Capitol extension; and

(8) riding, leading, placing or displaying livestock, including but not limited to equine and bovine animals, except as approved by the board as part of a scheduled event, or as needed for security purposes.

(b) Visitors and persons using the Capitol, Capitol extension, or Capitol grounds for any purposes shall be required to:

(1) leave the Capitol when the building is closed to the public; and

(2) restrain pets at all times on a leash or similar device in the immediate control of the owner while on the grounds of the Capitol, except as approved by the board. All pets except service dogs [Seeing Eye] are not permitted in the Capitol.

(c) The board may require and collect a standardized fee from a person or entity that uses the Capitol, the Capitol extension, or the grounds of the Capitol for an event, exhibit, or other scheduled activity. The fee is in an amount set by the board designed to recover the estimated direct and indirect costs to the state of the event, exhibit or activity, including the costs of labor, materials, and utilities directly or indirectly attributable to the event, exhibit, or activity. The office of the State Preservation Board shall set the amounts of fees required under this section in a uniform and nondiscriminatory manner for similar events, exhibits, or other scheduled activities.

(d) Except as provided by this subsection, the sale or consumption of alcoholic beverages, the possession of an open container of an alcoholic beverage, or the gift of an alcoholic beverage in an open container or for on-premises consumption is prohibited in the Capitol, in the Capitol extension, and on the Capitol grounds. This prohibition does not apply to:

(1) areas not under the control of the board, including offices, reception areas, and similar areas under the control of the legislature, a legislative agency, the governor, or another state officer; or

(2) events of significant importance to the history of the Capitol that are conducted in areas under the control of the board and for which the office of the State Preservation Board has approved con-

sumption of alcoholic beverages in response to a written request from the sponsor of the event that documents the importance of the event to the history of the Capitol.

(e) The buildings and grounds under the authority of the board shall not be used for the commercial benefit of any individual, business, corporation, special interest group or other entity.

(f) For the safety of the public, skateboarding, roller skating, roller blading, and related activities are prohibited in the building, garages, and grounds under the authority of the State Preservation Board.

(g) TV satellite trucks may not park on the Capitol drive. TV transmission cables may not be brought into the Capitol or Capitol extension.

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 8, 2026.

TRD-202600043

Leslie Pawelka

General Counsel

State Preservation Board

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 463-5495



## TITLE 16. ECONOMIC REGULATION

### PART 4. TEXAS DEPARTMENT OF LICENSING AND REGULATION

#### CHAPTER 60. PROCEDURAL RULES OF THE COMMISSION AND THE DEPARTMENT SUBCHAPTER C. LICENSE APPLICATIONS AND RENEWALS

##### 16 TAC §60.39

The Texas Department of Licensing and Regulation (Department) proposes new rules at 16 Texas Administrative Code (TAC), Chapter 60, Subchapter C, §60.39, regarding Procedural Rules of the Commission and the Department. These proposed changes are referred to as "proposed rules."

##### EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 60, implement Texas Occupations Code, Chapter 51, Texas Department of Licensing and Regulation.

The proposed rules establish a process for verifying an applicant's eligibility for licensure or license renewal under Title 8, Chapter 14 of the United States Code when the applicant is selected for verification. Federal law restricts eligibility for certain state and local public benefits, including professional and commercial licenses, based on an individual's citizenship or immigration status.

The proposed rules are necessary to ensure that the Department can verify applicant eligibility in a manner consistent with applicable federal requirements while maintaining the security and integrity of the licensing process. The proposed rules iden-

tify acceptable forms of documentation that may be used to establish eligibility and authorize the Department to require such documentation when verification is necessary, preserving flexibility and minimizing unnecessary burden on applicants. The proposed rules also clarify the consequences of an applicant's failure to provide sufficient documentation.

##### SECTION-BY-SECTION SUMMARY

The proposed rules add new §60.39, Verification of Applicant Eligibility.

Subsection (a) requires the Department to verify an applicant's eligibility for licensure or license renewal under Title 8, Chapter 14 of the United States Code when the applicant is selected for verification pursuant to Department procedures designed to protect the integrity of the licensing process.

Subsection (b) provides that an applicant selected for verification must submit documentation establishing eligibility before a license may be issued or renewed and identifies categories of documents that the Department may accept as evidence of eligibility, subject to verification as necessary.

Subsection (c) defines "certified birth certificate" for purposes of eligibility verification and specifies acceptable United States birth and birth-abroad documentation.

Subsection (d) clarifies that an applicant's failure to provide sufficient documentation of eligibility may result in denial of the application.

##### FISCAL IMPACT ON STATE AND LOCAL GOVERNMENT

Tony Couvillon, Senior Policy Research and Budget Analyst, has determined that for each year of the first five years the proposed rules are in effect, there are no estimated additional costs or reductions in costs to state or local government as a result of enforcing or administering the proposed rules.

Mr. Couvillon has determined that for each year of the first five years the proposed rules are in effect, there is no estimated increase or loss in revenue to the state or local government as a result of enforcing or administering the proposed rules.

Mr. Couvillon has determined that for each year of the first five years the proposed rules are in effect, enforcing or administering the proposed rules does not have foreseeable implications relating to costs or revenues of state or local governments.

##### LOCAL EMPLOYMENT IMPACT STATEMENT

Because Mr. Couvillon has determined that the proposed rules will not affect a local economy, the agency is not required to prepare a local employment impact statement under Texas Government Code §2001.022.

##### PUBLIC BENEFITS

Mr. Couvillon also has determined that for each year of the first five-year period the proposed rules are in effect, the public benefit will be ensuring compliance with applicable federal law governing eligibility for professional and commercial licensure and reducing the risk of issuing licenses in violation of federal law.

##### PROBABLE ECONOMIC COSTS TO PERSONS REQUIRED TO COMPLY WITH PROPOSAL

Mr. Couvillon has determined that for each year of the first five-year period the proposed rules are in effect, there are no anticipated economic costs to persons who are required to comply with the proposed rules.

## FISCAL IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Because the agency has determined that the proposed rule 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 Texas Government Code §2006.002, is not required.

## ONE-FOR-ONE REQUIREMENT FOR RULES WITH A FISCAL IMPACT

The proposed rules do not have a fiscal note that imposes a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the agency is not required to take any further action under Texas Government Code §2001.0045.

## GOVERNMENT GROWTH IMPACT STATEMENT

Pursuant to Texas Government Code §2001.0221, the agency provides the following Government Growth Impact Statement for the proposed rules. For each year of the first five years the proposed rules will be in effect, the agency has determined the following:

1. The proposed rules do not create or eliminate a government program.
2. Implementation of the proposed rules does not require the creation of new employee positions or the elimination of existing employee positions.
3. Implementation of the proposed rules does not require an increase or decrease in future legislative appropriations to the agency.
4. The proposed rules do not require an increase or decrease in fees paid to the agency.
5. The proposed rules do create a new regulation. The proposed rules require TDLR to verify an applicant's eligibility for an initial or renewal license under federal law and require a license applicant to provide documentation demonstrating that eligibility.
6. The proposed rules do not expand, limit, or repeal an existing regulation.
7. The proposed rules do increase or decrease the number of individuals subject to the rules' applicability. The proposed rules increase the number of individuals subject to the rules' applicability because applicants selected for verification would be required to provide sufficient documentation establishing eligibility.
8. The proposed rules do not positively or adversely affect this state's economy.

## TAKINGS IMPACT ASSESSMENT

The Department 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 Texas Government Code §2007.043.

## PUBLIC COMMENTS AND INFORMATION RELATED TO THE COST, BENEFIT, OR EFFECT OF THE PROPOSED RULES

The Department is requesting public comments on the proposed rules and information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis. Any information that is submitted in response to this request must include an explanation of how and why the submitted information is specific to the proposed rules. Please do not submit copyrighted, confidential, or proprietary information.

Comments on the proposed rules and responses to the request for information may be submitted electronically on the Department's website at [https://ga.tdlr.texas.gov:1443/form/Ch60\\_Rule\\_Making](https://ga.tdlr.texas.gov:1443/form/Ch60_Rule_Making); by facsimile to (512) 475-3032; or by mail to Monica Nuñez, Legal Assistant, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711. The deadline for comments is 30 days after publication in the *Texas Register*.

## STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under Title 8, Chapter 14 of the United States Code.

The statutory provisions affected by the proposed rules are those set forth in Texas Occupations Code, Chapter 51, and the program statutes for all the Department programs: Agriculture Code, Chapter 301 (Weather Modification and Control); Education Code §51.308, §29.902, and Chapter 1001 (Driver Education and Safety); Government Code, Chapters 171 (Court-Ordered Programs); and 469 (Elimination of Architectural Barriers); Health and Safety Code, Chapters 401, Subchapter M (Laser Hair Removal); 754 (Elevators, Escalators, and Related Equipment); and 755 (Boilers); Labor Code, Chapter 91 (Professional Employer Organizations); Occupations Code, Chapters 202 (Podiatrists); 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 403 (Dyslexia Practitioners and Therapists); 451 (Athletic Trainers); 455 (Massage Therapy); 506 (Behavioral Analysts); 605 (Orthotists and Prosthetists); 701 (Dietitians); 802 (Dog or Cat Breeders); 1151 (Property Tax Professionals); 1152 (Property Tax Consultants); 1202 (Industrialized Housing and Buildings); 1302 (Air Conditioning and Refrigeration Contractors); 1304 (Service Contract Providers and Administrators); 1305 (Electricians); 1603 (Barbers and Cosmetologists); 1802 (Auctioneers); 1806 (Residential Solar Retailers); 1901 (Water Well Drillers); 1902 (Water Well Pump Installers); 1952 (Code Enforcement Officers); 1953 (Sanitarians); 1958 (Mold Assessors and Remediators); 2001 (Bingo); 2052 (Combative Sports); 2303 (Vehicle Storage Facilities); 2308 (Vehicle Towing and Booting); 2309 (Used Automotive Parts Recyclers); 2310 (Motor Fuel Metering and Quality); 2311 (Electric Vehicle Charging Stations); and 2402 (Transportation Network Companies); Transportation Code, Chapters 521 (Driver Education and Safety); 551A (Off-Highway Vehicle Training and Safety); and 662 (Motorcycle Operator Training and Safety); and Utilities Code, Chapter 42 (Electric Vehicle Charging Stations). No other statutes, articles, or codes are affected by the proposed rules.

### §60.39. Verification of Applicant Eligibility.

(a) The department shall verify an applicant's eligibility for a license or license renewal under Title 8, Chapter 14 of the United States Code when the applicant is selected for verification pursuant to proce-

dures established by the department to protect the security and integrity of the licensing process.

(b) An applicant selected for verification pursuant to subsection (a) must provide documentation establishing eligibility before the department may issue a license or grant a license renewal. The department shall accept the submission of one or more of the following documents as evidence of eligibility, subject to any verification required by the department:

(1) a REAL ID-compliant driver license or identification card issued by a state or territory of the United States, unless marked "Limited Term" or "Temporary";

(2) a United States passport or passport card;

(3) a certified birth certificate, accompanied by an unexpired driver's license or identification card issued by a state that requires verification of the applicant's lawful presence prior to the issuance of such license or card;

(4) a United States military identification card;

(5) a handgun license issued by the Texas Department of Public Safety; or

(6) an identification or immigration-related document issued by the United States Department of Homeland Security, United States Citizenship and Immigration Services, or the United States Department of State confirming the applicant's lawful presence and authorization to work.

(c) For the purposes of subsection (b)(3), "certified birth certificate" means:

(1) an original birth certificate issued by the appropriate vital statistics agency of a United States state or territory, or the District of Columbia, indicating birth in the United States; or

(2) an original United States government-issued document indicating birth of a child born abroad to a United States citizen, including a Consular Report of Birth Abroad (form FS-240), Certification of Report of Birth (form DS-1350), or Certificate of Birth Abroad (form FS-545).

(d) An applicant's failure to provide sufficient documentation of eligibility may result in denial of the application pursuant to Subchapter I of 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.

Filed with the Office of the Secretary of State on January 12, 2026.

TRD-202600081

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 475-4879



## TITLE 19. EDUCATION

### PART 1. TEXAS HIGHER EDUCATION COORDINATING BOARD

## CHAPTER 2. ACADEMIC AND WORKFORCE EDUCATION

### SUBCHAPTER A. GENERAL PROVISIONS

#### 19 TAC §2.6

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 2, Subchapter A, §2.6, concerning Administrative Completeness. Specifically, this amendment establishes clearer criteria that would warrant withdrawing and resubmitting an application for a new degree program based on changes made to the proposal after it is deemed administratively complete by the Coordinating Board.

Texas Education Code, §61.0512, requires the Coordinating Board to specify by rule the elements that constitute a completed application, make a determination of administrative completeness for each application, and review each application based on specific criteria including adequate financing.

Amendments to subsection (c) are designed to clarify for Board staff and institutions what type of information is required for an application to be administratively complete. Requests for additional program information may occur after a program is administratively complete and will not delay a request from being deemed administratively complete.

New subsection (e) specifies changes that significantly alter a proposed budget, intended labor market outcomes, academic focus, or other significant changes.

New subsection (f) requires that institutions obtain documentation of governing board approval of a revised degree program proposal submitted under subsection (e).

Elizabeth Mayer, Assistant Commissioner 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 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 clearer criteria that would warrant withdrawing and resubmitting an application for a new degree program.

#### 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 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 amendment is proposed under Texas Education Code, Section 61.0512, which requires the Coordinating Board to specify by rule the elements that constitute a completed application, make a determination of administrative completeness for each application, and review each application based on specific criteria including adequate financing.

The proposed amendment affects Texas Administrative Code, Chapter 2, Subchapter A.

§2.6. *Administrative Completeness.*

(a) An institution shall [must] submit a complete [fully completed] application for each proposed program for which approval is required that includes:

- (1) each element or item of information required by this subchapter;
- (2) each element or item of information required by the subchapter in this chapter governing the type of program approval required;
- (3) the required Board form for the type of program approval required; and
- (4) fully executed certifications.

(b) Board Staff shall determine whether an application is administratively complete and notify the institution not later than the fifth business day after receipt.

(1) If Board Staff determines an application is administratively complete, the institution shall be notified on that date and the one-year timeline for approval required by Texas Education Code 61.0512(a) shall begin.

(2) If Board staff determines an application is administratively incomplete, the application will be rejected, and the institution will be notified of the missing application elements.

(3) An institution may resubmit an application that was rejected as incomplete at any time. The resubmission will be considered a new application.

(c) Significant revisions related to the General Criteria for Program Approval, as defined in §2.5 of this subchapter (relating to General Criteria for Program Approval), made to a new degree program proposal after Board Staff determines an application to be administratively complete shall render the application to be incomplete and require resubmission of a new application. Significant revisions, as determined by the Assistant Commissioner, include:

- (1) Revisions that result in significant alterations of the original proposed budget including, but not limited to:
  - (A) New costs or funding streams;

- (B) Changes to enrollment projections;
- (C) Changes to student funding, tuition, or fees;
- (D) Changes to the faculty or staff hiring schedule; or
- (E) Addition of, or changes to, resources or facilities required to administer the degree program.

(2) Revisions to the curriculum that significantly alter the academic focus or intended labor market outcomes for students enrolled in the degree program; or

(3) Other significant changes that result in the proposed program no longer meeting the criteria defined in §2.5(a)(5) of this subchapter.

(d) A resubmitted application submitted under the requirements of subsection (c) of this section shall require documentation of approval of the revisions from the institution's governing board.

~~[(e) If Board Staff determines that the application is incomplete or additional information or documentation is needed, the institution must respond with all of the requested information or documentation within ten business days or the request will be deemed incomplete and returned to the institution.]~~

~~[(d) An institution may resubmit an application that was returned as incomplete as soon as it has obtained the requested information or documentation. This submission will be considered a new application.]~~

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 12, 2026.

TRD-202600064  
 Douglas Brock  
 General Counsel  
 Texas Higher Education Coordinating Board  
 Earliest possible date of adoption: February 22, 2026  
 For further information, please call: (512) 427-6182

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**CHAPTER 4. RULES APPLYING TO  
 ALL PUBLIC INSTITUTIONS OF HIGHER  
 EDUCATION IN TEXAS  
 SUBCHAPTER A. GENERAL PROVISIONS**

**19 TAC §4.10**

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter A, §4.10, concerning Common Admission Application Forms. Specifically, this amendment will add the definition for private or independent institution of higher education and align language with legislative requirements related to Free College Application Week.

Texas Education Code, §51.762, provides the Coordinating Board with the authority to adopt rules for the Common Admission Application Forms, and §61.0731, provides the Coordinating Board with the authority to establish rules to implement Free College Application Week.

Rule 4.10, Common Admission Application Forms, is amended to add the definition for private or independent institution of higher education and align language with legislative requirements related to Free College Application Week.

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 addition of a definition for private or independent institutions of higher education and alignment of language with legislative requirements related to Free College Application Week. 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 51.762, which provides the Coordinating Board with the authority to adopt rules for the Common Admission Application Forms, and 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 4, Subchapter A.

#### *§4.10. Common Admission Application Forms.*

(a) Definitions. The following words and terms, (when used in this subchapter, shall have the following meanings:

(1) Apply Texas Advisory Committee--An advisory committee composed of representatives of general academic teaching institutions, community college districts, public state colleges, and public technical institutes, authorized by Texas Education Code, §51.762 and established in accordance with Board rules, Chapter 1, Subchapter G, §§1.128 - 1.134 of this title (relating to Apply Texas Advisory Committee), to provide the Texas Higher Education Coordinating Board assistance in developing and implementing admissions application forms and procedures.

(2) Apply Texas System--The state's system for applying for admission to Texas public institutions of higher education. The System includes an access portal for completing common application forms; help desks to provide users assistance; and a portal through which Texas high school counselors access status data regarding student progress in applying for admission to and financial aid for college.

(3) Private or Independent Institutions of Higher Education--As defined by Texas Education Code, §61.003.

(b) Acceptance of Admission Applications.

(1) Public community colleges, public state colleges, and public technical institutes shall accept, and prominently post on their website freshman and all relevant undergraduate [~~transfer~~] applications submitted using the Board's electronic common admission application forms.

(2) General academic teaching institutions shall accept and prominently post on their website freshman and all relevant undergraduate [~~transfer~~] applications submitted using either the Board's electronic common admission application or printed forms.

(3) Private or independent institutions of higher education that use the Common Application Form shall accept and make available on their website all applicable undergraduate applications submitted using the Board's electronic common admission application forms.

(c) Common Application Forms.

(1) General application information provided on the common application form shall include:

(A) biographical information including gender, ethnicity, and date of birth;

(B) educational information including coursework, extracurriculars, community and volunteer service, and awards/honors;

(C) residency; and

(D) certification of information.

(2) Adjustments to Paper Forms. When sending a printed common application form to a student with or without other materials, an institution shall not alter the form in any way and shall include instructions for completing the form, general application information, and instructions for accessing a list of deadlines for all institutions.

(d) Outreach to Public High Schools.

(1) The Coordinating Board shall seek advice and recommendation(s) from high school counselors representative of diverse Texas public school districts regarding the common application and the Apply Texas System.

(2) The Coordinating Board shall ensure that copies of the freshman common admission application forms and information for their use are available to appropriate personnel at each Texas public high school. The Coordinating Board will work with institutions and

high schools to ensure that all high schools have access to either the printed or electronic common application forms.

(e) Data to be Collected.

(1) Common application forms are to include questions needed for determining an applicant's residence status with regard to higher education and other information the Board considers appropriate.

(2) Each general academic teaching institution, public community college, public state college, and public technical institute shall collect information regarding gender, race/ethnicity, and date of birth as part of the application process and report this information to the Coordinating Board. Common application forms do not have to be the source of those data.

(3) Institutions of higher education may require an applicant to submit additional information within a reasonable time after the institution has received a common application form.

(f) Publicity. The Board shall publicize in both electronic and printed formats the availability of the common admission forms.

(g) Subcontract for Technical Support. The Coordinating Board shall enter into a contract with a public institution of higher education or third-party vendor to maintain the electronic common application system for use by the public in applying for admission to participating institutions and for distribution of the electronic application to the participating institutions designated by the applicant.

(h) Costs.

(1) Participating institutions may charge a reasonable fee for the filing of a common application form.

(2) Operating costs of the system may be paid for by all institutions required to use the common application plus independent and health-related institutions that contract to use the electronic application.

(3) Each participating institution may pay a portion of the cost based on the percentage of its enrollment compared to the total enrollment of all participating institutions based on the certified enrollment data of the most recent fall semester. The Coordinating Board will monitor the cost of the system and notify the institutions on an annual basis of their share of the cost. Billings for the services for the coming year will be calculated and sent to the institutions by September 1 of each fiscal year and payments must be received no later than December 1 of each fiscal year.

(4) The Coordinating Board may send participating institutions reminders of payment amounts and the due date. Institutions failing to pay their share of the cost by the due date may be denied access to in-coming application data until such time that payments are received.

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 12, 2026.

TRD-202600066

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 427-6226

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SUBCHAPTER C. TEXAS SUCCESS  
INITIATIVE

19 TAC §4.52

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 4, Subchapter C, §4.52, concerning Applicability. Specifically, this amendment will reinstate the applicability of Texas Success Initiative (TSI), so institutions of higher education may follow best practices in assessing high school students regarding their readiness to engage with college-level coursework, to enable appropriate placements, and to provide targeted and aligned interventions and support to help ensure students' positive experiences with, and successful completion of, the college course.

Texas Education Code, Section 51.344, provides the Coordinating Board with the authority to adopt rules to implement the provisions of Texas Education Code, Chapter 51, Subchapter F-1, concerning the Texas Success Initiative.

Rule 4.52, Applicability, is amended by deleting §4.52(4) for the purpose to reinstate the applicability of TSI to all high school students, so institutions of higher education may follow best practices in assessing students regarding their readiness to engage with college-level coursework, to enable appropriate placements, and to provide targeted and aligned interventions and support to help ensure students' positive experiences with, and successful completion of, the college course.

Daniel R. Perez, Assistant Commissioner for Academic Innovation and Success, has determined that for each year of the first five years the section is in effect, there will not be any fiscal implications to state or local government 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.

Daniel R. Perez, Assistant Commissioner for Academic Innovation and Success, 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 efficiency and effectiveness of student assessment and placement. There are no anticipated economic costs to persons who are required to comply with the section 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. Suzanne Morales-Vale, Senior Director, P.O. Box 12788, Austin, Texas 78701, or Suzanne.Morales-Vale@highered.texas.gov. Comments will be accepted for 30 days following publication of the proposal in the *Texas Register*.

The amendment is proposed under the Texas Education Code, Section 51.344, which provides the Coordinating Board with the authority to adopt rules to implement the provisions of Texas Education Code, Chapter 51, Subchapter F-1, concerning the Texas Success Initiative.

The proposed amendment affects Texas Education Code, Chapter 51, Subchapter F-1.

*§4.52. Applicability.*

(a) Except as set out in subsection (b) of this section, this subchapter applies to each entering undergraduate student not otherwise exempt under §4.54 of this subchapter (relating to Exemption).

(b) This subchapter does not apply to the following students, and an institution shall not require these students to demonstrate college readiness pursuant to this subchapter. To verify qualification under §4.52(b)(7)(8)(9), eligibility should be determined at each registration period. The following figure contains the full list of student categories to whom this subchapter does not apply.

Figure: 19 TAC §4.52(b)  
[Figure: 19 TAC §4.52(b)]

(1) A student who has earned an associate or baccalaureate degree from an institution of higher education;

(2) A student who transfers to an institution of higher education from a private or independent institution of higher education or an accredited out-of-state institution of higher education and who has satisfactorily completed college-level coursework in the corresponding subject area, as transcribed or otherwise determined by the receiving institution;

(3) A student who is enrolled in a certificate program of one year or less at a public junior college, a public technical institute, or a public state college;

~~[(4) A student enrolled in high school who is a non-degree-seeking student as defined in §4.53(8) of this subchapter (relating to Definitions);]~~

(4) ~~[(5)]~~ A student who is serving on active duty as a member of the armed forces of the United States, the Texas National Guard, or as a member of a reserve component of the armed forces of the United States; ~~[or]~~

(5) ~~[(6)]~~ A student who on or after August 1, 1990, was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard or service as a member of a reserve component of the armed forces of the United States; or

(6) ~~[(7)]~~ A student who is:

(A) certified as an emergency medical technician under Chapter 773, Health and Safety Code; and

(B) employed more than 20 hours a week by a political subdivision, according to Texas Local Government Code §172.003;

~~(7) [(8)]~~ A student who is employed more than 20 hours a week as fire protection personnel by Section 419.021, Government Code; or

(8) ~~[(9)]~~ A student who is elected, appointed, or employed more than 20 hours a week to serve as a peace officer described by Article 2A.001, Code of Criminal Procedure, or other law.

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 12, 2026.

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Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

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For further information, please call: (512) 427-6299



## CHAPTER 22. STUDENT FINANCIAL AID PROGRAMS

### SUBCHAPTER L. TOWARD EXCELLENCE, ACCESS, AND SUCCESS (TEXAS) GRANT PROGRAM

#### 19 TAC §§22.226 - 22.230, 22.233 - 22.236, 22.241

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to, Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter L, §§22.226 - 22.230, 22.233, 22.234, 22.236, 22.241, and new §22.235, concerning the Toward Excellence, Access, and Success (TEXAS) Grant Program (Program). Specifically, the amendments and new section will amend definitions, student eligibility, prioritization criteria, and program allocations to ensure alignment with statutory changes made by House Bill (HB) 3041, 89th Texas Legislature, Regular Session, which became effective June 20, 2025, as well as Riders 24 and 60 in the Coordinating Board's bill pattern of the General Appropriations Act (Senate Bill 1), 89th Texas Legislature, Regular Session. The Coordinating Board convened a negotiated rulemaking committee to consider proposed amendments to §22.233 and §22.236, and the proposed new §22.235. The committee reached consensus on all items, and, unless otherwise stated, the proposed rule substantively reflects the committee's determinations. The Coordinating Board will make reports of negotiated rulemaking committees available upon request.

The Coordinating Board is authorized by Texas Education Code, §56.303, to adopt rules necessary for the administration of the Program.

Rule 22.226, Definitions, is amended by replacing the term "continuation grant" with the more conventionally used "renewal grant" and by adding the terms "nontraditional secondary education" and "priority Student Aid Index level." Conforming changes are made throughout the subchapter to reflect the change in terminology to "renewal grant." The definition of "nontraditional secondary education," included to implement HB 3041, 89th Texas Legislature, Regular Session, aligns with the

definition for the same term in TEC, §51.9241. The definition of "priority Student Aid Index level" refers to the level described by TEC, §56.303(e), and calculated each year by the Coordinating Board. Additional references to this figure in the proposed rule warrant the creation of a defined term to ensure consistent usage. Nonsubstantive changes are made to the definition of "Target Grant Amount" to update a rule reference to reflect changes to program allocations and to the definition of "Tuition" to replace an outdated rule reference.

Rule 22.227, Eligible Institutions, is amended to make conforming changes relating to the term "renewal grant."

Rule 22.228, Eligible Students, is amended by adding reference in subsection (a)(6)(A) to students who successfully completed a nontraditional secondary education, ensuring these students are considered eligible consistent with HB 3041, 89th Texas Legislature, Regular Session. Subsection (d) is added to codify the Coordinating Board's existing practice of considering a student enrolled in combined baccalaureate-master's degree programs as "enrolled in a baccalaureate program" (and therefore potentially eligible for the Program), provided the student's institution considers the student an undergraduate for federal financial aid purposes. Other nonsubstantive and conforming changes are included to improve the readability of the rule.

Rule 22.229, Satisfactory Academic Progress, is amended by eliminating subsection (b)(3), which had been inadvertently retained during prior rule revisions. This provision cannot apply to a student as the Program is currently administered, and its elimination does not represent a change in administration of the Program. Other nonsubstantive and conforming changes are included to improve the readability of the rule. Similarly, subsection (d) also is unnecessary, as a student's completion rate is no longer calculated as part of satisfactory academic progress criteria for this program, and is eliminated.

Rule 22.230, Discontinuation of Eligibility or Non-Eligibility, is amended to make conforming changes relating to the term "renewal grant."

Rule 22.233, Priority in Grants to Students, is amended by adding additional priority considerations to conform with the requirements of Riders 24 and 60 of the General Appropriations Act (Senate Bill 1), 89th Texas Legislature, Regular Session. Subsection (b) is added, directing institutions to prioritize students who graduated in the top 25 percent of their high school graduating class in one of the two prior years for initial year grants. This provision, as proposed, deviates slightly from the determination of the negotiated rulemaking committee; whereas the committee reached consensus on proposed rule language that allowed for institutions to determine which students met the top 25 percent standard, the Coordinating Board has revised this language to instead allow for an institutional policy for determining top 25 percent status for students whose high schools do not rank students. This aligns with the requirements of Rider 24 and conforms to the legislative intent of providing greater predictability in the offering of state financial aid to high-performing students.

Subsection (c) is added, directing institutions to prioritize students who establish initial year eligibility via the Texas Educational Opportunity Grant (TEOG) pathway described by §22.228(a)(6)(D), which implements the legislative intent regarding predictability associated with Rider 60.

Subsections (f) and (g) are added to further clarify expectations related to top 25 percent and TEOG pathway students. Subsec-

tion (f) states that each institution shall ensure that all eligible students who graduate in the top 25 percent of their high school class, have a Student Aid Index at or below the priority level described by §22.233(e), and apply for financial aid before the June 1 receive an initial year grant. The negotiated rulemaking committee reached consensus on this subsection using the state priority deadline as the deadline by which a student must apply for financial aid to be considered for the guarantee described by subsection (f). After the committee convened, however, the Coordinating Board determined that using the priority deadline for this purpose was misaligned with the legislative intent of Rider 24. Use of June 1 preserves the committee's preference for a deadline for resource allocation purposes but aligns with both the legislative intent of the Rider (by occurring after the vast majority of applicable students would have graduated high school and could demonstrate having graduated in the top 25 of their class) and aligns with the graduation requirement described by TEC, §28.0256.

Similarly, subsection (g) states that each institution shall ensure that all eligible students qualifying via the TEOG pathway and who have a Student Aid Index at or below the priority level receive an initial year grant, specifying that institutions may use any funds (not only the restricted funds allocated via §22.235) to accomplish this requirement.

Subsection (h) is amended to include references to students who complete a nontraditional secondary education. These students are still subject to the priority model described by subsection (h), as they can plausibly meet three of the four listed criteria (only two must be met). Other nonsubstantive and conforming changes are included to improve the readability of the rule.

Subsection (i) clarifies that an institution, in establishing whether a student has "present[ed] evidence of successful completion of a nontraditional secondary education" in subsection (h)(1), cannot require any additional evidence or documentation beyond what is required for admissions purposes. Moreover, it clarifies that admission to the institution on the basis of successful completion of a nontraditional secondary education fulfills this requirement.

Rule 22.234, Grant Amounts, is amended by clarifying subsection (a) to note that a TEXAS Grant may not be reduced by any gift aid for which a person is eligible, unless the total amount of the grant plus any gift aid is greater than the student's financial need. This change reflects greater alignment with the program statute. Subsection (d) is redundant with §22.228(c)(3) and is removed.

Rule 22.235, Allocation of Funds- TEOG Pathway, is created to establish the means by which the appropriated funds restricted by Rider 60 are allocated to participating institutions. Subsection (a) describes the methodology, which distributes available funds proportionally among participating institutions based on each institution's share of students meeting the criteria listed in subsection (a)(1). Subsection (b) describes the nature of the funds restriction, limiting use of the allocated funds under the section to initial year grants for students qualifying via the TEOG pathway. Subsection (c) describes the means by which the Coordinating Board will conduct this allocation process as a two-year allocation, as it does with many other state grant programs, starting in Fiscal Year 2028. Subsection (d) notes that institutions' Financial Aid Database submissions are the data source for the allocation. Subsection (e) describes the data review, a preliminary process by which the Coordinating Board supplies data to institutions for review and comment prior to publishing final allocations. Sub-

section (f) describes the means by which the Coordinating Board will reduce funding levels in the event of an unexpected funding decrease, aligning with a like provision in §22.236.

Rule 22.236, Allocation of Funds - General, is amended to reflect changes to the general program allocation to meet the requirements of Rider 24. Subsection (a) describes the allocation methodology, which differs from the current allocation methodology in two ways. First, a new top 25 percent portion of the allocation is added in subsection (a)(2). This portion of the allocation occurs after the renewal grants portion in subsection (a)(1), which is unchanged. For this portion of the calculation, using Financial Aid Database and CBM00B university admissions report submissions, the Coordinating Board will determine the number of students at each participating institution meeting the criteria described in subsection (a)(2)(A) in the prior-prior year, and multiply that figure by 125 percent of the Target Grant Amount. That figure was selected as an acknowledgement of the legislative intent of the Rider, which is to ensure every institution has sufficient funding to meet the requirement to offer grants to all eligible top 25 percent students. The use of the 125 percent of the Target Grant Amount is for allocation purposes only and does not imply a requirement regarding the amount of any student's grant. The other substantive change to the methodology described in subsection (a) is the exclusion of top 25 percent and TEOG pathway students from the Remaining Initial Grants portion of the calculation in subsection (a)(3). The proportional method of this part of the calculation is unchanged, but these students were removed from the calculation because they are considered elsewhere in the allocation, either in §22.235 (for TEOG pathway) or §22.236(a)(2) (for top 25 percent).

