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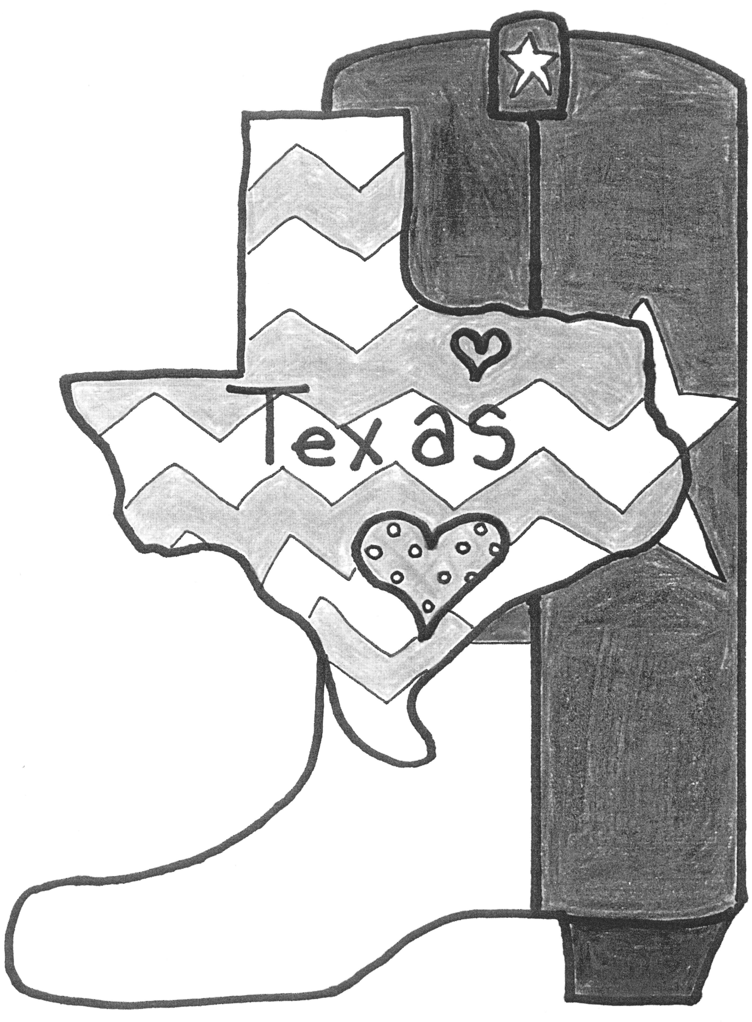
In This Issue

RULE REVIEW

IN ADDITION


Texas

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 August 3, 2026

Appointed as the Border Commerce Coordinator for a term to expire at the pleasure of the Governor, Robert S. Howden of Austin, Texas (replacing Jane Nelson of Flower Mound).

Appointments for August 10, 2026

Appointed as Judge of the 137th Judicial District, Lubbock County, for a term until December 31, 2026, Laura Beth Fossett of Lubbock, Texas (replacing Judge John J. McClendon, III of Lubbock who resigned).

Appointments for August 11, 2026

Appointed to the Texas Commission on Fire Protection for a term to expire February 1, 2027, Enrique Mata of El Paso, Texas (replacing Christopher G. "Chris" Cantu of Leander who resigned).

Appointments for August 12, 2026

Appointed as the presiding officer of the Sulphur River Regional Mobility Authority for a term to expire February 1, 2027, William C. "Chase" Coleman of Paris, Texas (replacing Jay W. Hodge of Paris whose term expired).

Greg Abbott, Governor

TRD-202603424

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Proclamation 41-4302

TO ALL TO WHOM THESE PRESENTS SHALL COME:

BE IT KNOWN THAT I, GREG ABBOTT, GOVERNOR OF THE STATE OF TEXAS, DO HEREBY ORDER A GENERAL ELECTION to be held throughout the State of Texas on the first TUESDAY NEXT AFTER THE FIRST MONDAY IN NOVEMBER, 2026, being the 3rd day of NOVEMBER, 2026; and

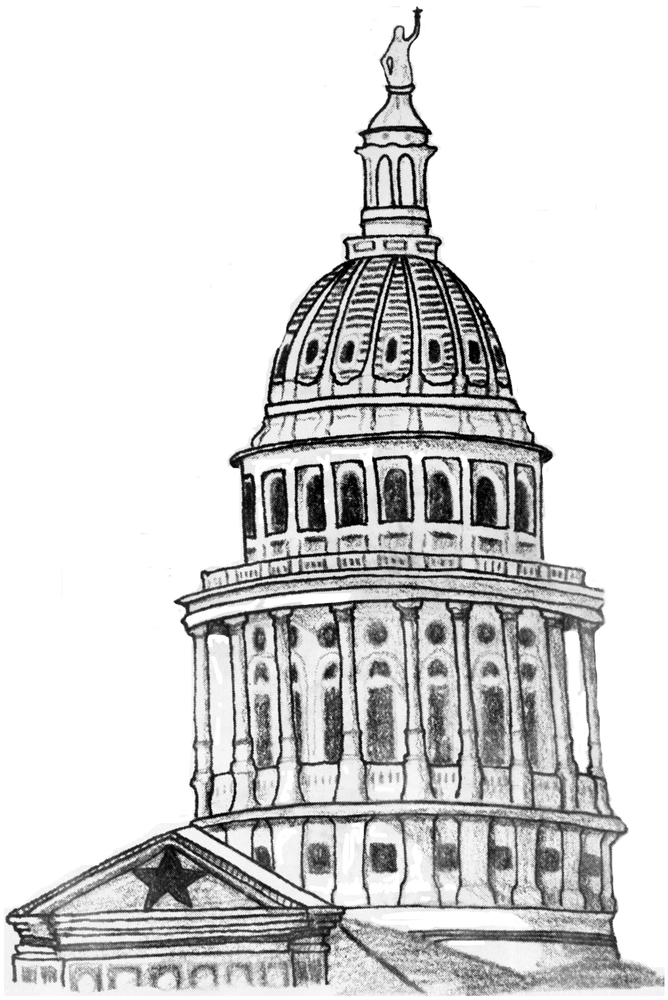
NOTICE THEREOF IS HEREBY GIVEN to the people of Texas and to the COUNTY JUDGE of each county who is directed to cause said election to be held at each precinct in the county on such date for the purpose of electing state and district officers, members of the Texas Legislature, and members of the United States Congress, as required by Section 3.003 of the Texas Election Code.

IN TESTIMONY WHEREOF, I have hereto 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 10th day of August, 2026.

Greg Abbott, Governor

TRD-202603435

♦ ♦ ♦



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 1. ADMINISTRATION

PART 15. TEXAS HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 351. COORDINATED PLANNING AND DELIVERY OF HEALTH AND HUMAN SERVICES

SUBCHAPTER B. ADVISORY COMMITTEES

DIVISION 1. COMMITTEES

1 TAC §351.853

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes new §351.853, concerning the Hospital Payment Advisory Committee (HPAC), in Texas Administrative Code (TAC) Title 1, Part 15, Chapter 351, Subchapter B, Advisory Committees, Division 1, Committees.

BACKGROUND AND PURPOSE

The purpose of the proposal is to establish HPAC as a standalone advisory committee under its own TAC section. Historically, HPAC existed as a subcommittee of the Medical Care Advisory Committee (MCAC). HPAC advises the executive commissioner and HHSC on matters related to hospital reimbursements, payment rates, supplemental payment programs, and adjustments for disproportionate share hospitals. In December 2024, the executive commissioner approved the separation of HPAC from MCAC after changes to the federal regulation required separate committees for beneficiaries and providers. Subsequently, HPAC has been functioning as a standalone committee. This proposal increases HPAC membership from the 14-member subcommittee to 15 members for the standalone committee and updates categories to better reflect Texas demographics.

Rural Hospital Advisory Committee (RHAC) is a statutorily required body under Texas Government Code §526.0302. The RHAC advises HHSC on issues relating specifically to rural hospitals. The proposal maintains the current structure of RHAC as a subcommittee of HPAC.

SECTION-BY-SECTION SUMMARY

Proposed new §351.853(a) provides the statutory authority for HPAC and that RHAC will be a subcommiteee of HPAC

Proposed new §351.853(b) describes the purpose of HPAC.

Proposed new §351.853(c) lists tasks performed by HPAC.

Proposed new §351.853(d) provides that a written report is not required.

Proposed new §351.853(e) describes the meeting requirements.

Proposed new §351.853(f) lists the membership composition and appointment terms.

Proposed new §351.853(g) lists the selection of officers and terms.

Proposed new §351.853(h) provides the required training that will be provided by HHSC.

Proposed new §351.853(i) lists the travel reimbursement of members.

Proposed new §351.853(j) provides the abolishment date.

FISCAL NOTE

Trey Wood, Chief Financial and Operations Officer, has determined that for each year of the first five years that the rule will be in effect, enforcing or administering the rule does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

HHSC has determined that during the first five years that the rule will be in effect:

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

(2) implementation of the proposed rule will not affect the number of HHSC employee positions;

(3) implementation of the proposed rule will result in no assumed change in future legislative appropriations;

(4) the proposed rule will not affect fees paid to HHSC;

(5) the proposed rule will not create a new regulation;

(6) the proposed rule will not expand, limit, or repeal existing regulations;

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

(8) the proposed rule will not affect the state's economy.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT ANALYSIS

Trey Wood, Chief Financial and Operations Officer, has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The rule does not apply to small businesses, micro-businesses, or rural communities.

LOCAL EMPLOYMENT IMPACT

The proposed rule will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to this rule because the rule does not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Victoria Grady, Deputy Chief, Finance, has determined that for each year of the first five years the rule is in effect, the establishment of HPAC as a standalone committee, and RHAC as its subcommittee, will benefit the public as the committee will continue to advise HHSC on supporting hospitals in urban and rural locations.

Trey Wood has also determined that for the first five years the rule is in effect, there are no anticipated economic costs to persons who are required to comply with the proposed rule because HPAC currently exists under the MCAC rule and this proposal establishes it as a standalone committee.

TAKINGS IMPACT ASSESSMENT

HHSC has determined that the proposal does not restrict or limit an owner's right to the owner's 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

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed rule, as well as any applicable data, research, or analysis, may be submitted to Rules Coordination Office, P.O. Box 13247, Mail Code 4102, Austin, Texas 78711-3247, or street address 4601 West Guadalupe Street, Austin, Texas 78751; or emailed to *HHSRulesCoordinationOffice@hhs.texas.gov*.

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R026" in the subject line.

STATUTORY AUTHORITY

The new section is authorized by 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, Texas Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority; Texas Human Resources Code §32.021 and Texas Government Code §532.0051, which provide HHSC with the authority to administer the federal medical assistance (Medicaid) program in Texas; Texas Government Code §532.0057(a), which establishes HHSC as the agency responsible for adopting reasonable rules governing the determination of fees, charges, and rates for Medicaid payments under Texas Human Resources Code Chapter 32; and Texas Government Code §523.0203, which provides that the executive commissioner of HHSC shall establish and maintain advisory committees and adopt rules governing such advisory committees in compliance with Texas Government Code Chapter 2110.

The new section affects Texas Government Code §§524.0151, 524.0005, 532.0051, 532.0057(a), 523.0203, and Chapter 2110. The new section also affects Texas Human Resources Code Chapter 32.

§351.853. Hospital Payment Advisory Committee.

(a) Statutory authority. The Hospital Payment Advisory Committee (HPAC) is established under Texas Government Code §523.0201 and is subject to §351.801 of this division (relating to Authority and General Provisions). The Rural Hospital Advisory Committee (RHAC) shall be a subcommittee of HPAC as authorized in Texas Government Code §526.0302(a).

(b) Purpose. HPAC advises the executive commissioner and the Texas Health and Human Services Commission (HHSC) on matters related to hospital reimbursements and outpatient hospital payment rates, Medicaid supplemental payment programs for hospitals, and adjustments for disproportionate share hospitals.

(c) Tasks. HPAC performs the following tasks:

(1) advises HHSC on matters related to hospital reimbursements and outpatient hospital payment rates, Medicaid supplemental payment programs for hospitals, and adjustments for disproportionate share hospitals; and

(2) adopts bylaws to guide how HPAC operates.

(d) Reporting requirements. A written HPAC report is not required.

(e) Meetings.

(1) Open meetings. In accordance with statute, HPAC complies with the requirements for open meetings under Texas Government Code Chapter 551 as if it were a governmental body.

(2) Frequency. HPAC will meet quarterly.

(3) Quorum. A majority of all members constitutes a quorum for the purpose of transacting official business.

(f) Membership.

(1) HPAC is composed of 15 members appointed by the executive commissioner.

(A) In selecting voting members to serve on HPAC, HHSC considers the applicants' qualifications, background, interest in serving, and geographic location.

(B) Fifteen voting members represent the following categories:

(i) hospital administrator;

(ii) hospital finance administrator;

(iii) hospital clinical administrator;

(iv) consumers (Medicaid clients or representative);

(v) advocacy groups (healthcare providers or hospital-related interests);

(vi) Medicaid managed care organizations;

(vii) representative (leadership, direct affiliation with or formally represents interests of the specified hospital type) of a:

(I) children's hospital;

(II) behavioral health hospital;

(III) rural hospital;

(IV) urban hospital;

(V) state-owned teaching hospital;

(VI) public hospital;

(VII) private hospital;

(VIII) hospital that is part of a hospital system; and

(IX) hospital that is not part of a hospital system.

(2) Members are appointed for staggered terms so the terms of an equal or almost equal number of members expire on December 31 every even year. Regardless of the term limit, a member serves until his or her replacement is appointed. This ensures there is membership representation to conduct HPAC business.

(A) If a vacancy occurs, the executive commissioner may appoint a person to serve the unexpired portion of that term.

(B) Except as may be necessary to stagger terms, the term of each member is six years. A member may apply to serve a second term.

(g) Officers. HPAC selects a chair and vice chair of HPAC from among its members.

(1) The chair serves until March 1 of each even-numbered year. The vice chair serves until March 1 of each odd-numbered year.

(2) A member may serve as chair or vice chair for up to two terms in a row.

(h) Required training. Each member must complete training on relevant laws and rules, including this section and §351.801 of this division and Texas Government Code Chapters 551, 552, and 2110; the HHS Ethics Policy; the Advisory Committee Member Code of Conduct; and other relevant HHS policies. HHSC will provide the relevant training.

(i) Travel reimbursement. To the extent allowed by the current General Appropriations Act, an HPAC member may be reimbursed for his or her travel to and from meetings if funds are appropriated, available, and the member submits the request for travel reimbursement in accordance with the HHSC Travel Policy.

(j) Abolishment date. HPAC is abolished and this section expires on December 31, 2030, in compliance with Texas Government Code §2110.008.

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 August 10, 2026.

TRD-202603358
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 730-7475

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CHAPTER 353. MEDICAID MANAGED CARE
SUBCHAPTER M. HOME AND COMMUNITY BASED SERVICES IN MANAGED CARE

1 TAC §353.1155

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes an amendment to §353.1155, concerning the Medically Dependent Children Program.

BACKGROUND AND PURPOSE

The purpose of the proposal is to add diversion slots and clinical criteria to the Medically Dependent Children Program (MDCP). Adding diversion slots allows HHSC to enroll eligible medically fragile children in the MDCP waiver before the child reaches the top of the interest list and without requiring admission to a nursing facility.

The proposed amendment supports HHSC's goal of providing home and community-based services in the most appropriate and cost-effective setting by expanding timely access to waiver services and reducing unnecessary institutionalization.

The proposed amendment does not change MDCP financial or functional eligibility criteria, service array, or service limits. Medicaid Buy-In for Children Program was removed from the rule for consistency with existing eligibility policy. HHSC also updated the rule for formatting, clarity, and consistency.

SECTION-BY-SECTION SUMMARY

The proposed amendment to §353.1155 adds criteria for MDCP as the diversion slot model is intended to strengthen the program's ability to meet its core mission of serving medically fragile children safely in the community. Additionally, edits correct out-of-date Texas Administrative Code citations and update the rule for formatting, clarity, and readability.

FISCAL NOTE

Victoria Grady, Deputy Chief, Finance, has determined that for each year of the first five years that the rule will be in effect, enforcing or administering the rule does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

HHSC has determined that during the first five years that the rule will be in effect:

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

(2) implementation of the proposed rule will not affect the number of HHSC employee positions;

(3) implementation of the proposed rule will result in no assumed change in future legislative appropriations;

(4) the proposed rule will not affect fees paid to HHSC;

(5) the proposed rule will create new regulations;

(6) the proposed rule will not expand, limit or repeal existing regulations;

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

(8) the proposed rule will not affect the state's economy.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT ANALYSIS

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities because the proposed rule does not require MDCP providers to alter their current business practices or impose new fees.

LOCAL EMPLOYMENT IMPACT

The proposed rule will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to this rule because the rule does not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Emily Zalkovsky, Chief Medicaid and CHIP Services Officer, has determined that for each year of the first five years the rule is in effect, the public benefit will be that diversion slots will allow children with serious medical needs to access MDCP services immediately, without having to go through the interest list process or enter a nursing facility. By enabling earlier access to these services, the rule change helps families care for their children at home and may also reduce unnecessary nursing facility stays. Overall, these changes support HHSC's goal to provide services in the least restrictive and most cost-effective setting.

Victoria Grady has also determined that for the first five years the rule is in effect, there are no anticipated economic costs to people who are required to comply with the proposed rule because the proposed rule does not require MDCP providers to alter their current business practices or impose new fees.

TAKINGS IMPACT ASSESSMENT

HHSC has determined that the proposal does not restrict or limit an owner's right to the owner's 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

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed rule, as well as any applicable data, research, or analysis, may be submitted to Rules Coordination Office, P.O. Box 13247, Mail Code 4102, Austin, Texas 78711-3247, or street address 4601 West Guadalupe Street, Austin, Texas 78751; or emailed to *HHSRulesCoordinationOffice@hhs.texas.gov.*

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R040" in the subject line.

STATUTORY AUTHORITY

The amendment is authorized by 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 §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The amendment affects Texas Government Code §524.0151 and Texas Human Resources Code §32.021

§353.1155. Medically Dependent Children Program.

(a) In this section, medically fragile means a serious chronic physical condition that results in prolonged dependency on medical care. A person who is medically fragile requires daily skilled nursing intervention and is dependent upon medical devices and technology.

(b) [~~(a)~~] An MCO assesses a person's [~~an individual's~~] eligibility for MDCP.

(1) To be eligible for MDCP, a person [~~an individual~~] must:

(A) be under 21 years of age;

(B) live [~~reside~~] in Texas;

(C) meet the medical necessity level of care criteria required for [~~medical necessity for~~] nursing facility care admission as determined by HHSC;

(D) have an unmet need for support in the community that can be met through one or more MDCP services;

(E) choose MDCP as an alternative to nursing facility services, as described in 42 CFR §441.302(d);

(F) not be enrolled in one of the following Medicaid HCBS waiver programs approved by CMS:

(i) the Community Living Assistance and Support Services (CLASS) Program;

(ii) the Deaf Blind with Multiple Disabilities (DBMD) Program;

(iii) the Home and Community-based Services (HCS) Program;

(iv) the Texas Home Living (TxHmL) Program; or

(v) the Youth Empowerment Services waiver;

(G) live in:

(i) the person's [~~individual's~~] home; or

(ii) an agency foster home as defined in Texas Human Resource Code, §42.002, (relating to Definitions); and

(H) be determined by HHSC to be financially eligible for Medicaid under:

(i) Chapter 358 of this title (relating to Medicaid Eligibility for the Elderly and People with Disabilities); or[~~,~~]

(ii) Chapter 360 of this title (relating to Medicaid Buy-In Program)[~~, or Chapter 361 of this title (relating to Medicaid Buy-In for Children Program)~~].

(2) A person who meets the eligibility criteria in paragraph (1) of this subsection may be enrolled in MDCP in one of the following ways.

(A) The person reaches the top of the program interest list and HHSC assigns the person an available MDCP waiver slot.

(B) The person asks to enroll in MDCP while living in a nursing facility, is determined eligible for Medicaid nursing facility services, and HHSC assigns the person an available MDCP waiver slot before the person moves to the community.

(C) The person is determined to be too medically fragile to complete a stay in a nursing facility, there is an available diversion slot, and the person meets two or more of the following criteria:

(i) invasive mechanical ventilation (does not include continuous positive airway pressure (CPAP), bilevel positive airway pressure (BIPAP), or average volume-assure pressure support (AVAP));

(ii) functional tracheostomy (active route mechanical ventilation, routine suctioning and tracheostomy care);

(iii) renal dialysis;

(iv) 24-hour per day oxygen dependence;

(v) total nutrition (100% of caloric needs) via enteral tube feeding;

(vi) total parenteral nutrition;

(vii) congenital heart disease with heart failure requiring hospitalization in the last twelve months;

(viii) hospice;

(ix) solid organ or stem cell transplant within the last twelve months;

(x) non-invasive ventilation (includes BIPAP or Adaptive Ventilation Mode, but does not include CPAP) 20 or more hours per day;

(xi) three or more admissions to a medical facility for status epilepticus within the last twelve months; or

(xii) daily seizures with motor involvement requiring the use of at least one of the following interventions each day over 30 calendar days:

(I) rescue medications;

(II) assisted breathing;

(III) oxygen; or

(IV) manual vagus nerve stimulation activation.

(D) An HHSC Utilization Review nurse reviews the clinical information of the person applying for a diversion slot and, if the person described in subparagraph (C) of this paragraph does not meet at least two of the criteria identified in subparagraph (C) of this paragraph, the nurse sends an HHSC Physician Attestation for Diversion Slot form and documentation to an HHSC physician for review.

(E) An HHSC physician reviews the form and documentation described in subparagraph (D) of this paragraph and uses the physician's medical judgment to consider if the person is too medically fragile for an extended nursing facility stay and may be enrolled in MDCP when a diversion slot becomes available even if the person does not meet at least two of the criteria identified in subparagraph (C) of this paragraph.

(3) [~~(2)~~] If a person asking for enrollment in MDCP as described in subsection (b)(2)(B) of this section [~~An individual receiving Medicaid nursing facility services is approved for MDCP if the individual requests services while residing in a nursing facility and meets the eligibility criteria listed in paragraph (1) of this subsection. If an individual~~] is discharged from a nursing facility into a community setting before being determined eligible for Medicaid nursing facility services and MDCP, HHSC denies the person's [~~individual is denied immediate~~] enrollment in MDCP and places the person's name on the program interest list.

(c) [~~(b)~~] HHSC maintains a statewide interest list of persons [~~individuals~~] interested in receiving services through MDCP.

(1) A person, the person's medical consenter, or the person's legally authorized representative (LAR) may request that the person's [~~an individual's~~] name be added to the MDCP interest list by:

(A) calling HHSC toll-free 1-877-438-5658;

(B) submitting a written request to HHSC; or

(C) generating a referral through the YourTexasBenefits.com, Find Support Services screening and referral tool.

(2) [~~If a request is made in accordance with paragraph (1) of this subsection,~~] HHSC places the person's [~~adds an individual's~~] name on [~~to~~] the MDCP interest list if:

(A) the person, the person's medical consenter, or the person's LAR makes a request in accordance with paragraph (1) of this subsection; and

(B) [~~(A)~~] the person lives in [~~if the individual is a~~] Texas. [~~resident; and~~]

(3) [~~(B)~~] HHSC uses [~~using~~] the date HHSC receives the request in accordance with paragraph (1) of this subsection as the MDCP interest list date.

(4) [~~(3)~~] For a person [~~an individual~~] determined diagnostically or functionally ineligible during the enrollment process for the CLASS Program, DBMD Program, HCS Program, or TxHmL Program:

(A) if the person's [~~individual's~~] name is not on the MDCP interest list, the person, the person's medical consenter, or the person's LAR can ask HHSC to add [~~at the request of the individual or LAR, HHSC adds~~] the person's [~~individual's~~] name to the MDCP interest list using the [~~individual's~~] interest list date for the waiver program for which the person [~~individual~~] was determined ineligible as the MDCP interest list date;

(B) if the person's [~~individual's~~] name is on the MDCP interest list and the [~~individual's~~] interest list date for the waiver program for which the person [~~individual~~] was determined ineligible is an earlier [~~than the individual's MDCP interest list~~] date, the person, the person's medical consenter, or the person's LAR can ask [~~at the request of the individual or LAR,~~] HHSC to change the person's [~~changes the individual's~~] MDCP interest list date to the earlier [~~individual's~~] interest list date [~~for the waiver program for which the individual was determined ineligible~~]; or

(C) if the person's [~~individual's~~] name is on the MDCP interest list and the [~~individual's~~] MDCP interest list date is earlier than the [~~individual's~~] interest list date for the waiver program for which the person [~~individual~~] was determined ineligible, HHSC does not change the person's [~~individual's~~] MDCP interest list date.

(5) [~~(4)~~] A person [~~This paragraph applies to an individual who is~~] enrolled in MDCP who is found ineligible for MDCP [~~and,~~] because the person [~~individual~~] does not meet the medical necessity level of care criteria required [~~for medical necessity~~] for nursing facility care admission, is allowed to make a one-time request, or the person's medical consenter or the person's LAR is allowed to make a one-time request, for the person's name to be placed in the first position on the MDCP interest list. [~~determined ineligible for MDCP after November 30, 2019. The individual or the individual's LAR may request one time that HHSC add the individual's name to the first position on the MDCP interest list.~~]

(6) [~~(5)~~] A person [~~This paragraph applies to an individual who is~~] enrolled in MDCP who is found ineligible for MDCP [~~and,~~] because the person [~~individual~~] does not meet the medical necessity level of care criteria required [~~for medical necessity~~] for nursing facil-

ity care admission or the requirement to be under 21 years of age, is allowed to request, or the person's medical consenter or the person's LAR is allowed to request, for the person's [~~determined ineligible for MDCP after November 30, 2019. The individual or the individual's LAR may request that HHSC add the individual's~~] name to be placed on the interest list for any of the following programs or change the person's [~~individual's~~] interest list date for any of the following programs in accordance with:

(A) 26 [~~40~~] TAC §259.53 [~~§45.202~~] (relating to CLASS Interest List) for the CLASS Program;

(B) 26 [~~40~~] TAC §260.53 [~~§42.202~~] (relating to DBMD Interest List) for the DBMD Program;

(C) 26 [~~40~~] TAC §262.102 [~~§9.157~~] (relating to TxHmL [~~HCS~~] Interest List) for the TxHmL [~~HCS~~] Program; and

(D) 26 [~~40~~] TAC §263.103 [~~§9.566~~] (relating to HCS [~~TxHmL~~] Interest List) for the HCS [~~TxHmL~~] Program.

(7) [~~(6)~~] HHSC removes a person's [~~an individual's~~] name from the MDCP interest list if:

(A) the person [~~individual~~] is deceased;

(B) the person [~~individual~~] is assessed for MDCP, is found not eligible for the program, [~~and determined to be ineligible~~] and has had a chance for [~~an opportunity to exercise the individual's right to~~] a fair hearing, as described in Chapter 357 of this title (relating to Hearings);

(C) the person [~~individual~~], the person's medical consenter, or the person's LAR requests in writing that HHSC remove the person's name [~~the individual's name be removed~~] from the interest list; or

(D) the person [~~individual~~] moves out of Texas, except if the person [~~unless the individual~~] is a military family member living outside of Texas as described in Texas Government Code §526.0602:

(i) while the military member is on active duty; or

(ii) for less than one year after the former military member's active duty ends.

(8) [~~(7)~~] A person whose name is removed from the MDCP interest list [~~An individual assessed for MCDP and determined to be ineligible,~~] as described in paragraph (7)(B) [~~(6)(B)~~] of this subsection, or the person's medical consenter or the person's LAR, may request that HHSC place the person's [~~to have the individual's~~] name on [~~added to~~] the MDCP interest list in accordance with [~~as described in~~] paragraph (1) of this subsection.

(d) [~~(c)~~] An MCO develops a person-centered individual service plan (ISP) for each person [~~member~~] in MDCP, and all applicable documentation, as described in the STAR Kids Handbook and the Uniform Managed Care Manual (UMCM).

(1) An ISP must:

(A) include services described in the waiver approved by CMS;

(B) include services necessary to protect a person's [~~member's~~] health and welfare in the community;

(C) include services that supplement rather than supplant the person's [~~member's~~] natural supports and other non-Medicaid supports and services for which the person [~~member~~] may be eligible;

(D) include services designed to prevent the person's [~~member's~~] admission to an institution;

(E) include the most appropriate type and amount of services to meet the person's [~~member's~~] needs in the community;

(F) be reviewed and revised if the person's [~~member's~~] needs or natural supports change or at the request of the person, the person's medical consenter, or the person's [~~member or~~] LAR; and

(G) be cost effective.

(2) If a person's [~~member's~~] ISP exceeds 50 percent of the cost of the person's [~~member's~~] level of care in a nursing facility to safely serve the person's [~~member's~~] needs in the community, HHSC must review the circumstances and, when approved, provide funds through general revenue.

(e) [~~(d)~~] An MCO is responsible for conducting a reassessment and developing an ISP for each person's [~~member's~~] continued eligibility for MDCP, in accordance with the policies and procedures outlined in the STAR Kids Handbook, UMCM, or materials designated by HHSC and in accordance with the timeframes outlined in the MCO's contract.

(f) [~~(e)~~] An MCO is responsible for authorizing a provider of a person's [~~member's~~] choice to deliver services outlined in the person's [~~member's~~] ISP.

(g) [~~(f)~~] A person [~~member~~] participating in MDCP has the same rights and responsibilities as any person [~~member~~] enrolled in managed care, as described in Subchapter C of this chapter (relating to Member Bill of Rights and Responsibilities), including the right to appeal a decision made by HHSC or an MCO and the right to a fair hearing, as described in Chapter 357 of this title.

(h) [~~(g)~~] HHSC conducts utilization reviews of MCOs providing MDCP services.

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 August 10, 2026.

TRD-202603359
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 438-2910

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TITLE 7. BANKING AND SECURITIES

PART 6. CREDIT UNION DEPARTMENT

CHAPTER 91. CHARTERING, OPERATIONS, MERGERS, LIQUIDATIONS

SUBCHAPTER E. DIRECTION OF AFFAIRS

7 TAC §91.501, §91.502

The Credit Union Commission proposes amendments to §91.501, Director Eligibility and Disqualification, and §91.502, Director/Committee Member Fees, Insurance, Reimbursable Expenses, and Other Authorized Expenditures.