Subsection (b) is added to describe how the general allocation would be conducted in the event that insufficient funds were appropriated for the Program to fully fund the renewal and top 25 percent portions of the calculation. In such a case, available funds for that portion of the calculation (starting with the renewal grants, and then top 25 percent in keeping with grant priority rules) would be distributed proportionally. Subsection (c) describes the means by which the Coordinating Board will conduct this allocation process as a two-year allocation, as it does with many other state grant programs, starting in Fiscal Year 2028. Subsection (d) notes that institutions' Financial Aid Database submissions are the data source for the allocation. Subsection (e) describes the data review, a preliminary process by which the Coordinating Board supplies data to institutions for review and comment prior to publishing final allocations.

Rule 22.241, Tolling of Eligibility for Initial Year Grant, is amended to make conforming changes relating to the term "renewal grant" and to rule citations affected by other proposed changes.

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 enhanced financial aid predictability for eligible high-performing and transfer students. 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 and new section are proposed under Texas Education Code, Section 56.303, which provides the Coordinating Board with the authority to adopt rules necessary for the administration of the Program.

The proposed amendment and new section affects Texas Administrative Code, Title 19, Part 1, Chapter 22, Subchapter L.

#### §22.226. 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) Continuation Grant--A TEXAS Grant offered to a person who has previously received an initial year grant.}~~

(1) ~~{(2)}~~ Entering Undergraduate--A student enrolled in the first thirty semester credit hours or their equivalent, excluding hours taken during dual enrollment in high school and courses for which the student received credit through examination.

(2) ~~{(3)}~~ Initial Year Grant--The TEXAS Grant offered in the student's first year in the TEXAS Grant Program.

(3) Nontraditional Secondary Education--A course of study at the secondary school level in a nonaccredited private school setting, including a home school.

(4) Priority Student Aid Index Level--An amount calculated annually by the Coordinating Board equal to 60 percent of the average statewide amount of tuition and required fees for resident students enrolled full-time in baccalaureate degree programs at general

academic teaching institutions, excluding public state colleges, for the relevant academic year.

(5) [(4)] Prior-Prior Year--For allocation purposes, the state fiscal year that began two years earlier than the fiscal year for which the allocation is being calculated.

(6) [(5)] Program--The Toward EXcellence, Access and Success (TEXAS) Grant program.

(7) Renewal Grant--A TEXAS Grant offered to a person who has previously received an initial year grant.

(8) [(6)] Required Fees--A mandatory fee (required by statute) or discretionary fee (authorized by statute, imposed by the governing board of an institution of higher education) and that an institution of higher education charges to a student as a condition of enrollment at the institution of higher education or in a specific course.

(9) [(7)] Target Grant Amount--An amount set by the Coordinating Board, in consultation with institutions of higher education participating in the TEXAS Grant Program, and used as the recommended average grant amount for the TEXAS Grant Program for a biennium and in establishing renewal grant and initial year grant for top 25 percent student allocations to participating institutions of higher education as described in §22.236(a)(1) and (2) of this chapter (relating to Allocation [~~and Reallocation~~] of Funds - General).

(10) [(8)] Tuition--Statutory tuition, designated and/or Board-authorized tuition, as defined in §13.121 [§13.142] of this title (related to Definitions).

§22.227. *Eligible Institutions.*

(a) Eligibility.

(1) Institutions eligible to make initial year and renewal [~~continuation~~] grants in the program are medical or dental units and general academic teaching institutions, other than the public state colleges, as defined in §22.1 of this chapter (relating to Definitions).

(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 88-353) in avoiding discrimination in admissions or employment.

(b) Approval.

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

(2) Approval Deadline. An eligible institution must enter into an agreement with the Coordinating Board and indicate an intent to participate in the program by April 1 in order for qualified students enrolled in that institution to be eligible to receive grants in the following fiscal year.

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

§22.228. *Eligible Students.*

(a) Initial Grants. To be eligible to receive [qualify for] an initial year grant, a person must:

(1) be enrolled in a baccalaureate program at a participating institution;

(2) be a resident of Texas, as defined in §22.1 of this chapter (relating to Definitions);

(3) show financial need, as defined in §22.1 of this chapter;

(4) have applied for financial aid through the completion of the Federal Application for Federal Student Aid or, if the student is not eligible for federal financial aid, the Texas Application for State Financial Aid;

(5) meet applicable standards outlined in §22.3 of this chapter (relating to Student Compliance with Selective Service Registration); and

(6) Except as provided under §22.231 of this subchapter (relating to Hardship Provisions), to receive an initial year grant, an otherwise eligible person must enroll in a baccalaureate degree program at a participating institution on at least a three-quarter time basis as:

(A) an entering undergraduate student not later than the end of the sixteenth month after the calendar month in which the person graduated from high school or successfully completed a nontraditional secondary education, as defined in §22.226 of this subchapter (relating to Definitions); [or]

(B) an entering undergraduate student who entered military service not later than the first anniversary of the date of high school graduation and enrolled in an eligible institution no later than twelve months after being released from active duty military service with an Honorable Discharge, General Discharge under Honorable Conditions, or Honorable Separation or Release from Active Duty, as documented by the Certificate of Release or Discharge from Active Duty (DD214) issued by the Department of Defense;

(C) an undergraduate student not later than the end of the twelfth month after the calendar month in which the student received an associate degree; or

(D) an undergraduate student who has:

(i) previously attended another institution of higher education, as defined in §22.1 of this chapter;

(ii) received an initial Texas Educational Opportunity Grant under subchapter M of this chapter (relating to Texas Educational Opportunity Grant Program) for the 2014 fall semester or a subsequent semester;

(iii) completed at least twenty-four semester credit hours at any institution(s) of higher education or private or independent institution(s) of higher education, as defined in §22.1 of this chapter;

(iv) earned an overall grade point average of at least 2.5 on a four-point scale or the equivalent on all course work previously attempted; and

(v) [has] never previously received a TEXAS Grant.

(b) Renewal [~~Continuation~~] Grants. To be eligible to receive a renewal [~~continuation~~] grant through the TEXAS Grant Program, a student must:

(1) have previously received an initial year grant through this Program;

(2) show financial need, as defined in §22.1 of this chapter;

(3) be enrolled at least three-quarter time unless granted a hardship waiver of this requirement under §22.231 of this subchapter (relating to Hardship Provisions);

(4) be enrolled in a baccalaureate program at a participating institution;

(5) make satisfactory academic progress towards a baccalaureate degree at the participating institution, as defined in §22.229 of this subchapter (relating to Satisfactory Academic Progress); and

(6) meet applicable standards outlined in §22.3 of this chapter (relating to Student Compliance with Selective Service Registration).

(c) If a student's eligibility was based on the expectation that the student would complete a high school diploma or associate degree in time to meet the requirements for Program eligibility, and the student failed to do so, then, in order to resume eligibility, such a student must:

- (1) receive an associate degree;
- (2) meet all other qualifications for a TEXAS Grant;

(3) if required to do so by the institution through which the TEXAS Grant was made, repay the amount of the TEXAS Grant that was previously received; and

(4) enroll in a higher-level undergraduate degree program at a participating institution not later than the twelfth month after the month the student received an associate degree.

(d) For the purposes of this section, a student enrolled in a combined baccalaureate-master's degree program is considered to be enrolled in a baccalaureate program during the period in which the student's institution considers the student an undergraduate for federal financial aid purposes.

*§22.229. Satisfactory Academic Progress.*

(a) To be eligible to receive [qualify for] a renewal [continuation] grant after the academic year in which a person receives an initial year grant, each recipient of the TEXAS Grant shall meet the academic progress requirements of his or her institution.

(b) To be eligible to receive a subsequent grant after he or she receives a renewal [continuation] grant, a recipient shall, unless granted a hardship waiver of this requirement in accordance with §22.231 of this subchapter (relating to Hardship Provisions):

(1) complete at least twenty-four semester credit hours in his or her most recent academic year; and<sup>[7]</sup>

(2) maintain an overall grade point average of at least 2.5 on a four point scale or its equivalent, for all coursework attempted at an institution of higher education or private or independent institution of higher education, as defined in §22.1 of this chapter (relating to Definitions).

~~[(3) An entering undergraduate student enrolling in a participating institution for the second or later semester in a given academic year meets the semester credit hour requirement outlined in paragraph (1) of this subsection for continuing in the program if he or she completes at least twelve semester credit hours or its equivalent during that semester.]~~

(c) The calculation of a student's GPA is to be completed in accordance with §22.10 of this chapter (relating to Grade Point Average Calculations for Satisfactory Academic Progress).

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

*§22.230. Discontinuation of Eligibility or Non-Eligibility.*

(a) A student may not receive a TEXAS Grant while concurrently receiving a Texas Educational Opportunity Grant or Texas Transfer Grant.

(b) A student may not receive a TEXAS Grant after having already being granted a baccalaureate degree.

(c) A student may not receive a TEXAS Grant for a semester in which he or she is enrolled for fewer than six hours.

(d) Unless granted a hardship postponement in accordance with §22.231 of this subchapter (relating to Hardship Provisions), eligibility for a TEXAS Grant for a student whose eligibility for an initial year TEXAS Grant was not based on the receipt of an associate degree ends:

(1) five years from the start of the semester in which the student received his or her first disbursement of an initial year TEXAS Grant, if the student is enrolled in a degree program of four years or less;

(2) six years from the start of the semester in which the student received his or her first disbursement of an initial year TEXAS Grant, if the student is enrolled in a degree program of more than four years.

(e) Unless granted a hardship postponement in accordance with §22.231 of this subchapter, eligibility for a TEXAS Grant for a student whose eligibility was based on receiving an associate degree ends:

(1) three years from the start of the semester in which the student received his or her first disbursement of an initial year TEXAS Grant if the student is enrolled in a degree program of four years or less;

(2) four years from the start of the semester in which the student received his or her first disbursement of an initial year TEXAS Grant if the student is enrolled in a degree program of more than four years.

(f) A student's eligibility ends one year from the date of the semester in which the student received his or her first disbursement of an initial year TEXAS Grant, if the student's eligibility was based on the expectation that the student would complete the initial year grant requirements as outlined in §22.228 of this subchapter (relating to Eligible Students), but the student failed to do so. However, if such a student later receives an associate degree and again qualifies for TEXAS Grants, as described by §22.228(c) of this subchapter, he or she can receive an additional three years of eligibility if enrolled in a degree program of four years or less, or an additional four years if enrolled in a degree program of more than four years.

(g) A student's eligibility for a TEXAS Grant ends once he or she has attempted 150 semester credit hours or the equivalent unless the student is granted a hardship extension in accordance with §22.231(d) of this subchapter.

(h) A person is not eligible to receive an initial year or renewal [continuation] grant if the person has been convicted of a felony or of an offense under Chapter 481, Health and Safety Code (Texas Controlled Substances Act), or under the law of any other jurisdiction involving a controlled substance as defined by Chapter 481, Health and Safety Code, unless the person has met the other applicable eligibility requirements under this subchapter and has:

(1) received a certificate of discharge by the Texas Department of Criminal Justice or a correctional facility or completed a period of probation ordered by a court, and at least two years have elapsed from the date of the receipt or completion; or

(2) been pardoned, had the record of the offense expunged from the person's record, or otherwise been released from the resulting ineligibility to receive a TEXAS Grant.

(i) Other than as described in §22.231 of this subchapter, if a person fails to meet any of the requirements for receiving a renewal ~~[continuation]~~ grant as outlined in §22.228(b) of this subchapter after completion of any semester, the person may not receive a TEXAS Grant until he or she completes a semester while not receiving a TEXAS Grant and meets all the requirements as outlined in §22.228(b) of this subchapter as of the end of that semester.

§22.233. *Priority in Grants to Students.*

(a) If appropriations for the program are insufficient to allow grants to all eligible students, priority shall be given to those students demonstrating ~~[continuing TEXAS Grant]~~ eligibility for a renewal grant pursuant to §22.228(b) of this subchapter (relating to Eligible Students).

(b) In determining who will receive an initial year grant, an institution shall give priority to those students who graduated in the top 25 percent of their high school graduating class in one of the two prior academic years. An institution may establish a procedure by which it determines whether a student whose high school does not rank students is described by this subsection.

(c) In determining who will receive an initial year grant, an institution shall give priority to those students who establish eligibility for an initial grant under §22.228(a)(6)(D) of this subchapter.

(d) ~~[(b)]~~ In determining who will receive an initial year grant ~~[student eligibility for a TEXAS Grant pursuant to §22.228(a) of this subchapter]~~, priority shall be given to those students who demonstrate the greatest financial need at the time the offer is made.

(e) ~~[(e)]~~ In determining who will receive an initial year grant ~~[student eligibility for a TEXAS Grant pursuant to §22.228(a) of this subchapter]~~, priority shall be given to those students who have a Student Aid Index at or below the Priority Student Aid Index level, as defined in §22.226 of this subchapter (relating to Definitions) ~~[that does not exceed 60 percent of the average statewide amount of tuition and required fees for general academic teaching institutions for the relevant academic year]~~.

(f) Each institution shall ensure that an eligible student receives an initial grant under this subchapter if the student:

(1) is described by both subsections (b) and (e) of this section; and

(2) applies for financial aid, as described by §22.228(a)(4) of this subchapter, by June 1 prior to the applicable fiscal year.

(g) Each institution shall ensure that an eligible student who is described by both subsections (c) and (e) of this section receives an initial grant under this subchapter. An institution may use any funds allocated under this subchapter to meet this requirement.

(h) ~~[(d)]~~ In determining initial student eligibility for a TEXAS Grant pursuant to §22.228(a) of this subchapter, priority shall be given to those students who:

(1) ~~graduated [graduate] or are on track to graduate from a public or accredited private high school or who present evidence of successful completion of a nontraditional secondary education, as defined in §22.226 of this subchapter (relating to Definitions) in Texas [on or after May 1, 2013,] and complete or are on track to complete the Foundation High School program, or its equivalent as amended in keeping with Texas Education Code, §56.009; and [The person must also be on track to]~~

(2) have accomplished, or are on track to accomplish, any two or more of the following at the time a TEXAS Grant was offered:

(A) ~~[(4)]~~ successful completion of the course requirements of the international baccalaureate diploma program, or earning of the equivalent of at least twelve semester credit hours of college credit in high school through courses described in Texas Education Code, §28.009(a)(1), (2), and (3), or if graduating prior to September 1, 2020, graduate under the Recommended or Advanced high school curriculum specified in the Texas Education Code, §28.025 as it existed as of January 1, 2013, and the rules promulgated thereunder by the State Board of Education;

(B) ~~[(2)]~~ satisfaction of the Texas Success Initiative (TSI) college readiness benchmarks prescribed by the Coordinating Board under §4.57 of this title (relating to Texas Success Initiative Assessment College Readiness Standards) ~~[Texas Education Code, §51.334]~~ on any assessment instrument designated by the Coordinating Board under that section or qualification for an exemption as described by §4.54 of this title (relating to Exemption) ~~[Texas Education Code, §51.338(b), (e), or (d)]~~;

(C) ~~[(3)]~~ graduation in the top one-third of the person's high school graduating class or graduation from high school with a grade point average of at least 3.0 on a four-point scale or the equivalent; or

(D) ~~[(4)]~~ completion for high school credit of at least one advanced mathematics course following the successful completion of an Algebra II course, or at least one advanced career and technical or technical applications course;

(i) For the purposes of subsection (h)(1) of this section, an institution may not require a student to present additional evidence or documentation of successful completion of a nontraditional secondary education beyond what is required for the student to demonstrate qualification for admission to the institution. A student who has been admitted to the institution based on successful completion of a nontraditional secondary education is considered to have presented evidence of completion.

(j) ~~[(e)]~~ If funds remain after TEXAS Grants are offered to all students meeting the criteria in subsection (h) ~~[(d)]~~ of this section, remaining funds may be offered to persons who are otherwise eligible for TEXAS Grants.

§22.234. *Grant Amounts.*

(a) The amount of a TEXAS Grant offered through an eligible institution may not be reduced by any gift aid for which the person receiving the grant is eligible, unless the total amount of a person's grant plus any gift aid ~~[other than loans]~~ received equals or exceeds the student's financial need.

(b) The Coordinating Board shall determine and announce the maximum amount of a TEXAS Grant not later than the final day of January prior to the start of each fiscal year. The calculation of the maximum amount per semester will be based on the mandates contained in Texas Education Code, §56.307. However, no student's TEXAS Grant shall be greater than the amount of the student's financial need.

(c) A participating institution may not charge a person receiving a TEXAS Grant through that institution, an amount of tuition and required fees in excess of the amount of the TEXAS Grant received by the person in that semester unless it also provides the student sufficient aid other than loans to meet his or her full tuition and required fees for that semester. Nor may it deny admission to or enrollment in the institution based on a person's eligibility to receive or actual receipt of a TEXAS Grant.

~~[(d)]~~ If a student is determined to have failed to complete the necessary High School Program or Associate Degree upon which eligibility for the program was determined, a participating institution may

require the student to forgo or repay the amount of the student's initial year grant.]

(d) [(e)] Grant calculations and disbursements are to be completed in accordance with the General Provisions outlined in subchapter A of this chapter.

§22.235. Allocation of Funds - TEOG Pathway.

(a) Allocation Methodology. To the extent that funds are appropriated for the Program specifically to offer grants to eligible students who established eligibility for an initial grant under §22.228(a)(6)(D) of this subchapter (relating to Eligible Students), an institution's share of funds appropriated for that purpose will equal:

(1) The number of students who were reported in the Prior-Prior Year as:

(A) enrolled as undergraduate students;

(B) Residents of Texas, as defined in §22.1 of this chapter (relating to Definitions);

(C) enrolled at least three-quarter-time;

(D) meeting the criteria described in §22.228(a)(6)(D) of this subchapter; and

(E) having a Student Aid Index at or below the Priority Student Aid Index Level, as defined in §22.226 of this subchapter (relating to Definitions); divided by

(2) The sum of all participating institutions' reported students described by paragraph (1) of this subsection.

(b) Funds Restricted.

(1) Any funds allocated under this section may be used only to offer Initial Year TEXAS Grants to students who established eligibility for the program under §22.228(a)(6)(D) of this subchapter.

(2) The provisions of §22.11 of this chapter (relating to Authority to Transfer Funds) do not apply to funds allocated under this section.

(c) Two-Year Allocation. Beginning with Fiscal Year 2028, allocations for both years of the state appropriations' biennium will be completed at the same time. The three most recent certified Financial Aid Database submissions will be utilized to forecast the data used in the calculation of the allocation for the second year of the biennium. Institutions will receive notification of their allocations for both years of the biennium at the same time.

(d) Data Source. For the purposes of subsection (a) of this section, the Coordinating Board shall use each institution's certified Financial Aid Database submissions for the applicable year(s) as the data source for its calculations.

(e) Notice and Data Review. The Coordinating Board will conduct a preliminary data review, the results of which will be shared with all participating institutions for comment and verification prior to the publication of final allocations. Institutions will be given ten working days, beginning the day of the data review notice's distribution and excluding State holidays, to confirm that the data review report accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.

(f) Reductions in Funding.

(1) If annual funding for the program is reduced after the start of a fiscal year, the Coordinating Board may take steps to help distribute the impact of reduced funding across all participating institutions by an across-the-board percentage decrease in all institutions' allocations.

(2) If annual funding is reduced prior to the start of a fiscal year, the Coordinating Board may recalculate the allocations according to the allocation methodology outlined in this rule for the affected fiscal year based on available dollars.

§22.236. Allocation of Funds - General

(a) Allocation Methodology. Except as provided in §22.235 of this subchapter (relating to Allocation of Funds- TEOG Pathway), an institution's share of available funds for the Program shall be determined in three stages. An institution's general allocation will be the sum of the output of each of the stages.

(1) Renewal Grants. Each eligible institution's renewal grants component of the allocation is calculated by multiplying:

(A) The sum of:

(i) The number of Initial Year Grant recipients at the institution in the Prior-Prior Year (i.e., two fiscal years before the year for which the allocation is being made), multiplied by the percentage of Initial Year Grant recipients at the institution in the year prior to Prior-Prior Year who received a Renewal Grant in the Prior-Prior Year; and

(ii) The number of Renewal Grant recipients at the institution in the Prior-Prior Year, multiplied by the percentage of Renewal Grant recipients at the institution in the year prior to Prior-Prior Year who received a Renewal Grant in the Prior-Prior Year; and

(B) The lesser of:

(i) The institution's average TEXAS Grant amount in the Prior-Prior Year; or

(ii) The Target Grant Amount for the fiscal year for which allocations are occurring.

(2) Initial Grants- Top 25 percent. Each eligible institution's initial grants component of the allocation for students graduating in the Top 25 percent of their class is calculated by multiplying:

(A) The number of students who were reported in the Prior-Prior Year as:

(i) enrolled as entering undergraduate students;

(ii) Residents of Texas, as defined in §22.1 of this chapter (relating to Definitions);

(iii) enrolled at least three-quarter-time;

(iv) having graduated in the top 25 percent of the student's high school graduating class in one of the two school years preceding the Prior-Prior Year; and

(v) having a Student Aid Index at or below the Priority Student Aid Index Level, as defined in §22.226 of this subchapter (relating to Definitions); and

(B) One hundred twenty-five percent (125%) of the Target Grant Amount for the fiscal year for which allocations are occurring.

(3) Remaining Initial Grants. Available funds remaining after calculating the first two components of each institution's allocation shall be distributed proportionally. An institution's proportion of the remaining allocation is based on the sum of the number of students who were reported in the Prior-Prior Year as:

(A) enrolled as undergraduate students who had not yet received a baccalaureate degree;

(B) residents of Texas, as defined in §22.1 of this chapter;

(C) enrolled at least three-quarter time;

(D) having a Student Aid Index at or below the Priority Student Aid Index Level, as defined in §22.226 of this subchapter (relating to Definitions); and

(E) either:

(i) a first-time enrolling freshman, excluding students described by subsection (a)(2)(A) of this section; or

(ii) an undergraduate transfer student who completed an associate degree within the prior twelve months to enrolling, excluding students described by §22.235(a)(1) of this subchapter (relating to Allocation of Funds- TEOG Pathway).

~~[(a) Allocations:]~~

~~[(1) The share of funds for each eligible institution will equal:]~~

~~[(A) the number of Initial Year TEXAS Grant recipients at the institution in the Prior-Prior Year multiplied by the percentage of Initial Year TEXAS Grant recipients in the year prior to the Prior-Prior Year who received a Continuation Grant in the Prior-Prior Year; plus the number of Continuation Grant TEXAS Grant recipients at the institution in the Prior-Prior Year multiplied by the percentage of Continuation Grant TEXAS Grant recipients in the year prior to the Prior-Prior Year who received a Continuation Grant in the Prior-Prior Year, multiplied by the institution's average TEXAS Grant award in the Prior-Prior Year, up to the amount of the Target Grant Amount for the fiscal year for which allocations are occurring; plus]~~

~~[(B) the institution's proportions of the remaining appropriation is based on the sum of the number of students who were reported as a first time enrolling freshman; or an undergraduate transfer student who completed an associate degree within the prior twelve months to enrolling; or an undergraduate transfer student who received an Initial TEOG grant for the Fall 2014 semester or later, has completed at least twenty-four semester credit hours, and has earned an overall GPA of at least 2.5 on a four-point scale on all course work previously attempted, and:]~~

~~[(i) were enrolled as undergraduate students and had not yet received a Bachelor's degree;]~~

~~[(ii) were identified as residents of Texas;]~~

~~[(iii) were enrolled at least three-quarter time; and]~~

~~[(iv) had a 9-month Student Aid Index, calculated using federal methodology, that was less than or equal to the cap established for TEXAS Grant in the Prior-Prior Year.]~~

~~[(2) The TEXAS Grant allocation spreadsheet will be provided to the institutions for review and the institutions will be given ten working days, beginning the day of the notice's distribution and excluding State holidays, to confirm that the spreadsheet accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.]~~

~~(b) If appropriated funds for the Program are insufficient to allocate the full amounts calculated in subsections (a)(1) or (a)(2) of this section, available funds for that portion of the calculation will be distributed proportionally, with each institution's share of the allocation being the amount calculated for that component of the allocation calculation divided by the sum of all participating institutions' calculated amount for that component of the allocation calculation.~~

~~(c) Two-Year Allocation. Beginning with Fiscal Year 2028, allocations for both years of the state appropriations' biennium will be completed at the same time. The three most recent certified Financial~~

Aid Database submissions will be utilized to forecast the data used in the calculation of the allocation for the second year of the biennium. Institutions will receive notification of their allocations for both years of the biennium at the same time.

(d) Data Sources. For the purposes of subsection (a) of this section, the Coordinating Board shall use each institution's certified Financial Aid Database submissions for the applicable year(s) as the data source for its calculations, except that the Coordinating Board shall use the institution's CBM00B university admissions report submissions to identify the students meeting the criterion described in subsection (a)(2)(A)(iv) of this section.

(e) Notice and Data Review. The Coordinating Board will conduct a preliminary data review, the results of which will be shared with all participating institutions for comment and verification prior to the publication of final allocations. Institutions will be given ten working days, beginning the day of the data review notice's distribution and excluding State holidays, to confirm that the data review report accurately reflects the data they submitted or to advise the Coordinating Board of any inaccuracies.

(f) [(b)] Reductions in Funding.

(1) If annual funding for the program is reduced after the start of a fiscal year, the Coordinating Board may take steps to help distribute the impact of reduced funding across all participating institutions by an across-the-board percentage decrease in all institutions' allocations.

(2) If annual funding is reduced prior to the start of a fiscal year, the Coordinating Board may recalculate the allocations according to the allocation methodology outlined in this rule for the affected fiscal year based on available dollars.

§22.241. Tolling of Eligibility for Initial Year Grant.

(a) A person is eligible for consideration for an Initial Year grant under this subsection if the person was eligible for an initial year grant under §22.228 of this subchapter (relating to Eligible Students) in an academic year for which the Texas Legislature failed to appropriate sufficient funds to make initial year grant to at least 10 percent of the eligible student population, and:

(1) has not received a TEXAS Grant in the past;

(2) has not received a baccalaureate degree; and

(3) meets the eligibility requirements for a renewal [continuation] grant as described in §22.228(b) of this subchapter.

(b) A person who meets the requirements outlined in subsection (a) of this section:

(1) cannot be disqualified for a TEXAS Grant by changes in program requirements since the time he or she was originally eligible or by the amount of time that has passed since he or she was originally eligible;

(2) is to receive highest priority in the selection of recipients if he or she met the priority model requirements of §22.233(h) [§22.233(d)] of this title (relating to Priority in Grants to Students), when originally determined to be eligible;

(3) may continue receiving grants as long as he or she meets the requirements for such renewal [continuation] grants; and

(4) may not receive TEXAS Grants for prior academic years.

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 12, 2026.

TRD-202600069

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 22, 2026

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



## CHAPTER 24. STUDENT LOAN PROGRAMS SUBCHAPTER A. GENERAL PROVISIONS

### 19 TAC §24.1

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 24, Subchapter A, §24.1, concerning Definitions. Specifically, this amendment will extend the definition of "manageable debt" to apply to master's degree students.

The Coordinating Board is authorized by Texas Education Code, Chapter 52, Subchapter C, to adopt rules relating to its student loan programs.

Rule 24.1, Definitions, is amended by clarifying the definition of "manageable debt" by defining it as a concept that can be applied to any student, regardless of the type of credential the student is pursuing, as well as by providing additional detail- relating to timing and method- regarding the Coordinating Board's calculation of manageable debt levels. The underlying methodology for developing these levels is unchanged. The existing figure is removed, and manageable debt levels will be published separately from the rule in the future, which allows for use of up-to-date information. To improve rule alignment, the definition for "degree or certificate program" is eliminated and separated into two separate terms, each citing to a definition elsewhere in Coordinating Board rules.

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 greater alignment between agency operations and strategic goals regarding debt attainment. 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, Chapter 52, Subchapter C, which provides the Coordinating Board with the authority to adopt rules relating to its student loan programs.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 24, Subchapter A.

#### §24.1. Definitions.

The following words and terms, when used in chapter 24, shall have the following meanings, unless otherwise defined in a particular subchapter:

(1) **Alternative Educator Certification Program**--An approved educator preparation program, delivered by entities approved by the State Board for Educator Certification under the provisions of part 7, chapter 228 of this title (relating to Requirements for Educator Preparation Programs), specifically designed as an alternative to a traditional undergraduate certification program, for individuals already holding at least a baccalaureate degree.

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

(3) **Borrower**--An individual who signs a student loan promissory note and thereby assumes liability for the debt and all fees associated with the note and who uses the proceeds of the loan to finance the individual's postsecondary education.

(4) **Certificate Program**--As defined in §2.3 of this title (relating to Definitions).

(5) [(4)] **Commissioner**--The Texas Commissioner of Higher Education.

(6) [(5)] **Coordinating Board**--The agency known as the Texas Higher Education Coordinating Board, including agency staff.

(7) [(6)] **Cosigner**--An individual who signs a student loan promissory note and thereby assumes liability for the debt and all fees and expenses associated with the note but who is not a direct beneficiary of the proceeds of the loan.

(8) [(7)] **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).

(9) Degree Program--As defined in §2.3 of this title.

~~(8) Degree or Certificate Program--A program of study leading to a baccalaureate degree, associate degree, or certificate.~~

(10) ~~(9)~~ Favorable Credit Report Evaluation--A determination made by the Coordinating Board regarding a prospective borrower or cosigner's creditworthiness. For the purposes of this chapter, a borrower or cosigner is considered to have a favorable credit report evaluation if the person:

(A) Has an Experian VantageScore of 650 or higher;

(B) Does not have public records that demonstrate credit concerns such as tax liens or bankruptcy proceedings;

(C) Has a minimum of four credit trade lines, excluding student loans or authorized user accounts; and

(D) Has not defaulted on any federal, state, or private education loans.

(11) ~~(10)~~ Fund--The Texas Opportunity Plan Fund as created by the Constitution of the State of Texas, Article III, 50b; the Student Loan Revenue Bond Fund authorized in the Texas Education Code, chapter 56, subchapter H; and/or the Student Loan Auxiliary Fund, authorized in the Texas Education Code, chapter 52, subchapter F.

(12) ~~(11)~~ Half-Time--For undergraduates, enrollment or expected enrollment for the equivalent of at least six but fewer than nine semester credit hours per regular semester. For graduate students, enrollment or expected enrollment for the equivalent of 50 percent of the normal full-time course load of the student's program of study as defined by the institution.

(13) ~~(12)~~ Institution of Higher Education--As defined in Texas Education Code, §61.003.

(14) ~~(13)~~ Insufficient Resources to Finance Education--A requirement for a student to be eligible for certain loan programs. For the purposes of this chapter, a student is considered to have insufficient resources to finance his or her education if the student's cost of attendance is greater than the total amount of financial aid offered to the student. The amount of federal Direct Loans for which the student is eligible must be included in the calculation of the financial aid offered, regardless of whether the student receives the loans.

(15) ~~(14)~~ Manageable Debt--A ~~[An undergraduate]~~ student's level of aggregated student loan debt from all sources (including federal, state, and private student loans) such that the student's estimated monthly payment (for all loans) five years after graduation is less than 10 percent of the student's projected income, assembled using wage data from the Texas Workforce Commission based on the student's course of study. Not later than the final day of January of each odd-numbered year, the Coordinating Board shall publish updated manageable debt levels. [See Figure 1 for more information] ~~[Figure: 19 TAC §24.1(14)]~~

(16) ~~(15)~~ Private or Independent Institution of Higher Education--As defined in Texas Education Code, §61.003.

(17) ~~(16)~~ Program Officer--The individual named by each participating institution's chief executive officer to serve as agent for the Coordinating Board. The Program Officer has primary responsibility for all ministerial acts required by the program, including the determination of student eligibility, selection of recipients,

maintenance of all records, and preparation and submission of reports reflecting program transactions. Unless otherwise indicated by the institution's chief executive officer, the director of student financial aid shall serve as Program Officer.

(18) ~~(17)~~ Repayment Period--The length of time during which a borrower is expected to fully repay the borrower's loan(s). The repayment period is used to determine the number of payments required to repay the loan(s) and therefore the borrower's minimum monthly payment.

(19) ~~(18)~~ Student Loan--A loan incurred by a student to assist in covering the student's cost of education.

(20) ~~(19)~~ Student Loan Debt--The outstanding balance of principal, interest, and fees associated with an individual's education or student loans.

(21) ~~(20)~~ 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.

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 12, 2026.

TRD-202600070

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Earliest possible date of adoption: February 22, 2026

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



## SUBCHAPTER D. COLLEGE ACCESS LOAN PROGRAM

### 19 TAC §24.45

The Texas Higher Education Coordinating Board (Coordinating Board) proposes amendments to Texas Administrative Code, Title 19, Part 1, Chapter 24, Subchapter D, §24.45, concerning Loan Amount and Interest Rate. Specifically, this amendment will extend aggregate debt limits in the Program to students enrolled in master's degree programs.

The Coordinating Board is authorized by Texas Education Code, Chapter 52, Subchapter C, to adopt rules relating to its student loan programs.

Rule 24.45, Loan Amount and Interest Rate, is amended to reflect the extension of the aggregate debt limit associated with the definition of "manageable debt" in §24.1 to graduate students enrolled in master's degree programs in subsection (c)(1). Conforming edits are made to subsection (c)(2) to specify that

doctoral and professional students are subject to a different aggregate debt limit.

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 greater alignment between agency operations and strategic goals regarding debt attainment. 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, Chapter 52, Subchapter C, which provides the Coordinating Board with the authority to adopt rules relating to its student loan programs.

The proposed amendment affects Texas Administrative Code, Title 19, Part 1, Chapter 24, Subchapter D.

#### §24.45. *Loan Amount and Interest Rate.*

(a) Minimum Loan Amount. No College Access Loan may be authorized for less than \$100.

(b) Annual Loan Limit. In no case shall the annual loan amount exceed the difference between the cost of attendance and the financial resources available to the applicant, including the applicant's scholarships, gifts, grants, and other financial aid. The student's

maximum eligibility for Federal Direct Loans, except for Federal PLUS loans, must be considered by the institution as other financial aid, whether or not the student actually receives such assistance.

#### (c) Aggregate Loan Limit.

(1) For [undergraduate] students enrolled in undergraduate or master's degree programs, the maximum aggregate loan amount for any eligible student shall not exceed the student's manageable debt level, as defined in §24.1 of this chapter (relating to Definitions).

(2) For students enrolled in doctoral or [graduate and] professional degree programs [students], the maximum aggregate loan amount for an eligible student is the sum of the student's annual limits.

(d) Interest Rate. The interest rate charged for new loans shall be set from time to time by the Commissioner, shall be simple interest, and shall begin to accrue on the outstanding principal from the date of disbursement, including during periods of forbearance.

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 12, 2026.

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Douglas Brock

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Texas Higher Education Coordinating Board

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## PART 2. TEXAS EDUCATION AGENCY

### CHAPTER 89. ADAPTATIONS FOR SPECIAL POPULATIONS

#### SUBCHAPTER AA. COMMISSIONER'S RULES CONCERNING SPECIAL EDUCATION SERVICES

#### DIVISION 7. DISPUTE RESOLUTION

#### 19 TAC §§89.1150, 89.1175, 89.1195, 89.1197

The Texas Education Agency (TEA) proposes amendments to §§89.1150, 89.1175, 89.1195, and 89.1197, concerning special education services. The proposed amendments would clarify program practices and requirements relating to dispute resolution in accordance with House Bill (HB) 2 and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025.

**BACKGROUND INFORMATION AND JUSTIFICATION:** Section 89.1150 establishes general provisions for special education dispute resolution. Proposed new subsection (b) would inform parents and school districts that TEA may share student-level information with an outside entity in accordance with the Family Educational Rights and Privacy Act for the purposes of facilitating local resolution of disputes related to special education.

Section 89.1175 establishes representation in special education due process hearings. The proposed amendment would add new subsection (d)(2) to establish a requirement for the non-attorney representative to have knowledge of all special education

dispute resolution options available to parents to align with HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025. A proposed amendment to the figure in subsection (c) would reflect the new requirement for alignment.

Section 89.1195 establishes provisions for special education complaint resolution. After careful consideration and a targeted focus on assisting school systems and families with preventing and resolving disagreements at the earliest stage possible, TEA is proposing deletion of subsections (f) and (j) that authorize a party to request a reconsideration process if the party feels that the agency made an error that was material to its decision or was incorrect in its determination. A reconsideration process is not required under federal or state law. Given the narrow scope of the reconsideration process, the agency has determined that students' best interests are served if agency staff prioritize assisting parties with preventing disputes and, when disputes do occur, focus on comprehensive, thorough, and accurate investigations and investigative reports.

The proposed amendment to §89.1197 would update the section title to align with HB 2 and SB 568. Further proposed changes to subsections (c) and (f)(2) would allow statewide individualized education program facilitation to be utilized prior to a potential dispute and when a dispute has arisen related to the provision of a free appropriate public education. These changes align the rule with HB 2 and SB 568. Proposed updates to subsections (f) and (f)(3) would provide clarity to school districts and parents regarding the process and timeline for when a request for a state-appointed facilitator must be filed.

**FISCAL IMPACT:** Jennifer Alexander, associate commissioner of special populations and student supports, 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 and limit existing regulations. The proposed amendments would clarify program practices and requirements regarding dispute resolution to align with HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025.

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. Alexander 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 ensure the rules are current by aligning them with federal law, state statute, and administrative rule and assist parents and school districts with requirements for dispute resolution for students receiving special education and related services. 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 23, 2026, and ends February 23, 2026. Public hearings will be conducted to solicit testimony and input on the proposed amendment at 9:30 a.m. on February 12 and 13, 2026. The public may participate in either hearing virtually by linking to the hearing at <https://us02web.zoom.us/j/87029464077>. Anyone wishing to testify must be present at 9:30 a.m. and indicate to TEA staff their intent to comment and are encouraged to also send written testimony to [sped@tea.texas.gov](mailto:sped@tea.texas.gov). Each hearing will conclude once all who have signed in have been given the opportunity to comment. Questions about the hearing should be directed to Derek Hollingsworth, Special Populations Policy and Compliance, [Derek.Hollingsworth@tea.texas.gov](mailto:Derek.Hollingsworth@tea.texas.gov). 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 amendments are proposed under Texas Education Code (TEC), §29.001, which requires the agency to develop and modify as necessary a statewide plan for the delivery of services to children with disabilities that ensures the availability of a free appropriate public education to children between the ages of 3-21; TEC, §29.010, which establishes criteria for general supervision and compliance; TEC, §29.019, which establishes criteria for individualized education program (IEP) facilitation; TEC, §29.020, as amended by House Bill (HB) 2 and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025, which establishes criteria for state-administered IEP facilitation; TEC, §29.0162, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which establishes criteria for representation in a special education due process hearing; 34 Code of Federal Regulations (CFR), §300.149, which establishes the state educational agency responsibility for general supervision; 34 CFR, §300.151, which establishes the criteria for the adoption of state complaint pro-

cedures; 34 CFR, §300.152, which establishes the criteria for minimum state complaint procedures; 34 CFR, §300.153, which establishes the criteria for filing a complaint; 34 CFR, §300.504, which establishes the criteria for procedural safeguards notice; 34 CFR, §300.512, which establishes hearing rights; and 34 CFR, §300.600, which establishes criteria for state monitoring and enforcement.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code, §§29.001, 29.010, and 29.019; §29.020 and §29.0162, as amended by House Bill 2 and Senate Bill 568, 89th Texas Legislature, Regular Session, 2025; and §29.0162; and 34 Code of Federal Regulations, §§300.149, 300.151, 300.152, 300.153, 300.504, 300.512, and 300.600.

§89.1150. *General Provisions.*

(a) It is the policy and intent of the Texas Education Agency (TEA) to encourage and support the resolution of any dispute that arises between a parent and a public education agency relating to the identification, evaluation, or educational placement of or the provision of a free appropriate public education (FAPE) to a student with a disability at the lowest level possible and in a prompt, efficient, and effective manner.

(b) To implement the policy and intent described by subsection (a) of this section and to offer opportunities for an alternative means of dispute resolution when a parent and a public education agency are in disagreement, TEA may disclose information to a representative as authorized by the Family Educational Rights and Privacy Act to assist with resolution efforts. Neither party would be required to engage in this process, and the information shared would only be for purposes of determining interest of either party in an alternative or early resolution process.

(c) ~~(b)~~ The possible options for resolving disputes include, but are not limited to:

(1) meetings of the student's admission, review, and dismissal committee, including individualized education program (IEP) facilitation if offered by the public education agency in accordance with §89.1196 of this title (relating to Individualized Education Program Facilitation);

(2) meetings or conferences with the student's teachers or providers;

(3) meetings or conferences, subject to the public education agency's policies, with the campus administrator, the special education director of the public education agency (or the shared services arrangement to which the public education agency may be a member), the superintendent of the public education agency, or the board of trustees of the public education agency;

(4) requesting state IEP facilitation in accordance with §89.1197 of this title (relating to State-Administered [State] Individualized Education Program Facilitation);

(5) requesting mediation through TEA in accordance with 34 Code of Federal Regulations (CFR), §300.506;

(6) filing a complaint with TEA in accordance with 34 CFR, §300.153; or

(7) requesting a due process hearing through TEA in accordance with 34 CFR, §§300.507-300.514.

§89.1175. *Representation in Special Education Due Process Hearings.*

(a) A party to a due process hearing may represent himself or herself or be represented by:

(1) an attorney who is licensed in the State of Texas; or

(2) an individual who is not an attorney licensed in the State of Texas but who has special knowledge or training with respect to problems of children with disabilities and who satisfies the qualifications of this section.

(b) A party who wishes to be represented by an individual who is not an attorney licensed in the State of Texas must file a written authorization with the hearing officer promptly after filing the request for a due process hearing or promptly after retaining the services of the non-attorney representative. The party must forward a copy of the written authorization to the opposing party at the same time that the written authorization is filed with the hearing officer.

(c) The written authorization must be on the form provided in this subsection.

Figure: 19 TAC §89.1175(c)

[Figure: 19 TAC §89.1175(e)]

(d) The written authorization must include the non-attorney representative's name and contact information and a description of the non-attorney representative's:

(1) special knowledge or training with respect to problems of children with disabilities;

(2) knowledge of all special education dispute resolution options available to parents, including due process hearings, state complaints, mediation, and individualized education program facilitation;

(3) ~~(2)~~ knowledge of the rules and procedures that apply to due process hearings, including those in 34 Code of Federal Regulations, §§300.507-300.515 and 300.532, if applicable, and this division;

(4) ~~(3)~~ knowledge of federal and state special education laws, regulations, and rules; and

(5) ~~(4)~~ educational background.

(e) The written authorization must state the party's acknowledgment of the following:

(1) the non-attorney representative has been given full authority to act on the party's behalf with respect to the hearing;

(2) the actions or omissions by the non-attorney representative are binding on the party, as if the party had taken or omitted those actions directly;

(3) documents are deemed to be served on the party if served on the non-attorney representative;

(4) communications between the party and a non-attorney representative are not generally protected by the attorney-client privilege and may be subject to disclosure during the hearing proceeding;

(5) neither federal nor state special education laws provide for the recovery of fees for the services of a non-attorney representative; and

(6) it is the party's responsibility to notify the hearing officer and the opposing party of any change in the status of the authorization and that the provisions of the authorization will remain in effect until the party notifies the hearing officer and the opposing party of the party's revocation of the authorization.

(f) If the non-attorney representative receives monetary compensation in exchange for representing the party in the due process hearing, the written authorization must affirm the following:

(1) the non-attorney representative has agreed to abide by a voluntary code of ethics and professional conduct during the period of representation; and

(2) the non-attorney representative and the party have entered into a confidential, written representation agreement that includes a process for resolving any disputes that may arise between the non-attorney representative and the party.

(g) The written authorization must be signed and dated by the party.

(h) An individual is prohibited from being a party's representative under subsection (a)(2) of this section if the individual has prior employment experience with the school district and the school district raises an objection to the individual serving as a representative based on the individual's prior employment experience. No other objections to a party's representation by a non-attorney are permitted under this section.

(i) Upon receipt of a written authorization filed under this section, the hearing officer must promptly determine whether the non-attorney representative is qualified and meets the requirements to represent the party in the hearing and must notify the parties in writing of the determination. A hearing officer's determination is final and not subject to review or appeal.

(j) A non-attorney representative may not file pleadings or other documents on behalf of a party, present statements and arguments on behalf of a party, examine and cross-examine witnesses, offer and introduce evidence, object to the introduction of evidence and testimony, or engage in other activities in a representative capacity unless the hearing officer has reviewed a written authorization filed under this section and determined that the non-attorney representative is qualified to represent the party in the hearing.

(k) In accordance with the Texas Education Code, §38.022, a school district may require an attorney or a non-attorney representative who enters a school campus to display his or her driver's license or another form of government-issued identification. A school district may also verify whether the representative is a registered sex offender and may apply a policy adopted by its board of trustees regarding the action to be taken when a visitor to a school campus is identified as a sex offender.

§89.1195. *Special Education Complaint Resolution.*

(a) In accordance with 34 Code of Federal Regulations (CFR), §300.151, the Texas Education Agency (TEA) has established a complaint resolution process that provides for the investigation and issuance of findings regarding alleged violations of Part B of the Individuals with Disabilities Education Act (IDEA) or a state special education statute or administrative rule.

(b) A complaint may be filed with [the] TEA by any individual or organization and must:

- (1) be in writing;
- (2) include the signature and contact information for the complainant;
- (3) contain a statement that a public education agency has violated Part B of the IDEA; 34 CFR, §300.1 et seq.; or a state special education statute or administrative rule;
- (4) include the facts upon which the complaint is based;
- (5) if alleging violations with respect to a specific student, include:

(A) the name and address of the residence of the student;

(B) the name of the school the student is attending;

(C) in the case of a homeless child or youth (within the meaning of §725(2) of the McKinney-Vento Homeless Act (42 United States Code, §11434a(2)), available contact information for the student and the name of the school the student is attending;

(D) a description of the nature of the problem of the student, including facts relating to the problem; and

(E) a proposed resolution of the problem to the extent known and available to the party at the time the complaint is filed;

(6) allege a violation that occurred not more than one calendar year prior to the date the complaint is received; and

(7) be forwarded to the public education agency that is the subject of the complaint at the same time that the complaint is filed with [the] TEA.

(c) A complaint must be filed with [the] TEA by electronic mail, mail, hand-delivery, or facsimile. [The] TEA has developed a form that may be used by persons or organizations filing a complaint. The form is available on request from [the] TEA and is also available on the TEA website. The complaint timeline will commence on the business day that TEA receives the complaint. If a complaint is received on a day other than a business day, the complaint timeline will commence on the first business day after the day on which [the] TEA receives the complaint. The one-calendar-year statute of limitations for a complaint will be determined based on the day that the complaint timeline commences.

(d) If a complaint does not meet the requirements outlined in subsection (b) of this section, [the] TEA must notify the complainant of the deficiencies in the complaint.

(e) Upon receipt of a complaint that meets the requirements of this section, [the] TEA must initiate an investigation to determine whether the public education agency is in compliance with applicable law and regulations in accordance with the following procedures.

(1) [The] TEA must send written notification to the parties acknowledging receipt of a complaint.

(A) The notification must include:

(i) the alleged violations that will be investigated;

(ii) alternative procedures available to address allegations in the complaint that are outside of the scope of Part B of the IDEA; 34 CFR, §300.1, et seq.; or a state special education statute or administrative rule;

(iii) a statement that the public education agency may, at its discretion, investigate the alleged violations and propose a resolution of the complaint;

(iv) a statement that the parties have the opportunity to resolve the complaint through mediation in accordance with the procedures in §89.1193 of this title (relating to Special Education Mediation);

(v) a timeline for the public education agency to submit:

(I) documentation demonstrating that the complaint has been resolved; or

(II) a written response to the complaint and all documentation and information requested by [the] TEA;

(vi) a statement that the complainant may submit additional information about the allegations in the complaint, either orally or in writing within a timeline specified by [the] TEA, and may provide a copy of any additional information to the public education agency to assist the parties in resolving the dispute at the local level; and

(vii) a statement that [the] TEA may grant extensions of the timeline for a party to submit information under clause (v) or (vi) of this subparagraph at the request of either party.

(B) In accordance with 34 CFR, §300.504, upon receipt of the first special education complaint filed by a parent during a school year, TEA will provide an electronic copy of the Notice of Procedural Safeguards to the parent, and the public education agency against which the complaint is filed must provide the parent with a hard copy of the Notice of Procedural Safeguards unless that parent has elected, in accordance with 34 CFR, §300.505, to receive the required notice by electronic mail, if the public education agency makes that option available.

(C) The public education agency must provide [the] TEA with a written response to the complaint and all documentation and information requested by [the] TEA. The public education agency must forward its response to the parent who filed the complaint at the same time that the response is provided to [the] TEA. The public education agency may also provide the parent with a copy of the documentation and information requested by [the] TEA. If the complaint was filed by an individual other than the student's parent, the public education agency must forward a copy of the response to that individual only if written parental consent has been provided to the public education agency.

(2) If the complaint is also the subject of a due process hearing or if it contains multiple issues of which one or more are part of that due process hearing, [the] TEA must:

(A) set aside any part of the complaint that is being addressed in the due process hearing until the conclusion of the hearing; and

(B) resolve any issue in the complaint that is not a part of the due process hearing.

(3) If an issue raised in the complaint has previously been decided in a due process hearing involving the same parties, [the] TEA must inform the complainant that the due process hearing decision is binding.

(4) [The] TEA has 60 calendar days after a valid written complaint is received to carry out the investigation and to resolve the complaint. [The] TEA may extend the time limit beyond 60 calendar days if exceptional circumstances, as determined by [the] TEA, exist with respect to a particular complaint. The parties will be notified in writing by [the] TEA of the exceptional circumstances, if applicable, and the extended time limit. The time limit may also be extended if the parties agree to extend it in order to engage in mediation pursuant to §89.1193 of this title or other alternative means of dispute resolution. In accordance with the Texas Education Code, §29.010(e), [the] TEA must expedite a complaint alleging that a public education agency has refused to enroll a student eligible for special education and related services or that otherwise indicates a need for expedited resolution, as determined by [the] TEA.

(5) During the course of the investigation and in resolving the complaint, [the] TEA must:

(A) conduct an investigation of the complaint that must include a complete review of all relevant documentation and that may

include interviews with appropriate individuals and an independent on-site investigation, if necessary;

(B) consider all facts and issues presented and the applicable requirements specified in law, regulations, or standards;

(C) make a determination of compliance or noncompliance on each issue in the complaint based upon the facts and applicable law, regulations, or standards and issue a written report of findings of fact and conclusions, including reasons for the decision, and any corrective actions that are required, including the time period within which each action must be taken;

(D) review any evidence that the public education agency has corrected noncompliance on its own initiative;

(E) ensure that [the] TEA's final decision is effectively implemented, if needed, through technical assistance activities, negotiations, and corrective actions to achieve compliance; and

(F) in the case of a complaint filed by an individual other than the student's parent, provide a copy of the written report only if written parental consent has been provided to [the] TEA.

(6) In resolving a complaint in which a failure to provide appropriate services is found, [the] TEA must address:

(A) the failure to provide appropriate services, including corrective action appropriate to address the needs of the student, including compensatory services, monetary reimbursement, or other corrective action appropriate to the needs of the student; and

(B) appropriate future provision of services for all students with disabilities.

(7) In accordance with 34 CFR, §300.600(e), the public education agency must complete all required corrective actions as soon as possible, and in no case later than one year after [the] TEA's identification of the noncompliance. A public education agency's failure to correct the identified noncompliance within the one-year timeline will result in an additional finding of noncompliance under 34 CFR, §300.600(e), and may result in sanctions against the public education agency in accordance with §89.1076 of this title (relating to Interventions and Sanctions).

~~(f) If a party to a complaint believes that the TEA's written report includes an error that is material to the determination in the report, the party may submit a signed, written request for reconsideration to the TEA by electronic mail, mail, hand-delivery, or facsimile within 15 calendar days of the date of the report. The party's reconsideration request must identify the asserted error and include any documentation to support the claim. The party filing a reconsideration request must forward a copy of the request to the other party at the same time that the request is filed with the TEA. The other party may respond to the reconsideration request within five calendar days of the date on which the TEA received the request. The TEA will consider the reconsideration request and provide a written response to the parties within 45 calendar days of receipt of the request. The filing of a reconsideration request must not delay a public education agency's implementation of any corrective actions required by the TEA.~~

(f) [(g)] In accordance with 34 CFR, §300.151, [the] TEA's complaint resolution procedures must be widely disseminated to parents and other interested individuals, including parent training and information centers, protection and advocacy agencies, independent living centers, and other appropriate entities.

(g) [(h)] In exercising its general supervisory authority under 34 CFR, §300.149 and §300.600, [the] TEA may resolve any other credibly alleged violation of IDEA or a state special education statute or

administrative rule that it receives even if a sufficient complaint is not filed with [the] TEA in accordance with 34 CFR, §§300.151-300.153, and this section. In doing so, [the] TEA may take one or more of the following actions:

- (1) requesting a response and supporting documentation from a public education agency against which a credible violation of IDEA or a state special education statute or administrative rule has been alleged;
- (2) conducting a desk or on-site investigation of a public education agency;
- (3) making a determination regarding the allegation(s); and
- (4) requiring a public education agency to implement corrective actions to address any identified noncompliance.

(h) [(+) For the purposes of subsection (g) [(h)] of this section, anonymous complaints, complaints that are received outside the one-calendar-year statute of limitations for a special education complaint, and complaints that do not include sufficient information or detail for [the] TEA to determine that an alleged violation of special education requirements may have occurred will not be considered to be credible complaints under this section but may possibly be addressed through the procedures describe by §97.1071 of this title (relating to Special Program Performance; Monitoring, Review, and Supports).

[(j) If the public education agency against which a complaint is received under subsection (h) of this section believes that TEA made an incorrect determination of noncompliance, the public education agency may submit a written request for reconsideration to the TEA within 15 calendar days of the date that TEA issued its findings. The reconsideration request must identify the asserted error and include any documentation to support the claim. The TEA will consider the reconsideration request and provide a written response to the public education agency within 45 calendar days of receipt of the request. The filing of a reconsideration request must not delay a public education agency's implementation of any corrective actions required by the TEA.]

§89.1197. *State-Administered [State] Individualized Education Program Facilitation.*

(a) In accordance with Texas Education Code, §29.020, the Texas Education Agency (TEA) will establish a program that provides independent individualized education program (IEP) facilitators.

(b) For purposes of this section, where TEA is referenced in subsections (c)-(p) of this section and where not otherwise prohibited by law, TEA may delegate duties and responsibilities to an education service center (ESC) when it is determined to be the most efficient way to implement the program.

(c) For the purpose of this section, IEP facilitation has the same general meaning as described in §89.1196(a) of this title (relating to Individualized Education Program Facilitation), except that state IEP facilitation may be utilized by a school district and a parent of a student with a disability to avoid a potential dispute relating to the provision of a free and appropriate public education (FAPE) or [is used] when the admission, review, and dismissal (ARD) committee meeting has ended in disagreement [is in dispute] about decisions relating to the provision of FAPE [a free and appropriate public education] to a student with a disability and the facilitator is an independent facilitator provided by TEA.

(d) A request for IEP facilitation under this section must be filed by completing a form developed by TEA that is available upon request from TEA and on the TEA website. The form must be filed with TEA by one of the parties by electronic mail, mail, hand-delivery, or facsimile.

(e) IEP facilitation under this section must be voluntary on the part of the parties and provided at no cost to the parties.

(f) In order for TEA to provide an independent facilitator, the request must be submitted jointly by a school district and a parent of a student with a disability, and the following conditions must be met.

(1) The required form must be completed and signed by both parties.

(2) The parties believe that a state-appointed IEP facilitator may assist in avoiding a potential dispute relating to the provision of FAPE or [dispute must relate to] an ARD committee meeting has ended in disagreement regarding the provision of FAPE and the committee has [in which mutual agreement about one or more of the required elements of the IEP was not reached and the parties have] agreed to recess and reconvene the meeting in accordance with §89.1055(o) of this title (relating to Individualized Education Program).

(3) The request for IEP facilitation must be received by TEA at least 10 calendar days prior to the ARD committee meeting for which a facilitator is being requested or within 10 calendar days of the ARD committee meeting that ended in disagreement. A state-appointed[, and a] facilitator must be available on the date set for [reconvening] the meeting.

(4) The same parties must not have participated in IEP facilitation concerning the same student under this section within the same school year of the filing of the current request for IEP facilitation.

(g) Within five business days of receipt of a request for an IEP facilitation under this section, TEA will determine whether the conditions in subsections (d)-(f) of this section have been met and will notify the parties of its determination and the assignment of the independent facilitator, if applicable.

(h) Notwithstanding subsections (c)-(f) of this section, if a special education due process hearing or complaint decision requires a public education agency to provide an independent facilitator to assist with an ARD committee meeting, the public education agency may request that TEA assign an independent facilitator. Within five business days of receipt of a written request for IEP facilitation under this subsection, TEA will notify the parties of its decision to assign or not assign an independent facilitator. If TEA declines the request to assign an independent facilitator, the public education agency must provide an independent facilitator at its own expense.

(i) TEA's decision not to provide an independent facilitator is final and not subject to review or appeal.

(j) The independent facilitator assignment may be made based on a combination of factors, including, but not limited to, geographic location and availability. Once assigned, the independent facilitator must promptly contact the parties to clarify the issues, gather necessary information, and explain the IEP facilitation process.

(k) TEA will use a competitive solicitation method to seek independent facilitation services, and the contracts with independent facilitators will be developed and managed in accordance with TEA's contracting practices and procedures.

(l) At a minimum, an individual who serves as an independent facilitator under this section:

(1) must have demonstrated knowledge of federal and state requirements relating to the provision of special education and related services to students with disabilities;

(2) must have demonstrated knowledge of and experience with the ARD committee meeting process;

(3) must have completed 18 hours or more of training in IEP facilitation, consensus building, and/or conflict resolution as specified in TEA's competitive solicitation;

(4) must complete continuing education as determined by TEA;

(5) may not be an employee of TEA or the public education agency that the student attends; and

(6) may not have a personal or professional interest that conflicts with his or her impartiality.

(m) An individual is not an employee of TEA solely because the individual is paid by TEA to serve as an independent facilitator.

(n) An independent facilitator must not be a member of the student's ARD committee, must not have any decision-making authority, and must remain impartial to the topics under discussion. The independent facilitator must assist with the overall organization and conduct of the ARD committee meeting by:

(1) assisting the committee in establishing an agenda and setting the time allotted for the meeting;

(2) assisting the committee in establishing a set of guidelines for the meeting;

(3) guiding the discussion and keeping the focus on developing a mutually agreed upon IEP for the student;

(4) ensuring that each committee member has an opportunity to participate;

(5) helping to resolve disagreements that arise; and

(6) helping to keep the ARD committee on task so that the meeting purposes can be accomplished within the time allotted for the meeting.

(o) An independent facilitator must protect the confidentiality of personally identifiable information about the student and comply with the requirements in the Family Educational Rights and Privacy Act regulations, 34 CFR, Part 99, relating to the disclosure and redisclosure of personally identifiable information from a student's education record.

(p) TEA will develop surveys to evaluate the IEP facilitation program and the independent facilitators and will request that parties who participate in the program complete the surveys.

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 12, 2026.

TRD-202600063

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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For further information, please call: (512) 475-1497



## CHAPTER 153. SCHOOL DISTRICT PERSONNEL

## SUBCHAPTER FF. COMMISSIONER'S RULES CONCERNING PREPARING AND RETAINING EDUCATORS THROUGH PARTNERSHIP PROGRAM ALLOTMENT

### 19 TAC §§153.1301 - 153.1306

The Texas Education Agency (TEA) proposes new §§153.1301, 153.1302, 153.1303, 153.1304, 153.1305, and 153.1306, concerning school district personnel. The proposed new subchapter would establish rules concerning the Preparing and Retaining Educators Through Partnership (PREP) Program Allotment, which was enacted by House Bill (HB) 2, 89th Texas Legislature, Regular Session, 2025.

BACKGROUND INFORMATION AND JUSTIFICATION: HB 2 established the PREP Program Allotment and requirements needed for districts and open-enrollment charter schools to access funds. New Texas Education Code (TEC), §21.911, requires the commissioner of education to establish rules necessary to implement TEC, Chapter 21, Subchapter R.

#### *Definitions*

Proposed new §153.1301 would establish definitions for commonly used terms in new Subchapter FF.

#### *General Provisions*

Proposed new §153.1302 would establish general provisions for the PREP Program Allotment. The proposed new rule would streamline and clarify general provisions that apply to all five of the PREP programs funded by the allotment. Each subsequent section under Subchapter FF would detail additional provisions unique to each of the PREP programs.

New §153.1302(a) would establish eligibility requirements for accessing PREP Program Allotment funds, application procedures, and approval processes. It would also establish a process through which school systems could identify interest in the funding opportunity, as the PREP program is an optional entitlement.

New §153.1302(b) would include provisions for school system funding and spending. PREP Program Allotment funding is based on a statutory formula, and the subsection would clarify how the TEA would calculate allotments.

New §153.1302(c) would indicate information school systems must submit to TEA in order for TEA to calculate annual allotments, along with information that would be necessary for the commissioner to engage in periodic reviews of programs under the requirements of TEC, §21.909.

New §153.1302(d) would clarify the periodic review process that the commissioner is required to implement under TEC, §21.909. This subsection would also include actions TEA may take as a result of the reviews.

New §153.1302(e) would specify how renewals or withdrawals from the program would occur to allow school systems to plan accordingly.

#### *PREP Preservice Residency Preservice Program*

HB 2, 89th Texas Legislature, 2025, created an optional PREP Residency Preservice Program, detailed in TEC, §21.904 and §48.157, for those districts choosing to implement a paid teacher residency program. Section 153.1303 would further clarify requirements in statute for the PREP Residency Preservice Program.

Proposed new §153.1303(a) would specify general provisions related to the new rule.

Proposed new §153.1303(b) would specify eligibility for school districts, charter schools, and educator preparation programs (EPPs).

Proposed new §153.1303(c) would specify program standards, including partnership agreements, clinical teaching experience, teacher resident engagement, coursework completion, and host and mentor teacher pairing.

Proposed new §153.1303(d) would establish performance goals.

Proposed new §153.1303(e) would specify timelines for periodic reviews of performance goals.

Proposed new §153.1303(f) would outline funding requirements.

Proposed new §153.1303(g) would outline program spending requirements.

#### *PREP Grow Your Own Program*

HB 2, 89th Texas Legislature, 2025, created an optional PREP Grow Your Own Program, detailed in TEC, §21.906 and §48.157, for those school districts or open-enrollment charter schools choosing to implement a Grow Your Own Program. Proposed new §153.1304 would pertain to the PREP Grow Your Own Program.

Proposed new §153.1304(a) would specify general provisions related to the new rule.

Proposed new §153.1304(b) would specify school district and charter school eligibility for participation.

Proposed new §153.1304(c) would specify program standards, including high school program requirements, requirements for supporting school district or eligible charter school employees, guidance and transition supports, scheduled release time for employees, employee job assignment, and completion of bachelor's degree and certification requirements.

Proposed new §153.1304(d) would establish performance goals.

Proposed new §153.1304(e) would specify timelines for periodic reviews of performance goals.

Proposed new §153.1304(f) would outline funding and spending requirements.

#### *PREP Mentorship Program*

HB 2, 89th Texas Legislature, Regular Session, 2025, created an optional PREP Mentorship Program, detailed in TEC, §21.907 and §48.157, for those school districts or open-enrollment charter schools choosing to implement a mentorship program in accordance with TEC, §21.458. Proposed new §153.1305 would clarify aspects of law related to mentor training programs for new teachers.

Proposed new §153.1305(a) would specify general provisions related to the new rule.

Proposed new §153.1305(b) would specify program standards, including mentor teacher qualifications, number of beginning teachers a mentor teacher may be assigned, staff who must complete mentor training, and the timelines related to mentor training. Subsection (b) would also clarify the appropriate times of day and frequency with which meetings between mentors and beginning teachers should occur and the topics that mentor teachers and beginning teachers must cover.

Proposed new §153.1305(c) would establish program performance goals.

Proposed new §153.1305(d) would outline funding and spending requirements.

#### *EPP Training Content*

Proposed new §153.1306 establishes EPP training content requirements related to the implementation of PREP Preservice Programs.

New §153.1306(a) would establish general provisions for EPP training content development and related training for faculty and staff responsible for preparing teacher candidates in preparation route established by TEC, §21.04422.

New §153.1306(b) would establish TEA processes for the development of content materials prior to use in teacher candidate preparation.

New §153.1306(c) would establish the requirement for TEA to develop and deliver training to EPP faculty and staff to implement and redeliver the required training content materials.

**FISCAL IMPACT:** Jessica McLoughlin, associate commissioner for educator preparation, certification, and enforcement, 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 create new regulations by establishing the PREP program and the rules that guide the program's implementation for school districts and open-enrollment charter schools.

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 expand, limit, nor 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. McLoughlin 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 ensure rule language is based on current law and provide school districts and open-enrollment charter schools with clarification on the requirements and process needed to participate in the optional PREP Program Allotment. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would create a new data collection for school districts and charter schools that choose to participate in the program. The reporting requirements, authorized under TEC, §§21.902, 21.904, 21.906, and 21.907, relate to implementation of and participation in the program.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** TEA has determined that the proposed new rules would require a written report or other paperwork to be completed by a principal or classroom teacher, such as participation in annual surveys. However, proposal would impose the least burdensome requirement possible to achieve the objective of the rules.

**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 23, 2026, and ends February 23, 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 23, 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 new sections are proposed under Texas Education Code (TEC), §21.901, as added by House Bill (HB) 2, 89th Texas Legislature, Regular Session, 2025, which establishes definitions for Preparing and Retaining Educators Through Partnership (PREP) programs; TEC, §21.902, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes provisions for three PREP Preservice Programs: PREP Preservice Traditional Program, PREP Preservice Residency Program, and PREP Preservice Alternative Program; TEC, §21.903, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes requirements for the PREP Preservice Traditional Program; TEC, §21.904, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes a PREP Preservice Residency Program for participating school districts or open-enrollment charter schools to implement teacher residency preservice programs that provide teacher candidates with extensive year-long clinical practice under the supervision of a host teacher. It also outlines permissible use of allotment funds, which include candidate pay, mentor stipends, and training and administrative costs; TEC, §21.905, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes requirements for the PREP Preservice Alternative Program; TEC, §21.906, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes a PREP Grow Your Own Program for participating school districts or open-enrollment charter schools

to implement Grow Your Own Programs supporting district or open-enrollment charter school employees who do not hold a teaching certificate in completing a bachelor's degree and enrolling in a preparation program for teacher certification and high school students in completing education and training career and technical education (CTE) courses to help prepare students for the teaching profession. It also outlines permissible use of allotment funds, which include program implementation and paying tuition and fees for participating students and employees; TEC, §21.907, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes a PREP Mentorship Program for participating school districts or open-enrollment charter schools to implement a mentoring program that meets the requirements of TEC, §21.458, for classroom teachers who have less than two years of teaching experience. It also outlines permissible use of mentor program allotment funds, which include mentor teacher stipends, scheduled release time for mentoring activities, and mentor support through providers of mentor training; TEC, §21.908, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes requirements for educator preparation program supports; TEC, §21.909, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes the requirement for the commissioner to establish performance standards, goals, and periodic review of the PREP program; TEC, §21.910, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which includes provisions for authority to accept certain money; TEC, §21.911, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, requires the commissioner to adopt rules as necessary to implement TEC, Chapter 21, Subchapter R; TEC, §48.157, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes a PREP Program Allotment and a formula to determine the amount to which eligible school districts and open-enrollment charter schools are entitled for each PREP program; TEC, §21.067, as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which requires the commissioner to develop and make available content training materials and related EPP faculty training required for preparing teacher candidates enrolled in any of the PREP Preservice Programs; and TEC, §21.044(i), as added by HB 2, 89th Texas Legislature, Regular Session, 2025, which establishes the content training requirements for teacher candidates enrolled in any of the PREP Preservice Programs.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code, §§21.901-21.911 and 48.157, as added by House Bill 2, 89th Texas Legislature, Regular Session, 2025.