EXPLANATION OF AND JUSTIFICATION FOR THE RULES. The proposed amendments were identified as a part of the

Credit Union Department's quadrennial rule review process. The amendments to §91.501 would add flexibility to the recordkeeping requirement for applications of new directors. The amendments to §91.502 would update the title of a rule referenced in the section.

COST TO REGULATED PERSONS. This rule proposal is not subject to Texas Government Code §2001.0045 concerning increasing costs to regulated persons because this agency is a self-directed semi-independent (SDSI) agency under Finance Code Chapter 16 and is therefore exempt under §2001.0045(c)(8).

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Texas Government Code §2001.0221, the Department has prepared a government growth impact statement.

For each year of the first five years that the rules as amended will be in effect, the rules will not:

--create or eliminate a government program;

--require the creation of new employee positions or the elimination of existing employee positions;

--require an increase or decrease in future legislative appropriations to the Department;

--require an increase or decrease in fees paid to the Department;

--create new regulations;

--expand, limit, or repeal existing regulations;

--increase or decrease the number of individuals subject to the rule's applicability;

--positively or adversely affect this state's economy.

ENVIRONMENTAL RULE ANALYSIS. The proposed rules are not "major environmental rules" as defined by Government Code §2001.0225. The proposed rules are not specifically intended to protect the environment or to reduce risks to human health from environmental exposure. Therefore, a regulatory environmental analysis is not required.

FISCAL IMPACT ON STATE AND LOCAL GOVERNMENTS. Robert Etheridge, Commissioner, has determined that for the first five-year period the proposed amendments are in effect, there are no reasonably foreseeable implications relating to cost or revenues of state or local governments under Government Code §2001.024(a)(4) as a result of enforcing or administering these amendments as proposed.

PUBLIC BENEFIT/COST NOTE. Mr. Etheridge has determined, pursuant to Government Code §2001.024(a)(5), that for the first five-year period the amended rules are in effect, the public benefit of the amendments to §91.501 is streamlined recordkeeping by credit unions, and the public benefit of the amendments to §91.502 is accuracy in the rule. He has further determined there will be no probable economic cost to the credit union system or to persons required to comply with the rules.

IMPACT ON LOCAL EMPLOYMENT OR ECONOMY. There is no reasonably anticipated effect on a local economy for the first five years that the proposed amendments are in effect. Therefore, no economic impact statement, local employment impact statement, or regulatory flexibility analysis is required under Texas Government Code §§2001.022 or 2001.024(a)(6).

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS FOR SMALL BUSINESSES, MICROBUSINESSES, AND RURAL COMMUNITIES. Mr. Etheridge has also determined that for each year of the first five years the proposed amendments are in effect, there will be no reasonably forecasted adverse economic effect on small businesses, micro-businesses, or rural communities as a result of implementing these amendments, and, therefore, no regulatory flexibility analysis, as specified in Texas Government Code §2006.002, is required.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the amendments do not constitute a taking under Texas Government Code §2007.043.

REQUEST FOR PUBLIC COMMENT. The Department is requesting public comments on the proposed amendments and information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. Please 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. Written comments on the proposed amendments may be submitted in writing to Devon Bijansky, General Counsel, Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699 or by email to CUDMail@cud.texas.gov. To be considered, a written comment must be received within 30 days after publication of the proposal in the *Texas Register*.

STATUTORY AUTHORITY. The amendments are proposed pursuant to Texas Finance Code §15.402, which authorizes the Commission to adopt reasonable rules for administering Title 2, Chapter 15 and Title 3, Subtitle D of the Texas Finance Code, particularly §122.053, which sets forth the duties of directors; §122.054, which directs the commission to establish qualifications for a director and §122.062, which limits the compensation a director may receive for services.

STATUTORY SECTIONS AFFECTED. The specific sections affected by the amendments are Texas Finance Code §§122.053, 122.054, and 122.062.

§91.501. Director Eligibility and Disqualification.

(a) - (b) (No change.)

(c) Director application. Any member nominated for, or seeking election to, the board of directors shall submit a written application in such form as the credit union may prescribe. The application shall be submitted either to the nominating committee prior to its selection of nominees; or to the board chair within 30 days following the election of a member who was not nominated by the nominating committee or who was appointed by the board to fill a vacancy. The applications of the elected/appointed directors shall be incorporated into and made part of the minutes of either the first board meeting immediately preceding [~~following~~] the election/appointment of those directors or the first board meeting following the election/appointment. Applications of unsuccessful candidates shall be destroyed or returned upon request. The commissioner may review and require that changes be made to any application form, which is deemed inadequate or unfairly discriminates against certain classes of members.

(d) - (g) (No change.)

§91.502. Director/Committee Member Fees, Insurance, Reimbursable Expenses, and Other Authorized Expenditures.

(a) Expense reimbursement. A credit union may reimburse out-of-pocket travel and related expenses that are reasonable and appropriate for the business activity undertaken. A credit union shall adopt a written board policy to administer and control travel expenses paid or incurred in connection with directors or committee members carrying out official credit union business.

(b) Payment of fees. Subject to the provisions of this rule, a credit union may pay a reasonable meeting fee to any of its directors, honorary directors, advisory directors, (hereafter referred to as directors) or committee members for attending duly called meetings at which appropriate credit union business is conducted. Any credit union electing to pay any type of meeting fee shall annually disclose to the membership the fees paid in the prior calendar year and scheduled to be paid in the current calendar year. This disclosure may be provided to the members as part of the credit union's annual report as prescribed in §91.310 of this title (relating to Annual Report to Membership [~~annual report to membership~~]). A credit union, however, may not pay any meeting fees to a director or committee member if the credit union is operating under a Net Worth Restoration Plan; or an order issued under Finance Code §122.257 or §122.258.

(c) Enforcement Authority; Prohibition. The commissioner may prohibit or otherwise limit or restrict the payment of meeting fees to directors or committee members if, in the opinion of the commissioner, the credit union has paid, is paying, or is about to pay meeting fees that are excessive as defined in subsection (f) of this section.

(d) Use of credit union equipment. A credit union may provide personal computers, access to electronic mail, and other electronic conveniences to directors during their terms of office provided:

(1) the board of directors determines that the equipment and the electronic means are necessary and appropriate for the directors to fulfill their duties and responsibilities;

(2) the board of directors develops and maintains written policies and procedures regarding this matter; and

(3) the arrangement ceases immediately upon the person's leaving office.

(e) Insurance. A credit union may, in accordance with written board policy, provide health, life, accident, liability, or similar personal insurance protection for directors and committee members. The kind and amount of these insurance protections must be reasonable given the credit union's size, financial condition, and the duties of the director or committee member. The insurance protection must cease upon the director or committee member's leaving office, without providing residual benefits beyond those earned during the individual's term on the board or committee.

(f) Review by board. A credit union shall implement and maintain appropriate controls and other safeguards to prevent the payment of fees or expenses that are excessive or that could lead to material financial loss to the institution. At least annually, the board, in good faith, shall review the director/committee member fees and director/committee member-related expenses incurred, paid or reimbursed by the credit union and determine whether its policy continues to be in the best interest of the credit union. The Board's review shall be included as part of the minutes of the meeting at which the policy and the fees and expenses were studied. Fees and expenses shall be considered excessive when amounts paid are disproportionate to the services performed by a director or committee member, or unreasonable considering the financial condition of the institution and similar practices at credit unions of a comparable asset size, geographic location, and/or operational complexity.

(g) Guest travel. A credit union's board may authorize the payment of travel expenses that are reasonable in relation to the credit union's financial condition and resources for one guest accompanying a director or committee member to an approved conference or educational program. The payment will not be considered compensation for purposes of Finance Code §122.062 if:

(1) it is determined by the board to be necessary or appropriate in order to carry out the official business of the credit union; and

(2) it is in accordance with written board policies and procedures.

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 August 7, 2026.

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Robert Etheridge
Commissioner
Credit Union Department
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 837-9236

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SUBCHAPTER F. ACCOUNTS AND SERVICES

7 TAC §91.608, §91.610

The Credit Union Commission proposes amendments to §91.608, Confidentiality of Member Records; and §91.610, Safe Deposit Box Facilities.

EXPLANATION OF AND JUSTIFICATION FOR THE RULES. The proposed amendments were identified as a part of the Credit Union Department's quadrennial rule review process. The amendments to §91.608 would update a reference to the federal regulations. The amendments to §91.610 would update the references to the statute regarding imprinting of safe deposit keys to Chapter 125 of the Finance Code, which relates to credit unions, instead of Chapter 59, which relates to banks, and would delete certain provisions that are duplicative of or in conflict with the statute.

COST TO REGULATED PERSONS. This rule proposal is not subject to Texas Government Code §2001.0045 concerning increasing costs to regulated persons because this agency is a self-directed semi-independent (SDSI) agency under Finance Code Chapter 16 and is therefore exempt under §2001.0045(c)(8).

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Texas Government Code §2001.0221, the Department has prepared a government growth impact statement.

For each year of the first five years that the rules as amended will be in effect, the rules will not:

--create or eliminate a government program;

--require the creation of new employee positions or the elimination of existing employee positions;

--require an increase or decrease in future legislative appropriations to the Department;

--require an increase or decrease in fees paid to the Department;

--create new regulations;

--expand, limit, or repeal existing regulations;

--increase or decrease the number of individuals subject to the rule's applicability;

--positively or adversely affect this state's economy.

ENVIRONMENTAL RULE ANALYSIS. The proposed rules are not "major environmental rules" as defined by Government Code §2001.0225. The proposed rules are not specifically intended to protect the environment or to reduce risks to human health from environmental exposure. Therefore, a regulatory environmental analysis is not required.

FISCAL IMPACT ON STATE AND LOCAL GOVERNMENTS. Robert Etheridge, Commissioner, has determined that for the first five-year period the proposed amendments are in effect, there are no reasonably foreseeable implications relating to cost or revenues of state or local governments under Government Code §2001.024(a)(4) as a result of enforcing or administering these amendments as proposed.

PUBLIC BENEFIT/COST NOTE. Mr. Etheridge has determined, pursuant to Government Code §2001.024(a)(5), that for the first five-year period the amended rules are in effect, the public benefit of the amendments is accuracy and conciseness of the rules. He has further determined there will be no probable economic cost to the credit union system or to persons required to comply with the rules.

IMPACT ON LOCAL EMPLOYMENT OR ECONOMY. There is no reasonably anticipated effect on a local economy for the first five years that the proposed amendments are in effect. Therefore, no economic impact statement, local employment impact statement, or regulatory flexibility analysis is required under Texas Government Code §§2001.022 or 2001.024(a)(6).

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS FOR SMALL BUSINESSES, MICROBUSINESSES, AND RURAL COMMUNITIES. Mr. Etheridge has also determined that for each year of the first five years the proposed amendments are in effect, there will be no reasonably forecasted adverse economic effect on small businesses, micro-businesses, or rural communities as a result of implementing these amendments, and, therefore, no regulatory flexibility analysis, as specified in Texas Government Code §2006.002, is required.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the amendments do not constitute a taking under Texas Government Code §2007.043.

REQUEST FOR PUBLIC COMMENT. The Department is requesting public comments on the proposed amendments and information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis, from any person required to comply with the proposed rule or any other interested person. Please 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. Written comments on the proposed amendments may be submitted in writing to Devon Bijansky, General Counsel, Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699 or by email to CUDMail@cud.texas.gov. To be considered, a written comment must be received within 30 days after publication of the proposal in the *Texas Register*.

STATUTORY AUTHORITY. The amendments are proposed pursuant to Texas Finance Code §15.402, which authorizes the Commission to adopt reasonable rules for administering Title 2, Chapter 15 and Title 3, Subtitle D (Chapters 121 through 149) of the Texas Finance Code; particularly §§125.402, which authorizes the Commission to adopt reasonable rules relating to confidentiality and disclosure of members' information, and 125.508, which establishes requirements related to imprinting of safe deposit box keys.

STATUTORY SECTIONS AFFECTED. The specific sections affected by the amendments are Texas Finance Code §§122.053, 122.054, 122.062, 125.402, and 125.508.

§91.608. Confidentiality of Member Records.

(a) - (b) (No change.)

(c) Privacy policy. Each credit union shall develop, implement and maintain a written policy on the protection of nonpublic personal information of individual members in its possession. This policy shall be consistent with the disclosure and reporting requirements applicable to federally insured credit unions as addressed in 12 C.F.R. part 1016 (Part 1016 of the Consumer Financial Protection Bureau regulations) [~~Part 716 of NCUA Rules and Regulations~~].

(d) (No change.)

§91.610. Safe Deposit Box Facilities.

(a) Purpose. Finance Code §125.508 [~~§59.110~~] requires credit unions to imprint keys issued to safe deposit boxes with the institution's routing number. In addition, it requires a report to the Department of Public Safety if the routing number is altered or defaced so that the correct routing number is illegible. The purpose of this section is to clarify the requirements of the noted section of the Finance Code.

(b) Definitions. The following words and terms, when used in this section, shall have the following meanings, unless the context clearly indicates otherwise.

(1) Credit union--This term includes all state or federal credit unions that have been assigned a routing number unique to that institution.

(2) Routing number--The number printed on the face of a share draft or check in fractional form or in nine-digit form that identifies a paying financial institution.

(c) Imprinting requirements. A credit union which has been issued a routing number shall imprint that routing number on safe deposit box keys on either the head of the key or the shank of the key if there is adequate room. The typical locations to be used are indicated in the following instructions and diagram. The imprint can be made anywhere on the key that has the required space available. When positioning the die on the key, be careful to place the die on the key where it will imprint on a flat surface and not in the area of the key cuts or on any of the shank ridges or grooves. Imprinting in these areas may interfere with the proper working of the key in the lock and may cause damage. In the event these standard areas for the location of the imprint are unavailable, either because of grooves on the key shank or the fact that the head of the key already has names and other numbers imprinted on it, then the credit union may attach to the key a tag imprinted with the routing number. The tag used must be of such a nature as to be secure. Thus, a paper or cardboard tag or a tag affixed with string will not be acceptable. However, any other medium such as plastic or metal which can retain an imprint of a number shall be acceptable. The tag may be

attached in any way to assure its affixation to the key. Typically, this will mean inserting the tag or a device to affix the tag through the hole in the head of the key normally used for placing keys on key chains. The tag method shall not be used if there is adequate room on the key itself for imprinting the numbers. There are four standard areas for the location of the imprinted routing number. These include: the head of the key, the shank of the key, and either place on the reverse side of the key. The standard imprint areas are shown as follows.
Figure: 7 TAC §91.610(c) (No change.)

(d) Branch designation. A credit union may, but is not required to, add a three-digit branch designation to its routing number. Thus, the main credit union facility should receive the designation "001" and branch facilities should receive numbers consecutively beginning with "002" with successive numbers as needed. However, the credit union may control the branch numbering system used provided that the credit union maintains a master list of branch designations used for this purpose. The master list should be maintained at the main office of the credit union and shall include the three-digit branch designation and address of facility. The credit union then may imprint safe deposit box keys or tags with the routing number plus three-digit branch designation for full identification of the facility.