*§153.1301. Definitions.*

In addition to terms defined in Texas Education Code (TEC), §21.901, the following words, terms, and phrases shall have the following meanings when used in this subchapter.

(1) Beginning teacher--A classroom teacher in Texas with fewer than two years of teaching experience in the subject or grade level to which the teacher is assigned.

(2) Charter school--A Texas public school that meets one of the following criteria:

(A) is operated by a charter holder under an open-enrollment charter granted either by the State Board of Education or commissioner of education pursuant to TEC, §12.101, identified with its own county district number;

(B) has a charter granted under TEC, Chapter 12, Subchapter C;

(C) has a charter granted under TEC, §12.256, and Human Resources Code, §221.002; or

(D) has a charter granted under TEC, §11.157(b).

(3) Classroom teacher--An educator who is employed by a school system in Texas and who, not fewer than an average of four hours each day, teaches in an academic instructional setting or a career and technical instructional setting. The term does not include a teacher's aide or a full-time administrator. For purposes of this subchapter, a classroom teacher includes an educator who may not yet hold a certificate issued under TEC, Chapter 21, Subchapter B.

(4) Clinical teaching--This term has the meaning assigned in §228.2 of this title (relating to Definitions).

(5) Cooperating teacher--This term has the meaning assigned in TEC, §21.901(3), and further defined in §228.2 of this title.

(6) Co-teaching--This term has the meaning assigned in §228.2 of this title.

(7) Educator preparation program--This term has the meaning assigned in §228.2 of this title.

(8) Full-time mentor teacher--A mentor teacher whose primary role is supporting the development of beginning teachers through mentorship.

(9) Host teacher--This term has the meaning assigned in §228.2 of this title. A host teacher will serve in lieu of a cooperating teacher in the supervision of teacher residents.

(10) Instructional support--The range of opportunities in which an individual teacher candidate is actively supporting learners to acquire knowledge and develop skills to achieve learning goals. Settings for these activities may include, but are not limited to, co-teaching with a cooperating teacher within a classroom, research-based tutoring, and 1-1 or small group interventions.

(11) Internship--This term has the meaning assigned in §228.2 of this title.

(12) Mentor teacher--An individual who serves or has served as a teacher in Texas who provides effective support to help beginning teachers successfully transition into the teaching assignment. An appraiser, as defined by TEC, §21.351, may serve as a mentor teacher but may not mentor a classroom teacher for whom they are responsible for appraising.

(13) Preparing and Retaining Educators Through Partnership (PREP) program--One of the five PREP programs under TEC, §§21.903-21.907 and 48.157.

(14) Preservice program--One of the three PREP programs under TEC, §§21.904-21.906, that includes a partnership between a school district or eligible charter school and an eligible educator preparation program.

(15) Reduced teaching load--Rostering and scheduling strategies that reduce the number of instructional periods assigned to classroom teachers, achieved through methods such as reducing the number of sections assigned to the classroom teacher, increasing the number of students in certain sections to enable release time, hiring additional staff, or other strategic staffing approaches.

(16) Release time--Periods of time within the regularly contracted school day in which classroom teachers, teacher candidates, and educational aides are released from direct instructional activities

or responsibilities supervising students, such as arrival and dismissal duties, to engage in required activities for their roles.

(17) School system--A school district or charter school.

(18) Strategic staffing--For the purpose of the PREP programs described in this subchapter, the process by which a school system and an education preparation program design and implement a paid clinical teacher experience that is sustainably funded by reallocating school district resources to compensate teacher candidates who take on additional instructional responsibilities on the campus, such as tutoring, substitute teaching, or providing release time for lead teachers, while completing their clinical teaching requirements.

(19) Teacher--A superintendent, principal, supervisor, classroom teacher, school counselor, or other school district or charter school employee who provides direct instructional support to other teachers.

(20) Teacher candidate--This term has the meaning assigned in TEC, §21.901(8).

(21) Teacher of record--This term has the meaning assigned in §228.2 of this title.

§153.1302. General Provisions for the Preparing and Retaining Educators Through Partnership Program.

(a) Eligibility, application procedures, and approval processes.

(1) In addition to school districts, charter schools as defined in §153.1301 of this subchapter (relating to Definitions), may apply to receive funding for the Preparing and Retaining Educators Through Partnership (PREP) Program Allotment with the following provisions.

(A) All preservice PREP programs under Texas Education Code (TEC), §21.902(a), must provide practice opportunities for teacher candidates in prekindergarten-Grade 12 classrooms. Charter schools with a charter granted under TEC, §12.256, and Human Resources Code, §221.002, are ineligible to receive funding under TEC, §48.157, for PREP preservice programs under TEC, §§21.903-21.905, or the PREP Grow Your Own Program under TEC, §21.906.

(B) Charter schools with a charter granted under TEC, §12.256, and Human Resources Code, §221.002, are eligible to apply for the PREP Mentorship Program under TEC, §21.907.

(C) Charter schools that have a charter granted under TEC, Chapter 12, Subchapter C, are subject to the funding caps described in TEC, §48.157.

(D) Charter schools that have a charter granted under TEC, Chapter 12, Subchapter C, must have a written agreement with the partner school district to document how allotment funds generated through the partnership will be spent.

(2) Annually, the Texas Education Agency (TEA) will make publicly available an application and approval process for school systems to apply for PREP program funding under TEC, §§21.903-21.907 and 48.157.

(A) Annually, TEA shall provide:

(i) the timeline for application and approval; and

(ii) statutorily based minimum requirements necessary for an application to be eligible for approval.

(B) School systems must apply for approval separately for each PREP program under TEC, §§21.903-21.907. The approval of one PREP program does not guarantee approval of a separate PREP program.

(C) If TEA determines that an initial application is incomplete, the application will not be approved for funding.

(D) Applicants that are determined to meet the statutorily based minimum requirements shall be approved individually for each PREP program under TEC, §§21.903-21.907.

(E) If a school system's application for a PREP program is denied, it may submit a written response or request for a second review within 30 days of TEA sending the school system its notification.

(3) Annually, TEA will make publicly available a process through which school systems may apply for, add, or remove educator preparation program (EPP) and institution of higher education (IHE) partnerships to meet requirements under TEC, §§21.903-21.906.

(A) Only approved partnerships will be able to generate allotment funding under TEC, §48.157.

(B) Previously approved partnerships must adopt the State Board of Educator Certification-approved EPP content under §153.1306 of this subchapter (relating to Educator Preparation Program Training Content for Preparing and Retaining Educators Through Partnership Preservice Programs) or will lose funding eligibility under TEC, §48.157.

(b) Funding and spending requirements.

(1) State funding.

(A) School systems will receive PREP Program Allotment funds based on information collected via TEA data systems. Any difference from the initial and final amount will be addressed as part of the Foundation School Program settle-up process according to the provisions in TEC, §48.272.

(B) Annually, TEA will collect data on PREP program participants that will generate allotment funding under TEC, §48.157, and other related roles such as cooperating and mentor teachers. These data collections will include participant identification information in addition to campus and school system placements.

(C) School systems shall annually verify and confirm teacher candidate and beginning teacher placements and corresponding allotments by the date communicated by TEA.

(D) TEA may exercise administrative discretion to redirect or recalculate funds to a school system in which the teacher candidate is placed if a school system disputes Educator Certification Online System (ECOS) or Public Education Information Management System (PEIMS) data. Disputes must be received by the dates communicated by TEA.

(2) Spending. School systems must spend funding generated under TEC, §48.157, in accordance with the provisions under TEC, §§21.903-21.907, and the provisions within this subchapter.

(c) Program submissions.

(1) Annually, unless otherwise specified by TEA, school systems shall complete a program submission for each of the PREP programs for which they receive funds under TEC, §48.157. This program submission shall include implementation data and the distribution of allotment funds from the previous school year in accordance with the funding and spending provisions under TEC, §§21.902-21.907 and 48.157, and this section.

(A) School systems must establish local option codes to accurately monitor and report the appropriate distribution of allotment funds.

(B) School system superintendents, chief financial officers, or other staff roles identified by TEA must certify that the information in the program submission is accurate to the best of their knowledge and complies with all applicable state and federal laws, including TEC, Chapter 39, Subchapter D.

(C) The program submission must be submitted in a format prescribed by TEA and include the name and title of the certifying individual, date of certification, and statement of understanding that false certification may result in criminal penalties.

(2) Annually, unless otherwise specified by TEA, school systems must have program participants, determined by TEA and communicated annually by August 1 each year, such as teachers, campus principals, and human resources personnel, respond to surveys developed by TEA to gauge the perception of the school system's implementation of applicable PREP programs.

(3) School systems shall provide TEA all other data and information requested on PREP program implementation per TEC, §21.902(c)(4) and §21.906(d)(5), or otherwise needed to implement periodic reviews under TEC, §21.909, and subsection (d) of this section. School systems shall submit this data in the format specified by TEA by the communicated deadline. These collections shall include, at minimum, evidence of implementation of written agreements with EPPs or IHEs under TEC, §21.902(c)(1) or §21.906(d)(3), and submission of data through systems such as ECOS and PEIMS for individuals that generate an allotment under TEC, §48.157.

(d) Periodic reviews.

(1) Annually, or at any other time determined by TEA, TEA may engage in a review, pursuant to TEC, §48.272(e), and subject to the period of review limitation in TEC, §48.272(f), of a school system's approved PREP program.

(2) Annually, TEA will review the school system's program submission.

(A) If a school system's program submission under this subsection is incomplete, the commissioner:

(i) may require the school system to complete the submission;

(ii) may require the school system to develop and implement a PREP program improvement plan; or

(iii) may partially or fully rescind the school system's current allotment under TEC, §48.157.

(B) If a school system's program submission includes incorrect information, the commissioner:

(i) may review a school system's PREP Program Allotment budgets and fiscal reports under TEC, §48.010, and in accordance with subsection (e) of this section;

(ii) may take action under TEC, §48.270 and §44.051;

(iii) may require the school system to develop and implement an improvement plan;

(iv) may partially or fully rescind a school system's current allotment; or

(v) may prohibit the school system from participating in a PREP program for a period not to exceed five years consistent with TEC, §21.909(c).

(3) Every three years, TEA will review a school system's performance goal attainment according to the provisions for each of

the PREP programs under this section and §153.1303 of this subchapter (relating to Preparing and Retaining Educators Through Partnership Residency Preservice Program), §153.1304 of this subchapter (relating to Preparing and Retaining Educators Through Partnership Grow Your Own Program), and §153.1305 of this subchapter (relating to Preparing and Retaining Educators Through Partnership Mentorship Program). If, in reviewing one of the school system's PREP programs under TEC, §§21.903-21.907, the commissioner determines that the school system has failed to meet the performance goals established for a PREP program under this section and §§153.1303-153.1305 of this subchapter, the commissioner:

(A) may require the school system to develop and implement a PREP program improvement plan;

(B) may partially or fully rescind a school system's current allotment; and

(C) shall prohibit the school system from participating in a PREP program for a period not to exceed five years consistent with TEC, §21.909(c).

(e) Renewals and withdrawals.

(1) Annually, a school system that has been previously approved for funding for a PREP program and does not have a current prohibition on participation in a PREP program under subsection (d)(2)(B)(v) or (3)(A)(iii) of this section will automatically continue to generate an annual allotment under TEC, §48.157. School systems will not need to re-apply to receive year-over-year funding.

(2) School systems may withdraw from participation in a PREP program according to the timelines and processes established by TEA and made publicly available annually by May 1 each year.

§153.1303. Preparing and Retaining Educators Through Partnership Residency Preservice Program.

(a) General provisions.

(1) The commissioner of education shall establish the Preparing and Retaining Educators Through Partnership (PREP) Residency Preservice Program as a partnership preservice program to enable qualified educator preparation programs (EPPs), as determined by the commissioner, that meet the teacher residency preparation requirements under Texas Education Code (TEC), §21.04422, to form partnerships with school districts and eligible charter schools to prepare candidates for an enhanced standard certificate. Partnerships participating in this program must meet all general provisions described in §153.1302 of this subchapter (relating to General Provisions for the Preparing and Retaining Educators Through Partnership Program).

(2) For residency preservice programs to receive funds under TEC, §21.904 and §48.157, they must meet all provisions described in §153.1302 of this subchapter and the program standards listed in this section.

(b) PREP Residency Preservice Program eligibility.

(1) School district and charter school eligibility. School districts and eligible charter schools must have at least one partnership with an approved EPP that has met the eligibility requirements described in paragraph (2) of this subsection.

(2) EPP eligibility.

(A) To participate in the PREP Residency Preservice Program in the 2026-2027 school year, all EPPs must have received previous State Board of Educator Certification (SBEC) approval to offer the Teacher Residency Preparation Route established under Chap-

ter 228 of this title (relating to Educator Preparation Program Requirements).

(B) To participate in the PREP Residency Preservice Program in the 2027-2028 school year and beyond, all EPPs must have received SBEC approval to offer the PREP Teacher Residency Preparation Route established through SBEC rulemaking authority in Chapter 228 of this title.

(c) Program standards. The partnership must meet all residency preservice partnership requirements described in TEC, §21.902 and §21.904, and requirements for the preparation route under TEC, §21.04422, and Chapter 228 of this title. The residency preservice program partnership shall:

(1) develop and submit to the Texas Education Agency (TEA), upon request, a written partnership agreement with at least one approved EPP, with an attestation and explanation of how the partnership shall meet the standards described in this subsection;

(2) provide the teacher resident with a year-long clinical teaching experience aligned to the candidate's certification area in a prekindergarten-Grade 12 classroom. Candidates must meet all requirements for clinical teaching hours and placement described in §228.65 of this title (relating to Residency). The school district or eligible charter school must support the completion of these requirements;

(3) ensure the teacher resident does not serve as a teacher of record while completing the PREP Residency Preservice Program under TEC, §21.902(e). Teacher resident engagement in responsibilities held by a teacher of record for the purpose of learning must meet the requirements described in TEC, §21.902(f);

(4) work collaboratively to ensure that a candidate's schedule supports the candidate's ability to access and complete all required coursework in the residency program;

(5) select and pair the host teacher with the teacher resident.

(A) For the 2026-2027 school year, the school district or eligible charter school will work with the EPP to ensure and track that the host teacher completes all training requirements as described in Chapter 228 of this title.

(B) For the 2027-2028 school year, the school district or eligible charter school will be responsible for registering the host teacher to complete the TEA-developed Texas Mentorship Training. The school district and eligible charter school will ensure and track that the host teacher completes all training requirements for initial participation and retraining requirements described in Chapter 228 of this title;

(6) ensure that the teacher candidate is mentored by a mentor teacher who has completed the Texas Mentorship Training established under TEC, §21.907, for the candidate's first two years as a teacher of record after completing the partnership preservice program. This requirement only applies to teachers who are initially employed in the school district or eligible charter school where they completed their residency; and

(7) commit to all other school district and eligible charter school partner requirements currently described in Chapter 228 of this title.

(d) Performance goals. Performance outcomes prioritize measurement of:

(1) evidence of partnership requirements under subsection (c)(1)-(7) of this section;

(2) percent of teacher residency candidates who complete certification requirements by attaining an enhanced standard certificate; and

(3) teacher resident employment in Texas school districts and eligible charter schools.

(e) Timelines for periodic reviews. The commissioner will review the performance goals described in subsection (d) of this section for each participating residency preservice program beginning three years following the initial PREP Residency Preservice Program approval under §153.1302(a)(4) of this subchapter.

(f) Program funding.

(1) School district and eligible charter school funding.

(A) The school district or eligible charter school will receive initial payment per TEC, §48.157(j)(2), for up to 40 residents.

(B) The school district or eligible charter school will receive the remaining allotment as described under TEC, §48.157(b)(2), upon the candidate's successful attainment of the enhanced standard certificate within one year of beginning the residency program.

(C) The school district or eligible charter school may fund up to 40 additional teacher residents at the rate described in TEC, §48.157(g). Residents must still be compensated as described in TEC, §21.904(d). This provision is only applicable if the school district or eligible charter school does not exceed the total number of candidates under TEC, §48.157(f)(1).

(2) EPP funding. The EPP will receive funding described under TEC, §48.157(h), when each teacher resident completes a full year of employment in a Texas school district or eligible charter school as a teacher of record following attainment of the enhanced standard certificate.

(g) Program spending. Money received under TEC, §48.157, may be used only to implement the PREP Residency Preservice Program and must meet the following spending requirements.

(1) School districts and eligible charter schools shall use funds provided under TEC, §48.157(b)(2), to compensate teacher residents and host teachers as described in TEC, §21.904(c). Teacher residents must be additionally compensated as described in TEC, §21.904(d). The remaining discretionary funding under TEC, §48.157(b)(2), must be used to support the residency preservice program (for example, paying for the TEA-adopted Texas Mentorship Training or funding salaries for program implementation supports, EPP partner supports, expansion of host teacher stipends, or strategic staffing training and support).

(2) EPPs must meet spending requirements pertaining to EPPs under TEC, §48.157(h).

§153.1304. *Preparing and Retaining Educators Through Partnership Grow Your Own Program.*

(a) General provisions.

(1) The commissioner of education shall establish the Preparing and Retaining Educators Through Partnership (PREP) Grow Your Own Program to enable qualified institutions of higher education (IHEs) and educator preparation programs (EPPs), as determined by the commissioner, to form partnerships with school districts and eligible charter schools to establish innovative staffing pipelines to ensure the availability of high-quality classroom teachers to benefit future school district or charter school students.

(2) The PREP Grow Your Own Program applies to school districts and eligible charter schools that seek to support the following aspiring teacher programs. To attain allotment funding, applicants:

(A) must establish an employee program for school district and eligible charter school employees who remain employed in the school district while completing their bachelor's degree and EPP requirements for teacher certification. Employees must be full-time while serving as a paraprofessional or in a role supporting the instruction of students that is not the teacher of record; and

(B) may establish a program for high school students completing education and training career and technical education (CTE) courses and dual enrollment educator pathway coursework.

(3) For a school district or an eligible charter school to receive funds for the PREP Grow Your Own Program under Texas Education Code (TEC), §21.906 and §48.157, it must meet all provisions described in §153.1302 of this subchapter (relating to General Provisions for the Preparing and Retaining Educators Through Partnership Program) and the program standards listed in subsection (c) of this section.

(b) School district and charter school eligibility. To participate in the PREP Grow Your Own Program, applicants must meet the following eligibility criteria in addition to the requirements described in §153.1302(a) of this subchapter.

(1) Approval to participate in a PREP Preservice Program is described in §153.1302 of this subchapter.

(A) For the 2026-2027 school year, applicants must be approved to participate in the PREP Residency Preservice Program (TEC, §21.904).

(B) For the 2027-2028 school year, applicants must be approved to participate in at least one PREP Preservice Program (TEC, §§21.903, 21.904, or 21.905).

(2) Participating school districts and eligible charter schools must have a written partnership agreement with a bachelor's-degree-conferring IHE and an accredited Texas EPP (if not included within the IHE). The partnership agreement must be established prior to PREP Grow Your Own Program implementation.

(c) Program standards.

(1) High school program. The participant must ensure the following requirements during the high school student's experience in the PREP Grow Your Own Program.

(A) Students must have access to practice in education and training CTE courses and/or dual credit coursework meeting the requirements described in Chapter 127, Subchapter G, of this title (relating to Education and Training).

(B) During the education and training practicum course, students must be paired with a cooperating teacher who has agreed to participate and meets all the cooperating teacher guidelines developed by the employing school district, their IHE, and EPP partners.

(C) Students must have access to transition supports that provide guidance and support to enroll in a post-secondary pathway. These may include:

(i) providing students information regarding local IHEs or community colleges that offer pathways to teacher preparation programs and approved PREP allotment partnership preservice programs under TEC, §21.902; or

(ii) holding, at minimum, one synchronous IHE/community college recruitment event annually to discuss the

school district's or eligible charter school's approved partnership preservice programs.

(D) Students shall obtain the Educational Aide I Certificate to the extent practicable.

(2) School district or eligible charter school employee program. The participant must ensure the following requirements during the employee's experience in the PREP Grow Your Own Program.

(A) Employees must have monthly scheduled release time to support completion of a bachelor's degree while remaining employed in the school district. The school district must work with the undergraduate degree program and the EPP to establish a release time schedule that addresses the employee's needs.

(B) Employees must be employed in a role that includes instructional support for students. Employees must spend at least 25% or more of their day focused on instructional support, including the requirement to practice teaching under the supervision of a cooperating teacher.

(C) Employees must have access to transition supports as described in paragraph (1)(C) of this subsection.

(D) Employees must be paired with a cooperating teacher as described in paragraph (1)(B) of this subsection.

(E) Employees may not serve as a teacher of record while completing the PREP Grow Your Own Program under TEC, §21.902(g)(1). Employee engagement in responsibilities held by a teacher of record for the purpose of learning must meet the requirements described in TEC, §21.902(h).

(F) Employees must attain an Educational Aide III certificate within the first year of beginning participation in the school district's or eligible charter school's PREP Grow Your Own Program.

(G) Employees must complete their bachelor's degree and, at a minimum, be enrolled in an accredited EPP within three years of formally beginning participation in the school district's or eligible charter school's PREP Grow Your Own Program.

(d) Performance goals. Performance goals prioritize measurement of the following.

(1) For the PREP Grow Your Own high school program:

(A) evidence of all high school student program requirements under subsection (c)(1)(A)-(C) of this section;

(B) percent of students who obtain the Educational Aide I certificate; and

(C) percent of students enrolled in a bachelor's degree program.

(2) For the PREP Grow Your Own employee program:

(A) evidence of all employee program requirements under subsection (c)(2)(A)-(D) of this section;

(B) percent of employees who obtain the Educational Aide III certificate;

(C) percent of employees enrolled in an EPP within three years of beginning the program; and

(D) percent of employees who complete their bachelor's degree within three years.

(e) Timelines for periodic reviews. The commissioner will review the performance goals described in subsection (d)(1) of this section for each school district and eligible charter school participant be-

ginning three years following the initial PREP Grow Your Own Program approval under §153.1302(a)(4) of this subchapter.

(f) Funding and spending requirements. School districts and eligible charter schools participating in the PREP Grow Your Own Program must meet funding and spending requirements described in TEC, §48.157.

(1) Funding. The school district's or eligible charter school's PREP Grow Your Own Program will receive the remaining 50% of the funding described in TEC, §48.157, when the PREP Grow Your Own employee completes the bachelor's degree requirements and has, at a minimum, enrolled in an accredited EPP within three years of beginning participation.

(2) Spending. Money received under TEC, §48.157, must be used to implement the PREP Grow Your Own Program (for example, implementation of the high school education and training program, tuition for aspiring teachers, wrap-around and transition supports, strategic staffing training and implementation, costs associated with employee preparation in a PREP Preservice Program, and local salaries for program implementation support).

§153.1305. Preparing and Retaining Educators Through Partnership Mentorship Program.

(a) General provisions.

(1) The commissioner of education shall establish the Preparing and Retaining Educators Through Partnership (PREP) Mentorship Program to provide mentorship to beginning teachers under Texas Education Code (TEC), §§21.907, 21.458, and 48.157.

(2) In order for a school system to receive funds for the PREP Mentorship Program under TEC, §21.907 and §48.157, they must meet all provisions described in §153.1302 of this subchapter (relating to General Provisions for the Preparing and Retaining Educators Through Partnership Program) and the program standards in subsection (b) of this section.

(b) Program standards.

(1) Mentor teacher qualifications. A school system must:

(A) prioritize the selection of current classroom teachers as mentor teachers using clear selection criteria, protocols, and hiring processes that align with requirements of this paragraph and TEC, §21.458, and retain documentation of such processes locally;

(B) select mentor teachers who:

(i) have at least three complete years of teaching experience with a superior record of assisting students, as a whole, in achieving improvement in student performance as determined by a set of student growth and/or achievement data. School systems may use the approved designations under TEC, §21.3521, to fulfill this requirement;

(ii) demonstrate interpersonal skills and dispositional criteria prioritized and documented by the school system;

(iii) demonstrate instructional effectiveness and expertise, to the extent practicable, in research-based instructional practices specifically for the grade levels and subjects to which the beginning teacher is assigned; and

(iv) demonstrate leadership skills such as an ability to effectively communicate, influence colleagues to take action, and build trusting relationships with colleagues; and

(C) prioritize the selection of mentor teachers who have experience as classroom teachers in the past three years.

(2) Mentor teacher assignment. School systems must agree to assign no more than:

(A) two beginning teachers to a mentor teacher who serves as a teacher of record for, on average, four or more hours per instructional day;

(B) four beginning teachers to a mentor teacher who serves as a teacher of record for, on average, less than four hours per instructional day;

(C) fifteen beginning teachers to an individual who serves as a full-time mentor teacher; or

(D) four beginning teachers to an individual who serves as neither a teacher of record nor a full-time mentor teacher.

(3) Mentor training. A school system must:

(A) ensure and track that mentor teachers and any appropriate school system and campus employees, such as principals, assistant principals, and instructional coaches, who work with a beginning teacher, supervise a beginning teacher, or oversee the mentorship program complete the Texas Mentorship Training established by the Texas Education Agency (TEA) every three years and:

(i) ensure that mentor teachers and any appropriate school system and campus employees are trained before the beginning of the school year or within three weeks after being assigned a beginning teacher; and

(ii) provide training in alignment with the Texas Mentorship Training scope and sequence that includes best mentorship practices to mentor teachers and any appropriate school system and campus employees throughout the school year;

(B) in the years between Texas Mentorship Trainings, ensure that returning mentor teachers who have completed the Texas Mentorship Training are trained by the school system before the school year begins and one time per semester; and

(C) ensure that any new mentor teachers complete the Texas Mentorship Training in their first year of mentoring.

(4) School system support for mentorship time, scheduling, and logistics. A school system must designate a specific time during the regularly contracted school day for meetings between mentor teachers and the beginning teachers they mentor, which must abide by the mentor teacher and beginning teachers' entitled planning and preparation requirements in TEC, §21.404 and §21.405, and the provisions of paragraph (5)(A) of this subsection. The specific time may vary by campus, grade level, or content area and must be documented by the school system and may be provided through either:

(A) a reduced teaching load for mentor and beginning teachers to facilitate mentor teacher duties described in paragraph (5) of this subsection, which may include rostering and scheduling strategies that provide classroom teachers fewer periods of instruction during the day via approaches such as reducing the number of sections assigned to the mentor teacher, increasing the number of students in certain sections to enable release time, hiring additional staff, or other strategic staffing approaches; or

(B) a release time that is, to the extent practicable, scheduled in advance and predictable.

(5) Duties of a mentor teacher. A mentor teacher must:

(A) meet with each beginning teacher assigned to the mentor teacher not less than 12 hours each semester, with co-teaching or observations of the mentor teacher or other highly effective teachers by the beginning teacher being mentored or observations of the begin-

ning teacher being mentored by the mentor teacher counting toward the 12 hours each semester;

(B) guide, assist, give feedback to, and support the beginning teacher through mentoring sessions addressing:

(i) orientation to the context, policies, and practices of the school system, including:

(I) how to use school system and campus expectations within the classroom and implement routines and procedures with consistency to promote a positive learning environment;

(II) instructional materials, including formative and summative assessments;

(III) campus policies and practices related to instructional preparation; and

(IV) professional expectations;

(ii) data-driven instructional practices, including student work analysis protocols that analyze student work samples individually or collaboratively with the goal of understanding students' thinking, identifying strengths and progress toward mastery, and determining gaps in skills and knowledge; and

(iii) specific instructional coaching cycles, including:

(I) observation and actionable feedback related to research-based instructional strategies;

(II) coaching regarding conferences between parents and the beginning teacher; and

(III) review of available professional development opportunities aligned to feedback; and

(C) meet the mentor requirements specified in Chapter 228 of this title (relating to relating to Educator Preparation Program Requirements) if mentoring a classroom teacher engaging in an internship.

(6) Teacher participation reporting. A school system must ensure mentor teachers and beginning teachers participating in the mentorship program are accurately coded in a data system specified by TEA, such as the Educator Certification Online System, in accordance with TEA's specifications and deadlines.

(c) Performance goals. Performance goals prioritize measurement of:

(1) mentor teacher qualifications under subsection (b)(1) of this section;

(2) mentor teacher training completion under subsection (b)(3) of this section;

(3) mentor teacher duties under subsection (b)(5)(A)-(B) of this section; and

(4) school system duties related to mentoring time, scheduling, and logistics under subsection (b)(4) of this section.

(d) Funding and spending requirements.

(1) A school system shall use money received under TEC, §48.157(b)(5), to provide stipends for mentor teachers, including:

(A) for mentor teachers under subsection (b)(2)(A) and (B) of this section, \$1,000 per beginning teacher; and

(B) for mentor teachers under subsection (b)(2)(C) and (D) of this section, at least \$1,000.

(2) If any money received under TEC, §48.157, remains after providing stipends to mentor teachers in accordance with subsection (c) of this section, the school system may use that money to provide:

(A) scheduled release time for mentor teachers and classroom teachers being mentored to meet and engage in mentoring activities; and

(B) support for mentor teachers through mentor training, strategic staffing training, and compensation for school system staff responsible for overseeing and directing the annual mentorship training requirements.

§153.1306. Educator Preparation Program Training Content for Preparing and Retaining Educators Through Partnership Preservice Programs.

(a) General provisions. The commissioner of education shall develop and make available content training materials and related training required for Educator Preparation Program (EPP) faculty and staff who are responsible for preparing teacher candidates enrolled in any of the Preparing and Retaining Educators Through Partnership (PREP) Preservice Programs under Texas Education Code (TEC), §21.067 and §21.044(i).

(b) Texas Education Agency (TEA) processes for materials development. TEA shall develop EPP training content materials as determined by the commissioner for use in the preparation of candidates being prepared in a PREP Preservice Program. TEA shall develop the materials in the following manner.

(1) TEA staff will provide regular updates to the State Board for Educator Certification (SBEC) regarding proposed content development or updates and related timelines.

(2) TEA staff will ensure training content materials will be designed to meet the requirements under TEC, §21.067(b).

(3) TEA staff will conduct a final review of materials prior to recommending that SBEC take action to require use of the materials in the preparation of teacher candidates in a PREP Preservice Program (TEC, §21.0044(i)(1)).

(c) Training and certification of EPP staff and faculty.

(1) TEA shall develop and provide training to EPP faculty and staff to support EPPs to:

(A) implement and effectively redeliver the materials described in subsection (b) of this section in the preparation of candidates being prepared through PREP Preservice Programs; and

(B) implement and effectively deliver the Texas Reading Academies and Math Achievement Academies required for the preparation of certain teacher candidates under TEC, §21.044(i)(2), being prepared through PREP Preservice Programs.

(2) TEA shall include a faculty certification process within the faculty training described in paragraph (1) of this subsection.

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 12, 2026.

TRD-202600065

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 475-1497



## TITLE 22. EXAMINING BOARDS

### PART 5. STATE BOARD OF DENTAL EXAMINERS

#### CHAPTER 101. DENTAL LICENSURE

##### 22 TAC §101.1

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §101.1, pertaining to general qualifications for dental licensure. The proposed amendment requires certain personal identification documents that an applicant must submit in an initial and renewal application for dental licensure. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice dentistry in Texas. The proposed amendment would require applicants to submit appropriate documentation verifying legal presence and work authorization before a license may be issued or renewed.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing dentistry in Texas who is not legally authorized to work or reside in Texas.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite

8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

Cross reference to statute: Texas Occupations Code §254.001(a). 8 US Code §1621.

*§101.1. General Qualifications for Licensure.*

(a) Any person desiring to practice dentistry in the State of Texas must possess a license issued by the State Board of Dental Examiners (Board) as required by the Dental Practice Act and Board rules.

(b) Any applicant for licensure under this chapter must meet the requirements of this section.

(c) To be eligible for licensure, an applicant must present on or accompanying a licensure application form approved by the Board proof satisfactory to the Board that the applicant:

(1) Is at least 21 years of age;

(2) Has submitted documentation of proof of United States citizenship, legal permanent residency in the United States, or federal work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(3) [(2)] Is professionally fit, which is demonstrated by patterns of personal, academic and occupational behaviors, including final or pending disciplinary action on an occupational license in any jurisdiction, which, in the judgment of the Board, indicate honesty, accountability, trustworthiness, reliability, integrity, and ability;

(4) [(3)] Has successfully completed a current course in basic life support;

(5) [(4)] Has taken and passed the jurisprudence assessment administered by the Board or an entity designated by the Board within one year immediately prior to application;

(6) [(5)] Has paid all application fees required by the Dental Practice Act and Board rules;

(7) [(6)] Has submitted fingerprints for the retrieval of criminal history record information;

(8) [(7)] Has completed a course in human trafficking prevention approved by the executive commissioner of the Texas Health and Human Services Commission; and

(9) [(8)] Has submitted a National Practitioner Data Bank self-query report upon initial licensure. The report results must remain in the original sealed envelope.