(e) Report of defaced or altered key. A credit union that submits a report to the Department of Public Safety pursuant to Finance Code §125.508 shall retain a copy of the report for a period of three years. [~~Within 10 days after an officer or employee of a credit union observes that a key used to access a safe deposit box has had the routing number altered or defaced or the tag removed, a report shall be prepared of such incident. The report shall be on a form promulgated by the Credit Union Department in the form of the attached Exhibit A. The report should be submitted to the Department of Public Safety, Attention: Criminal Law Enforcement, Box 4087, Austin, Texas 78773-0001. The report should be mailed no later than ten days after the incident. The credit union should retain one copy of the incident report for a period of three years. Nothing in this rule nor in the Finance Code §59.110 shall require a credit union to inspect routing numbers imprinted on a key or an attached tag to determine if the number has been altered or defaced.~~]

(f) Effective date; applicability to existing keys. A credit union must imprint all safe deposit box keys on or after September 1, 1992. Additionally, the imprinting requirement applies to all keys issued prior to September 1, 1992. However, keys for boxes rented prior to September 1, 1992, need not be imprinted with the routing number unless and until a member presents a safe deposit box key at a credit union for access to a box. Nothing in this rule or the Finance Code §125.508 [~~§59.110~~] shall be construed to require a credit union to provide notice to its safe deposit box users or to otherwise require such members to present their keys for imprinting. However, on the first date after September 1, 1992, that a member presents a key which has not been imprinted, the credit union shall imprint the key with the routing numbers as required by Finance Code §125.508 [~~§59.110~~].

(g) Effect of change in routing number. In the event a credit union's routing number is changed as a result of a merger, acquisition, or other change, safe deposit box keys need not be replaced with a new routing number provided that the credit union maintains a master list of the routing numbers used to imprint keys.
[~~Figure: 7 TAC §91.610(g)~~]

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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Robert Etheridge
Commissioner
Credit Union Department
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TITLE 13. CULTURAL RESOURCES

PART 1. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

CHAPTER 2. GENERAL POLICIES AND PROCEDURES

SUBCHAPTER A. PRINCIPLES AND PROCEDURES OF THE COMMISSION

13 TAC §2.60

The Texas State Library and Archives Commission proposes to amend Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter A, §2.60, Friends Groups.

BACKGROUND. The commission recently concluded the first phase of a Regulatory Efficiency Review conducted by the Texas Regulatory Efficiency Office. As a result of this review, the commission, with the assistance of that office, has identified opportunities to simplify, streamline, and clarify many existing rules.

As part of this comprehensive review, the commission evaluated §2.61 (relating to Private Organizations or Donors), which was first adopted in 2007 to provide requirements regarding the relationship between the commission and its officers and employees and private donors and the acceptance of gifts from private donors. Section 2255.001 of the Government Code requires state agencies to adopt rules governing the relationship between a private donor or organization that is designed to further the purposes and duties of the agency and the agency and its employees. These rules must address all aspects of conduct of the agency and its employees in the relationship, including (1) the administration and investment of funds received by the organization for the benefit of the agency; (2) use of an employee or property of the agency by the donor or organization; (3) service by an officer or employee of the agency as an officer or director of the donor or organization; and (4) monetary enrichment of an officer of employee of the agency by the donor or organization. Upon review, the commission has determined that the requirements of Government Code, §2255.001 were already satisfied by §2.60 and proposed the repeal of §2.61 in this same issue of the *Texas Register*.

The commission now proposes to amend §2.60 by adding "private donors" to the section heading and subsections (b), (c), and (d). This amendment will ensure it is clear that §2.60 applies to both friends groups (private organizations) and private donors, as required by Government Code, §2255.001.

FISCAL IMPACT. Donna Osborne, Chief Financial Officer, has determined that for each of the first five years the proposed amendment is in effect, there will not be a fiscal impact on state or local government.

PUBLIC BENEFIT AND COSTS. Ms. Osborne has determined that for the first five-year period the rule as proposed for amendment is in effect, the public benefit will be a more concise and efficient chapter of regulations in the Texas Administrative Code. There are no anticipated economic costs to persons required to comply with the amendment.

LOCAL EMPLOYMENT IMPACT STATEMENT. The proposal has no measurable impact on the local economy; therefore, no local employment impact statement under Government Code §2001.022 is required.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT STATEMENT. There will be no adverse economic effect on small businesses, micro-businesses, or rural communities; therefore, a regulatory flexibility analysis under Government Code §2006.002 is not required.

COST INCREASE TO REGULATED PERSONS. The rule as proposed for amendment does not impose or increase a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the commission is not required to take any further action under Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Government Code §2001.0221, the commission provides the following government growth impact statement. For each year of the first five years the rule as proposed for amendment will be in effect, the commission has determined the following:

1. The proposed amendment will not create or eliminate a government program;

2. Implementation of the rule as proposed for amendment will not require the creation of new employee positions or the elimination of existing employee positions;

3. Implementation of the rule as proposed for amendment will not require an increase or decrease in future legislative appropriations to the commission;

4. The proposal will not require an increase or decrease in fees paid to the commission;

5. The proposal will not create new regulations;

6. The proposal will not repeal an existing regulation;

7. The proposal will not increase or decrease the number of individuals subject to the applicability of the rule; and

8. The proposal will not positively or adversely affect the state economy.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the proposed amendment does not constitute a taking under Government Code §2007.043.

REQUEST FOR IMPACT INFORMATION. The commission requests, from any person required to comply with the proposed rules or any other interested person, information related to the cost, benefit, or effect of the proposed amendments, including any applicable data, research, or analysis. Requested information may be submitted to Donna Osborne, Chief Financial Officer, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. Requested information must be received no later than 30 days from the date of publication in the *Texas Register*.

REQUEST FOR PUBLIC COMMENT. Written comments on the proposed amendment may be submitted to Sarah Swanson, General Counsel, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. To be considered, a written comment must be received no later than 30 days from the date of publication in the *Texas Register*.

STATUTORY AUTHORITY. The amendment is proposed under Government Code §441.006, which provides the commission with the authority to govern the Texas State Library and Archives Commission and to adopt rules for the administration of the duties of the agency; and Government Code §2255.001, which requires state agencies to adopt rules governing the relationship between a private donor or organization that is designed to further the purposes and duties of the agency and the agency and its employees.

CROSS REFERENCE TO STATUTE. Government Code Chapters 441, 575, and 2255.

§2.60. Friends Groups and Private Donors.

(a) The commission may designate nonprofit organizations that are organized to raise funds and provide services and other benefits to the agency as a "friend" of the commission. A friends group must submit copies of its charter and bylaws or other organizational documents to the commission for review and approval. Upon designation as a friend of the commission and for so long as such designation exists, the commission may recognize a friends group. Designation as a "friend" shall be reviewed periodically but not less than once every five years.

(b) Funds accepted by friends groups or private donors for the benefit of the commission to support the purposes and programs of the commission are to be managed as reasonably prudent persons would manage funds if acting on their own behalf. Such funds are to be accounted for according to generally accepted accounting principles. A financial report shall be prepared at least annually and made available to the public upon request.

(c) The commission may authorize reasonable use of agency employees, equipment, or property by recognized friends groups or private donors in order to further or support the purposes or programs of the commission, provided such usage is commensurate with the benefit received or to be received by the commission. Agency employees shall receive no compensation from the friends groups or private donors for such service.

(d) A commission member or agency employee may not serve as an officer or director of a friends group or private donor. The commission will designate not more than one of its members to serve as liaison to each friends group or private donor.

(e) Nothing in this section shall supersede any rule or statute regulating the conduct of an employee of a state agency or the procedures of a state agency. To the extent of any conflict, the other rule or statute shall prevail.

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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TRD-202603315

Sarah I. Swanson
General Counsel
Texas State Library and Archives Commission
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 463-5460

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13 TAC §2.61

The Texas State Library and Archives Commission proposes the repeal of Texas Administrative Code, Title 13, Part 1, Chapter 2, Subchapter A, §2.61, Private Donors.

BACKGROUND. The commission recently concluded the first phase of a Regulatory Efficiency Review conducted by the Texas Regulatory Efficiency Office. As a result of this review, the commission, with the assistance of that office, has identified opportunities to simplify, streamline, and clarify many existing rules.

As part of this comprehensive review, the commission evaluated §2.61, which was first adopted in 2007 to provide requirements regarding the relationship between the commission and its officers and employees and private donors and the acceptance of gifts from private donors. Section 2255.001 of the Government Code requires state agencies to adopt rules governing the relationship between a private donor or organization that is designed to further the purposes and duties of the agency and the agency and its employees. These rules must address all aspects of conduct of the agency and its employees in the relationship, including (1) the administration and investment of funds received by the organization for the benefit of the agency; (2) use of an employee or property of the agency by the donor or organization; (3) service by an officer or employee of the agency as an officer or director of the donor or organization; and (4) monetary enrichment of an officer of employee of the agency by the donor or organization. Upon review, the commission has determined that the requirements of Government Code, §2255.001 are satisfied by another existing rule, §2.60 (relating to Friends Groups). This existing rule clearly addresses each of the requirements in statute with respect to private organizations. Therefore, the commission has determined that the provisions of §2.61 are not necessary because §2.60 (relating to Friends Groups) sufficiently addresses the statutory requirements. In addition, the other provisions currently within §2.61 related to the use of funds by the agency and the acceptance of gifts by the commission are governed by existing state law. Therefore, the commission finds it appropriate to repeal §2.61 to reduce regulatory redundancy and improve the overall efficiency of the Administrative Code.

However, in a separate rulemaking in this issue of the *Texas Register*, the commission proposes to amend §2.60 by adding "private donors" to the section heading and subsections (b), (c), and (d). This amendment ensures it is clear that §2.60 applies to both friends groups (private organizations) and private donors, as required by Government Code §2255.001.

FISCAL IMPACT. Donna Osborne, Chief Financial Officer, has determined that for each of the first five years the proposed repeal is in effect, there will not be a fiscal impact on state or local government.

PUBLIC BENEFIT AND COSTS. Ms. Osborne has determined that for the first five-year period the repeal is in effect, the public benefit will be a more concise and efficient Administrative Code. There are no anticipated economic costs to persons required to comply with the repeal.

LOCAL EMPLOYMENT IMPACT STATEMENT. The proposal has no measurable impact on the local economy; therefore, no local employment impact statement under Government Code §2001.022 is required.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT STATEMENT. There will be no adverse economic effect on small businesses, micro-businesses, or rural communities; therefore, a regulatory flexibility analysis under Government Code §2006.002 is not required.

COST INCREASE TO REGULATED PERSONS. The rule as proposed for repeal does not impose or increase a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the commission is not required to take any further action under Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Government Code §2001.0221, the commission provides the following government growth impact statement. For each year of the first five years the rule as proposed for repeal will be in effect, the commission has determined the following:

1. The proposed repeal will not create or eliminate a government program;

2. Implementation of the rule as proposed for repeal will not require the creation of new employee positions or the elimination of existing employee positions;

3. Implementation of the rule as proposed for repeal will not require an increase or decrease in future legislative appropriations to the commission;

4. The proposal will not require an increase or decrease in fees paid to the commission;

5. The proposal will not create new regulations;

6. The proposal will repeal an existing regulation;

7. The proposal will not increase or decrease the number of individuals subject to the applicability of the rule; and

8. The proposal will not positively or adversely affect the state economy.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the proposed repeal does not constitute a taking under Government Code §2007.043.

REQUEST FOR IMPACT INFORMATION. The commission requests, from any person required to comply with the proposed rules or any other interested person, information related to the cost, benefit, or effect of the proposed amendments, including any applicable data, research, or analysis. Requested information may be submitted to Donna Osborne, Chief Financial Officer, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. Requested information must be received no later than 30 days from the date of publication in the *Texas Register*.

REQUEST FOR PUBLIC COMMENT. Written comments on the proposed repeal may be submitted to Sarah Swanson, General Counsel, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. To be considered, a written comment must be received no later than 30 days from the date of publication in the *Texas Register*.

STATUTORY AUTHORITY. The repeal is proposed under Government Code §441.006, which provides the commission with the authority to govern the Texas State Library and Archives Commission and to adopt rules for the administration of the duties of the agency.

CROSS REFERENCE TO STATUTE. Government Code Chapter 441.

§2.61. Private Donors.

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 August 6, 2026.

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Sarah I. Swanson
General Counsel
Texas State Library and Archives Commission
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For further information, please call: (512) 463-5460

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CHAPTER 6. STATE RECORDS
SUBCHAPTER A. RECORDS RETENTION SCHEDULING

13 TAC §6.7

The Texas State Library and Archives Commission proposes to amend Texas Administrative Code, Title 13, Part 1, Chapter 6, Subchapter A, §6.7, Destruction of State Records.

BACKGROUND. The commission recently concluded the first phase of a Regulatory Efficiency Review conducted by the Texas Regulatory Efficiency Office. As a result of this review, the commission, with the assistance of that office, has identified opportunities to simplify, streamline, and clarify many existing rules.

As part of this comprehensive review, the commission evaluated §6.7 (relating to Destruction of State Records), which was first adopted in 1994 and last amended in 2005 to address the mandatory authorization process required before certain state records can be destroyed. Section 441.187 of the Government Code requires state agencies to secure approval from the director and librarian before destroying a state record if the record does not appear on the agency's approved records retention schedule.

Upon review, the commission has determined that §6.7 could be simplified by removing excess language that merely restates the statutory requirements. The commission now proposes to amend §6.7 by simplifying the language, ensuring that a state agency is aware it must receive written authorization from the director and librarian before destroying a state record if that record does not appear on the agency's approved records retention schedule. The proposed amendment also adds the specific statutory reference to the rule for additional clarity and transparency. The proposed amendment will not change any process at the commission - only regulatory language.

FISCAL IMPACT. Craig Kelso, State and Local Records Management Division Director, has determined that for each of the first five years the proposed amendment is in effect, there will not be a fiscal impact on state or local government.

PUBLIC BENEFIT AND COSTS. Mr. Kelso has determined that for the first five-year period the rule as proposed for amendment is in effect, the public benefit will be a more concise and efficient chapter of regulations in the Texas Administrative Code. There are no anticipated economic costs to persons required to comply with the amendment.

LOCAL EMPLOYMENT IMPACT STATEMENT. The proposal has no measurable impact on the local economy; therefore, no local employment impact statement under Government Code §2001.022 is required.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT STATEMENT. There will be no adverse economic effect on small businesses, micro-businesses, or rural communities; therefore, a regulatory flexibility analysis under Government Code §2006.002 is not required.

COST INCREASE TO REGULATED PERSONS. The rule as proposed for amendment does not impose or increase a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the commission is not required to take any further action under Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Government Code §2001.0221, the commission provides the following government growth impact statement. For each year of the first five years the rule as proposed for amendment will be in effect, the commission has determined the following:

1. The proposed amendment will not create or eliminate a government program;

2. Implementation of the rule as proposed for amendment will not require the creation of new employee positions or the elimination of existing employee positions;

3. Implementation of the rule as proposed for amendment will not require an increase or decrease in future legislative appropriations to the commission;

4. The proposal will not require an increase or decrease in fees paid to the commission;

5. The proposal will not create new regulations;

6. The proposal will not repeal an existing regulation;

7. The proposal will not increase or decrease the number of individuals subject to the applicability of the rule; and

8. The proposal will not positively or adversely affect the state economy.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the proposed amendment does not constitute a taking under Government Code §2007.043.