(d) In conjunction with the application, the applicant must provide any information requested by the Board pursuant to §254.019(b) of the Dental Practice Act. If an applicant fails to comply with this subsection, then the applicant is subject to disciplinary action, which includes administrative fines and public disciplinary sanctions.

(e) Applications for licensure must be delivered to the office of the Board.

(f) An application for licensure is filed with the Board when it is actually received, date-stamped, and logged-in by the Board along with all required documentation and fees. An incomplete application for licensure and fee will be returned to the applicant with an explanation of additional documentation or information needed.

(g) Each applicant must submit to the Board the documents and information required by this chapter and other documents or information requested by the Board to evaluate an application and take appropriate actions.

(h) An applicant for licensure is ineligible if they are in violation of a board order at the time of application.

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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Lauren Studdard

General Counsel

State Board of Dental Examiners

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For further information, please call: (737) 363-2333



CHAPTER 103. DENTAL HYGIENE  
LICENSURE

22 TAC §103.1

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §103.1, pertaining to general qualifications for hygiene licensure. The proposed amendment requires certain personal identification documents that an applicant must submit in an initial and renewal application for hygiene licensure. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice hygiene in Texas. The proposed amendment would require applicants to submit appropriate documentation verifying legal presence and work authorization before a license may be issued. The proposed amendment also corrects a grammatical error.

**FISCAL NOTE:** Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

**PUBLIC BENEFIT-COST NOTE:** Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing dental hygiene in Texas who is not legally authorized to work or reside in Texas.

**LOCAL EMPLOYMENT IMPACT STATEMENT:** Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

**SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT:** Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

**GOVERNMENT GROWTH IMPACT STATEMENT:** The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

**CROSS REFERENCE TO STATUTE:** Texas Occupations Code §254.001(a). 8 US Code §1621.

§103.1. *General Qualifications for Licensure.*

(a) Any person desiring to practice dental hygiene in the State of Texas must possess a license issued by the State Board of Dental Examiners (Board) as required by the Dental Practice Act and Board rules.

(b) Any applicant for licensure under this chapter must meet the requirements of this section.

(c) To be eligible for licensure, an applicant must present on or accompanying a licensure application form approved by the Board proof satisfactory to the Board that the applicant:

(1) Is at least 18 years of age;

(2) Has submitted documentation of proof of United States citizenship, legal permanent residency in the United States, or federal work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(3) [(2)] Is professionally fit, which is demonstrated by patterns of personal, academic and occupational behaviors, including final or pending disciplinary action on an occupational license, which, in the judgment of the Board, indicate honesty, accountability, trustworthiness, reliability, integrity, and ability;

(4) [(3)] Has graduated from an accredited high school or holds a certificate of high school equivalency, General Equivalency Diploma (GED);

(5) [(4)] Has graduated from a dental school accredited by the Commission on Dental Accreditation of the American Dental Association (CODA) with a degree in dentistry or a degree or certificate in dental hygiene, or has graduated from a CODA-accredited school or college of dental hygiene with a degree in dental hygiene;

(6) [(5)] Has taken and passed the examination for dental hygienists given by the American Dental Association Joint Commission on National Dental Examinations;

(7) [(6)] Has met the requirements of §101.8 of this title (relating to Persons with Criminal Backgrounds);

(8) [(7)] Has successfully completed a current course in basic life support;

(9) [(8)] Has taken and passed the jurisprudence assessment administered by the Board or an entity designated by the Board within one year prior to application;

(10) [(9)] Has paid all application, examination and licensing fees required by the Dental Practice Act and Board rules;

(11) [(10)] Has submitted fingerprints for the retrieval of criminal history record information;

(12) [(11)] Has completed a course in human trafficking prevention approved by the executive commissioner of the Texas Health and Human Services Commission; and

(13) [(12)] Has submitted a National Practitioner Data Bank self-query report upon initial licensure. The report results must remain in the original sealed envelope.

(d) Applications for licensure must be delivered to the office of the Board.

(e) An application for licensure is filed with the Board when it is actually received, date-stamped, and logged-in by the Board along with all required documentation and fees. An incomplete application for licensure and fee will be returned to the applicant with an explanation of additional documentation or information needed.

(f) Each applicant must submit to the Board the documents and information required by this chapter and other documents or information requested by the Board to evaluate an application and take appropriate actions.

(g) An applicant for licensure is ineligible if they are in violation of a board order at the time of application.

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 12, 2026.

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Lauren Studdard

General Counsel

State Board of Dental Examiners

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## CHAPTER 114. EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL ASSISTANTS

### 22 TAC §114.6

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §114.6, pertaining to general qualifications for dental assistant registration or certification. The

proposed amendment requires certain personal identification documents that an applicant must submit in an initial and renewal application for a dental assistant registration or certification. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice in Texas. The proposed amendment would require applicants to submit appropriate documentation verifying legal presence and work authorization before a registration or certification may be issued. The proposed amendment also corrects grammatical errors.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing dentistry in Texas who is not legally authorized to work or reside in Texas.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

Cross reference to statute: Texas Occupations Code §254.001(a). 8 US Code §1621.

§114.6. *General Qualifications for Registration or Certification.*

(a) Any person who desires to provide dental assistant services requiring registration or certification must obtain the proper registration or certification issued by the Board before providing the services, except as provided in Texas Occupations Code §265.001(d) and §114.11 of this chapter.

(b) Any applicant for registration or certification must meet the requirements of this chapter.

(c) To be eligible for registration or certification, an applicant must provide with an application form approved by the Board satisfactory proof to the Board that the applicant:

(1) has fulfilled all requirements for registration or certification outlined in this chapter;

(2) Has submitted documentation of proof of United States citizenship, legal permanent residency in the United States, or federal work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(3) [(2)] has met the requirements of §101.8 of this title (relating to Persons with Criminal Backgrounds);

(4) [(3)] has not had any disciplinary action taken in this state or any other jurisdiction;

(5) [(4)] has successfully completed a current course in basic life support;

(6) [(5)] has taken and passed the jurisprudence assessment administered by the Board or an entity designated by the Board within one year immediately prior to application;

(7) [(6)] has paid all application, examination and registration or certification fees required by the Dental Practice Act [law] and Board rules [and regulations];

(8) [(7)] has completed a course in human trafficking prevention approved by the executive commissioner of the Texas Health and Human Services Commission; and

(9) [(8)] has submitted a National Practitioner Data Bank self-query report upon initial registration or certification. The report results must remain in the original sealed envelope.

(d) Applications for dental assistant registration and certification must be delivered to the office of the State Board of Dental Examiners.

(e) An application for dental assistant registration or certification is filed with the Board when it is actually received, date-stamped, and logged-in by the Board along with all required documentation and fees. An incomplete application will be returned to the applicant with an explanation of additional documentation or information needed.

(f) The Board may refuse to issue a registration or certificate or may issue a conditional registration or certificate to any individual who does not meet the requirements of subsections (c)(3) or (c)(4) [(e)(2) or (e)(3)] of this section, or who:

(1) presents to the Board fraudulent or false evidence of the person's qualification for registration or certification;

(2) is guilty of any illegality, fraud, or deception during the process to secure a registration or certification;

(3) is habitually intoxicated or is addicted to drugs;

(4) commits a dishonest or illegal practice in or connected to dentistry;

(5) is convicted of a felony under federal law or law of this state; or

(6) is found to have violated a law of this state relating to the practice of dentistry within the 12 months preceding the date the person filed an application for a registration or certification.

(g) If the Board chooses to issue a conditional registration or certificate, the individual may be required to enter into an agreed settlement order with the Board at the time the registration or certificate is issued.

(1) The order may include limitations including, but not limited to, practice limitations, stipulations, compliance with court ordered conditions, notification to employer or any other requirements the Board recommends to ensure public safety.

(2) In the event an applicant is uncertain whether he or she is qualified to obtain a dental assistant registration or certification due to criminal conduct, the applicant may request a Criminal History Evaluation Letter in accordance with §114.9 of this chapter, prior to application.

(3) Should the individual violate the terms of his or her conditional registration or certificate, the Board may take additional disciplinary action against the individual.

(h) An applicant whose application is denied by the Board may appeal the decision to the State Office of Administrative Hearings.

(i) An individual whose application for dental assistant registration/certification is denied is not eligible to file another application for registration/certification until the expiration of one year from the date of denial or the date of the Board's order denying the application for registration/certification, whichever date is later.

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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Lauren Studdard

General Counsel

State Board of Dental Examiners

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## CHAPTER 116. DENTAL LABORATORIES

### 22 TAC §116.3

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §116.3, pertaining to registration and renewal of dental laboratories. The proposed amendment requires certain personal identification documents that an individual applicant must submit in an initial and renewal application for a dental laboratory registration. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to own a dental laboratory in Texas. The proposed amendment would require the applicant to submit appropriate documentation verifying legal presence and work authorization before a dental laboratory registration may be issued or renewed. Additionally, the proposed amendment removes references to the Dental Laboratory Certification Council (DLCC). Chapter 266 of the Texas Occupations Code pertaining to the regulation of dental laboratories was amended by Senate Bill 313 of the 85th Texas Legislature, Regular Session (2017). The bill repealed chapter sections that referenced the DLCC. The Board no longer uses the council.

**FISCAL NOTE:** Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

**PUBLIC BENEFIT-COST NOTE:** Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in registration applications and ensuring that individual dental laboratory owners are legally authorized to work or reside in Texas.

**LOCAL EMPLOYMENT IMPACT STATEMENT:** Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

**SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT:** Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

**GOVERNMENT GROWTH IMPACT STATEMENT:** The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does

not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

**CROSS REFERENCE TO STATUTE:** Texas Occupations Code §254.001(a). 8 US Code §1621.

#### *§116.3. Registration and Renewal.*

(a) A dental laboratory shall be registered according to the provisions of Occupations Code, Subchapter D, §§266.151 - 266.154.

(b) To qualify for a dental laboratory registration, the applicant must submit an application including the following information:

(1) the name, physical address, phone number, and email address of the laboratory;

(2) the name, address, phone number, and email address of the laboratory owner;

(3) if the laboratory owner is an individual, then he or she must submit documentation of proof of United States citizenship, legal permanent residency in the United States, or federal work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(4) [(3)] the date the laboratory opened or will open for business;

(5) [(4)] type of ownership;

(6) [(5)] if the laboratory is a corporation, the state in which the corporation is incorporated;

(7) [(6)] if the laboratory is a subsidiary corporation, the name of the parent company, the state in which the parent company is incorporated, and the percent of stock that the parent company owns in the subsidiary;

(8) [(7)] the laboratory manager's name, phone number, and email address;

(9) [(8)] if the laboratory owner or manager has ever been convicted of a misdemeanor or a felony, an explanation and court disposition documents;

(10) [(9)] if the applicant has ever held a laboratory registration in Texas, the owner's name, manager's name, CDT of record, laboratory name, address, DBA, and lab registration number;

(11) [(10)] if the applicant, owner, or manager has ever been the subject of a disciplinary investigation or action, including a cease and desist order, in any jurisdiction, an explanation of that investigation or action;

(12) [(11)] the notarized signature of the laboratory owner or general manager;

(13) [(12)] if a certified dental technician of [ø] record is required:

(A) the name, home address, telephone number, email address, and notarized signature of the laboratory's certified dental technician of record;

(B) a copy of the certified dental technician's current certification card with the expiration date indicated; and

(C) a statement as to whether the certified dental technician of record is the certified dental technician of record for any other dental laboratory in the state of Texas, and if so, the dental laboratory's Texas registration number; and

(14) [(13)] any other information required by the Board.

(c) Board staff [The Dental Laboratory Certification Council (DLCC)] shall review each application for registration or renewal of registration to determine if the applicant meets the requirements of Occupations Code, Chapter 266. The following materials must be submitted: [Applications will be forwarded with a recommendation to the Board for registration if the requirements of Occupations Code, Chapter 266 and this chapter are met, and the following materials are submitted:]

(1) A complete application or renewal, with all required information;

(2) proof of compliance with §116.6 of this chapter;

(3) the appropriate fee; and

(4) effective January 1, 2009, for initial registrations only and once every three years for registration renewals, proof of completion of the Texas Jurisprudence Assessment for dental laboratories. The Jurisprudence Assessment must be taken by the laboratory owner or the laboratory's general manager.

(d) It shall be the duty of each laboratory owner or manager to notify the Board in writing within 60 days of:

(1) a change in ownership or management of the laboratory;

(2) a change in location of the laboratory;

(3) closure of the laboratory;

(4) a change of designated CDT, in which case the notice must be accompanied by proof of current CDT certification for the replacement CDT;

(5) a change of designated employee, if the laboratory is exempted under §116.5 of this chapter. A change of designated employee will require proof within six (6) months of the change that the designated employee meets continuing education requirements; or

(6) a change in mailing address for the owner or manager of the laboratory.

(e) Any laboratory owner applying for a new laboratory registration who has pending fees and/or penalties due from a previous laboratory registration when such laboratory was closed for non-compliance with subsection (d) of this section must first remit to the Board any fees and penalties due on that previous registration before the new registration application will be considered by the Board [DLCC].

(f) An initial registration certificate issued under this chapter on or after September 1, 2009 expires on the 30th day after the date the registration certificate is issued if the holder of the registration certificate fails to pay the required registration certificate fee on or before that date.

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 12, 2026.

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Lauren Studdard

General Counsel

State Board of Dental Examiners

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For further information, please call: (737) 363-2333



## CHAPTER 117. FACULTY AND STUDENTS IN ACCREDITED DENTAL SCHOOLS

### 22 TAC §117.2

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §117.2, pertaining to dental faculty licensure. The proposed amendment requires certain personal identification documents that an applicant must submit in an initial and renewal application for dental faculty licensure. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice as a faculty dentist in

Texas. The proposed amendment would require applicants to submit appropriate documentation verifying legal presence and work authorization before a faculty license may be issued.

FISCAL NOTE: Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

PUBLIC BENEFIT-COST NOTE: Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing in Texas who is not legally authorized to work or reside in Texas.

LOCAL EMPLOYMENT IMPACT STATEMENT: Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT: Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

GOVERNMENT GROWTH IMPACT STATEMENT: The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and (8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

Cross reference to statute: Texas Occupations Code §254.001(a). 8 US Code §1621.

§117.2. *Dental Faculty Licensure.*

(a) Effective March 1, 2004, the SBDE will issue a license to a dental school faculty member who provides direct patient care, upon payment of a fee in an amount set by the Board, who meets all the following criteria:

(1) submits documentation of proof of United States citizenship, legal permanent residency in the United States, or federal

work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(2) ~~[(+)]~~ holds a degree from a dental school;

(3) ~~[(2)]~~ holds a full-time or part-time salaried faculty position at a dental or dental hygiene school accredited by the Commission on Dental Accreditation of the American Dental Association;

(4) ~~[(3)]~~ obtains endorsement of the application from the Dean, Department Chair, or Program Director of the employer-school;

(5) ~~[(4)]~~ pays an application fee set by the Board; and

(6) ~~[(5)]~~ has taken and passed the jurisprudence examination administered by the SBDE or its designated testing service.

(b) An applicant for a license under this chapter must file an application for the license not later than the 30th day after the date the person begins employment with the dental or dental hygiene school.

(c) A license under this chapter must be renewed annually. Upon renewal, a license holder must submit an employment affidavit form completed by the Dean, Department Chair, or Program Director of the employer-school.

(d) A license issued under this chapter expires on the termination of employment with the dental or dental hygiene school.

(e) A license holder whose employment with a dental or dental hygiene school terminates and who is subsequently employed by the same or different dental or dental hygiene school must comply with requirements for obtaining an original license, except that the person is not required to re-take the jurisprudence exam.

(f) A license issued under this chapter does not authorize the license holder to engage in the practice of dentistry or dental hygiene

outside the auspices of the employing dental or dental hygiene school or program.

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 12, 2026.

TRD-202600077

Lauren Studdard

General Counsel

State Board of Dental Examiners

Earliest possible date of adoption: February 22, 2026

For further information, please call: (737) 363-2333



## 22 TAC §117.3

The State Board of Dental Examiners (Board) proposes this amendment to 22 TAC §117.3, pertaining to dental hygiene faculty licensure. The proposed amendment requires certain personal identification documents that an applicant must submit in an initial and renewal application for dental hygiene faculty licensure. The proposed amendment is necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice as a faculty hygienist in Texas. The proposed amendment would require applicants to submit appropriate documentation verifying legal presence and work authorization before a faculty license may be issued.

**FISCAL NOTE:** Casey Nichols, Executive Director, has determined that for the first five-year period the proposed rule is in effect, the proposed rule does not have foreseeable implications relating to cost or revenues of the state or local governments.

**PUBLIC BENEFIT-COST NOTE:** Casey Nichols has also determined that for the first five-year period the proposed rule is in effect, the public benefit anticipated as a result of this proposed rule will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing in Texas who is not legally authorized to work or reside in Texas.

**LOCAL EMPLOYMENT IMPACT STATEMENT:** Casey Nichols has also determined that the proposed rule does not affect local economies and employment.

**SMALL AND MICRO-BUSINESS, RURAL COMMUNITY IMPACT STATEMENT:** Casey Nichols has determined that no economic impact statement and regulatory flexibility analysis for small businesses, micro-businesses, and rural communities is necessary for this proposed rule.

**GOVERNMENT GROWTH IMPACT STATEMENT:** The Board has determined that for the first five-year period the proposed rule is in effect, the following government growth effects apply: (1) the proposed rule does not create or eliminate a government program; (2) implementation of the proposed rule does not require the creation or elimination of employee positions; (3) implementation of the proposed rule does not require an increase or decrease in future appropriations; (4) the proposed rule does not require an increase in fees paid to the agency; (5) the proposed rule creates a new regulation; (6) the proposed rule does not limit an existing regulation; (7) the proposed rule does not increase or decrease the number of individuals subject to it; and

(8) the proposed rule does not positively or adversely affect the state's economy.

Comments on the proposed rule may be submitted to Casey Nichols, Executive Director, 1801 Congress Avenue, Suite 8.600, Austin, Texas 78701, by fax to (512) 649-2482, or by email to [official\\_rules\\_comments@tsbde.texas.gov](mailto:official_rules_comments@tsbde.texas.gov) for 30 days following the date that the proposed rule is published in the *Texas Register*. To be considered for purposes of this rulemaking, comments must be: (1) postmarked or shipped by the last day of the comment period; or (2) faxed or e-mailed by midnight on the last day of the comment period.

This rule is proposed under Texas Occupations Code §254.001(a), which gives the Board authority to adopt rules necessary to perform its duties and ensure compliance with state laws relating to the practice of dentistry to protect the public health and safety.

**CROSS REFERENCE TO STATUTE:** Texas Occupations Code §254.001(a). 8 US Code §1621.

### §117.3. Dental Hygiene Faculty Licensure.

(a) Effective March 1, 2004, the SBDE will issue a license to a dental hygiene school faculty member who provides direct patient care, upon payment of a fee in an amount set by the Board, who meets all the following criteria:

(1) submits documentation of proof of United States citizenship, legal permanent residency in the United States, or federal work authorization. This requirement applies for initial and renewal applications. The applicant must submit one of the following:

(A) a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(B) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(C) a valid passport. Valid passport is defined as:

(i) an unexpired passport or passport card issued by the United States government; or

(ii) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(D) a valid, unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(E) a United States Certificate of Naturalization (Form N-550 or N-570); or

(F) a United States Certificate of Citizenship (Form N-560 or N-561);

(2) [(+) ] holds a degree from a dental hygiene school;

(3) [(2)] holds a full-time or part-time salaried faculty position at a dental or dental hygiene school accredited by the Commission on Dental Accreditation of the American Dental Association;

(4) [(3)] obtains endorsement of the application from the Dean, Department Chair, or Program Director of the employer-school;

(5) [(4)] pays an application fee set by the Board; and

(6) [(5)] has taken and passed the jurisprudence examination administered by the SBDE or its designated testing service.

(b) An applicant for a license under this chapter must file an application for the license not later than the 30th day after the date the person begins employment with the dental or dental hygiene school.

(c) A license under this chapter must be renewed annually. Upon renewal, a license holder must submit an employment affidavit form completed by the Dean, Department Chair, or Program Director of the employer-school.

(d) A license issued under this chapter expires on the termination of employment with the dental or dental hygiene school.

(e) A license holder whose employment with a dental or dental hygiene school terminates and who is subsequently employed by the same or different dental or dental hygiene school must comply with requirements for obtaining an original license, except that the person is not required to re-take the jurisprudence exam.

(f) A license issued under this chapter does not authorize the license holder to engage in the practice of dentistry or dental hygiene outside the auspices of the employing dental or dental hygiene school or program.

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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Lauren Studdard

General Counsel

State Board of Dental Examiners

Earliest possible date of adoption: February 22, 2026

For further information, please call: (737) 363-2333



## PART 11. TEXAS BOARD OF NURSING

### CHAPTER 217. LICENSURE, PEER ASSISTANCE AND PRACTICE

#### 22 TAC §217.8

**INTRODUCTION.** The Texas Board of Nursing proposes new 22 Texas Administrative Code §217.8 to require certain personal identification documents that an applicant must submit in an application for licensure or licensure renewal. These proposed amendments are necessary to ensure that the applicant's personal identification document is valid and that the applicant is legally eligible to practice nursing in Texas.

#### **BACKGROUND.**

Proposed new 22 Texas Administrative Code §217.8 is intended to prevent fraudulent activity and to ensure that individuals li-

censed to practice nursing in Texas are legally present and authorized to work in the United States.

The proposed new section is necessary to clarify how legal presence requirements apply to nursing licensure and practice in Texas and to communicate those requirements to applicants, license holders, employers, and relevant governmental authorities. The rule would require applicants and license holders to submit appropriate documentation verifying legal presence and work authorization before a license may be issued or renewed.

The Board recognizes that, in certain circumstances, foreign-educated or foreign-based applicants may seek licensure or licensure eligibility prior to their physical presence in the United States in order to comply with federal immigration processes. To address this practical consideration, the proposed rule would allow the Board to issue a preliminary determination of eligibility for licensure.

The Board anticipates that this approach will support statewide efforts to strengthen the nursing workforce while ensuring that all licensees are legally present and authorized to practice in Texas.

**FISCAL NOTE.** Dr. Kristin Benton, DNP, RN, Executive Director, has determined that for each year of the first five years the proposed new section will be in effect, there may be an effect on the volume of international applicants who seek licensure or licensure renewal in Texas which may impact state government revenue.

**PUBLIC BENEFIT/COST NOTE.** Dr. Benton has also determined that for each year of the first five years that the proposed rules are in effect, the anticipated public benefit will be reducing the risk of fraud in licensure applications and ensuring that no licensee is practicing nursing in Texas without being legally authorized to work or reside in Texas.

**COSTS TO REGULATED PERSONS.** Dr. Benton anticipates that there will be no cost to comply with these requirements for the vast majority of licensees and applicants. Individuals who do not have the necessary documents to establish legal presence may have to pay the application costs necessary to obtain those documents. The Board anticipates that the majority of applicants and licensees will comply with the section by uploading a state identification document, driver's license, or a United States passport. The cost to persons required to comply with the proposal through those mechanisms would be \$33 or less for the Texas driver's license fee and \$165 or less for a United States passport. This rule is necessary to protect the health, safety, and welfare of the residents of this state. As such, the Board finds that Texas Government Code §2001.045(c)(6) applies.

**ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.** In accordance with Government Code §2006.002, the Board has reviewed the proposed amendments and determined that they will not result in any adverse economic impact on small businesses, micro-businesses, or rural communities in Texas.

Currently, employers across the United States are required by law to verify the identity and employment authorization of every individual they hire. Additionally, employers must complete and retain an Employee Eligibility Verification (Form I-9) for each employee to ensure compliance with federal immigration and employment laws. The proposed amendments to the rule do not introduce any new requirements for businesses or communities, and therefore, are not expected to place additional burdens on them.

In terms of businesses or communities that rely on the recruitment of international nurses, the Board acknowledges the potential concern that changes in the rule could impact the number of international nurses seeking to legally immigrate to Texas. The Board does not currently have specific data to assess whether the proposed language would discourage nurses from pursuing legal immigration to Texas. To address this potential issue, the proposed rule includes provisions that would allow the Board to offer a preliminary determination of eligibility for applicants. This determination is expected to effectively mitigate any effect on the recruitment of nurses from abroad.

**TAKINGS IMPACT STATEMENT.** The Board has determined that no private real property interests are affected by this proposal and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking or require a takings impact assessment under the Government Code §2007.043.

**GOVERNMENT GROWTH IMPACT STATEMENT.** The Board is required, pursuant to Tex. Gov't Code §2001.0221 and 34 Tex. Admin. Code §11.1, to prepare a government growth impact statement. The Board has determined for each year of the first five years the proposed amendments will be in effect: (i) the proposal does not create or eliminate a government program; (ii) implementation of the proposal does not require the creation of new employee positions; (iii) implementation of the proposal is not anticipated to require an increase in future legislative appropriations to the Board; (iv) the proposal does not require an increase or decrease in fees paid to the Board; (v) the proposed rule technically creates a new government regulation; (vi) the proposal does not expand, limit, or repeal an existing regulation; (vii) the proposed rule does not increase or decrease the number of individuals subject to the rule's applicability; and (viii) the proposal does not have an effect on the state's economy.

**REQUEST FOR PUBLIC COMMENT.** Comments on this proposal may be submitted to James W. Johnston, General Counsel, Texas Board of Nursing, 1801 Congress Avenue, Suite 10-200, Austin, Texas 78701, or by e-mail to dusty.johnston@bon.texas.gov, or faxed to (512) 305-8101. Comments must be received no later than thirty (30) days from the date of publication of this proposal. If a hearing is held, written and oral comments presented at the hearing will be considered.

**STATUTORY AUTHORITY.** These rule sections are proposed under the authority of Texas Occupations Code §301.151, the Board's general rulemaking authority. The Board may adopt and enforce rules consistent with this chapter necessary to perform its duties and conduct proceedings before the board and regulate the practice of nursing.

**CROSS REFERENCE TO STATUTE.** Texas Occupations Code §301.151. 8 U.S. Code §1621.

§217.8. Verification of Legal Presence and License Eligibility.

(a) An applicant for licensure or licensure renewal must submit official documentary evidence or information to establish authorization to be legally employed in the United States under federal law before the Board may issue or renew a license. The Board accepts the following identification documents:

(1) an unexpired driver's license or state identification certificate that complies with REAL ID issued by a state or territory of the United States, unless the driver's license is marked "Limited Term" or "Temporary";

(2) an unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, Texas, West Virginia, Wisconsin, or Wyoming;

(3) a United States birth certificate accompanied by an unexpired driver's license or state identification certificate that does not comply with REAL ID, issued by a state not listed in paragraph (2) of this subsection;

(A) For purposes of this section, birth certificate is defined as an original birth certificate issued by the appropriate vital statistics agency of a U.S. State, a U.S. territory, or the District of Columbia indicating birth in the U.S.; or

(B) An original United States government-issued document indicating birth of a child born abroad to a United States Citizen, including a Consular Report of Birth or Department of State Certification of Birth issued to U.S. Citizens born abroad (FS-240, DS-1350, or FS-545);

(4) a valid passport;

(A) For purposes of this section, a valid passport is defined as an unexpired passport or passport card issued by the United States government; or

(B) an unexpired passport issued by the government of another country accompanied by a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security;

(5) an unexpired license to carry a handgun issued by the Texas Department of Public Safety under Government Code, Chapter 411, Subchapter H;

(6) Permanent Resident Card that does not expire before the license sought expires;

(7) US Certificate of Naturalization (N-550; N-570);

(8) US Certificate of Citizenship (N-560; N-561); or

(9) Form I-94 reflecting a departure date after the expiration of the license sought unless the Form I-94 reflects the bearer only has Parole status.

(b) Certification of Eligibility.

(1) The Board may proceed with all aspects of the application review process, including administration of required examinations (such as the NCLEX or the Jurisprudence Exam), and making determinations of good professional character, pending receipt of the documentation required by subsection (a) of this section.

(2) The Board may issue a written certification of eligibility or similar preliminary determination confirming that the applicant meets all licensure requirements, except for demonstrating legal authorization to be employed in the United States.

(3) The final license or licensure renewal shall not be issued until the applicant submits information sufficient for the Board to verify that the applicant possesses the necessary documentation establishing legal right to work in the United States in accordance with federal law.

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 9, 2026.

TRD-202600060

James W. Johnston

General Counsel

Texas Board of Nursing

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 305-6821



## PART 39. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS

### CHAPTER 851. TEXAS BOARD OF PROFESSIONAL GEOSCIENTISTS LICENSING AND ENFORCEMENT RULES

#### SUBCHAPTER A. DEFINITIONS

##### 22 TAC §851.10

The Texas Board of Professional Geoscientists (TBPG) proposes an amendment concerning the licensure and regulation of Professional Geoscientists in Texas. TBPG proposes amendments to 22 TAC §851.10, regarding Definitions.

##### BACKGROUND, PURPOSE, AND SUMMARY OF CHANGES

TBPG recently surveyed its licensees and based on their feedback is proposing a new rule. The proposed rules establish criteria to apply for Emeritus Texas Professional Geoscientist status or be nominated as a Distinguished Texas Professional Geoscientist for exceptional public geoscience work. The proposed rule, if adopted, would allow TBPG to recognize licensees with established periods of exemplary public geoscience work.

##### FISCAL NOTE - STATE AND LOCAL GOVERNMENT

Rene D. Truan, Executive Director of the Texas Board of Professional Geoscientists, has determined that for each fiscal year of the first five years the rules are in effect these proposals have no foreseeable implications relating to cost or revenues of the state or of local governments caused by enforcing or administering the proposed rules. This is a voluntary recognition program for retiring licensees. As such, the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.

##### PUBLIC BENEFIT AND COST

Mr. Truan has also determined that for each year of the first five years the section is in effect, the public will benefit from adoption of the section. The public benefit anticipated as a result of enforcing or administering the sections includes ensuring that TBPG rules are clear and consistent as they relate to geoscience licensure in Texas and as they relate to the Recognition Programs. There will be no anticipated economic cost to individuals who are required to comply with the proposed sections as this is a voluntary recognition program for retiring licensees. As such, the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.

##### SMALL, MICRO-BUSINESS, LOCAL ECONOMY, AND RURAL COMMUNITIES ECONOMIC IMPACT ANALYSIS

Mr. Truan has determined that the proposed rule will not have an adverse effect on small businesses, micro-businesses, local

economy, or rural communities. Consequently, neither an economic impact statement, a local employment impact statement, nor a regulatory flexibility analysis is required.

##### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years that the rule would be in effect:

- (1) the proposed rules do not create or eliminate a government program;
- (2) implementation of the proposed rules does not require the creation of new employee positions or the elimination of existing employee positions;
- (3) implementation of the proposed rules does not require an increase or decrease in future legislative appropriations to the agency;
- (4) the proposed rules do not require an increase or decrease in fees paid to the agency; As the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.
- (5) the proposed rules do not create a new regulation;
- (6) the proposed rules do not expand or repeal an existing regulation;
- (7) the proposed rules do not increase or decrease the number of individuals that are subject to the rules' applicability; and
- (8) the proposed rules do not positively or adversely affect this state's economy.

##### REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

Mr. Truan has determined that this proposal is not a "major environmental rule" as defined by Government Code, §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. Although Professional Geoscientists and Registered Geoscience Firms play a key role in environmental protection for the state of Texas, this proposal is not specifically intended to protect the environment nor reduce risks to human health from environmental exposure.

##### TAKINGS IMPACT ASSESSMENT

Mr. Truan has determined that the proposal does not restrict or limit an owner's right to his or her property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code §2007.043.

##### PUBLIC COMMENT

Comments on the proposed amendment may be submitted in writing to Rene D. Truan, Executive Director, Texas Board of Professional Geoscientists, 1801 Congress, Suite 7.800, Austin, Texas 78701 or by mail to P.O. Box 13225, Austin, Texas 78711 or by e-mail to [rtruan@tbpg.texas.gov](mailto:rtruan@tbpg.texas.gov). Please indicate "Comments on Proposed Rules" in the subject line of all e-mails submitted. Please submit comments within 30 days following publication of the proposal in the *Texas Register*.

##### STATUTORY AUTHORITY

This section is proposed under the Texas Geoscience Practice Act, Occupations Code §1002.151, which authorizes the Board to adopt and enforce all rules consistent with the Act as necessary for the performance of its duties; §1002.255, which authorizes the Board to establish license eligibility requirements, and §1002.259, which authorizes the Board to waive any requirement for licensure except for the payment of required fees.

This section affects the Texas Geoscience Practice Act, Occupations Code §§1002.151 and 1002.259.

§851.10. *Definitions.*

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

(1) - (43) (No change.)

(44) TBPG Recognition Programs--Recognition programs established by TBPG for licensed Texas Professional Geoscientists based on established periods of recognized public geoscience practice. At present, two designations have been created. TBPG may establish, modify, or abolish programs that recognize TBPG licensees based on their service as licensed Professional Geoscientists in Texas.

(A) Distinguished Texas Professional Geoscientist--An honorary designation granted by TBPG for active licensees that recognizes their exemplary and sustained professional public practice of geoscience in Texas. Qualification criteria for this recognition are established by the TBPG Board. This designation may be revoked by the TBPG Board. Refer to §851.24 of this chapter (relating to References) for additional information.