REQUEST FOR IMPACT INFORMATION. The commission requests, from any person required to comply with the proposed rules or any other interested person, information related to the cost, benefit, or effect of the proposed amendments, including any applicable data, research, or analysis. Requested information may be submitted to Craig Kelso, State and Local Records

Management Division Director, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. Requested information must be received no later than 30 days from the date of publication in the *Texas Register*.

REQUEST FOR PUBLIC COMMENT. Written comments on the proposed amendment may be submitted to Sarah Swanson, General Counsel, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at rules@tsl.texas.gov. To be considered, a written comment must be received no later than 30 days from the date of publication in the *Texas Register*.

STATUTORY AUTHORITY. The amendment is proposed under Government Code §441.187, which prohibits a state agency from destroying a state record without the prior approval of the state records administrator; Government Code §441.182, which tasks the commission with establishing an efficient and economical state records management program; and Government Code §441.006, which provides the commission with the general authority to adopt rules for the administration of the duties of the agency.

CROSS REFERENCE TO STATUTE. Government Code Chapter 441, Subchapter L.

§6.7. Destruction of State Records.

If a state record does not appear on a state agency's approved records retention schedule, the state agency must obtain written authorization from the director and librarian before destroying the state record, as provided by Government Code, §441.187(a).

[~~(a) Without a certified records retention schedule, a state agency must request authorization from the director and librarian for the destruction of any state record.~~]

[~~(b) A state agency with a certified records retention schedule must request authorization from the director and librarian for the destruction of any state record that does not appear on the certified schedule or a certified amendment to the schedule.~~]

[~~(c) Requests for authorization for the destruction of state records shall be in a form and manner prescribed by the state records administrator.~~]

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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Sarah I. Swanson
General Counsel
Texas State Library and Archives Commission
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For further information, please call: (512) 463-5460

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SUBCHAPTER C. STANDARDS AND PROCEDURES FOR MANAGEMENT OF ELECTRONIC RECORDS

13 TAC §6.98

The Texas State Library and Archives Commission proposes the repeal of Texas Administrative Code, Title 13, Part 1, Chapter 6, Subchapter C, §6.98, concerning the Uniform Electronic Transactions Act (UETA).

BACKGROUND. The commission recently concluded the first phase of a Regulatory Efficiency Review conducted by the Texas Regulatory Efficiency Office. As a result of this review, the commission, with the assistance of that office, has identified opportunities to simplify, streamline, and clarify many existing rules.

As part of this comprehensive review, the commission evaluated §6.98 (relating to Uniform Electronic Transactions Act (UETA)), which was adopted in 2017 to provide guidelines regarding the use of electronic records and electronic signatures by state agencies. Business and Commerce Code Chapter 322 (Uniform Electronic Transactions Act) sets forth the comprehensive, statewide statutory framework governing electronic records, signatures, and contracts. In addition, the Department of Information Resources has adopted guidelines for the management of electronic transactions and signed records in the Texas Administrative Code, Title 1, Part 10, Chapter 203, Management of Electronic Transactions and Signed Records. Upon review, the commission has determined that the provisions of §6.98 are redundant because the uniform statutory requirements and protections established directly under Business and Commerce Code Chapter 322 and the regulations in the Texas Administrative Code referenced above thoroughly govern and support these transactions. Therefore, the commission finds it appropriate to repeal §6.98 to reduce regulatory redundancy, streamline agency regulations, and improve the overall efficiency of the Texas Administrative Code.

FISCAL IMPACT. Craig Kelso, State and Local Records Management Division Director, has determined that for each of the first five years the proposed repeal is in effect, there will not be a fiscal impact on state or local government.

PUBLIC BENEFIT AND COSTS. Mr. Kelso has determined that for the first five-year period the repeal is in effect, the public benefit will be a more concise and efficient Administrative Code. There are no anticipated economic costs to persons required to comply with the repeal.

LOCAL EMPLOYMENT IMPACT STATEMENT. The proposal has no measurable impact on the local economy; therefore, no local employment impact statement under Government Code §2001.022 is required.

SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT STATEMENT. There will be no adverse economic effect on small businesses, micro-businesses, or rural communities; therefore, a regulatory flexibility analysis under Government Code §2006.002 is not required.

COST INCREASE TO REGULATED PERSONS. The rule as proposed for repeal does not impose or increase a cost on regulated persons, including another state agency, a special district, or a local government. Therefore, the commission is not required to take any further action under Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT. In compliance with Government Code §2001.0221, the commission provides the following government growth impact statement. For each year of the first five years the rule as proposed for repeal will be in effect, the commission has determined the following:

The proposed repeal will not create or eliminate a government program;

Implementation of the rule as proposed for repeal will not require the creation of new employee positions or the elimination of existing employee positions;

Implementation of the rule as proposed for repeal will not require an increase or decrease in future legislative appropriations to the commission;

The proposal will not require an increase or decrease in fees paid to the commission;

The proposal will not create new regulations;

The proposal will repeal an existing regulation;

The proposal will not increase or decrease the number of individuals subject to the applicability of the rule; and

The proposal will not positively or adversely affect the state economy.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal, and 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. Therefore, the proposed repeal does not constitute a taking under Government Code §2007.043.

REQUEST FOR IMPACT INFORMATION. The commission requests, from any person required to comply with the proposed rules or any other interested person, information related to the cost, benefit, or effect of the proposed repeal, including any applicable data, research, or analysis. Requested information may be submitted to Craig Kelso, State and Local Records Management Division Director, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas, 78711, or via email at rules@tsl.texas.gov. Requested information must be received no later than 30 days from the date of publication in the *Texas Register*.

REQUEST FOR PUBLIC COMMENT. Written comments on the proposed repeal may be submitted to Sarah Swanson, General Counsel, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas, 78711, or via email at rules@tsl.texas.gov. To be considered, a written comment must be received no later than 30 days from the date of publication in the *Texas Register*.

STATUTORY AUTHORITY. The repeal is proposed under Government Code §441.006, which provides the commission with the authority to govern the Texas State Library and Archives Commission and to adopt rules for the administration of the duties of the agency.

CROSS REFERENCE TO STATUTE. Government Code Chapter 441.

§6.98. Uniform Electronic Transactions Act (UETA).

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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Sarah I. Swanson
General Counsel
Texas State Library and Archives Commission
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TITLE 19. EDUCATION

PART 2. TEXAS EDUCATION AGENCY

CHAPTER 61. SCHOOL DISTRICTS

SUBCHAPTER AA. COMMISSIONER'S RULES ON SCHOOL FINANCE

19 TAC §61.1010

The Texas Education Agency (TEA) proposes an amendment to §61.1010, concerning additional state aid for school districts that contract to partner to operate a district campus. The proposed amendment would update the list of exclusions to align the rule with statute and changes made by House Bill (HB) 2, 89th Texas Legislature, Regular Session, 2025, and reorder the list for clarity.

BACKGROUND INFORMATION AND JUSTIFICATION: Section 61.1010 provides an entitlement through the Foundation School Program for school districts that enter contracts to partner to operate a district campus under Texas Education Code (TEC), §11.174 and §11.174(b).

The proposed amendment would add the sparsity adjustment under TEC, §48.052, to the list of exclusions under subsection (e) because HB 2593, 84th Texas Legislature, Regular Session, 2015, stated that the adjustment only applies to school districts with very small student populations.

HB 2, 89th Texas Legislature, Regular Session, 2025, removed the New Tech Network from TEC, §48.106. The proposed amendment to §61.1010(e)(1) would remove the reference to the New Tech Network to align with the bill.

HB 2, 89th Texas Legislature, Regular Session, 2025, recodified and transferred the School Safety Allotment from TEC, §48.115 (Subchapter C), to TEC, §48.160 (Subchapter D). The proposed amendment would remove the School Safety Allotment from §61.1010(e)(5) because §61.1010(c)(1)(B) does not include TEC, §48.160, allotments.

HB 2, 89th Texas Legislature, Regular Session, 2025, repealed TEC, §48.114, which includes the Mentor Safety Allotment, effective September 1, 2026. The proposed amendment would remove the Mentor Safety Allotment from §61.1010(e)(4) to align the rule with the bill.

The proposed amendment would also reorder the list to match the numerical order of the authority that supports each exclusion.

FISCAL IMPACT: Amy Copeland, associate commissioner for school finance and chief school finance officer, 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 limit an existing regulation by removing references related to sources of funding.

It 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 expand or 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. Copeland 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 ensuring the rule aligns with statute. 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 August 21, 2026, and ends September 21, 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 August 21, 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/.

STATUTORY AUTHORITY. The amendment is proposed under TEC, §29.934, as amended by HB 2, 89th Texas Legislature, Regular Session, 2025, which enables a local education agency to apply for a campus to become designated as a resource campus if the campus has received an overall performance rating of D, F, or an overall performance rating of "Not Rated" for three years over a 10-year period of time; TEC, §48.052, which provides additional funding to school districts with very low student populations; TEC, §48.102, as amended by Senate Bill (SB) 568 and HB 2, 89th Texas Legislature, Regular Session, 2025, which provides school systems with an annual allotment for special education; TEC, §48.106, as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025, which provides school systems with an annual allotment for career and technology education; TEC, §48.160, as transferred, redesignated, and amended by HB 2, HB 121, and SB 260, 89th Texas Legislature, Regular Session, 2025, which provides school systems with an annual allotment for school safety purposes; TEC, §48.252, which authorizes the commissioner of education to adopt rules necessary for the implementation of an entitlement for school districts that enter into a contract to operate a district campus under TEC, §11.174 or §11.157(b), or school districts that operate a resource campus under TEC, §29.934; and HB 2, 89th Texas Legislature, Regular Session, 2025, which repeals TEC, §48.114, effective September 1, 2026. TEC, §48.114, provides school systems with an annual allotment for a mentoring program for classroom teachers.

CROSS REFERENCE TO STATUTE. The amendment implements TEC, §29.934, as amended by HB 2, 89th Texas Legislature, Regular Session, 2025; §48.052; §48.102, as amended by SB 568 and HB 2, 89th Texas Legislature, Regular Session, 2025; §48.106, as amended by HB 2 and HB 120, 89th Texas Legislature, Regular Session, 2025; §48.160, as transferred, redesignated, and amended by HB 2, HB 121, and SB 260, 89th Texas Legislature, Regular Session, 2025; and §48.252; and HB 2, 89th Texas Legislature, Regular Session, 2025, which repeals TEC, §48.114, effective September 1, 2026.

§61.1010. Additional State Aid for School Districts that Contract to Partner to Operate a District Campus.

(a) General provisions. This section implements Texas Education Code (TEC), §48.252 (School District Entitlement for Certain Students), which provides for additional funding for a school district that has entered into a contract to partner to operate a district campus under TEC, §11.174; a school district that has entered into a contract with a partner to jointly operate a campus or campus program under TEC, §11.157(b); or a school district that operates a resource campus as provided by TEC, §29.934.

(b) Definitions. The following words and terms, when used in this section, shall have the following meanings.

(1) Contracted campus--A campus for which the board of trustees of a school district has contracted to partner to operate a campus under TEC, §11.174 or §11.157(b).

(2) Contracted campus program--A program on a campus operated by a charter school under TEC, Chapter 12, Subchapter D, for which the board of trustees of a school district has contracted to jointly operate the program under TEC, §11.157(b).

(3) Resource campus--A campus designated by the commissioner of education to operate as a campus under TEC, §29.934.

(c) Entitlement.

(1) In the fall of each school year, as part of the settle-up process for the preceding school year, the Texas Education Agency (TEA) will use the attendance reported through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) summer data submission, as well as campus-level data regarding the number of students eligible for compensatory education funding under TEC, §48.104, from the TSDS PEIMS fall submission, to calculate the following for a contracted campus, contracted campus program, or resource campus:

(A) the entitlement for each student in average daily attendance at the contracted campus, contracted campus program, or resource campus, as if the campus, contracted campus program, or resource campus were a charter school under TEC, §12.106, using the state average basic allotment as defined under TEC, §12.106(a-1), and state average tax effort for enrichment funding as defined by TEC, §12.106(a-2);

(B) the entitlement for each student in average daily attendance at the contracted campus, contracted campus program, or resource campus under TEC, Chapter 48, Subchapters B, C, and E, as adjusted by subsection (d) of this section, using the district's basic allotment and enrichment tax effort without a local share component for those entitlements; and

(C) any positive difference that results from subtracting the amount calculated under subparagraph (B) of this paragraph from the amount calculated under subparagraph (A) of this paragraph, which shall be added to the district's Foundation School Fund Allotment.

(2) Campus program attendance must be reported on a separate track to receive funding.

(d) Estimates. School districts will be provided with estimated funding during a school year for eligible contracted campuses, contracted campus programs, or resource campuses based on the prior year's attendance data using the same methodology used in subsection (c)(1) of this section to calculate the entitlement. The final entitlement will be based on data from the current school year as provided for in subsection (c)(1) of this section. Any difference from the estimated entitlement will be addressed as part of the Foundation School Program settle-up process according to the provisions of TEC, §48.272.

(e) Exclusions. For purposes of the calculation in subsection (c) of this section, the following allotments shall be excluded from the entitlement:

(1) the Sparsity Adjustment under TEC, §48.052;

(2) [~~(1)~~] the Career and Technology Education Allotment under TEC, §48.106(a-1), for students enrolled in P-TECH [~~or New Tech Network~~] campuses;

(3) [~~(2)~~] the College, Career, or Military Readiness Outcomes Bonus under TEC, §48.110;

[~~(3) the Teacher Incentive Allotment under TEC, §48.112;~~]

[~~(4) the Mentor Program Allotment under TEC, §48.114;~~]

[~~(5) the School Safety Allotment under TEC, §48.115; and~~]

(4) [~~(6)~~] the Fast Growth Allotment under TEC, §48.111; and [~~.~~]

(5) the Teacher Incentive Allotment under TEC, §48.112.

(f) Funding for instructional facilities for charter schools. For [~~Effective September 1, 2018, for~~] purposes of the calculation in subsection (c)(1)(A) of this section, any funding to which the contracted campus, contracted campus program, or resource campus would be entitled under TEC, §12.106(d), will be included in the calculation.

(g) Recovery of funds. If a contract is found to be out of compliance with TEC, §11.157 or §11.174, or §97.1075 of this title (relating to Contracting to Partner to Operate a Campus under Texas Education Code, §11.174), TEA will eliminate any funding provided for that campus, contracted campus program, or resource campus under TEC, §48.252, and recover any funds overallocated under the provisions of TEC, §48.272.

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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Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
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For further information, please call: (512) 475-1497

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CHAPTER 74. CURRICULUM REQUIREMENTS
SUBCHAPTER BB. COMMISSIONER'S RULES CONCERNING HIGH SCHOOL GRADUATION

19 TAC §74.1025, §74.1027

The Texas Education Agency (TEA) proposes amendments to §74.1025 and §74.1027, concerning high school graduation. The proposed amendments would eliminate expiration provisions in alignment with statute.