(B) Emeritus Texas Professional Geoscientist--An honorary designation granted by TBPG to recognize a licensee's extended period of professional licensed geoscience practice in Texas. Qualification and application criteria for this recognition are established by the TBPG Board. This designation may be revoked by the TBPG Board. Refer to §851.24 of this chapter for additional information.

(C) Other recognition programs also may be created, as identified by the TBPG 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 9, 2026.

TRD-202600059

Katie Colby

Licensing Specialist

Texas Board of Professional Geoscientists

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 936-4428



## SUBCHAPTER B. P.G. LICENSING, FIRM REGISTRATION, AND GIT CERTIFICATION

### 22 TAC §851.24

The Texas Board of Professional Geoscientists (TBPG) proposes a new rule concerning the licensure and regulation of Professional Geoscientists in Texas. TBPG proposes a new rule §851.24 for Recognition Programs.

BACKGROUND, PURPOSE, AND SUMMARY OF CHANGES

TBPG recently surveyed its licensees and based on their feedback is proposing a new rule. The proposed rules establish criteria to apply for Emeritus Texas Professional Geoscientist status or be nominated as a Distinguished Texas Professional Geoscientist for exceptional public geoscience work. The proposed rule, if adopted, would allow TBPG to recognize licensees with established periods of exemplary public geoscience work.

#### FISCAL NOTE - STATE AND LOCAL GOVERNMENT

Rene D. Truan, Executive Director of the Texas Board of Professional Geoscientists, has determined that for each fiscal year of the first five years the rules are in effect these proposals have no foreseeable implications relating to cost or revenues of the state or of local governments caused by enforcing or administering the proposed rules. This is a voluntary recognition program for retiring licensees. As such, the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.

#### PUBLIC BENEFIT AND COST

Mr. Truan has also determined that for each year of the first five years the section is in effect, the public will benefit from the adoption of the section. The public benefit anticipated as a result of enforcing or administering the sections includes ensuring that TBPG rules are clear and consistent as they relate to geoscience licensure in Texas and as they relate to the Recognition Programs. There will be no anticipated economic cost to individuals who are required to comply with the proposed sections as this is a voluntary recognition program for retiring licensees. As such, the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.

#### SMALL, MICRO-BUSINESS, LOCAL ECONOMY, AND RURAL COMMUNITIES ECONOMIC IMPACT ANALYSIS

Mr. Truan has determined that the proposed rule will not have an adverse effect on small businesses, micro-businesses, local economy, or rural communities. Consequently, neither an economic impact statement, a local employment impact statement, nor a regulatory flexibility analysis is required.

#### GOVERNMENT GROWTH IMPACT STATEMENT

During the first five years that the rule would be in effect:

- (1) the proposed rule does not create or eliminate a government program;
- (2) implementation of the proposed rule does not require the creation of new employee positions or the elimination of existing employee positions;
- (3) implementation of the proposed rule does not require an increase or decrease in future legislative appropriations to the agency;
- (4) the proposed rule does not require an increase or decrease in fees paid to the agency; As the fees to enter Emeritus status are balanced by no longer being active status and paying renewal fees.
- (5) the proposed rule does not create a new regulation;
- (6) the proposed rule does not expand or repeal an existing regulation;
- (7) the proposed rule does not increase or decrease the number of individuals that are subject to the rules' applicability; and

(8) the proposed rule does not positively or adversely affect this state's economy.

## REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

Mr. Truan has determined that this proposal is not a "major environmental rule" as defined by Government Code, §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. Although Professional Geoscientists and Registered Geoscience Firms play a key role in environmental protection for the state of Texas, this proposal is not specifically intended to protect the environment nor reduce risks to human health from environmental exposure.

## TAKINGS IMPACT ASSESSMENT

Mr. Truan has determined that the proposal does not restrict or limit an owner's right to his or her property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code §2007.043.

## PUBLIC COMMENT

Comments on the proposed new rule may be submitted in writing to Rene D. Truan, Executive Director, Texas Board of Professional Geoscientists, 1801 Congress, Suite 7.800, Austin, Texas 78701 or by mail to P.O. Box 13225, Austin, Texas 78711 or by e-mail to [rtruan@tbpg.texas.gov](mailto:rtruan@tbpg.texas.gov). Please indicate "Comments on Proposed Rules" in the subject line of all e-mails submitted. Please submit comments within 30 days following publication of the proposal in the *Texas Register*.

## STATUTORY AUTHORITY

This section is proposed under the Texas Geoscience Practice Act, Occupations Code §1002.151, which authorizes the Board to adopt and enforce all rules consistent with the Act as necessary for the performance of its duties; §1002.255, which authorizes the Board to establish license eligibility requirements, and §1002.259, which authorizes the Board to waive any requirement for licensure except for the payment of required fees.

This section affects the Texas Geoscience Practice Act, Occupations Code §§1002.151 and 1002.259.

### §851.24. TBPG Recognition Programs.

Recognition Programs are established by TBPG to recognize Texas Professional Geoscientists for their geoscience practice over time. TBPG may review and amend the requirements for these Programs. The qualifications and requirements for each of these programs are:

#### (1) Distinguished Texas Professional Geoscientist.

(A) Distinguished Texas Professional Geoscientist is an honorary designation that may be granted by TBPG for active licensees that recognizes their exemplary and sustained professional public practice of geoscience in Texas. The TBPG Board or Staff will nominate licensees for this designation.

(B) Qualification criteria for this recognition are established by the TBPG Board. All licensees being considered for this recognition will be reviewed by the TBPG Board and approved by vote at scheduled TBPG Board meetings.

(C) The licensee must be an active Texas Professional Geoscientist in good standing, current in license renewal fees, and Continuing Education (CE) requirements.

(D) The licensee must not have had any penalties imposed by TBPG during their entire period of licensure as a Texas Professional Geoscientist.

(E) The licensee must have been licensed as a Texas Professional Geoscientist for a minimum of fifteen (15) years.

(F) The licensee receiving this recognition must continue to meet all licensing and renewal requirements, including payment of renewal fees and meeting CE requirements.

(G) The licensee receiving this recognition may use the title Distinguished Texas Professional Geoscientist for as long as they maintain their good standing.

(H) This designation may be revoked by the TBPG Board if they determine that the designee has violated TBPG Rules.

#### (2) Emeritus Texas Professional Geoscientist.

(A) Emeritus Texas Professional Geoscientist is an honorary designation for licensees who are retired, or intend to retire, from the public practice of geoscience and no longer practice in Texas. This designation may be granted by TBPG to recognize the licensee's extended period of professional licensed geoscience practice in Texas. Active and retired licensees may apply for this designation.

(B) Qualification criteria for this recognition are established by the TBPG Board. All licensees being considered for this recognition will be reviewed by the TBPG Board and approved by vote at scheduled TBPG Board meetings.

(C) The applicant must be an active Texas Professional Geoscientist in good standing at the time of application or qualify under the criteria listed in subparagraph (G) of this paragraph.

(D) An applicant must have a minimum of twenty (20) years of service as a licensed Texas Professional Geoscientist.

(E) An applicant must be at least sixty-five (65) years of age at the time of application.

(F) The applicant must complete an application form provided by TBPG, including a signed attestation of the total years of Texas licensed professional geoscience practice.

(G) Texas Professional Geoscientists may apply for Emeritus status until their license becomes permanently expired pursuant to §851.10(28)(C) of this chapter (relating to Definitions). One-time application fees are as follows:

(i) Up to one year after license expiration: Fee \$25;

(ii) During the second year after license expiration: Fee \$50; or

(iii) During the third year after license expiration: Fee \$75.

(H) After Emeritus recognition is awarded by TBPG, the licensee may retain their Texas Professional Geoscientist inactive license number and but may no longer practice geoscience before the public or use their Texas Professional Geoscientist seal in any capacity.

(I) Any practice of geoscience by an Emeritus Texas Professional Geoscientist will be considered a serious violation of TBPG Rules and may result in enforcement actions and the loss of this honorary designation.

(J) Licensees receiving this recognition may use the title Emeritus Texas Professional Geoscientist if they wish.

(K) Emeritus designees who later decide to re-enter the professional public practice of geoscience may do so by reapplying for licensure. If successful, such licensees will receive a new Texas Professional Geoscientist license number and may not reapply for Emeritus status.

(L) This designation may be revoked by the TBPG Board if they determine that a designee has violated TBPG 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.

Filed with the Office of the Secretary of State on January 9, 2026.

TRD-202600058

Katie Colby

Licensing Specialist

Texas Board of Professional Geoscientists

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 936-4428



## **TITLE 31. NATURAL RESOURCES AND CONSERVATION**

### **PART 2. TEXAS PARKS AND WILDLIFE DEPARTMENT**

#### **CHAPTER 55. LAW ENFORCEMENT**

##### **SUBCHAPTER A. PROOF OF RESIDENCY REQUIREMENTS**

###### **31 TAC §55.1**

The Texas Parks and Wildlife Department proposes an amendment to 31 TAC §55.1, concerning Proof of Residency Requirements. The proposed amendment would prescribe identification requirements for the acquisition of certain licenses and permits issued by the department and retitle the section accordingly.

The proposed amendment would require persons who seek to obtain certain licenses and permits issued by the department to present, at the time of application or purchase, a driver's license or personal identification certificate issued by a state or territory of the United States of which the person is a resident that complies with the federal REAL ID Act of 2005, unless otherwise provided; or a driver's license or personal identification certificate issued by the government of the country of which the person is a resident, accompanied by a valid foreign passport. Additional documentation options are provided for residents of a state or territory of the United States including a United States passport or passport card, United States military identification card, immigration-related documents issued by the United States Government, or a certified birth certificate; and for residents of Texas also a concealed handgun license. The proposed amendment also makes conforming alterations as necessary.

The proposed amendment is necessary to provide an administrative process to verify that persons engaged in certain activities permitted or licensed by the department are capable of compliance with statutory personal identification requirements as a

condition of permit or license issuance and use and that such personal identification documents are valid.

Robert Macdonald, Regulations Coordinator, has determined for each of the first five years that the rule as proposed is in effect, there will be significant fiscal impacts to the department as a result of administering and enforcing the amendment, primarily in the form of programming and support costs associated with the department's point-of-sale and online vending systems, which will require modification to implement document processing functionality. The department estimates that such costs could be significant; however, those costs cannot be explicitly quantified at this time.

There will be no fiscal impacts to other units of government as a result of enforcing or administering the rule as proposed.

Mr. Macdonald also has determined that for each of the first five years the rule as proposed is in effect, the public benefit anticipated as a result of enforcing or administering the rule as proposed will be the increased assurance that department license products will not be acquired, possessed or used by persons who are not entitled by law to obtain, possess, or use them.

There will be no direct adverse economic impacts to most persons required to comply with the rule as proposed, as the requirements of the proposed rule involve documentation that is highly likely to be already possessed as a consequence of being required by law for other purposes, such as motor vehicle operation and registration, under statutory and regulatory provisions that do not involve or require the involvement of the department. For a person who does not possess a driver's license or personal identification certificate meeting the requirements of the rule, the cost of compliance is estimated to be at or around \$33, which is the cost of REAL ID documentation issued by the State of Texas.

Under provisions of Government Code, Chapter 2006, a state agency must prepare an economic impact statement and a regulatory flexibility analysis for a rule that may have an adverse economic effect on small businesses, micro-businesses, and rural communities. As required by Government Code, §2006.002(g), in April 2008, the Office of the Attorney General issued guidelines to assist state agencies in determining a proposed rule's potential adverse economic impact on small businesses, micro-businesses, and rural communities. Those guidelines state that an agency need only consider a proposed rule's "direct adverse economic impacts" to small businesses and micro-businesses to determine if any further analysis is required. For that purpose, the department considers "direct economic impact" to mean a requirement that would directly impose recordkeeping or reporting requirements; impose taxes or fees; result in lost sales or profits; adversely affect market competition; or require the purchase or modification of equipment or services. The department has determined that the proposed rules regulate various aspects of recreational license privileges that allow individual persons to pursue and harvest wildlife resources in this state and therefore do not directly affect small businesses or micro-businesses. Therefore, neither the economic impact statement nor the regulatory flexibility analysis described in Government Code, Chapter 2006, is required.

The department has determined that the proposed rule will not affect rural communities because the rule does not directly regulate any rural community.

The department has not drafted a local employment impact statement under the Government Code, §2001.022, as the

agency has determined that the rule as proposed will not result in direct impacts to local economies.

The department has determined that Government Code, §2001.0225 (Regulatory Analysis of Major Environmental Rules), does not apply to the proposed rule.

The department has determined that there will not be a taking of private real property, as defined by Government Code, Chapter 2007, as a result of the proposed rule.

In compliance with the requirements of Government Code, §2001.0221, the department has prepared the following Government Growth Impact Statement (GGIS). The rule as proposed, if adopted, will neither create nor eliminate a government program; not result in an increase or decrease in the number of full-time equivalent employee needs; not result in a need for additional General Revenue funding *per se*; not affect the amount of any fee; not create a new regulation or repeal an existing regulation, but will modify existing rules to provide for administrative verification of compliance with current statutory requirements for personal identification; not increase the number of individuals subject to regulation; and not positively or adversely affect the state's economy in any significant way.

Comments on the proposed rule may be submitted to James Murphy, Texas Parks and Wildlife Department, 4200 Smith School Road, Austin, Texas 78744; (512) 389-8877, e-mail: CommissionPublicComment@tpwd.texas.gov; or via the department's website at www.tpwd.texas.gov.

The amendment is proposed under Parks and Wildlife Code, §11.004, which gives the commission the authority to prescribe by rule the proof required to demonstrate residency in this state for the purpose of obtaining a license or permit issued by the department.

The proposed amendment affects Parks and Wildlife Code, §11.004.

*§55.1. Proof of Residency and Identification Requirements.*

(a) The requirements of this section are in addition to any requirements of Parks and Wildlife Code, Chapters 42 and 46.

(1) A person who seeks to purchase or obtain a permit or license listed in subsection (d) of this section (applicant) must present:

(A) if the applicant is a resident of Texas:

(i) a valid driver's license issued by the Texas Department of Public Safety not less than six months prior to the application to the department for a resident license or permit that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";  
or

(ii) if the applicant does not possess a valid Texas driver's license meeting the requirements of clause (i) of this subparagraph, an otherwise valid Texas driver's license, accompanied by one of the following documents:

(I) a United States passport or passport card;

(II) a United States military identification card;

(III) a handgun license issued by the Texas Department of Public Safety;

(IV) an original birth certificate issued by the appropriate vital statistics agency of a United States state or territory, or the District of Columbia, indicating birth in the United States; or

(V) an original United States government-issued document indicating birth of a child born abroad to a United States citizen, including a Consular Report of Birth Abroad (form FS-240), Certification of Report of Birth (form DS-1350), or Certificate of Birth Abroad (from FS-545);

(B) if the applicant is a resident of a state or territory of the United States other than Texas:

(i) a valid, unexpired driver's license or personal identification certificate issued by a state or territory of the United States of which the person is a resident that complies with the minimum document requirements and issuance standards for federal recognition under the REAL ID Act of 2005, Public Law 109-13, unless the driver's license is marked "Limited Term" or "Temporary";

(ii) a valid, unexpired driver's license or state identification certificate that does not comply with REAL ID issued by one of the following states of which the person is a resident: Alabama, Alaska, Arizona, Arkansas, Florida, Georgia, Idaho, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Mississippi, Missouri, Montana, Nebraska, New Hampshire, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, South Carolina, South Dakota, Tennessee, West Virginia, Wisconsin, or Wyoming;

(iii) if the applicant does not possess a driver's license meeting the requirements of clause (i) or (ii) of this subparagraph, a valid, unexpired driver's license or state identification certificate issued by a state or territory of the United States, accompanied by one of the following documents:

(I) an original birth certificate issued by the appropriate vital statistics agency of a United States state or territory, or the District of Columbia, indicating birth in the United States; or

(II) an original United States government-issued document indicating birth of a child born abroad to a United States citizen, including a Consular Report of Birth Abroad (form FS-240), Certification of Report of Birth (form DS-1350), or Certificate of Birth Abroad (from FS-545);

(iv) a United States passport or passport card;

(v) a United States military identification card; or

(C) if the applicant is a resident of another country:

(i) a valid, unexpired driver's license or personal identification certificate issued by the government of the person's country of residence; and

(ii) an unexpired passport issued by the government of another country accompanied by, if required for entry into the United States from the person's country of residency, a current permanent resident card or unexpired immigrant visa issued by the United States Department of Homeland Security. [Except as provided by Parks and Wildlife Code, §12.114, no person is required to possess the documentation required by paragraphs (2) or (3) of this subsection on their person while:]

{(A) purchasing a license or permit; or}

{(B) engaging in an activity for which a license or permit issued by the department is required.}

(2) Proof that a person has resided continuously in Texas for more than six months immediately before applying for a resident license or permit issued by the department shall consist of the documentation required by paragraph (1)(A) of this subsection and any two [three] of the following:

(A) a current property tax statement indicating that the person is the owner of homestead property in Texas;

~~(B) a valid drivers license issued by the Texas Department of Public Safety not less than six months prior to the application to the department for a resident license or permit;~~

(B) ~~(C)~~ the most recent six months of utility bills showing the person's name and a physical address in Texas;

(C) ~~(D)~~ the most recent six months of paycheck receipts showing the person's name and a physical address in Texas;

(D) ~~(E)~~ a current Texas voter registration certificate showing the person's name and a physical address in Texas, issued not less than six months prior to an application to the department for a license or permit;

(E) ~~(F)~~ the person's most recent tax return statement from the Internal Revenue Service showing the person's name and a physical address in Texas;

(F) ~~(G)~~ a current vehicle registration showing the person's name and a physical address in Texas, issued not less than six months prior to an application to the department for a license or permit; or

(G) ~~(H)~~ a statement from the person's parole board or probation officer attesting to the fact that the person has continuously resided in Texas for the six months immediately preceding the application for a license or permit.

(3) - (8) (No change.)

(b) - (c) (No change.)

(d) The provisions of subsection (a)(1) of this section apply to the following permits and licenses:

(1) resident hunting;

(2) senior resident hunting;

(3) nonresident general hunting;

(4) nonresident five-day hunting;

(5) Texas resident active-duty military hunting package;

(6) special resident fishing license;

(7) "year-from-purchase" resident fishing license;

(8) Texas resident active-duty military "all water" fishing package;

(9) resident freshwater fishing package;

(10) resident saltwater fishing package;

(11) resident "all water" fishing package;

(12) senior resident freshwater fishing package;

(13) senior resident saltwater fishing package;

(14) senior resident "all water" fishing package;

(15) resident one-day "all water" fishing license;

(16) nonresident freshwater fishing package;

(17) nonresident saltwater fishing package;

(18) nonresident "all water" fishing package;

(19) nonresident one-day "all water" fishing package;

(20) resident combination hunting and freshwater fishing package;

(21) resident combination hunting and saltwater fishing package;

(22) resident combination hunting and "all water" fishing package;

(23) resident senior combination hunting and freshwater fishing package;

(24) resident senior combination hunting and saltwater fishing package;

(25) resident senior combination hunting and "all water" fishing package;

(26) resident super combination hunting and "all water" fishing package;

(27) resident senior super combination hunting and "all water" fishing package;

(28) disabled veteran super combination hunting and "all water" fishing package;

(29) Texas resident active-duty military super combination hunting and "all water" fishing package;

(30) lifetime resident super combination hunting and "all water" fishing package;

(31) lifetime resident hunting;

(32) lifetime resident fishing; and

(33) Lake Texoma Fishing License.

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 12, 2026.

TRD-202600082

James Murphy

General Counsel

Texas Parks and Wildlife Department

Earliest possible date of adoption: February 22, 2026

For further information, please call: (512) 389-4775



# ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

## TITLE 19. EDUCATION

### PART 2. TEXAS EDUCATION AGENCY

#### CHAPTER 89. ADAPTATIONS FOR SPECIAL POPULATIONS

##### SUBCHAPTER A. GIFTED/TALENTED EDUCATION

###### 19 TAC §89.1

The State Board of Education (SBOE) adopts an amendment to §89.1, concerning gifted and talented education. The amendment is adopted without changes to the proposed text as published in the October 10, 2025 issue of the *Texas Register* (50 TexReg 6620) and will not be republished. The adopted amendment ensures that a district's identification of gifted and talented students complies with all legal requirements and federal and state executive orders.

**REASONED JUSTIFICATION:** Section 89.1 establishes requirements for the identification of gifted and talented students. The amendment adds new paragraph (4) to align identification criteria with all legal requirements and federal and state executive orders and revises paragraph (5) to require that the selection committee be trained in the identification of gifted students.

The SBOE approved the amendment for first reading and filing authorization at its September 12, 2025 meeting and for second reading and final adoption at its November 21, 2025 meeting.

In accordance with Texas Education Code (TEC), §7.102(f), the SBOE approved the amendment for adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2026-2027 school year. The earlier effective date will ensure school district policies comply with state and federal requirements as soon as possible. The effective date is 20 days after filing as adopted with the *Texas Register*.

**SUMMARY OF COMMENTS AND RESPONSES:** The public comment period began October 10, 2025, and ended at 5:00 p.m. on November 10, 2025. The SBOE also provided an opportunity for registered oral and written comments at its November 2025 meeting in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and corresponding responses.

**Comment.** An administrator requested that identification include standardized, norm-referenced assessments and transferable data to ensure continuity of services, emphasizing that a child's academic needs should not depend on residence or school enrollment.

**Response.** The SBOE disagrees. Statute requires a multi-dimensional approach to gifted identification, not a single test

score. TEC, §§29.121-29.123, the Texas State Plan for the Education of Gifted/Talented Students, and 19 TAC §89.1 require multiple criteria, equitable access, and procedures for transfer students to ensure prior data is considered.

**Comment.** A teacher commented in support of the proposed amendment and also requested additional, less costly resources to assess students across all areas of giftedness.

**Response.** The SBOE agrees and will consider developing guidance on the various assessments for gifted/talented identification by specific areas.

**Comment.** An administrator commented in support of the proposed amendment.

**Response.** The SBOE agrees.

**STATUTORY AUTHORITY.** The amendment is adopted under Texas Education Code (TEC), §29.121, which establishes the definition of a gifted and talented student; TEC, §29.122, which establishes that each school district shall adopt a process for identifying and serving gifted and talented students; TEC, §29.123, which establishes that the State Board of Education shall develop and update a state plan for the education of gifted and talented students to guide school districts; TEC, §39.236, which establishes criteria for the commissioner to adopt standards to evaluate school district programs for gifted and talented students; and TEC, §48.109, which establishes criteria for utilizing the gifted and talented student allotment funds.

**CROSS REFERENCE TO STATUTE.** The amendment implements Texas Education Code, §§29.121, 29.122, 29.123, 39.236, and 48.109.

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

Filed with the Office of the Secretary of State on January 9, 2026.

TRD-202600056

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Effective date: January 29, 2026

Proposal publication date: October 10, 2025

For further information, please call: (512) 475-1497



## TITLE 26. HEALTH AND HUMAN SERVICES

### PART 1. HEALTH AND HUMAN SERVICES COMMISSION

## CHAPTER 356. FAMILY VIOLENCE PROGRAM

The executive commissioner of the Texas Health and Human Services Commission (HHSC) adopts amendments to §§356.603, concerning Eligibility; 356.1303, concerning Eligibility; 356.1316, concerning Policies and Procedures Regarding Entries in a Program Participant's Record; 356.1403, concerning Crisis Call Hotline; 356.2003, concerning Eligibility; 356.2016, concerning Policies and Procedures Regarding Entries in a Program Participant's Record; and 356.2103, concerning Crisis Call Hotline; the repeal of §356.1323, concerning Policies and Procedures for the Retention and Destruction of Documentation; and the repeal of §356.2023, concerning Policies and Procedures for the Retention and Destruction of Documentation.

Sections 356.603, 356.1303, 356.1316, 356.1323, 356.1403, 356.2003, 356.2016, 356.2023, and 356.2103 are adopted without changes to the proposed text as published in the October 10, 2025 issue of the *Texas Register* (50 TexReg 6649). These rules will not be republished.

### BACKGROUND AND JUSTIFICATION

The repeal of §356.1323 and §356.2023 removes rules from 26 Texas Administrative Code, Chapter 356, on retention and destruction of documentation procedures because these requirements are in the HHSC contract related to family violence service delivery. The amendments to §§356.1316, 356.1403, 356.2016, and 356.2103 remove references to the repealed rules.

Further, the amendments to §§356.603, 356.1303, and 356.2003 clarify that there are four types of victims who may be eligible for services in the Family Violence Program. The amendments clarify existing eligibility criteria and do not impact eligibility for services.

### COMMENTS

The 31-day comment period ended November 10, 2025.

During this period, HHSC did not receive any comments regarding the proposed rules.

## SUBCHAPTER B. SHELTER CENTERS DIVISION 6. PROGRAM ADMINISTRATION

### 26 TAC §356.603

#### STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600046

Karen Ray  
Chief Counsel  
Health and Human Services Commission  
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Proposal publication date: October 10, 2025  
For further information, please call: (512) 460-0992



## SUBCHAPTER C. SPECIAL NONRESIDENTIAL PROJECT CENTERS DIVISION 6. PROGRAM ADMINISTRATION

### 26 TAC §356.1303, §356.1316

#### STATUTORY AUTHORITY

The amendments are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600048

Karen Ray  
Chief Counsel  
Health and Human Services Commission  
Effective date: January 29, 2026  
Proposal publication date: October 10, 2025  
For further information, please call: (512) 460-0992



### 26 TAC §356.1323

#### STATUTORY AUTHORITY

The repeal is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600047

Karen Ray  
Chief Counsel  
Health and Human Services Commission  
Effective date: January 29, 2026  
Proposal publication date: October 10, 2025  
For further information, please call: (512) 460-0992



## DIVISION 7. SERVICE DELIVERY

### 26 TAC §356.1403

#### STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600049

Karen Ray

Chief Counsel

Health and Human Services Commission

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Proposal publication date: October 10, 2025

For further information, please call: (512) 460-0992



## SUBCHAPTER D. NONRESIDENTIAL CENTERS

### DIVISION 6. PROGRAM ADMINISTRATION

#### 26 TAC §356.2003, §356.2016

#### STATUTORY AUTHORITY

The amendments are adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600051

Karen Ray

Chief Counsel

Health and Human Services Commission

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For further information, please call: (512) 460-0992



#### 26 TAC §356.2023

#### STATUTORY AUTHORITY

The repeal is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of

services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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TRD-202600050

Karen Ray

Chief Counsel

Health and Human Services Commission

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For further information, please call: (512) 460-0992



## DIVISION 7. SERVICE DELIVERY

### 26 TAC §356.2103

#### STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Human Resources Code §51.010, which authorizes the executive commissioner of HHSC to adopt rules governing the HHSC Family Violence Program.

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

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Karen Ray

Chief Counsel

Health and Human Services Commission

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Proposal publication date: October 10, 2025

For further information, please call: (512) 460-0992



## TITLE 28. INSURANCE

### PART 2. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION

#### CHAPTER 133. GENERAL MEDICAL PROVISIONS

INTRODUCTION. The Texas Department of Insurance, Division of Workers' Compensation (DWC) adopts amended 28 TAC §§133.240, 133.250, 133.305, and 133.308, concerning medical disputes for workers' compensation claims. The amendments implement House Bill (HB) 1306, 89th Legislature, Regular Session (2025).

The amendments to §§133.240, 133.250, 133.305, and 133.308 are adopted without changes to the proposed text published in the October 24, 2025, issue of the *Texas Register* (50 TexReg 6982). Sections 133.240, 133.250, 133.305, and 133.308 will not be republished.

**REASONED JUSTIFICATION.** HB 1306 added Texas Labor Code §504.057, which requires expedited medical benefits and accelerated medical dispute resolution for claims for medical benefits by a death investigation professional who sustains a serious bodily injury in the course and scope of employment, and requires that the death investigation professional inform DWC and the independent review organization that a contested case hearing or appeal involves a death investigation professional. The amendments are necessary to implement the changes in HB 1306. They specify that the insurance carrier must expedite and give priority to a claim for medical benefits by a death investigation professional who sustains a serious bodily injury in the course and scope of employment, including all health care required to cure or relieve the effects naturally resulting from a compensable injury. They also specify that DWC will accelerate and give priority to an appeal from a denial of a claim for medical benefits, and that the death investigation professional must provide notice to DWC and the independent review organization that a contested case or appeal involves a death investigation professional.

Section 133.240. The amendments to §133.240 add the requirement from HB 1306 that an insurance carrier must accelerate and give priority to a qualifying claim for medical benefits by a death investigation professional, including all required health care for the claim. Amending §133.240 is necessary to ensure that the rule is consistent with HB 1306.

Section 133.250. The amendments to §133.250 add the requirement from HB 1306 that an insurance carrier must accelerate and give priority to a qualifying claim for medical benefits by a death investigation professional, including all required health care for the claim. Amending §133.250 is necessary to ensure that the rule is consistent with HB 1306.

Section 133.305. The amendment to §133.305 adds a definition of "death investigation professional" to tie it to the definition in Labor Code §504.057 from HB 1306. Amending §133.305 is necessary to ensure that the rule is consistent with HB 1306.

Section 133.308. The amendments to §133.308 add the requirement from HB 1306 that DWC will accelerate and give priority to an appeal from a denial of a qualifying claim for medical benefits made by a death investigation professional, as well as to actions involving all health care required to cure or relieve the effects naturally resulting from a compensable injury. The amendments add the requirement from HB 1306 that the death investigation professional must notify DWC and the independent review organization that the contested case hearing or appeal involves a death investigation professional. Amending §133.308 is necessary to ensure that the rule is consistent with HB 1306.

**SUMMARY OF COMMENTS AND INFORMATION SUBMITTED, AND AGENCY RESPONSE.**

Commenters: DWC received one written comment, and no oral comments. No commenters included information, data, research, or analysis about the cost, benefit, or effect of the proposal. The commenter, which was in support of the proposal, was the Office of Injured Employee Counsel (OIEC).

Comment on §§133.240, 133.250, 133.305, and 133.308. OIEC stated that they support the amendments as they benefit the injured employees of Texas to ensure conformity with HB 1306.

Agency Response to Comment on §§133.240, 133.250, 133.305, and 133.308. DWC appreciates the comment.

**SUBCHAPTER C. MEDICAL BILL PROCESSING/AUDIT BY INSURANCE CARRIER**

**28 TAC §133.240, §133.250**

**STATUTORY AUTHORITY.** The commissioner of workers' compensation adopts amended §133.240 and §133.250 under Labor Code §§504.057, 402.00111, 402.00116, and 402.061.

Labor Code §504.057 requires that insurance carriers expedite claims for medical benefits by death investigation professionals who sustain a serious bodily injury in the course and scope of employment, that DWC accelerate disputes about those claims, and that the death investigation professionals inform DWC and the independent review organization that a contested case hearing or appeal involves a death investigation professional.

Labor Code §402.00111 provides that the commissioner of workers' compensation shall exercise all executive authority, including rulemaking authority under Title 5 of the Labor Code.

Labor Code §402.00116 provides that the commissioner of workers' compensation shall administer and enforce this title, other workers' compensation laws of this state, and other laws granting jurisdiction to or applicable to DWC or the commissioner.

Labor Code §402.061 provides that the commissioner of workers' compensation shall adopt rules as necessary to implement and enforce the Texas Workers' Compensation Act.

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

Filed with the Office of the Secretary of State on January 9, 2026.

TRD-202600054

Kara Mace

General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Effective date: January 29, 2026

Proposal publication date: October 24, 2025

For further information, please call: (512) 804-4703



**SUBCHAPTER D. DISPUTE OF MEDICAL BILLS**

**28 TAC §133.305, §133.308**

**STATUTORY AUTHORITY.** The commissioner of workers' compensation adopts amended §133.305 and §133.308 under Labor Code §§504.057, 402.00111, 402.00116, and 402.061.

Labor Code §504.057 requires that insurance carriers expedite claims for medical benefits by death investigation professionals who sustain a serious bodily injury in the course and scope of employment, that DWC accelerate disputes about those claims, and that the death investigation professionals inform DWC and

the independent review organization that a contested case hearing or appeal involves a death investigation professional.

Labor Code §402.00111 provides that the commissioner of workers' compensation shall exercise all executive authority, including rulemaking authority under Title 5 of the Labor Code.

Labor Code §402.00116 provides that the commissioner of workers' compensation shall administer and enforce this title, other workers' compensation laws of this state, and other laws granting jurisdiction to or applicable to DWC or the commissioner.

Labor Code §402.061 provides that the commissioner of workers' compensation shall adopt rules as necessary to implement and enforce the Texas Workers' Compensation Act.

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

Filed with the Office of the Secretary of State on January 9, 2026.

TRD-202600055

Kara Mace

General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Effective date: January 29, 2026

Proposal publication date: October 24, 2025

For further information, please call: (512) 804-4703



## CHAPTER 134. BENEFITS--GUIDELINES FOR MEDICAL SERVICES, CHARGES, AND PAYMENTS

### SUBCHAPTER G. PROSPECTIVE AND CONCURRENT REVIEW OF HEALTH CARE

#### 28 TAC §134.600

**INTRODUCTION.** The Texas Department of Insurance, Division of Workers' Compensation (DWC) adopts amended 28 TAC §134.600, concerning preauthorization, concurrent utilization review, and voluntary certification of health care. The amendment implements House Bill (HB) 1306, 89th Legislature, Regular Session (2025).

The amendment to §134.600 is adopted without changes to the proposed text published in the October 24, 2025, issue of the *Texas Register* (50 TexReg 6985). Section 134.600 will not be republished.