BACKGROUND INFORMATION AND JUSTIFICATION: Texas Education Code (TEC), §28.0258, requires each school district and open-enrollment charter school to establish an individual graduation committee for each 11th or 12th grade student who fails to perform satisfactorily on not more than two end-of-course (EOC) assessments. Statute requires the commissioner of education to adopt rules to establish alternative individual graduation committee members and a timeline for decisions by individual graduation committees. The provisions of TEC, §28.0258, were initially set to expire September 1, 2017. Senate Bill (SB) 463, 85th Texas Legislature, Regular Session, 2017, extended the expiration date to September 1, 2019, and added TEC, §28.02541.

TEC, §28.02541, allows certain former students--those who entered high school prior to the 2011-2012 school year and completed all curriculum requirements but did not perform satisfactorily on the required assessments--to qualify for a high school diploma. Before 2011, these students were required to perform satisfactorily on exit-level Texas Assessment of Knowledge and Skills (TAKS) assessments in English language arts, mathematics, science, and social studies. Earlier cohorts were subject to prior exit-level assessments, including the Texas Assessment of Academic Skills (TAAS) and the Texas Educational Assessment of Minimum Skills (TEAMS). Statute requires the commissioner to adopt rules to administer TEC, §28.02541. The provisions of TEC, §28.02541, were initially set to expire September 1, 2019.

SB 213, 86th Texas Legislature, Regular Session, 2019, subsequently extended the expiration dates for both TEC, §28.0258 and §28.02541, to September 1, 2023. In 2021, House Bill (HB) 1603, 87th Texas Legislature, Regular Session, removed the expiration dates from both statutes, making the provisions of TEC, §28.0258 and §28.02541, permanent.

Section 74.1025 establishes the procedures for determining whether a student may qualify to graduate and receive a high school diploma based on an individual graduation committee (IGC) decision under TEC, §28.0258.

Section 74.1027 establishes the procedures for determining whether a student may qualify to graduate and receive a high school diploma under TEC, §28.02541.

The proposed amendments would remove the expiration dates from §74.1025 and §74.1027 to align with HB 1603, 87th Texas Legislature, Regular Session, 2021.

In addition, obsolete references to the 2014-2015 and 2017-2018 school years would be removed.

FISCAL IMPACT: Monica Martinez, associate commissioner for standards and programs, has determined that for the first five-year period the proposal is in effect, there are no additional costs to state or local government, including school districts and open-enrollment charter schools, required to comply with the proposal.

LOCAL EMPLOYMENT IMPACT: The proposal has no effect on local economy; therefore, no local employment impact statement is required under Texas Government Code, §2001.022.

SMALL BUSINESS, MICROBUSINESS, AND RURAL COMMUNITY IMPACT: The proposal has no direct adverse economic impact for small businesses, microbusinesses, or rural communities; therefore, no regulatory flexibility analysis, specified in Texas Government Code, §2006.002, is required.

COST INCREASE TO REGULATED PERSONS: The proposal does not impose a cost on regulated persons, another state agency, a special district, or a local government and, therefore, is not subject to Texas Government Code, §2001.0045.

TAKINGS IMPACT ASSESSMENT: The proposal does not impose a burden on private real property and, therefore, does not constitute a taking under Texas Government Code, §2007.043.

GOVERNMENT GROWTH IMPACT: TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would 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 expand, limit, or repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

PUBLIC BENEFIT AND COST TO PERSONS: Ms. Martinez has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be providing additional flexibility for students and former students who are seeking to graduate but have not met all assessment requirements. 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 August 21, 2026, and ends September 21, 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 August 21, 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/.

STATUTORY AUTHORITY. The amendments are proposed under TEC, §28.02541, which requires the commissioner of education to establish a procedure to determine whether certain students who entered Grade 9 before the 2011-2012 school year may qualify to graduate and receive a high school diploma; TEC, §28.0258, which requires each school district and open-enrollment charter school to establish an IGC for certain students who failed to perform satisfactorily on not more than two EOC assessments. This section requires the commissioner to adopt rules as necessary to implement the IGC requirement; and TEC, §28.0259, which requires the commissioner of education to adopt rules as necessary to implement the requirement for school districts to report through the Public Education Information Management System (PEIMS) the number of district students each school year for which an individual graduation committee.

CROSS REFERENCE TO STATUTE. The amendments implement TEC, §§28.02541, 28.0258, and 28.0259.

§74.1025. Individual Graduation Committee Review.

(a) In [~~Effective beginning with the 2014-2015 school year, in~~] accordance with [~~the~~] Texas Education Code (TEC), §28.0258; [~~,~~] §101.3022 of this title (relating to Assessment Requirements for Graduation); [~~,~~] and the course requirements in Chapter 74, Subchapter B, of this title (relating to Graduation Requirements), a school district or an open-enrollment charter school may award a high school diploma to a student who has taken but failed to achieve the end-of-course (EOC) assessment graduation requirements for no more than two courses if the student has qualified to graduate by means of an individual graduation committee.

(b) A school district or an open-enrollment charter school shall establish an individual graduation committee at the end of or after a student's 11th grade year to determine whether the student may qualify to graduate. A student may not qualify to graduate as a result of an individual graduation committee decision before the student's 12th grade year.

(c) A school district or an open-enrollment charter school may not establish an initial individual graduation committee for eligible students after June 10 or before the start of the next school year. Once the individual graduation committee has been established, it is the original individual graduation committee for that student.

(d) In order for a student to be included as a graduate in the school district's or charter school's graduation data in the school year in which the student meets the requirements provided by law to graduate under individual graduation committee provisions, an individual graduation committee must make a decision to award a diploma no later than August 31 immediately following that school year. A student who graduates as a result of an individual graduation committee decision after August 31 shall be reported in the subsequent year's graduation data.

(e) If a student leaves a school district after an original individual graduation committee has been established and before that original individual graduation committee awards a high school diploma to the student, any other district that later enrolls the student shall request information from the student's original individual graduation committee of record and shall implement the original individual graduation committee recommendations to the extent possible.

(f) The individual graduation committee shall consist of the following:

(1) the principal or principal's designee;

(2) for each EOC assessment instrument on which the student failed to perform satisfactorily, the teacher of the course;

(3) the department chair or lead teacher supervising the teacher described by paragraph (2) of this subsection; and

(4) as applicable:

(A) the student's parent or person standing in parental relation to the student;

(B) a designated advocate if the person described by subparagraph (A) of this paragraph is unable to serve; or

(C) the student, at the student's option, if the student is at least 18 years of age or is an emancipated minor.

(g) In the event that the teacher identified in subsection (f)(2) of this section is unavailable, the principal shall designate as an alternate member of the committee a teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is most familiar with the student's performance in that subject area.

(h) In the event that the individual identified in subsection (f)(3) of this section is unavailable, the principal shall designate as an alternate member of the committee an experienced teacher certified in the subject of the EOC assessment on which the student failed to perform satisfactorily and who is familiar with the content of and instructional practices for the applicable course.

(i) In the event that the student's parent or person standing in parental relation to the student is unavailable to participate in the individual graduation committee, the principal shall designate an advocate with knowledge of the student to serve as an alternate member of the committee.

(j) Each school district and open-enrollment charter school shall report through the Texas Student Data System Public Education Information Management System (TSDS PEIMS) the following:

(1) the number of students each school year for which an individual graduation committee is established; and

(2) the number of students each school year who are awarded a diploma based on the decision of an individual graduation committee.

(k) A district shall maintain documentation to support the decision of the individual graduation committee to award or not award a student a high school diploma.

(l) This section only applies to a student classified by the school district or open-enrollment charter school as an 11th or 12th grade student in the 2014-2015 school year or thereafter.

[~~(m) Provisions of this section expire September 1, 2023. A student may graduate by means of an individual graduation committee if the student has qualified for an individual graduation committee under the TEC, §28.0258, and the individual graduation committee convened prior to September 1, 2023.~~]

<u>(m)</u> [~~(n)~~] A student receiving special education services is not subject to the individual graduation committee requirements in [~~the~~] TEC, §28.0258, or the provisions of this section. As provided in §89.1070 of this title (relating to Graduation Requirements) and §101.3023 of this title (relating to Participation and Graduation Assessment Requirements for Students Receiving Special Education Services), a student's admission, review, and dismissal [~~(ARD)~~] committee determines whether a student is required to achieve satisfactory performance on an EOC assessment to graduate.

§74.1027. Diplomas for Certain Individuals Who Entered Grade 9 Before 2011-2012 School Year.

(a) <u>In</u> [~~Effective beginning with the 2017-2018 school year, in~~] accordance with [~~the~~] Texas Education Code (TEC), §28.02541, a school district or an open-enrollment charter school may award a high school diploma to an individual who:

(1) entered Grade 9 before the 2011-2012 school year;

(2) successfully completed the curriculum requirements for high school graduation applicable to the individual when the individual entered Grade 9;

(3) has not performed satisfactorily on an assessment instrument or a part of an assessment instrument required for high school graduation, including an alternate assessment instrument offered under TEC, §39.025(c-2);

(4) has been administered at least three times the required subject-areas test(s), including an alternate assessment as specified in paragraph (3) of this subsection, for which the individual has not performed satisfactorily on the exit-level assessment instrument applicable to the individual when the individual entered Grade 9; and

(5) meets the alternative requirements for graduation in accordance with subsection (c) of this section or the local alternative requirements approved by the board of trustees in accordance with subsection (d) of this section.

(b) The school district or open-enrollment charter school in which the individual is enrolled or was last enrolled shall determine whether the individual may qualify to graduate and receive a high school diploma on the basis of the alternative requirements for graduation.

(c) The alternative requirements for graduation shall permit an individual to qualify to graduate and receive a high school diploma if the individual:

(1) has met the performance standard on an alternate assessment as specified in §101.4003 of this title (relating to Texas Assessment of Knowledge and Skills Exit-Level Alternate Assessments);

(2) has performed satisfactorily on the applicable subject-area test of a state-approved high school equivalency examination in accordance with §89.43(a)(4) of this title (relating to Eligibility for a Texas Certificate of High School Equivalency);

(3) provides evidence of attainment of a Texas Education Agency-approved industry-recognized postsecondary license or certification;

(4) provides evidence of current active duty service in the armed forces or a DD Form 214 indicating honorable or general discharge from the armed forces; or

(5) has successfully completed college-level coursework and earned college credit.

(d) With approval by the school district board of trustees, a school district may develop recommendations for local alternative requirements if the requirements would allow an individual to demonstrate proficiency in the content related to an examination for which the individual has not performed satisfactorily.

(e) A decision regarding whether the individual qualifies to graduate and receive a high school diploma is final and may not be appealed.

(f) The school district or open-enrollment charter school shall maintain documentation to support the decision to award or not award an individual a high school diploma.

~~[(g) Provisions of this section expire September 1, 2023.]~~

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 August 10, 2026.

TRD-202603361
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 475-1497

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TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 380. RULES FOR STATE-OPERATED PROGRAMS AND FACILITIES

SUBCHAPTER A. ADMISSION, PLACEMENT, RELEASE, AND DISCHARGE

DIVISION 5. PROGRAM COMPLETION AND RELEASE

37 TAC §380.8565

The Texas Juvenile Justice Department (TJJD) proposes to amend 37 TAC, Part 11, §380.8565, Discharge of Youth with Determinate Sentences upon Transfer to TDCJ or Expiration of Sentence.

SUMMARY OF CHANGES

Amendments to §380.8565 will include adding that TJJD requests a juvenile court hearing to recommend the transfer of a youth to the Texas Department of Corrections (TDCJ), Correctional Institutions Division, if the youth is adjudicated or convicted of conduct that meets the following criteria: 1) the adjudication or conviction is classified as a first- or second-degree felony or is the offense of assault of a public servant; 2) the conduct occurred while the youth was committed to TJJD custody; 3) the youth was at least 16 years old when the conduct occurred; and 4) the youth has not completed the sentence.

FISCAL NOTE

Emily Anderson, Deputy Executive Director: Support Operations and Finance, has determined that, for each year of the first five years the amended section is in effect, there will be no significant fiscal impact for state government or local governments as a result of enforcing or administering the section.

PUBLIC BENEFITS/COSTS

Cameron Taylor, Policy Director, has determined that for each year of the first five years the amended section is in effect, the public benefit anticipated as a result of administering the section will be to clarify that youth who have engaged in certain conduct defined in the section are transferred to TDCJ.

Ms. Anderson has also determined that there will be no effect on small businesses, micro-businesses, or rural communities. There is no anticipated economic cost to persons who are required to comply with the amended section as proposed. No private real property rights are affected by adoption of the section.

GOVERNMENT GROWTH IMPACT

TJJD has determined that, during the first five years the amended section is in effect, the section will have the following impacts.

(1) The proposed section does not create or eliminate a government program.

(2) The proposed section does not require the creation or elimination of employee positions at TJJD.

(3) The proposed section does not require an increase or decrease in future legislative appropriations to TJJD.

(4) The proposed section does not impact fees paid to TJJD.

(5) The proposed section does not create a new regulation.

(6) The proposed section does not expand, limit, or repeal an existing regulation.

(7) The proposed section does not increase or decrease the number of individuals subject to the section's applicability.

(8) The proposed section will not positively or adversely affect this state's economy.

PUBLIC COMMENTS

Comments on the proposal may be submitted within 30 days after publication of this notice to Texas Juvenile Justice Department, Policy and Standards Section, P.O. Box 12757, Austin, Texas 78711, or via email to policy.proposals@tjjd.texas.gov.

STATUTORY AUTHORITY

The amended section is proposed under §242.003, Human Resources Code, which requires the Board to adopt rules appropriate to properly accomplish TJJD's functions and to adopt rules for governing TJJD schools, facilities, and programs; and §244.014(a-1), Human Resources Code, which requires TJJD to refer a child with a determinate sentence to the juvenile court for a hearing for possible transfer to the TDCJ for confinement if the child is convicted or adjudicated for certain conduct.

No other statute, code, or article is affected by this proposal.

§380.8565. Discharge of Youth with Determinate Sentences upon Transfer to TDCJ or Expiration of Sentence.

(a) Purpose. This rule establishes criteria and an approval process for:

(1) requesting court approval to transfer sentenced offenders to adult prison; and

(2) discharging sentenced offenders:

(A) whose sentences have expired; or

(B) who did not previously qualify for release or transfer by completing required programming.

(b) Applicability.

(1) This rule applies only to the disposition of a youth's determinate sentence(s).

(2) This rule applies only to sentenced offenders.

(3) This rule does not apply to:

(A) sentenced offenders who qualify for release or transfer to parole by completing required programming. See §380.8559 of this chapter; or

(B) sentenced offenders adjudicated for capital murder. See §380.8569 of this chapter.

(c) General Requirements.

(1) By law, a sentenced offender is transferred from the custody of the Texas Juvenile Justice Department (TJJD) no later than the youth's 19th birthday.

(2) The youth must serve the entire minimum period of confinement that applies to the committing offense in a high-restriction facility unless:

(A) the youth is transferred by the committing court to the Texas Department of Criminal Justice-Correctional Institutions Division (TDCJ-CID);

(B) the youth is approved by the committing court to attain parole status before completing the minimum period of confinement;

(C) the youth's sentence expires before the minimum period of confinement expires; or

(D) the executive director waives the requirement that the youth be assigned to a high-restriction facility. This subparagraph does not allow a youth to be placed on parole status.