**REASONED JUSTIFICATION.** HB 1306 added Texas Labor Code §504.057, which requires expedited medical benefits and accelerated medical dispute resolution for claims for medical benefits by a death investigation professional who sustains a serious bodily injury in the course and scope of employment, and requires that the death investigation professional inform DWC and the independent review organization that a contested case hearing or appeal involves a death investigation professional. The amendment is necessary to implement the changes in HB 1306.

Section 134.600. The amendment to §134.600 adds the requirement from HB 1306 that an insurance carrier must accelerate and give priority to a qualifying claim for medical benefits by a death investigation professional, including all required health care for the claim. Amending §134.600 is necessary to ensure that the rule is consistent with HB 1306.

#### SUMMARY OF COMMENTS AND INFORMATION SUBMITTED, AND AGENCY RESPONSE.

**Commenters:** DWC received one written comment, and no oral comments. No commenters included information, data, research, or analysis about the cost, benefit, or effect of the proposal. The commenter, which was in support of the proposal, was the Office of Injured Employee Counsel (OIEC).

**Comment on §134.600.** OIEC stated that they support the amendments as they benefit the injured employees of Texas to ensure conformity with HB 1306.

**Agency Response to Comment on §134.600.** DWC appreciates the comment.

**STATUTORY AUTHORITY.** The commissioner of workers' compensation adopts amended §134.600 under Labor Code §§504.057, 402.00111, 402.00116, and 402.061.

Labor Code §504.057 requires that insurance carriers expedite claims for medical benefits by death investigation professionals who sustain a serious bodily injury in the course and scope of employment, that DWC accelerate disputes about those claims, and that the death investigation professionals inform DWC and the independent review organization that a contested case hearing or appeal involves a death investigation professional.

Labor Code §402.00111 provides that the commissioner of workers' compensation shall exercise all executive authority, including rulemaking authority under Title 5 of the Labor Code.

Labor Code §402.00116 provides that the commissioner of workers' compensation shall administer and enforce this title, other workers' compensation laws of this state, and other laws granting jurisdiction to or applicable to DWC or the commissioner.

Labor Code §402.061 provides that the commissioner of workers' compensation shall adopt rules as necessary to implement and enforce the Texas Workers' Compensation Act.

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

Filed with the Office of the Secretary of State on January 9, 2026.

TRD-202600053

Kara Mace

General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Effective date: January 29, 2026

Proposal publication date: October 24, 2025

For further information, please call: (512) 804-4703





# 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

Credit Union Department

### Title 7, Part 6

Chapter 91, Subchapter G, concerning Lending Powers, consisting of §§91.701, (Lending Powers), 91.703 (Interest Rates), 91.704 (Real Estate Lending), 91.705 (Home Improvement Loans), 91.706 (Home Equity Loans), 91.707 (Reverse Mortgages), 91.708 (Real Estate Appraisals or Evaluations), 91.709 (Member Business Loans and Commercial Loans), 91.710 (Overdraft Protection), 91.711 (Purchase and Sale of Member Loans), 91.712 (Plastic Cards), 91.713 (Indirect Lending), 91.714 (Leasing), 91.715 (Exceptions to the General Lending Policies), 91.716 (Prohibited Fees), 91.717 (More Stringent Restrictions), 91.718 (Charging Off or Setting Up Reserves), 91.719 (Loans to Officials and Senior Management Employees), and 91.720 (Small-Dollar, Short-Term Credit).

Chapter 95, Subchapter A, concerning Insurance Requirements, consisting of §§95.100 (Definitions), 95.101 (Share and Depositor Insurance Protection), 95.102 (Qualifications for an Insuring Organization), 95.103 (General Powers and Duties of an Insuring Organization), 95.104 (Notices), 95.105 (Reporting), 95.106 (Amount of Insurance Protection), 95.107 (Sharing Confidential Information), 95.108 (Examinations), 95.109 (Fees and Charges), and 95.110 (Enforcement Penalty; and Appeal).

Chapter 95, Subchapter B, concerning Liquidating Agents, consisting of §§95.200 (Notice of Taking Possession; Appointment of Liquidating Agent; Subordination of Rights, and 95.205 (State Not Liable for any Deficiency).

Chapter 95, Subchapter C, concerning Guaranty Credit Union, consisting of §§95.300 (Share and Deposit Guaranty Credit Union), 95.301 (Authority for a Guaranty Credit Union), 95.302 (Powers), 95.303 (Subordination of Right, Title, or Interest), 95.304 (Capital Contributions; Membership Investment Shares; Termination), 95.305 (Audited Financial Statements; Accounting Procedures; Reports), and 95.310 (Fees and Charges).

Chapter 95, Subchapter D, concerning Disclosure for Non-Federally Insured Credit Unions, consisting of §95.400 (Requirements of Participating Credit Unions).

This review will be conducted pursuant to Texas Government Code, §2001.039. The commission believes that the reasons for adopting the rules contained in these chapters continue to exist. The commission will accept written comments received on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register* as to whether the reasons for adopting these rules continue to

exist. The commission also invites comments on how to make these rules easier to understand. For example:

- Does the rule organize the material to suit your needs? If not, how could the material be better organized?

- Does the rule clearly state the requirements? If not, how could the rule be more clearly stated?

- Does the rule contain technical language or jargon that is not clear? If so, what language requires clarification?

- Would a different format (grouping and order of sections, use of headings, paragraphing) make the rule easier to understand? If so, what changes to the format would make the rule easier to understand?

- Would more (but shorter) sections be better in any of the rules? If so, what sections should be changed?

Each rule will also be reviewed to determine whether it is obsolete, whether the rule reflects current legal and policy considerations, and whether the rule reflects current procedures of the Credit Union Department.

Any questions or written comments pertaining to this notice should be directed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699, or by email to [cudmail@cud.texas.gov](mailto:cudmail@ cud.texas.gov). Any proposed amendments as a result of the review will be published in the *Texas Register* in compliance with Texas Government Code, Chapter 2001, and will be open for an additional 31-day public comment period prior to final adoption or repeal by the commission.

TRD-202600042

Robert W. Etheridge

Commissioner

Credit Union Department

Filed: January 8, 2026

## Adopted Rule Reviews

Department of State Health Services

### Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 289, Radiation Control

Notice of the review of this chapter was published in the November 21, 2025, issue of the *Texas Register* (50 TexReg 7585). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 289 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 289, Radiation Control. Any amendments, if applicable, to Chapter 289, Radiation Control, identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 289 as required by Texas Government Code §2001.039.

TRD-202600107

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: January 13, 2026



# TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 19 TAC §4.52(b)

APPLICABILITY CATEGORIES			
Category	Student	Subject Area	Time Period
Prior or Current Academic Coursework	Student has earned an associate or baccalaureate degree from an institution of higher education	All	No expiration
	Student transfers from a private or independent institution of higher education or an accredited out-of-state institution of higher education and has satisfactorily completed college-level coursework	The subject area in which the student has satisfactorily completed college-level coursework	No expiration
	Student is enrolled in a certificate program of one year or less at a public junior college, public technical institute, or public state college	All	Applicable while the student is enrolled in the certificate program of one year or less
Military Service	Student is serving on active duty as a member of the armed forces of the United States, the Texas National Guard, or as a member of a reserve component of the armed forces of the United States	All	Applicable while the student is serving on active duty
	Student was honorably discharged, retired, or released from active duty as a member of the armed forces of the United States or the Texas National Guard or service as a member of a reserve component of the armed forces of the United States	All	No expiration
Public Officers and Employees	Student is certified as an emergency medical technician under Chapter 773, Health and Safety Code and employed by a political subdivision	All	No expiration
	Student is a fire protection personnel as defined in Section 419.021, Government Code.	All	No expiration
	Student is elected, appointed, or employed to serve as a peace officer described by Article 2A.001, Code of Criminal Procedure, or other law.	All	No expiration

**AUTHORIZATION FOR NON-ATTORNEY REPRESENTATIVE**

I, the undersigned, authorize the following individual to act as the non-attorney representative of \_\_\_\_\_ (hereafter referred to as "Party") in Special Education Due Process Hearing Docket No. \_\_\_\_\_.

Name of Non-Attorney Representative	Telephone Number
Mailing Address	
Facsimile Number	Email Address

<b>The non-attorney representative's qualifications are described below.</b>
Special knowledge or training with respect to problems of children with disabilities:
<u>Knowledge of all special education dispute resolution options available to parents, including due process hearings, state complaints, mediation, and IEP facilitation:</u>
Knowledge of the rules and procedures that apply to due process hearings, including those in 34 Code of Federal Regulations (CFR), §§300.507-300.514 and 300.532, if applicable, and 19 Texas Administrative Code (TAC), §§89.1151-89.1191:
Knowledge of federal and state special education laws, regulations, and rules:
Educational background:

**The non-attorney representative has prior employment experience with the school district that is a party to the hearing.**

- Yes  
 No

**The non-attorney representative is receiving or will receive monetary compensation in exchange for his or her representation of Party in the Special Education Due Process Hearing.**

- Yes  
 No

**If yes, please answer the following questions:**

**1. The non-attorney representative has agreed to abide by a voluntary code of ethics and professional conduct during the period of representation.**

- Yes  
 No

**2. The non-attorney representative and Party have entered into a confidential, written representation agreement that includes a process for resolving any disputes that arise between the non-attorney representative and Party.**

- Yes  
 No

I acknowledge that the non-attorney representative has full authority to act on behalf of Party with respect to the hearing and that the actions or omissions by the non-attorney representative are binding on Party, as if Party had taken or omitted those actions directly.

I acknowledge that documents are deemed to be served on Party if served on the non-attorney representative. I further acknowledge that communications between Party and the non-attorney representative are not generally protected by the attorney-client privilege and may be subject to disclosure during the hearing proceeding.

I acknowledge that neither federal nor state special education laws provide for the recovery of fees for the services of a non-attorney representative.

I acknowledge that it is Party's responsibility to notify the hearing officer and the opposing party of any change in the status of this authorization and that the provisions of this authorization shall remain in effect until Party notifies the hearing officer and the opposing party of Party's revocation of the authorization.

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date



# IN ADDITION

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

### Extension of Comment Period

The Office of the Attorney General (OAG) published notice of its intention to amend §53.2 and §53.16 in Title 1 of the Texas Administrative Code (TAC), relating to the form of records and submission and approval of public finance transcripts. The proposed rules were published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7963) with a comment period ending January 11, 2026. **The comment period for the proposed rules will be extended through February 10, 2026.**

Written comments on the proposed rules may be submitted electronically to the OAG's Public Finance Division by email to OAGRuleCommentsCh53@oag.texas.gov or by mail to Leslie Brock, Attn: Rule Comments, Office of the Attorney General, P.O. Box 12548, Austin, Texas 78711-2548.

TRD-202600041

Justin Gordon

General Counsel

Office of the Attorney General

Filed: January 8, 2026



### Notice of Settlement of a Recovery Action for Response Costs

The State of Texas gives notice of the following proposed resolution of an action to recover costs under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). 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: *State of Texas v. Hydro Resources Corporation*; Case No. 5:25-cv-00236-H, in the United States District Court for the Northern District of Texas.

Background: On October 31, 2025, the State of Texas filed a Complaint against Hydro Resources Corporation (Hydro) for cost recovery under Section 107 of CERCLA, 42 U.S.C. § 9607, related to response and cleanup actions taken at a site in Anton, Texas. The Complaint alleges that Hydro is liable under CERCLA for costs incurred by the Texas Commission on Environmental Quality (TCEQ) in connection with response actions taken at the site in Anton, which was formerly operated by Bulldog Services, LLC. Specifically, Hydro stored six drums containing cyanide waste on the site, at least some of which were uncovered, posing a threat to public health and the environment. TCEQ spent \$32,850.35 to remove the drums from the site and arrange for their transportation and disposal.

Proposed Settlement: Hydro will pay \$26,000 to the State under the proposed Consent Decree. Of this total, \$25,000 is designated as re-

imbursement for the response costs, and \$1,000 is designated as the State's reasonable attorney's fees.

For a complete description of the settlement, the Complaint and proposed Consent Decree should be reviewed in its entirety. Requests for copies of the Complaint and proposed Consent Decree, and written comments on the same, should be directed to Michael Burcham, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, phone (512) 475-4018, facsimile (512) 320-0911, email address: michael.burcham@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202600083

Justin Gordon

General Counsel

Office of the Attorney General

Filed: January 12, 2026



### Notice of Update to the Texas Private Real Property Rights Preservation Act Guidelines

The Office of the Attorney General intends to revise the Texas Private Real Property Rights Preservation Act Guidelines (the Guidelines) found on the Office's website and is publishing the proposed changes in the *Texas Register* for 30 days so that the Office may accept public comment regarding the proposed settlement.

Under section 2007.041 of the Texas Government Code, the Attorney General must (1) prepare guidelines to assist governmental entities in identifying and evaluating governmental actions described in section 2007.003(a)(1)-(3) that may result in a taking, (2) file the guidelines with the Secretary of State for publication in the *Texas Register* in the manner prescribed by chapter 2002 of the Texas Government Code, and (3) review the guidelines at least annually and revise the guidelines as necessary to ensure consistency with the actions of the Texas Legislature and the decisions of the United States Supreme Court and the Texas Supreme Court. The Office of the Attorney General thus intends to revise and update the Guidelines as indicated herein and will accept public comment on the proposed changes.

In 2024, the Texas Supreme Court issued its decision in *Texas Department of Transportation v. Self*, 690 S.W.3d 12 (Tex. 2024), which clarified the elements of a taking and specified the requisite intent for a taking. Specifically, the Court stated that, for a taking to occur, certain acts must result "in taking, damaging, or destroying the property for, or applying it to . . . public use." *Id.* at 26. Further, the Court stated that a governmental entity's mistaken belief regarding the legal right to take a specific action does not, in and of itself, exempt that action as a taking: "[T]he government must pay compensation when it intentionally takes private property for public use--even if the government mistakenly believes that it has a legal right to do so apart from its power of eminent domain." *Id.* at 29.

The Office of the Attorney General proposes to update the Guidelines to reflect the decision in *Self* in two ways. The first proposed update would specify that taking may result from actions that, in addition to

taking property, result in the damage or destruction of property. The second update spells out the clarification in *Self* that a mistaken belief does not exempt an action from being a taking. No other actions or decisions of the Texas Legislature, United States Supreme Court, or Texas Supreme Court warrant any update to the Guidelines.

Written comments regarding changes to the Guidelines may be directed to: Wesley S. Williams, Assistant Attorney General, Office of the Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, faxed to his attention at (512) 320-0911, or emailed to wesley.williams@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202600105  
Justin Gordon  
General Counsel  
Office of the Attorney General  
Filed: January 13, 2026

◆ ◆ ◆  
**Comptroller of Public Accounts**

**Certification of the Average Closing Price of Gas and Oil -  
November 2025**

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period November 2025 is \$37.58 per barrel for the three-month period beginning on August 1, 2025, and ending October 31, 2025. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of November 2025, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202. Due to a lack of consumer price index (CPI) data for October 2025, the Comptroller utilized the CPI data from September 2025 when calculating the 2005 price for the month of October 2025.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period November 2025 is \$1.22 per mcf for the three-month period beginning on August 1, 2025, and ending October 31, 2025. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of November 2025, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201. Due to a lack of consumer price index (CPI) data for October 2025, the Comptroller utilized the CPI data from September 2025 when calculating the 2005 price for the month of October 2025.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of November 2025 is \$59.48 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of November 2025, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of November 2025 is \$4.64 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of November 2025, from a qualified low-producing gas well.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

Issued in Austin, Texas, on January 9, 2026.

TRD-202600045  
Jenny Burleson  
Director, Tax Policy  
Comptroller of Public Accounts  
Filed: January 9, 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 and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/19/26 - 01/25/26 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 01/19/26 - 01/25/26 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202600109  
Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: January 14, 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 24, 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 24, 2026**. Written comments may also be sent to the enforcement coordinator by email to ENFCOMNT@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: AMAENS HOTELS & RESORTS LLC; DOCKET NUMBER: 2025-0885-PWS-E; IDENTIFIER: RN101654382; LOCATION: Manvel, Brazoria County; TYPE OF FACILITY: public water supply; PENALTY: \$1,490; ENFORCEMENT COORDINATOR: Iliá Perez Ramirez, (512) 239-2556; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(2) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2025-1023-PWS-E; IDENTIFIER: RN102672524; LOCATION: Tomball, Harris County; TYPE OF FACILITY: public water supply; PENALTY: \$2,400; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(3) COMPANY: Brazos River Sand and Gravel, LLC; DOCKET NUMBER: 2025-1680-WR-E; IDENTIFIER: RN112241617; LOCATION: Granbury, Hood County; TYPE OF FACILITY: mining operation; PENALTY: \$550; ENFORCEMENT COORDINATOR: Monica Larina, (512) 239-2545; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, REGION 14 - CORPUS CHRISTI.

(4) COMPANY: CARLOS, JOSE A; DOCKET NUMBER: 2025-1894-WOC-E; IDENTIFIER: RN103474508; LOCATION: Comfort, Kendall County; TYPE OF FACILITY: operator; PENALTY: \$175; ENFORCEMENT COORDINATOR: Madison Travis, (512) 239-4687; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: City of Cactus; DOCKET NUMBER: 2024-1894-IWD-E; IDENTIFIER: RN102075173; LOCATION: Cactus, Moore County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$7,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$6,000; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(6) COMPANY: City of Carthage; DOCKET NUMBER: 2025-1051-PWS-E; IDENTIFIER: RN101424133; LOCATION: Carthage, Panola County; TYPE OF FACILITY: public water supply; PENALTY: \$2,600; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(7) COMPANY: City of Cumby; DOCKET NUMBER: 2024-0757-PWS-E; IDENTIFIER: RN101245397; LOCATION: Cumby, Hopkins County; TYPE OF FACILITY: public water supply; PENALTY: \$50; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2510; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, REGION 14 - CORPUS CHRISTI.

(8) COMPANY: City of Eldorado; DOCKET NUMBER: 2025-0463-PWS-E; IDENTIFIER: RN101210904; LOCATION: Eldorado, Schleicher County; TYPE OF FACILITY: public water supply; PENALTY: \$50; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512)

239-1131; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(9) COMPANY: City of Roscoe; DOCKET NUMBER: 2025-0890-PWS-E; IDENTIFIER: RN101430924; LOCATION: Roscoe, Nolan County; TYPE OF FACILITY: public water supply; PENALTY: \$3,725; ENFORCEMENT COORDINATOR: Obianuju Iyasele, (512) 239-5280; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(10) COMPANY: City of Texhoma; DOCKET NUMBER: 2025-1144-PWS-E; IDENTIFIER: RN101266484; LOCATION: Texhoma, Sherman County; TYPE OF FACILITY: public water supply; PENALTY: \$2,915; ENFORCEMENT COORDINATOR: Corinna Willis, (512) 239-2504; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(11) COMPANY: Donald Kenneth Swaim; DOCKET NUMBER: 2025-1055-PWS-E; IDENTIFIER: RN101237600; LOCATION: Granbury, Hood County; TYPE OF FACILITY: public water supply; PENALTY: \$3,892; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2510; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, REGION 14 - CORPUS CHRISTI.

(12) COMPANY: GLASSCOCK COUNTY COOP; DOCKET NUMBER: 2025-1056-PWS-E; IDENTIFIER: RN102547494; LOCATION: Garden City, Glasscock County; TYPE OF FACILITY: public water supply; PENALTY: \$3,520; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(13) COMPANY: Harris County MUD 58; DOCKET NUMBER: 2025-1708-MWD-E; IDENTIFIER: RN102844578; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(14) COMPANY: KEITH MARQUART; DOCKET NUMBER: 2025-1895-WOC-E; IDENTIFIER: RN112288303; LOCATION: Kerrville, Kendall County; TYPE OF FACILITY: operator; PENALTY: \$175; ENFORCEMENT COORDINATOR: Madison Travis, (512) 239-4687; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(15) COMPANY: M. A. Mortenson Company; DOCKET NUMBER: 2025-0922-WR-E; IDENTIFIER: RN112134457; LOCATION: Falls, Falls County; TYPE OF FACILITY: operator; PENALTY: \$875; ENFORCEMENT COORDINATOR: Madison Travis, (512) 239-4687; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(16) COMPANY: RIR VENTURES LLC; DOCKET NUMBER: 2025-0528-PST-E; IDENTIFIER: RN101769206; LOCATION: Nacogdoches, Nacogdoches County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$12,614; ENFORCEMENT COORDINATOR: Lauren Little, (817) 588-5888; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 04 - DALLAS/FORT WORTH.

(17) COMPANY: Switch, Ltd.; DOCKET NUMBER: 2025-1737-EAQ-E; IDENTIFIER: RN111390985; LOCATION: Round Rock, Williamson County; TYPE OF FACILITY: data center; PENALTY: \$1,625; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(18) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2024-1506-MWD-E; IDENTIFIER: RN102314465; LOCATION: Lovelady, Houston County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$35,140; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$28,112; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(19) COMPANY: Texas State Line C & B Mart Inc; DOCKET NUMBER: 2024-0732-PST-E; IDENTIFIER: RN102372737; LOCATION: Texarkana, Bowie County; TYPE OF FACILITY: operator; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(20) COMPANY: VALLEY WATER SUPPLY CORPORATION; DOCKET NUMBER: 2025-1179-PWS-E; IDENTIFIER: RN101176543; LOCATION: Spur, Dickens County; TYPE OF FACILITY: public water supply; PENALTY: \$381; ENFORCEMENT COORDINATOR: Ronica Rodriguez, (512) 239-2510; REGIONAL OFFICE: 500 North Shoreline Boulevard, Suite 500, Corpus Christi, Texas 78401, REGION 14 - CORPUS CHRISTI.

(21) COMPANY: Victoria County Water Control and Improvement District No. 2; DOCKET NUMBER: 2019-0261-MWD-E; IDENTIFIER: RN101612331; LOCATION: Placedo, Victoria County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$56,400; ENFORCEMENT COORDINATOR: Bethany Batchelor, (713) 767-3586; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(22) COMPANY: Vinod Patel; DOCKET NUMBER: 2025-1014-PWS-E; IDENTIFIER: RN102319175; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: public water supply; PENALTY: \$4,800; ENFORCEMENT COORDINATOR: Corinna Willis, (512) 239-2504; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(23) COMPANY: Vysehrad Independent School District; DOCKET NUMBER: 2025-1061-PWS-E; IDENTIFIER: RN101237998; LOCATION: Hallettsville, Lavaca County; TYPE OF FACILITY: public water supply; PENALTY: \$1,590; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(24) COMPANY: WaterFleet, LLC; DOCKET NUMBER: 2025-0798-PWS-E; IDENTIFIER: RN110957495; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: public water supply; PENALTY: \$1,007; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

TRD-202600057

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 9, 2026



### Enforcement Orders

An agreed order was adopted regarding the City of Alvord, Docket No. 2022-0285-MWD-E on January 13, 2026 assessing \$9,400 in administrative penalties with \$1,880 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith,

Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Focus Services, LLC, Docket No. 2022-1088-PST-E on January 13, 2026 assessing \$3,279 in administrative penalties with \$655 deferred. Information concerning any aspect of this order may be obtained by contacting Eresha DeSilva, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Jayton, Docket No. 2022-1622-PWS-E on January 13, 2026 assessing \$918 in administrative penalties with \$183 deferred. Information concerning any aspect of this order may be obtained by contacting Katherine Argueta, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Terrell County Water Control and Improvement District No. 1, Docket No. 2022-1652-UTL-E on January 13, 2026 assessing \$575 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Benjamin Pence, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding AUR ROOFING, INC., Docket No. 2023-0800-AIR-E on January 13, 2026 assessing \$2,500 in administrative penalties with \$500 deferred. Information concerning any aspect of this order may be obtained by contacting Desmond Martin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JST Development, LLC, Docket No. 2023-1175-WQ-E on January 13, 2026 assessing \$11,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Kurnath, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Patty M. Steed dba Canyon Dam Mobile Home Park, Docket No. 2023-1238-PWS-E on January 13, 2026 assessing \$6,627 in administrative penalties with \$1,325 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Richmond Community Estates LLC, Docket No. 2023-1465-MWD-E on January 13, 2026 assessing \$6,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pack Ellis, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Scandinavian Fabrication USA, L.L.C., Docket No. 2023-1510-WQ-E on January 13, 2026 assessing \$4,688 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Laney Foeller, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding M. E. N. Water Supply Corporation, Docket No. 2024-0164-PWS-E on January 13, 2026 assessing \$1,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jun Zhang, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding SK Primacor Americas LLC, Docket No. 2024-0793-AIR-E on January 13, 2026 assessing \$8,550 in

administrative penalties with \$1,710 deferred. Information concerning any aspect of this order may be obtained by contacting Morgan Kopcho, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Regal Rexnord Corporation, Docket No. 2024-1544-AIR-E on January 13, 2026 assessing \$9,000 in administrative penalties with \$1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Trenton White, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding GREENVILLE MHC, LLC, Docket No. 2024-1623-WQ-E on January 13, 2026 assessing \$9,450 in administrative penalties with \$1,890 deferred. Information concerning any aspect of this order may be obtained by contacting Alejandra Basave, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding The Premcor Refining Group Inc., Docket No. 2024-1792-AIR-E on January 13, 2026 assessing \$12,150 in administrative penalties with \$2,430 deferred. Information concerning any aspect of this order may be obtained by contacting Nick Lohret-Froio, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding LyondellBasell Acetyls, LLC, Docket No. 2024-1817-AIR-E on January 13, 2026 assessing \$6,900 in administrative penalties with \$1,380 deferred. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Indorama Ventures Oxides LLC, Docket No. 2025-0099-AIR-E on January 13, 2026 assessing \$10,350 in administrative penalties with \$2,070 deferred. Information concerning any aspect of this order may be obtained by contacting Caleb Martin, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Trail of the Lakes Municipal Utility District, Docket No. 2025-0128-PWS-E on January 13, 2026 assessing \$5,000 in administrative penalties with \$5,000 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TEXAS TRANSEASTERN, INC., Docket No. 2025-0131-PST-E on January 13, 2026 assessing \$6,185 in administrative penalties with \$1,237 deferred. Information concerning any aspect of this order may be obtained by contacting Celia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Derek Osburn Construction Co., Docket No. 2025-0146-WQ-E on January 13, 2026 assessing \$9,850 in administrative penalties with \$1,970 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ALMO INVESTMENT, LTD, Docket No. 2025-0187-WQ-E on January 13, 2026 assessing \$10,125

in administrative penalties with \$2,025 deferred. Information concerning any aspect of this order may be obtained by contacting Matthew DeVay, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Air Products Industrial Gas LLC, Docket No. 2025-0256-AIR-E on January 13, 2026 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting John Burkett, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of East Tawakoni, Docket No. 2025-0304-PWS-E on January 13, 2026 assessing \$9,057 in administrative penalties with \$7,291 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Waller County Municipal Utility District 35, Docket No. 2025-0343-PWS-E on January 13, 2026 assessing \$475 in administrative penalties with \$95 deferred. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding BEECHWOOD WATER SUPPLY CORPORATION, Docket No. 2025-0358-PWS-E on January 13, 2026 assessing \$50 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting De'Shaune Blake, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Blue Creek Builders LLC, Docket No. 2025-0431-PWS-E on January 13, 2026 assessing \$570 in administrative penalties with \$114 deferred. Information concerning any aspect of this order may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding IJB LOGISTICS LLC, Docket No. 2025-0462-MSW-E on January 13, 2026 assessing \$2,625 in administrative penalties with \$525 deferred. Information concerning any aspect of this order may be obtained by contacting Rachel Murray, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Alan Melton, Docket No. 2025-0487-MSW-E on January 13, 2026 assessing \$3,937 in administrative penalties with \$787 deferred. Information concerning any aspect of this order may be obtained by contacting Rachel Murray, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ash Grove Cement South Texas, LLC, Docket No. 2025-0490-AIR-E on January 13, 2026 assessing \$4,000 in administrative penalties with \$800 deferred. Information concerning any aspect of this order may be obtained by contacting Michael Wilkins, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Targa Pipeline Mid-Continent WestTex LLC, Docket No. 2025-0504-AIR-E on January 13, 2026 assessing \$4,688 in administrative penalties with \$937 deferred. Infor-

mation concerning any aspect of this order may be obtained by contacting John Burkett, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Brenntag Southwest, Inc., Docket No. 2025-0536-AIR-E on January 13, 2026 assessing \$3,563 in administrative penalties with \$712 deferred. Information concerning any aspect of this order may be obtained by contacting Trenton White, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts 1451, Docket No. 2025-0539-MSW-E on January 13, 2026 assessing \$375 in administrative penalties with \$75 deferred. Information concerning any aspect of this order may be obtained by contacting Rachel Murray, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Cone Water Supply Corporation, Docket No. 2025-0564-PWS-E on January 13, 2026 assessing \$1,438 in administrative penalties with \$287 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Haijun Wang, Docket No. 2025-0659-OSS-E on January 13, 2026 assessing \$2,750 in administrative penalties with \$550 deferred. Information concerning any aspect of this order may be obtained by contacting Jasmine Jimerson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Aqua Texas, Inc., Docket No. 2025-0687-PWS-E on January 13, 2026 assessing \$6,050 in administrative penalties with \$1,210 deferred. Information concerning any aspect of this order may be obtained by contacting De'Shaune Blake, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jaya Guru Ganesh Inc dba Fountain Grocery Store, Docket No. 2025-0709-PST-E on January 13, 2026 assessing \$3,000 in administrative penalties with \$600 deferred. Information concerning any aspect of this order may be obtained by contacting Eresha DeSilva, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Z & H Business Venture, Inc, Docket No. 2025-0728-PST-E on January 13, 2026 assessing \$2,625 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Adriana Fuentes, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding PLAINS BAPTIST ASSEMBLY, Docket No. 2025-0764-PWS-E on January 13, 2026 assessing \$262 in administrative penalties with \$52 deferred. Information concerning any aspect of this order may be obtained by contacting Wyatt Throm, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Taft, Docket No. 2025-0802-PWS-E on January 13, 2026 assessing \$52 in administrative penalties with \$10 deferred. Information concerning any aspect of this order may be obtained by contacting Corinna Willis, Enforcement

Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding ORANGEFIELD WATER SUPPLY CORPORATION, Docket No. 2025-0816-MWD-E on January 13, 2026 assessing \$4,952 in administrative penalties with \$990 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Park Water Company, Docket No. 2025-0834-PWS-E on January 13, 2026 assessing \$1,365 in administrative penalties with \$273 deferred. Information concerning any aspect of this order may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding O'Reilly Auto Enterprises, LLC dba O'Reilly Auto Parts 453, Docket No. 2025-0842-MSW-E on January 13, 2026 assessing \$375 in administrative penalties with \$75 deferred. Information concerning any aspect of this order may be obtained by contacting Celicia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Martin Marietta Materials Southwest, LLC, Docket No. 2025-0847-EAQ-E on January 13, 2026 assessing \$750 in administrative penalties with \$150 deferred. Information concerning any aspect of this order may be obtained by contacting Jasmine Jimerson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Shumaker Enterprises, Inc., Docket No. 2025-0869-PWS-E on January 13, 2026 assessing \$2,000 in administrative penalties with \$400 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Park Sewer Company, Docket No. 2025-0875-MWD-E on January 13, 2026 assessing \$2,675 in administrative penalties with \$535 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CHALK BLUFF WATER SUPPLY CORPORATION, Docket No. 2025-0896-PWS-E on January 13, 2026 assessing \$937 in administrative penalties with \$187 deferred. Information concerning any aspect of this order may be obtained by contacting Corinna Willis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Pinewood Community Limited Partnership, Docket No. 2025-0929-PWS-E on January 13, 2026 assessing \$225 in administrative penalties with \$45 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding GREENWOOD WATER CORPORATION, Docket No. 2025-1045-WQ-E on January 13, 2026 assessing \$2,250 in administrative penalties with \$450 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512)

239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation order was adopted regarding Solaris Oilfield Site Services Operating L.L.C., Docket No. 2025-1506-WQ-E on January 13, 2026 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Jasmine Jimerson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Perez, John P., Docket No. 2025-1551-WOC-E on January 13, 2026 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Iliia Perez-Ramirez, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202600111

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 14, 2026



### Enforcement Orders

An agreed order was adopted regarding Natgasoline LLC, Docket No. 2021-0337-AIR-E on January 14, 2026 assessing \$830,574 in administrative penalties with \$27,697 deferred. Information concerning any aspect of this order may be obtained by contacting Mackenzie Mehlmann, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lake Travis Independent School District, Docket No. 2021-1130-MWD-E on January 14, 2026 assessing \$41,401 in administrative penalties with \$8,280 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A default and shutdown order was adopted regarding Complete Lube N Repair Inc. dba Econo Lube n Tune and Brakes, Docket No. 2021-1307-PST-E on January 14, 2026 assessing \$8,839 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Ingenia Polymers USGC, Inc., Docket No. 2022-0118-IWD-E on January 14, 2026 assessing \$18,563 in administrative penalties with \$3,712 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Nacogdoches, Docket No. 2022-0306-PWS-E on January 14, 2026 assessing \$100,035 in administrative penalties with \$20,006 deferred. Information concerning any aspect of this order may be obtained by contacting Ryan Byer, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Contemporary Glass Tempering, LLC, Docket No. 2022-0423-MLM-E on January 14, 2026 as-

sessing \$17,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Marilyn Norrod, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Canyon Lake Estates Water Supply Corporation, Docket No. 2022-0970-PWS-E on January 14, 2026 assessing \$69,762 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding The Goodyear Tire & Rubber Company, Docket No. 2023-0063-AIR-E on January 14, 2026 assessing \$21,563 in administrative penalties with \$4,312 deferred. Information concerning any aspect of this order may be obtained by contacting Johnnie Wu, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding INV Nylon Chemicals Americas, LLC, Docket No. 2023-1134-AIR-E on January 14, 2026 assessing \$148,400 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Krystina Sepulveda, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of La Marque, Docket No. 2023-1311-MWD-E on January 14, 2026 assessing \$195,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Williamson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Water Utilities, L.P., Docket No. 2023-1534-MWD-E on January 14, 2026 assessing \$24,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Frost, Docket No. 2023-1642-MWD-E on January 14, 2026 assessing \$50,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Chapman Mobile Home Park, LLC, Docket No. 2024-0725-MLM-E on January 14, 2026 assessing \$62,310 in administrative penalties with \$58,710 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Water Utilities, L.P., Docket No. 2024-0775-MWD-E on January 14, 2026 assessing \$112,366 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Department of Transportation, Docket No. 2024-0782-MWD-E on January 14, 2026 assessing \$15,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Com-

mission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JGE Gas Solutions, LP, Docket No. 2024-1384-IWD-E on January 14, 2026 assessing \$92,890 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JAMES LAKE MIDSTREAM LLC, Docket No. 2024-1513-AIR-E on January 14, 2026 assessing \$13,125 in administrative penalties with \$2,625 deferred. Information concerning any aspect of this order may be obtained by contacting Trenton White, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Clyde, Docket No. 2024-1789-PWS-E on January 14, 2026 assessing \$20,665 in administrative penalties with \$4,133 deferred. Information concerning any aspect of this order may be obtained by contacting Taner Hengst, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Trinity River Authority of Texas, Docket No. 2024-1833-MWD-E on January 14, 2026 assessing \$20,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Matagorda County Water Control and Improvement District No. 6, Docket No. 2024-1941-MWD-E on January 14, 2026 assessing \$18,750 in administrative penalties with \$3,750 deferred. Information concerning any aspect of this order may be obtained by contacting Kolby Farren, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Tri Try Water Supply Corporation, Docket No. 2025-0168-PWS-E on January 14, 2026 assessing \$1,375 in administrative penalties with \$1,375 deferred. Information concerning any aspect of this order may be obtained by contacting Deshaune Blake, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Staff Water Supply Corporation, Docket No. 2025-0417-PWS-E on January 14, 2026 assessing \$1,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202600112

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 14, 2026



Notice and Comment Hearing Draft Permit No.: O4775

This is a notice for a notice and comment hearing on Federal Operating Permit Number O4775. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered

and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: February 24, 2026

Time: 7:00 p.m.