(3) TJJD reviews each youth's progress:

(A) six months after admission to TJJD;

(B) when the minimum period of confinement is complete;

(C) when the youth becomes 16 years of age;

(D) when the youth becomes 18 years of age and again at 18 years and six months of age to determine eligibility or make a recommendation for transfer to TDCJ-CID or to the Texas Department of Criminal Justice-Parole Division (TDCJ-PD);

(E) within 45 days after revocation of parole, if applicable; and

(F) at other times as appropriate, such as after a major rule violation is proven at a Level II hearing.

(4) TJJD jurisdiction is terminated and a youth is discharged when:

(A) the youth is transferred to TDCJ; or

(B) the youth's sentence has expired, except when the youth is committed to TJJD under concurrent determinate and indeterminate commitment orders as described in §380.8525 of this chapter.

(d) Transfer Criteria.

(1) Transfer to TDCJ-CID for Youth Whose Conduct Occurs While on Parole Status. TJJD may request a juvenile court hearing to recommend transfer of a youth to TDCJ-CID if all of the following criteria are met:

(A) the youth's parole has been revoked or the youth has been adjudicated or convicted of a felony offense occurring while on parole status;

(B) the youth is at least age 16;

(C) the youth has not completed the sentence; and

(D) the youth's conduct indicates that the welfare of the community requires the transfer.

(2) Transfer to TDCJ-CID for Youth Whose Conduct Occurs While in a High-Restriction Facility. TJJD may request a juvenile court hearing to recommend transfer of a youth in a high-restriction facility to TDCJ-CID if the following criteria are met:

(A) the youth is at least age 16; and

(B) except as provided by subparagraph (D)(i) of this paragraph, the youth has spent at least six months in high-restriction facilities, which is counted as follows:

(i) if the youth received a determinate sentence for conduct that occurred in the community, the six months begins upon admission to TJJD; or

(ii) if the youth received a determinate sentence for conduct that occurred in a TJJD or contract facility, the six months begins upon the youth's initial admission to TJJD, regardless of whether the initial admission resulted from a determinate or indeterminate commitment; and

(C) the youth has not completed the sentence; and

(D) the youth meets at least one of the following behavior criteria:

(i) the youth has engaged in conduct meeting the elements of a felony or Class A misdemeanor while assigned to a residential facility; however, if the conduct meets the elements of the offense of assault of a public servant as defined in §22.01, Penal Code, subparagraph (B) of this paragraph does not apply; or

(ii) the youth has committed major rule violations as proven at a Level II due process hearing on three or more occasions; or

(iii) the youth has engaged in conduct that has resulted in at least five security program admissions or extensions in one month or ten in three months (see §380.9740 of this chapter for information on the security program); or

(iv) the youth has demonstrated an unwillingness to progress in the rehabilitation program due to persistent non-compliance with objectives; and

(E) alternative interventions have been tried without success; and

(F) the youth's conduct indicates that the welfare of the community requires the transfer.

(3) Transfer to TDCJ-CID for Youth Engaged in Certain Conduct. Notwithstanding paragraphs (1) and (2) of this subsection, TJJD shall request a juvenile court hearing to recommend transfer of a youth if the youth is adjudicated for or convicted of conduct that meets the following criteria:

(A) the adjudication or conviction is classified as a first-degree felony or a second-degree felony, or is the offense of assault of a public servant under §22.01(b)(1), Penal Code;

(B) the conduct occurred while the youth was committed to TJJD custody;

(C) the youth was at least age 16 when the conduct occurred; and

(D) the youth has not completed the sentence.

(4) [~~(3)~~] Transfer to TDCJ-PD for Youth in Residential Facilities. A youth in a residential facility who has not met program completion criteria in §380.8559 of this chapter and who has not received court approval for transfer to TDCJ-CID must be transferred to TDCJ-PD no later than the youth's 19th birthday.

(5) [~~(4)~~] Transfer to TDCJ-PD for Youth on TJJD Parole. A youth on TJJD parole must be transferred to TDCJ-PD no later than the youth's 19th birthday.

(e) Transfer Recommendation for Youth Who Will Not Complete the Minimum Period of Confinement before Age 19. TJJD requests a court hearing for any youth who cannot complete the minimum period of confinement by the 19th birthday. The purpose of the hearing is to determine whether the youth will be transferred to TDCJ-CID or to TDCJ-PD. Notwithstanding the criteria in subsection (d)(2) of this section, TJJD considers the following factors in forming a recommendation for the committing court:

(1) length of stay in TJJD;

(2) youth's progress in the rehabilitation program;

(3) youth's behavior while in TJJD;

(4) youth's offense/delinquent history; and

(5) any other relevant factors, such as:

(A) risk factors and protective factors the youth possesses as identified in the youth's psychological evaluation;

(B) the welfare of the community; and

(C) participation in or completion of statutorily required rehabilitation programming, including but not limited to:

(i) participation in a reading improvement program for identified youth to the extent required under §380.9155 of this chapter;

(ii) participation in a positive behavior support system to the extent required under §380.9155 of this chapter; and

(iii) completion of at least 12 hours of a gang intervention education program, if required by court order.

(f) Discharge Criteria. TJJD discharges youth from its jurisdiction when one of the following occurs:

(1) expiration of the sentence imposed by the juvenile court, unless the youth is under concurrent commitment orders as described in §380.8525 of this chapter; or

(2) the youth has been transferred to TDCJ-CID under court order or transferred to TDCJ-PD.

(g) Approval Process for Transfer to TDCJ-CID or TDCJ-PD.

(1) Before staff submit a recommendation for transfer to TDCJ-CID or TDCJ-PD, a determinate sentence review shall be held.

(2) TJJD notifies the youth and the youth's parent/guardian of a pending determinate sentence review. The notification informs the recipients that they have the opportunity to present information in person or to submit written comments to TJJD. The notification also specifies the date by which the comments or the request to present in-person information must be received.

(3) Approval from the final decision authority is required before requesting a hearing with the committing juvenile court or initiating a transfer to TDCJ-PD.

(4) A hearing with the committing juvenile court shall be requested when a youth cannot complete the minimum period of confinement before age 19.

(5) The final decision authority ensures the youth's community reentry/transition plan adequately addresses risk factors before approving the transfer from a high-restriction facility to TDCJ-PD.

(6) A youth may not be transferred to TDCJ-CID unless the committing juvenile court orders the transfer.

(h) Active Warrants. At least ten calendar days before the youth's transfer or release, TJJD notifies any entity that has issued an active warrant for the youth.

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 August 5, 2026.

TRD-202603300
Jana Jones
General Counsel
Texas Juvenile Justice Department
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 490-7130

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SUBCHAPTER B. TREATMENT
DIVISION 1. PROGRAM PLANNING

37 TAC §380.8702

The Texas Juvenile Justice Department (TJJD) proposes to amend 37 TAC, Part 11, §380.8702, Rehabilitation Program Overview.

SUMMARY OF CHANGES

Amendments to §380.8702 will include: 1) adding information related to the residential treatment model framework; 2) describing the core tools used in the treatment model framework, including behavior analysis, treatment targets, behavior modification principles, skills training, and youth and family involvement; 3) adding the expectation that residential treatment is oriented around clear behavioral expectations and privileges associated with progress; 4) outlining TJJD staff priorities that encourage motivation and engagement, including goal-setting with youth, collaborative planning, validating engagement, adaptation of treatment delivery to fit the youth, and explicit linkage between participation in treatment and youth's goals; 5) adding that the TJJD environment will be structured to reinforce skillful behavior in real time, block or weaken outcomes that reinforce unsafe or unskillful behavior, provide opportunities for skillful behavior, generalize skills across settings and staff, and teach youth to structure their own environments and select effective skills that maximize success; and 6) adding descriptions of egregious maladaptive behavior categories that TJJD staff will target, including life-threatening and aggressive; escape, abscond, and evasion; treatment-interfering and program-destroying; and quality-of-life-interfering.

FISCAL NOTE

Emily Anderson, Deputy Executive Director: Support Operations and Finance, has determined that, for each year of the first five years the amended section is in effect, there will be no significant fiscal impact for state government or local governments as a result of enforcing or administering the section.

PUBLIC BENEFITS/COSTS

Cameron Taylor, Policy Director, has determined that for each year of the first five years the amended section is in effect, the public benefit anticipated as a result of administering the section will be to provide specific information pertaining to TJJD's residential treatment model framework.

Ms. Anderson has also determined that there will be no effect on small businesses, micro-businesses, or rural communities. There is no anticipated economic cost to persons who are required to comply with the amended section as proposed. No private real property rights are affected by adoption of the section.

GOVERNMENT GROWTH IMPACT

TJJD has determined that, during the first five years the amended section is in effect, the section will have the following impacts.

(1) The proposed section does not create or eliminate a government program.

(2) The proposed section does not require the creation or elimination of employee positions at TJJD.

(3) The proposed section does not require an increase or decrease in future legislative appropriations to TJJD.

(4) The proposed section does not impact fees paid to TJJD.

(5) The proposed section does not create a new regulation.

(6) The proposed section does not expand, limit, or repeal an existing regulation.

(7) The proposed section does not increase or decrease the number of individuals subject to the section's applicability.

(8) The proposed section will not positively or adversely affect this state's economy.

PUBLIC COMMENTS

Comments on the proposal may be submitted within 30 days after publication of this notice to Texas Juvenile Justice Department, Policy and Standards Section, P.O. Box 12757, Austin, Texas 78711, or via email to policy.proposals@tjjd.texas.gov.

STATUTORY AUTHORITY

The amended section is proposed under §242.003, Human Resources Code, which requires the Board to adopt rules appropriate to properly accomplish TJJD's functions and to adopt rules for governing TJJD schools, facilities, and programs.

No other statute, code, or article is affected by this proposal.

§380.8702. Rehabilitation Program Overview.

(a) Purpose. The purpose of this rule is to identify the philosophy and approach of the Texas Juvenile Justice Department (TJJD) to the rehabilitation of youth in TJJD's care in order to reduce future delinquent behavior and increase public safety.

(b) Applicability. This rule applies to youth committed to TJJD.

(c) Definitions. See §380.8501 of this chapter for definitions of terms used in this rule.

(d) General Provisions.

(1) TJJD provides a trauma-informed rehabilitative program that is focused on delivering needed treatment, assessing behavioral progress, assessing increases in protective factors and decreases in risk factors, and assessing the ability of youth to use skills learned in treatment and programming.

(2) All treatment and programming is delivered in the least restrictive setting appropriate to the youth, consistent with the rules of this chapter.

(3) To the extent possible, TJJD's rehabilitative program offers programs that ensure youth receive appropriate rehabilitation services, including those recommended by the committing court.

(4) All aspects of the TJJD rehabilitation program are individualized and performance-based, with clearly defined expectations as set forth in §380.8703 of this chapter.

(5) Each youth's individual progress is reviewed monthly. The review addresses identified risk and protective factors and individual abilities.

(6) As youth progress in the rehabilitation program, there are increased expectations for demonstrating developed skills and social responsibility, a decreased need for staff intervention, and an increase in earned privileges.

(7) TJJD facilities maintain a structured daily schedule for all youth. Each day, youth work on components of the rehabilitation program.

(8) TJJD facilities provide for and youth are required to participate in a structured, individually appropriate educational program or equivalent, with appropriate supports.

(9) TJJD facilities provide and eligible youth may participate in work experiences.

(10) TJJD facilities must provide and youth are given the opportunity to participate in regular large-muscle exercise and recreation programs.

(11) Staff members receive appropriate training and certification related to their role in the rehabilitation program and the types of services they provide.

(12) TJJD may pilot new programs or program components for youth whose needs cannot be met by existing program components.

<u>(e) Residential Treatment Model Framework.</u>

<u>(1) TJJD delivers rehabilitation through a residential, milieu-based model. Treatment occurs where youth live, learn, and recreate skillful behavior, and treatment is reinforced across daily routines. The model coordinates core tools to directly target problem behavior and build replacement skills, including:</u>

<u>(A) behavior analysis (including behavior chain analysis);</u>

<u>(B) TJJD treatment target hierarchy;</u>

<u>(C) behavior modification principles (e.g., reinforcement, shaping, extinction, contingency management);</u>

<u>(D) skills training model and curriculum; and</u>

<u>(E) youth and family involvement in treatment.</u>

(2) Residential treatment delivery is oriented around clear behavioral expectations and privileges associated with progress. Treatment links participation to the youth's own goals and introduces motivation and commitment strategies for staff use (e.g., attainable goal setting, reinforcement of adaptive/skillful behavior, structuring routines and the environment, and providing opportunities to practice skills).

(3) TJJD staff encourage motivation and engagement by prioritizing:

(A) conversations with youth oriented around specific goals and the future;

(B) collaborative planning and unified efforts among staff;

(C) consistent interactions and validating engagement with youth;

(D) adaptation of the treatment delivery to a youth's developmental and cognitive level; and

(E) explicit linkage between participation in treatment and the youth's goals and progress.

(4) TJJD structures the environment so investment in treatment is continuously expected. Daily schedules, living-unit routines, and programming are organized to allow staff to:

(A) prompt, model, and reinforce skillful behavior in real time;

(B) block or weaken outcomes that previously reinforced unsafe or unskillful behavior;

(C) provide frequent, predictable opportunities for shaping successful use of skillful behavior;

(D) generalize skills across settings and staff; and

(E) teach youth to structure their own environments, recognize triggers, select effective skills, and arrange protective factors that maximize short- and long-term success.

(5) Staff prioritize behavior targets using the TJJD treatment hierarchy and concentrate efforts on the most egregious maladaptive behaviors engaged in by a youth at any given time to help ensure meaningful treatment delivery.

(A) Life-Threatening and Aggressive Behavior Targets. Assaultive conduct, sexual aggression, and other dangerous behavior are prioritized in the treatment hierarchy because these behaviors directly threaten others' safety and security and interrupt the youth's treatment participation. When such behavior occurs, staff use an immediate, effective response to protect safety and return the youth to programming as quickly as possible.

(B) Escape, Abscond, and Evasion Behavior Targets. Escape, abscond, and evasion behaviors are the second priority in the treatment hierarchy because a youth cannot access treatment or consistently practice skills when a youth is absent or intent on evasion of treatment. These behaviors are addressed to restore engagement and stabilize predictable participation.

(C) Treatment-Interfering and Program-Destroying Behavior Targets. This category of the treatment hierarchy is considered third in severity and includes behaviors that erode treatment effectiveness (e.g., minimal or sporadic participation, disruption of group work or milieu routines, and conduct that discourages the motivation of staff and providers). Interventions focus on responsivity, restoring predictable expectations and routines, and protecting the treatment milieu to provide all youth the opportunity to participate in programming.

(D) Quality-of-Life-Interfering Behavior Targets. This category includes behaviors that destabilize overall individual functioning, such as: substance abuse; persistent negative thought patterns, beliefs, or interpersonal interactions; or conduct that undermines basic needs (e.g., neglecting education, hygiene, clothing, or health). These behaviors are addressed to create or restore the stability and engagement required for skill acquisition and sustained progress.

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 August 5, 2026.

TRD-202603301
Jana Jones
General Counsel
Texas Juvenile Justice Department
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 490-7130

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SUBCHAPTER E. BEHAVIOR MANAGEMENT AND YOUTH DISCIPLINE

DIVISION 1. BEHAVIOR MANAGEMENT

37 TAC §§380.9503 - 380.9505

The Texas Juvenile Justice Department (TJJD) proposes to amend 37 TAC, Part 11, §380.9503, Rules and Consequences for Residential Facilities, and §380.9504, Rules and Consequences for Youth on Parole. TJJD also proposes new §380.9505, Egregious Behavior Protocol.