Location: FiberMax Center for Discovery, Plains Cotton Growers Conference Center

1121 Canyon Lake Drive

Lubbock, Texas 79403

Location phone: (806) 744-3786

**Application and Draft Permit.** Plainsman Company LLC, 2901 Avenue A, Lubbock, Texas 79404-2231, a soybean and other oilseed processing facility, has applied to the TCEQ for an Initial Issuance of Federal Operating Permit (herein referred to as permit) No. O4775, Application No. 38395 to authorize operation of the Plainsman Avenue A Facility. The area addressed by the application is located at 2901 Avenue A in Lubbock, Lubbock County, Texas 79404-2231. This application was received by the TCEQ on June 19, 2025.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) §122.10. The permit will not authorize new construction or new emissions.

**Notice and Comment Hearing.** The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period will only be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A reasonable time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. There will be no open discussion during the hearing. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this meeting and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act §382.0561, as codified in the Texas Health and Safety Code, and 30 TAC §122.340.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact the TCEQ Public Education Program toll free at (800) 687-4040 or (800) RELAY-TX (TDD), at least five business days prior to the hearing.

**Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/).** Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

**A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments and/or hearing requests, attended and signed in at the hearing, or requested to be on the mailing list for this application.** This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

**Mailing List.** In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

**Information.** For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at (800) 687-4040. General information about the TCEQ can be found at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained for Plainsman Company LLC by calling Jake Bentley, QA Manager, at (806) 632-0742.

Notice Issuance Date: January 9, 2026

TRD-202600102

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 13, 2026



### Notice of a Public Meeting and a Proposed Renewal with Amendment of General Permit TXG870000 Authorizing the Discharge of Pesticides

The Texas Commission on Environmental Quality (TCEQ or commission) is proposing to renew and amend Texas Pollutant Discharge Elimination System General Permit TXG870000. This general permit authorizes the application of pesticides (including insecticides, nematocides, rodenticides, fungicides, and herbicides) into or over, including near, waters of the United States. The draft general permit applies to the entire state of Texas. This general permit is authorized by Section 402 of the Clean Water Act (CWA) and Chapter 26 of the Texas Water Code.

**DRAFT GENERAL PERMIT.** The executive director has prepared a draft pesticide general permit renewal with amendments and the pesticide use patterns covered under this permit include mosquito and other nuisance insect pests, vegetation and algae, nuisance animal, area-wide and forest canopy pest control. No significant degradation of high quality waters is expected and existing uses will be maintained and protected. The executive director proposes to require certain dischargers to submit a Notice of Intent to obtain authorization to discharge.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) according to General Land Office regulations and has determined that the action is consistent with applicable CMP goals and policies.

On the date that this notice is published, a copy of the draft general permit and fact sheet will be available for a minimum of 30 days for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ Austin office, at 12100 Park 35 Circle, Building F. These

documents will also be available at the TCEQ's 16 regional offices and on the TCEQ website at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

**PUBLIC COMMENT/PUBLIC MEETING.** You may submit public comments about this general permit. In addition, the TCEQ will hold a public meeting on this proposed general permit. The purpose of a public meeting is to provide the opportunity to submit written or oral comments or to ask questions about the draft general permit. A public meeting is not a contested case hearing.

**The hybrid in-person and virtual public meeting will be held at 9:30 a.m., February 23, 2026 in TCEQ's complex at 12100 Park 35 Circle, Building E, Room 201S, Austin, Texas 78753.**

**Information for registering and attending the public meeting virtually is available at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.**

**Written public comments must be received by 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/> within 30 days from the date this notice is published.**

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

**APPROVAL PROCESS.** After the comment period, the executive director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least ten days before the scheduled commission meeting when the commission will consider approval of the general permit. This commission meeting will be open to the public. The commission will consider all public comments in making its decision and will either adopt the executive director's response or prepare its own response. The commission will issue its written response on the general permit at the same time the commission issues or denies the general permit. A copy of any issued general permit and response to comments will be made available to the public for inspection at the agency's Austin office. A notice of the commissioners' action on the draft general permit and information on how to access the response to comments will be mailed to each person who submitted a comment. Also, a notice of the commission's action on the draft general permit and the text of its response to comments will be published in the *Texas Register*.

**MAILING LISTS.** In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the TCEQ Office of the Chief Clerk. You may request to be added to: 1) the mailing list for this specific general permit; 2) the permanent mailing list for a specific county; or 3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address previously mentioned. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

**INFORMATION.** If you need more information about this general permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1-800-687-4040. General information about the TCEQ can be found at our website at: <https://www.tceq.texas.gov>.

Persons with disabilities who need special accommodations at the public meeting should call the Office of the Chief Clerk at (512) 239-3300 or 1-800-RELAY-TX (TDD) at least one week prior to the meeting.

Further information may also be obtained by calling Shannon Gibson, TCEQ Water Quality Division, at (512) 239-4284.

*Si desea información en español, puede llamar 1-800-687-4040.*

TRD-202600084

Amy L. Browning

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: January 12, 2026



### Notice of an Application to Amend a Certificate of Adjudication Application No. 12-3747A

Notice Issued January 13, 2026

05 Ranch Investments, LLC (Owner/Applicant), 21100 Carries Ranch Rd. Pflugerville, Texas 78660, seeks to amend Certificate of Adjudication No. 12-3747 to change the place of use for a 184-acre-foot portion of authorized water to irrigate a 1,231.8-acre tract of land in Milam County and to change the place of use for the remaining 100-acre-foot portion of authorized water to irrigate a 1,567.53-acre tract of land in Milam County. Applicant also seeks to change the currently authorized diversion point to a point on the San Gabriel River and a point on the Little River, Brazos River Basin. More information on the application and how to participate in the permitting process is given below.

The application was received on May 30, 2024, and fees were received on October 29, 2024. Additional information was received on October 18, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on November 8, 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 27, 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 27, 2026. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by January 27, 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 3747 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-202600110

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 14, 2026



### Notice of District Petition - D-012182025-029

Notice issued January 13, 2026

TCEQ Internal Control No. D-012182025-029: Tango Lima Bravo Oscar, LLC, a Texas limited liability company, (Petitioner) filed a petition for creation of Brazos River Improvement District (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code; 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 no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 227.19 acres located within Waller County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The petition further states that the proposed District will: (1) purchase, design, construct, acquire, maintain, own, operate, repair, improve and extend a waterworks and wastewater system for mixed used, entertainment, 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 parks and recreational facilities, roads, 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 \$21,515,000 (\$14,355,000 for water, wastewater, and drainage, \$7,160,000 for roads).

#### 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 no-

tice. 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-202600106

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 13, 2026



### Notice of District Petition - D-09022025-001

Notice issued January 9, 2026

TCEQ Internal Control No. D-09022025-001: NESH FARMS HUNGERFORD, LLC, a Texas limited liability company (Petitioner) filed a petition for the creation of Wharton County Municipal Utility District No. 2 (District) of Wharton County with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 and Article III, §52 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 two lienholders, LLOYD G. RUST, JR. FAMILY LIMITED PARTNERSHIP, a Texas limited partnership, and T.M. RUST FAMILY LLC, a Texas limited liability company, on the property to be included in the proposed District and the aforementioned entities have consented to the creation of the District; and (3) the proposed District will contain approximately 473 acres of land, more or less, located wholly within Wharton County, Texas. The petition further states: the general nature of the work proposed to be done by the District at the present time is to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, industrial, or commercial purposes or provide adequate

drainage for the District; to collect, transport, process, dispose of and control domestic, industrial, or commercial wastes; to gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the District; and to purchase, construct, acquire, provide, operate, maintain, repair, improve, or extend inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created, all as more particularly described in an engineer's report filed simultaneously with the filing of this Petition, to which reference is made for a more detailed description. Additional work and services which may be performed by the District include the purchase, construction, acquisition, provision, operation, maintenance, repair, improvement, extension and development of a roadway system for the District. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner, from the information available at this time, that the cost of said project will be approximately \$87,500,000 (\$57,900,000 for water, wastewater, and drainage facilities and \$29,600,000 for roads).

### 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-202600103

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: January 13, 2026



### Notice of Opportunity to Comment on a Default Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Order (DO). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is 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 24, 2026**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO 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 DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the DO 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 DO's identifying information, such as its docket number. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 24, 2026**. The commission's attorney is available to discuss the DO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Emilia Reyna; DOCKET NUMBER: 2023-0275-PST-E; TCEQ ID NUMBER: RN101781458; LOCATION: 105 East Buchel Avenue in Karnes City, Karnes County; TYPE OF FACILITY: temporarily out of-service underground storage tank system; PENALTY: \$5,927; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202600097

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 13, 2026



#### Notice of Opportunity to Comment on a Shutdown/Default Order of an Administrative Enforcement Action

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Shutdown/Default Order (S/DO). Texas Water Code (TWC), §26.3475, authorizes the commission to order the shutdown of any underground storage tank (UST) system found to be noncompliant with

release detection, spill and overflow prevention, and/or, after December 22, 1998, cathodic protection regulations of the commission, until such time as the owner/operator brings the UST system into compliance with those regulations. The commission proposes a Shutdown Order after the owner or operator of a UST facility fails to perform required corrective actions within 30 days after receiving notice of the release detection, spill, and overflow prevention, and/or after December 22, 1998, cathodic protection violations documented at the facility. The commission proposes a Default Order when the staff has sent an Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations, the proposed penalty, the proposed technical requirements necessary to bring the entity back into compliance, and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. In accordance with TWC, §7.075, this notice of the proposed order and the opportunity to comment is 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 24, 2026**. The commission will consider any written comments received and the commission may withdraw or withhold approval of an S/DO if a comment discloses facts or considerations that indicate that consent to the proposed S/DO 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 S/DO is not required to be published if those changes are made in response to written comments.

A copy of the proposed S/DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the proposed S/DO 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 S/DO's identifying information, such as its docket number. Written comments about the S/DO shall be sent to the attorney designated for the S/DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 24, 2026**. The commission's attorney is available to discuss the S/DO and/or the comment procedure at the listed phone number; however, comments on the S/DO shall be submitted to the commission in **writing**.

(1) COMPANY: STAR HOUSTON, INC. dba Star Motor Cars; DOCKET NUMBER: 2022-1558-PST-E; TCEQ ID NUMBER: RN100602598; LOCATION: 7000 Old Katy Road in Houston, Harris County; TYPE OF FACILITY: underground storage tank system and a car dealership; PENALTY: \$11,755; STAFF ATTORNEY: Jun Zhang, Litigation, MC 175, (512) 239-6517; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202600094

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: January 13, 2026



#### Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ 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 AO. TWC, §7.075, requires that notice of 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 24, 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 the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 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 attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on February 24, 2026**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Deyma Davila dba Dey's RV and Mobile Park; DOCKET NUMBER: 2024-0758-PWS-E; TCEQ ID NUMBER: RN106914047; LOCATION: 285 Southeast 1000 Street near Andrews, Andrews County; TYPE OF FACILITY: a public water system; PENALTY: \$20,640; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Midland Regional Office, 9900 West Interstate Highway 20, Suite 100, Midland, Texas 79706, (432) 570-1359.

(2) COMPANY: Port Mansfield Public Utility District; DOCKET NUMBER: 2024-1076-PWS-E; TCEQ ID NUMBER: RN101454205; LOCATION: 400 West Hildago Avenue, Suite 200 in Raymondville, Willacy County; TYPE OF FACILITY: a public water supply; PENALTY: \$8,682; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

TRD-202600096  
Gitanjali Yadav  
Deputy Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: January 13, 2026

◆ ◆ ◆  
Notice of Water Quality Application - Minor Amendment  
WQ0016242001

The following notice was issued on January 07, 2026:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 **WITHIN (30) DAYS FROM THE DATE THIS NOTICE IS MAILED.**

#### INFORMATION SECTION

Texas Water Utilities, L.P. has applied for a minor amendment to the Texas Pollutant Discharge Elimination System Permit No. WQ0016242001, to authorize an increase in Interim phase flow from 0.145 MGD to 0.245 MGD and to remove the currently authorized 0.29 MGD Interim II phase. The existing permit authorizes the discharge of treated domestic wastewater at a daily average flow not to exceed 435,000 gallons per day. The facility will be located approximately 0.75 miles northeast of the intersection of County Road 102 and State Highway 243, in Kauffman County, Texas 75142.

TRD-202600101  
Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: January 13, 2026

### ◆ ◆ ◆ Texas Health and Human Services Commission

#### Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to renew the Non-Emergency Medical Transportation (NEMT) Statewide Fee-for-Service (FFS) Selective Contracting waiver authorized under §1915(b)(4) of the Social Security Act (the Act). HHSC provides NEMT services under the Texas Medicaid state plan, and CMS approved HHSC's waiver through May 31, 2026, for the NEMT FFS Selective Contracting program which limits choice of demand response transportation service (DRTS) providers. The proposed effective date for this renewal is June 1, 2026.

HHSC intends to continue to selectively contract with providers for the provision of NEMT FFS DRTS to the Medicaid FFS population in the State of Texas. DRTS is considered transportation that involves using contractor dispatched vehicles in response to on-demand requests for individual or shared one-way trips. The utilization of selective contracts affords HHSC the ability to continue the uninterrupted delivery of DRTS to Medicaid-eligible clients.

Services for clients in FFS will remain unchanged. HHSC will ensure DRTS are available statewide, are similar in scope and duration for all eligible clients, consistent with the best interest of clients, appropriate to available services, geographic locations, and limitation of clients, reasonably prompt, and administratively efficient.

This renewal specifies HHSC has management and operational oversight for the statewide FFS DRTS. The changes in this renewal include the following: this renewal identifies individuals receiving retroactive eligibility as an excluded population only during the period of retroactive enrollment; this renewal updates the approximate number of Medicaid FFS clients that are eligible for NEMT services and the approximate total of clients that use FFS NEMT services. HHSC also updated the number of participants where appropriate. This renewal includes an updated provider capacity analysis spreadsheet. Outdated language was also removed or edited. For example, language regarding the planned termination of medical transportation organizations (MTOs) was updated as the terminations were completed during the implemen-

tation of the initial waiver. This renewal updates the monitoring frequency of providers from monthly to quarterly. HHSC also updated the projected waiver expenditures for the renewal period.

To obtain a free copy of the proposed waiver renewal, interested parties may contact Basundhara Raychaudhuri by U.S. mail, telephone, fax, or email at the addresses and numbers below.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Basundhara Raychaudhuri, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4403

Fax

Attention: Basundhara Raychaudhuri, Waiver Coordinator at (512) 323-1905

Email

TX\_Medicaid\_Waivers@hhs.texas.gov

TRD-202600104

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 13, 2026



## Public Notice

The Texas Health and Human Services Commission (HHSC) is submitting a request to the Centers for Medicare & Medicaid Services (CMS) to amend the waiver application for the Deaf Blind with Multiple Disabilities (DBMD) program. HHSC administers the DBMD Program under the authority of Section 1915(c) of the Social Security Act. CMS has approved the DBMD waiver application through February 29, 2028. The proposed effective date for this amendment is February 28, 2026. This amendment proposes to make the following changes:

### Appendix B

HHSC updated waiver year (WY) three (March 1, 2025 through February 28, 2026) through WY five (March 1, 2027 through February 28, 2028) to reflect an increase in the Point-in-Time (PIT) and unduplicated participants (Factor C).

### Appendix J

HHSC revised the unduplicated number of participants (Factor C) and PIT calculations for the overall projected cost of waiver services (Factor D) and the overall projected cost of other Medicaid services furnished to waiver participants (D Prime (D')) for waiver years (WYs) three through five. HHSC also updated the average length of stay as a result of the updated Factor C and PIT calculations.

The DBMD waiver program provides essential home and community-based services and supports to individuals with legal blindness, deafness, or a condition that leads to deafblindness, and at least one additional disability that limits functional abilities and who live in their own homes or in the home of another person, such as a family member or in

a small group home setting. Services and supports are intended to enhance quality of life, functional independence, health and welfare, and to supplement, rather than replace, existing informal or formal supports and resources. Services in the DBMD waiver program are case management, residential habilitation, respite (in-home and out of home), supported employment, prescribed medications, financial management services, support consultation, adaptive aids and medical supplies, assisted living, audiology services, behavioral support, chore services, dental treatment, dietary services, employment assistance, intervener, minor home modifications, nursing, occupational therapy services, orientation and mobility, physical therapy services, speech, hearing and language therapy, transition assistance services, employment readiness and individualized skills and socialization.

To obtain a free copy of the proposed waiver amendment contact Basundhara Raychaudhuri by U.S. mail, telephone, fax, or email at the addresses and numbers below. A copy of the proposed waiver amendment may also be obtained online on the HHSC website at:

<https://www.hhs.texas.gov/laws-regulations/policies-rules/waivers>

The HHSC Access and Eligibility Services for local benefit offices will post this notice for 30 days and will have copies of the amendment available for review.

Addresses:

U.S. Mail

Texas Health and Human Services Commission

Attention: Basundhara Raychaudhuri, Waiver Coordinator, Federal Coordination, Rules and Committees

701 West 51st Street, Mail Code H-310

Austin, Texas 78751

Telephone

(512) 438-4403

Fax

Attention: Basundhara Raychaudhuri, Waiver Coordinator at (512) 323-1905

Email

TX\_Medicaid\_Waivers@hhs.texas.gov

TRD-202600113

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: January 14, 2026



## Texas Higher Education Coordinating Board

### Notice of Opportunity to Comment on Proposed Field of Study Curriculum for Computer Science

The Texas Higher Education Coordinating Board (Coordinating Board) staff is providing an opportunity for written public comment on the revision of the Field of Study Curriculum (FOSC) for Computer Science.

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 Computer Science Discipline-Specific Subcommittee met on November 3, 2025, and November 4, 2025, to consider and make recommendations to the Texas Transfer Advisory Committee regarding the FOSC for this discipline using the alternative FOSC framework as outlined in 19 TAC §4.32(d). 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:

MATH 2413: Calculus I (4 SCH)

Discipline Foundation Courses:

COSC 1336/1436: Programming Fundamentals I (3 or 4 SCH)

COSC 1337/1437: Programming Fundamentals II (3 or 4 SCH)

COSC 2336/2436: Programming Fundamentals III (3 or 4 SCH)

COSC 2325/2425: Computer Organization (3 or 4 SCH)

MATH 2305: Discrete Mathematics (3 SCH)

MATH 2414: Calculus II (4 SCH)

In addition to these courses, each general academic institution will have the opportunity to submit to the Coordinating Board up to twelve (12) 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:

11.0701 - Computer Science, 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 [ahacomment@higher-ed.texas.gov](mailto:ahacomment@higher-ed.texas.gov). Comments must be received by 5:00 p.m., February 2, 2026, to be considered.

TRD-202600087

Douglas Brock

General Counsel

Texas Higher Education Coordinating Board

Filed: January 13, 2026



## Texas Department of Insurance

### Company Licensing

Application for Jet Insurance Company, a domestic fire and/or casualty company, to change its name to Amherst National Insurance Company. The home office is in Dallas, Texas.

Application for American Modern Select Insurance Company, a foreign Lloyds/reciprocal, to change its name to Trusted Resource Underwriters Exchange of Ohio. The home office is in Columbus, Ohio.

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 78711.

TRD-202600040

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: January 7, 2026



## Texas Department of Licensing and Regulation

### Correction of Error

The Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation ("Texas Lottery") published the game procedure for Scratch Ticket Game Number 2722 "MEGA MILLIONAIRE" in the January 16, 2026, issue of the *Texas Register* (51 TexReg 323). Due to an error by the Texas Lottery, the text for Section 2.2.N was submitted incorrectly. The correct text is as follows:

N. MEGA MILLIONAIRE: On all Tickets, a Prize Symbol will not appear more than seven (7) times, except as required by the prize structure to create multiple wins.

TRD-202600079

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: January 12, 2026



### Scratch Ticket Game Number 2723 "LUCKY 7s TRIPLER"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2723 is "LUCKY 7s TRIPLER". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2723 shall be \$5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2723.

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, 02, 03, 04, 05, 06, 08, 09, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 38, 39, 40, 41, 42, 43, 44, 45, 46, 48, 49, CHERRY SYMBOL, MOON SYMBOL, LEMON SYMBOL, COIN SYMBOL, CLUB SYMBOL, WATERMELON SYMBOL, HEART SYMBOL, DIAMOND SYMBOL, ELEPHANT SYMBOL, BANANA SYMBOL, RAINBOW SYMBOL, SUN SYMBOL, 7 SYMBOL, 777 SYMBOL, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$250, \$500, \$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. 2723 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
28	TWET
29	TWNI
30	TRTY

31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
48	FRET
49	FRNI
CHERRY SYMBOL	CHERRY
MOON SYMBOL	MOON
LEMON SYMBOL	LEMON
COIN SYMBOL	COIN
CLUB SYMBOL	CLUB
WATERMELON SYMBOL	MELON
HEART SYMBOL	HEART
DIAMOND SYMBOL	DIAMND
ELEPHANT SYMBOL	ELPHT
BANANA SYMBOL	BANANA
RAINBOW SYMBOL	RAINBW
SUN SYMBOL	SUN

7 SYMBOL	WIN\$
777 SYMBOL	TRP
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$250	TOFF
\$500	FVHN
\$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 (2723), 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: 2723-0000001-001.

H. Pack - A Pack of the "LUCKY 7s TRIPLER" 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 "LUCKY 7s TRIPLER" Scratch Ticket Game No. 2723.

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 "LUCKY 7s TRIPLER" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-eight (48) Play Symbols. BONUS: If a player reveals 2 matching Play Symbols in the BONUS, the player wins the prize. LUCKY 7s TRIPLER: If a 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 a player reveals a "7" Play Symbol, the player wins the prize for that symbol instantly. If a player reveals a "777" Play Symbol, the player wins TRIPLE 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:

1. Exactly forty-eight (48) 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 forty-eight (48) 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 forty-eight (48) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-eight (48) 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 twenty-one (21) times.

D. GENERAL: On winning and Non-Winning Tickets, the top cash prizes of \$1,000 and \$100,000 will each appear at least one (1) time, except on Tickets winning twenty-one (21) times, with respect to other parameters, play action or prize structure.

E. GENERAL: The "7" (WIN\$) or "777" (TRP) Play Symbols will never appear in the BONUS play area.

F. BONUS: A Ticket can win up to one (1) time in the BONUS play area.

G. BONUS: The BONUS play area will consist of two (2) Play Symbols and one (1) Prize Symbol.

H. BONUS: Winning Tickets will have two (2) matching Play Symbols in the BONUS play area.

I. BONUS: A non-winning BONUS play area will have two (2) different Play Symbols.

J. LUCKY 7s TRIPLER: A Ticket can win up to twenty (20) times in the main play area.

K. LUCKY 7s TRIPLER: All non-winning YOUR NUMBERS Play Symbols will be different.

L. LUCKY 7s TRIPLER: Non-winning Prize Symbols will never match a winning Prize Symbol on a Ticket.

M. LUCKY 7s TRIPLER: 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. LUCKY 7s TRIPLER: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

O. LUCKY 7s TRIPLER: All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 05 and \$5, 10 and \$10, 15 and \$15, 20 and \$20 and 30 and \$30).

P. LUCKY 7s TRIPLER: On all Tickets, a Prize Symbol will not appear more than three (3) times, except as required by the prize structure to create multiple wins.

Q. LUCKY 7s TRIPLER: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

R. LUCKY 7s TRIPLER: The "7" (WIN\$) Play Symbol will never appear on the same Ticket as the "777" (TRP) Play Symbol.

S. LUCKY 7s TRIPLER: The "7" (WIN\$) Play Symbol will win the prize for that Play Symbol.

T. LUCKY 7s TRIPLER: The "7" (WIN\$) Play Symbol will never appear more than one (1) time on a Ticket.

U. LUCKY 7s TRIPLER: The "7" (WIN\$) Play Symbol will never appear on a Non-Winning Ticket.

V. LUCKY 7s TRIPLER: The "7" (WIN\$) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

W. LUCKY 7s TRIPLER: The "777" (TRP) Play Symbol will never appear more than one (1) time on a Ticket.

X. LUCKY 7s TRIPLER: The "777" (TRP) Play Symbol will win TRIPLE the prize for that Play Symbol and will win as per the prize structure.

Y. LUCKY 7s TRIPLER: The "777" (TRP) Play Symbol will never appear on a Non-Winning Ticket.

Z. LUCKY 7s TRIPLER: The "777" (TRP) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "LUCKY 7s TRIPLER" Scratch Ticket Game prize of \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$250 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 \$30.00, \$50.00, \$100, \$250 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 "LUCKY 7s TRIPLER" 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 "LUCKY 7s TRIPLER" 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 "LUCKY 7s TRIPLER" 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 "LUCKY 7s TRIPLER" 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. 2723. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2723 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	537,600	9.38
\$10.00	295,680	17.05
\$15.00	161,280	31.25
\$20.00	67,200	75.00
\$30.00	67,200	75.00
\$50.00	29,540	170.62
\$100	17,640	285.71
\$250	3,500	1,440.00
\$500	2,240	2,250.00
\$1,000	75	67,200.00
\$100,000	4	1,260,000.00

\*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 4.26. 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. 2723 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. 2723, 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-202600092

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: January 13, 2026

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## North Central Texas Council of Governments

### Request for Proposals for Public Engagement Software

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from providers of public engagement software to serve as a central location for all NCTCOG public engagement opportunities. The selected platform should offer online and virtual public meeting opportunities and provide options like integrated telephone/voicemail and SMS/messaging services. The software will provide NCTCOG with the ability to manage online, virtual, and in-person engagement activities for multiple ongoing and project-specific opportunities, manage all public comments in one place, allow for stakeholder tracking and sorting, and put contact lists and email messages in one location.

NCTCOG will be releasing this RFP on **Friday, January 23, 2026**, in the Bidnet Direct system and will accept electronic submissions through the Bidnet Direct system only. **The Bidnet Direct submittal will count as the official submittal.** Proposals must be submitted in Bidnet Direct no later than **5:00 p.m., Central Time, on Friday,**

**February 20, 2026.** Proposals received after that time will not be accepted.

NCTCOG does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202600115

Todd Little

Executive Director

North Central Texas Council of Governments

Filed: January 14, 2026



### Request for Qualifications NCTCOG Traffic Incident Management Training Program

The North Central Texas Council of Governments (NCTCOG) is requesting written qualifications from individuals interested in instructing the NCTCOG Traffic Incident Management Training Program (First Responder and Manager's Course and Executive Level Course). The purpose of this training program is to initiate a common, coordinated response to traffic incidents that will build partnerships, enhance safety for emergency personnel, reduce upstream traffic crashes, improve the efficiency of the transportation system, and improve air quality in the Dallas-Fort Worth region.

NCTCOG will be releasing this RFQ on **Friday, January 23, 2026** in the Bidnet Direct system and will accept electronic submissions through the Bidnet Direct system only. **The Bidnet Direct submittal will count as the official submittal.** Proposals must be submitted in Bidnet Direct no later than **5:00 p.m., Central Time, on Friday, February 13, 2026.** Proposals received after that time will not be accepted.

NCTCOG does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202600116

Todd Little

Executive Director

North Central Texas Council of Governments

Filed: January 14, 2026



### Public Utility Commission of Texas

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

Notice is given to the public of an application filed with the Public Utility Commission of Texas (Commission) on January 7, 2026, seeking a determination of need for continued support from the Small and Rural Incumbent Local Exchange Company Universal Service Plan.

Docket Title and Number: Application of Central Texas Telephone Cooperative, Inc. to Adjust High-Cost Support under 16 TAC §26.407(h), Docket Number 59211.

The Application: Central Texas Telephone Cooperative, Inc. requests a high-cost support adjustment increase of \$1,096,847 in annual high-cost support. According to Central Texas Telephone, the requested adjustment complies with the cap of 140% of the annualized support the provider was authorized to receive in the 12 months, as required by 16 Texas Administrative Code §26.407(g)(1).

Persons wishing to comment on the action sought should contact the Public Utility Commission of Texas by mail at P.O. Box 13326, Austin, Texas 78711-3326, or by phone at (512) 936-7120 or toll free at 1-888-782-8477 as a deadline to intervene may be imposed. Hearing-

speech-impaired individuals with text telephone (TTY) may contact the commission through Relay Texas by dialing 7-1-1. All comments should reference Docket Number 59211.

TRD-202600044

Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: January 8, 2026



### Texas Department of Transportation

#### Request for Proposals - Traffic Safety Program

In accordance with 43 TAC §25.901 et seq., the Texas Department of Transportation (TxDOT) is requesting project proposals to support the targets and strategies of the Texas traffic safety program to reduce the number of motor vehicle related crashes, injuries, and fatalities in Texas.

Authority and responsibility for funding the traffic safety grant program derives from the National Highway Safety Act of 1966 (23 USC §401 et seq.), and the Texas Traffic Safety Act of 1967 (Transportation Code, Chapter 723). The TxDOT Executive Director is the designated Governor's Highway Safety Representative. The program is administered at the state level by TxDOT's Traffic Safety Division (TRF) through the Behavioral Traffic Safety Section (TRF-BTS). TRF-BTS manages the program through program managers for statewide projects and traffic safety specialists in 25 districts for local projects.

The following link provides the requirements for submitting FY 2026 Traffic Safety Grants - Request for Proposals (RFP) for Selective Traffic Enforcement Program (STEP) Click It or Ticket and Operation Slowdown mobilization proposals. Please review the full FY 2026 RFP online at: <https://egrants.bts.txdot.gov/eGrantsHelp/RFP/2027/RFP2027.pdf>

All proposals for the specified STEP highway safety funding must be submitted to the TRF-BTS no later than Friday, March 6, 2026, at 5:00 p.m. CST. Proposals must be completed and submitted using eGrants. eGrants is located at: <https://egrants.bts.txdot.gov/>

TRD-202600098

Becky Blewett

Deputy General Counsel

Texas Department of Transportation

Filed: January 13, 2026



### Workforce Solutions Deep East Texas

#### Request for Proposals #26-436 for the Operation and Management of Workforce Solutions Deep East Texas Workforce Centers & Programs

The purpose of this Request for Proposals (RFP) is for Workforce Solutions Deep East Texas to solicit proposals from qualified and eligible entities for the operation and management of its Workforce Centers and programs.

Anyone interested in submitting a proposal shall obtain a copy of the RFP at <https://detwork.org/about-us/doing-business> or request a copy of the RFP by emailing [procurement@detwork.org](mailto:procurement@detwork.org).

Release Date: January 12, 2026

Deadline for Submission of Questions: February 2, 2026, 4:00 p.m. (CST)

Proposal Due Date and Time: March 5, 2026, 4:00 p.m. (CST)

Projected Notice of Award Date: April 15, 2026

Proposals must be submitted via email to [procurement@detwork.org](mailto:procurement@detwork.org).

*Workforce Solutions Deep East Texas is an equal opportunity employer/program. Auxiliary aids and services are available, upon request, to individuals with disabilities.*

TRD-202600072

Dr. Ty Cauthen

Executive Director

Workforce Solutions Deep East Texas

Filed: January 12, 2026



## 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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