SUMMARY OF CHANGES

Amendments to §380.9503 will include: 1) updating language related to major rule violations to include that major rule violations are considered the most serious incidents and are categorized in the TJJD treatment hierarchy as life-threatening behavior targets; escape, abscond, and evasion behavior targets; or treatment-interfering or program-destroying behavior targets; 2) clarifying that responsive treatment is based on the degree of interference or intrusiveness such conduct has on any youth's ability to effectively engage in treatment; 3) adding *assault by threat, chunking fluids other than bodily fluids,* and *obstruction or retaliation* as a major rule violation; and 4) updating language related to minor rule violations to clarify that minor rule violations are considered treatment-interfering behavior targets, program-destroying behavior targets, or quality-of-life-interfering behavior targets.

Amendments to §380.9504 will include updating language related to parole rule violations to include that parole rule violations are categorized in the TJJD treatment hierarchy based on the degree of interference or intrusiveness such conduct has on any youth's ability to engage effectively in treatment.

New §380.9505 will include: 1) the rule's applicability and general provisions; and 2) information pertaining to the egregious behavior protocol, safety-based measures, and youth returning to regular programming.

FISCAL NOTE

Emily Anderson, Deputy Executive Director: Support Operations and Finance, has determined that, for each year of the first five years the new and amended sections are in effect, there will be no significant fiscal impact for state government or local governments as a result of enforcing or administering the sections.

PUBLIC BENEFITS/COSTS

Cameron Taylor, Policy Director, has determined that for each year of the first five years the new and amended sections are in effect, the public benefit anticipated as a result of administering the sections will be: 1) to align existing rules with TJJD's current treatment model; 2) to update what constitutes major and minor rule violations; and 3) to provide information pertaining to TJJD's egregious behavior protocol, safety-based measures, and youth returning to regular programming.

Ms. Anderson has also determined that there will be no effect on small businesses, micro-businesses, or rural communities. There is no anticipated economic cost to persons who are required to comply with the new and amended sections as proposed. No private real property rights are affected by adoption of the sections.

GOVERNMENT GROWTH IMPACT

TJJD has determined that, during the first five years the new and amended sections are in effect, the sections will have the following impacts.

(1) The proposed sections do not create or eliminate a government program.

(2) The proposed sections do not require the creation or elimination of employee positions at TJJD.

(3) The proposed sections do not require an increase or decrease in future legislative appropriations to TJJD.

(4) The proposed sections do not impact fees paid to TJJD.

(5) The proposed sections do not create a new regulation.

(6) The proposed sections do not expand, limit, or repeal an existing regulation.

(7) The proposed sections do not increase or decrease the number of individuals subject to the section's applicability.

(8) The proposed sections will not positively or adversely affect this state's economy.

PUBLIC COMMENTS

Comments on the proposal may be submitted within 30 days after publication of this notice to Texas Juvenile Justice Department, Policy and Standards Section, P.O. Box 12757, Austin, Texas 78711, or via email to policy.proposals@tjjd.texas.gov.

STATUTORY AUTHORITY

The new and amended sections are proposed under §242.003, Human Resources Code, which requires the Board to adopt rules appropriate to properly accomplish TJJD's functions and to adopt rules for governing TJJD schools, facilities, and programs.

No other statute, code, or article is affected by this proposal.

§380.9503. Rules and Consequences for Residential Facilities.

(a) Purpose. This rule establishes the actions that constitute violations of the rules of conduct for residential facilities. Violations of the rules may result in disciplinary consequences that are proportional to the severity and extent of the violation. Appropriate due process, including a consideration of extenuating circumstances, shall be followed before imposing disciplinary consequences.

(b) Applicability. This rule applies to youth assigned to residential facilities operated by the Texas Juvenile Justice Department (TJJD).

(c) Definitions. The following terms, as used in this rule, have the following meanings unless the context clearly indicates otherwise.

(1) Attempt to Commit--a youth, with specific intent to commit a rule violation, engages in conduct that amounts to more than mere planning that tends but fails to effect the commission of the intended rule violation.

(2) Bodily Injury--physical pain, illness, or impairment of physical condition. Fleeting pain or minor discomfort does not constitute bodily injury.

(3) Direct Someone to Commit--occurs when:

(A) a youth communicates with another youth;

(B) the communication is intended to cause the other youth to commit a rule violation; and

(C) the other youth commits or attempts to commit a rule violation.

(4) Possession--actual care, custody, control, or management. It does not require the item to be on or about the youth's person.

(d) General Provisions.

(1) Formal incident reports are completed for alleged rule violations as required by internal operational procedures.

(2) A formal incident report is not proof that a youth committed an alleged rule violation. An incident report or other document describing conduct is not something that can be appealed or grieved; only the results of a hearing or rule-violation review may be appealed, as provided below.

(3) When a youth is found to be in possession of prohibited money as defined in this rule, a Level II hearing is required to seize the money. Seized money shall be placed in the student benefit fund in accordance with §380.9555 of this chapter.

(4) This paragraph applies only to youth not on parole status who are alleged to have engaged in conduct classified as a first- or second-degree felony while in a residential facility operated by or under contract with TJJD. A Level II hearing shall be requested on these youth unless it is determined that, given all circumstances, a Level II hearing is not appropriate. Such decision shall be documented. If a requested Level II hearing is held and the allegation is proved, the youth shall be reviewed for the most restrictive setting appropriate, including the intervention program described by §380.9510 of this chapter.

(e) Disciplinary Consequences.

(1) Disciplinary consequences shall be established in writing in TJJD's procedural manuals. Appropriate disciplinary consequences may be imposed only if the consequences are established in writing in TJJD's procedural manuals prior to the occurrence of the conduct for which the consequence is issued.

(2) Disciplinary consequences may include, but are not limited to, the following:

(A) suspension of privileges;

(B) restriction from planned activities;

(C) trust-fund restriction; and

(D) disciplinary transfer to a high-restriction facility (available only for youth on institutional status in a medium-restriction facility).

(3) The following are prohibited as disciplinary consequences:

(A) corporal or unusual punishment;

(B) subjecting a youth to humiliation, harassment, or physical or mental abuse;

(C) subjecting a youth to personal injury;

(D) subjecting a youth to property damage or disease;

(E) punitive interference with the daily functions of living, such as eating or sleeping;

(F) purposeless or degrading work, including group exercise as a consequence;

(G) placement in the intervention program under §380.9510 of this chapter;

(H) disciplinary isolation; and

(I) extending a youth's stay in a TJJD facility.

(4) A Level II hearing is required before imposing a disciplinary consequence that materially alters a youth's living conditions, including disciplinary transfer from a medium-restriction facility to a high-restriction facility. TJJD's procedural manuals will specify which disciplinary consequences require a Level II hearing. Disciplinary consequences requiring a Level II hearing are considered major consequences.

(5) This paragraph applies only to youth in high-restriction facilities. To impose a disciplinary consequence that does not require a Level II hearing, a rule-violation review is required. A rule-violation review is a process by which staff review evidence to determine whether a rule violation occurred. A rule-violation review results in a finding that the alleged violation is proven, the alleged violation is not proven, or a different rule was violated than the one alleged. A rule violation is proven if a preponderance of the evidence proves behavior meeting the definition of a rule violation occurred. The following steps are to be taken for every rule-violation review, regardless of whether a consequence is sought:

(A) a written description of the incident must be prepared;

(B) staff must notify the youth which rule violation the youth allegedly committed;

(C) staff must notify the youth which disciplinary consequence(s) staff is considering imposing, if any;

(D) the youth must be given the opportunity to review the relevant evidence considered by staff and to present the youth's own relevant evidence; and

(E) the youth must be given the opportunity to address the allegation, including providing any extenuating circumstances and information on the appropriateness of the intended consequence(s).

(6) If a Level II hearing is not required, a Level III hearing must occur before imposing disciplinary consequences for a youth in a medium-restriction facility, in accordance with §380.9557 of this chapter.

(f) Review and Appeal of Consequences.

(1) All disciplinary consequences shall be reviewed for policy compliance by the facility administrator or designee within three calendar days after issuance. The reviewing staff shall not be the staff who issued the discipline.

(2) The reviewing staff may remove or reduce any disciplinary consequence determined to be excessive or not validly related to the nature or seriousness of the conduct.

(3) Youth may appeal disciplinary consequences issued through a Level II hearing by filing an appeal in accordance with §380.9555 of this chapter.

(4) Youth in medium-restriction facilities may appeal disciplinary consequences issued through a Level III hearing by filing an appeal in accordance with §380.9557 of this chapter.

(5) The findings and disposition from a rule-violation review are not grievable, but they may be appealed to the facility administrator or designee on the grounds that the youth did not commit the rule violation found proven during the review, that the consequence is not appropriate, or that the youth was not provided with the requisite notice or opportunity to be heard. If the result of a rule-violation review is overturned, that fact shall be documented appropriately.

(g) Major Rule Violations. It is a violation to knowingly commit, attempt to commit, direct someone to commit, or aid someone else in committing any of the following conduct. [~~:~~] Major rule violations are considered the most serious incidents and are categorized in the TJJD treatment hierarchy as life-threatening behavior targets; escape, abscond, and evasion behavior targets; or treatment-interfering or program-destroying behavior targets. Responsive treatment is based on the degree of interference or intrusiveness such conduct has on any youth's ability to effectively engage in treatment, including placing a youth on the egregious behavior protocol and other appropriate levels of intervention.

(1) Assault by Threat--intentionally or knowingly threatening another with imminent bodily injury.

(2) [~~(1)~~] Assault of Another Youth (No Injury)--intentionally, knowingly, or recklessly engaging in conduct with the intent to cause bodily injury to another youth but the conduct does not result in bodily injury.

(3) [~~(2)~~] Assault of Staff (No Injury)--intentionally, knowingly, or recklessly engaging in conduct with the intent to cause bodily injury to a staff member, contract employee, or volunteer with the intent to cause injury but the conduct does not result in bodily injury.

(4) [~~(3)~~] Assault Causing Bodily Injury to Another Youth--intentionally, knowingly, or recklessly engaging in conduct that causes another youth to suffer bodily injury.

(5) [~~(4)~~] Assault Causing Bodily Injury to Staff--intentionally, knowingly, or recklessly engaging in conduct that causes a staff member, contract employee, or volunteer to suffer bodily injury.

(6) [~~(5)~~] Attempted Escape--committing an act with specific intent to escape that amounts to more than mere planning that tends but fails to effect an escape.

(7) [~~(6)~~] Chunking Bodily Fluids--causing a person to contact the blood, seminal fluid, vaginal fluid, saliva, urine, and/or feces of another with the intent to harass, alarm, or annoy another person.

(8) Chunking Other Fluids--causing a person to contact any fluid or liquid not considered a bodily fluid with the intent to harass, alarm, or annoy another person.

(9) [~~(7)~~] Distribution of Prohibited Substances--distributing or selling any prohibited substances or items.

(10) [~~(8)~~] Escape--leaving a high-restriction residential placement without permission or failing to return from an authorized leave.

(11) [~~(9)~~] Extortion or Blackmail--demanding or receiving favors, money, actions, or anything of value from another in return for protection against others, to avoid bodily harm, or in exchange for not reporting a violation.

(12) [~~(10)~~] Failure to Comply with Electronic Monitoring Program Conditions (for Youth in Medium-Restriction Residential Placement)--failing to comply with one of the following conditions required by the youth's electronic monitoring program conditions:

(A) remain at the address listed at all designated times;

(B) follow curfew restriction as stated in the youth's conditions of placement or conditions of parole;

(C) remain at the approved placement while on electronic monitoring, going only to school, approved activities, religious functions, and medical/psychological appointments and then return to the approved placement, in accordance with the schedule identified in the conditions of placement or conditions of parole;

(D) wear the electronic monitoring device 24 hours a day;

(E) allow a TJJD staff member to enter the youth's residence to install, maintain, and inspect the device if required;

(F) notify the electronic monitoring officer as soon as possible within 24 hours if the youth experiences any problems with the electronic monitoring system; and

(G) charge the device daily for a minimum of one hour continuously in the morning and one hour continuously in the evening.

(13) [~~(11)~~] Fighting Not Resulting in Bodily Injury--engaging in a mutually instigated physical altercation with another person or persons that does not result in bodily injury.

(14) [~~(12)~~] Fighting That Results in Bodily Injury--engaging in a mutually instigated physical altercation with another person or persons that results in bodily injury.

(15) [~~(13)~~] Fleeing Apprehension--running from or refusing to come to staff when called and such act results in disruption of facility operations.

(16) [~~(14)~~] Misuse of Medication--using medication provided to the youth by authorized personnel in a manner inconsistent with specific instructions for use, including removing the medication from the dispensing area.

(17) Obstruction or Retaliation--intentionally or knowingly threatening to harm another person on account of that person's status as a public servant or to prevent or delay the service of another person as a public servant, prospective witness, or informant.

(18) [~~(15)~~] Participating in a Major Disruption of Facility Operations--intentionally engaging in conduct that poses a threat to persons or property and substantially disrupts the performance of facility operations or programs.

(19) [~~(16)~~] Possessing, Selling, or Attempting to Purchase Ammunition--possessing, selling, or attempting to purchase ammunition.

(20) [~~(17)~~] Possession of Prohibited Items--possessing the following prohibited items:

(A) cellular telephone;

(B) matches or lighters;

(C) jewelry, unless allowed by facility rules;

(D) money in excess of the amount or in a form not permitted by facility rules (see §380.9555 of this chapter for procedures concerning seizure of such money);

(E) pornography;

(F) items which have been fashioned to produce tattoos or body piercing;

(G) cleaning products when the youth is not using them for a legitimate purpose; or

(H) other items that are being used inappropriately in a way that poses a danger to persons or property or threatens facility security.

(21) [~~(18)~~] Possessing, Selling, or Attempting to Purchase a Weapon--possessing, selling, or attempting to purchase a weapon or an item that has been made or adapted for use as a weapon.

(22) [~~(19)~~] Possession or Use of Prohibited Substances and Paraphernalia--possessing or using any unauthorized substance, including controlled substances or intoxicants, medications not prescribed for the youth by authorized medical or dental staff, alcohol, tobacco products, or related paraphernalia such as that used to deliver or make any prohibited substance.

(23) [~~(20)~~] Refusing a Drug Screen--refusing to take a drug screen when requested to do so by staff or tampering with or contaminating the urine sample provided for a drug screen. Note: If the youth says he/she cannot provide a sample, the youth shall be given water to drink and two hours to provide the sample.

(24) [~~(21)~~] Refusing a Search--refusing to submit to an authorized search of person or area.

(25) [~~(22)~~] Repeated Non-Compliance with a Written, Reasonable Request of Staff (for Youth in Medium-Restriction Residential Placement)--failing on two or more occasions to comply with a specific written, reasonable request of staff. If the request requires the youth to do something daily or weekly, the two failures to comply must be within a 30-day period. If the request requires the youth to do something monthly, the two failures to comply must be within a 60-day period.

(26) [~~(23)~~] Sexual Misconduct--intentionally or knowingly engaging in any of the following:

(A) causing contact, including penetration (however slight), between the penis and the vagina or anus; between the mouth and penis, vagina or anus; or penetration (however slight) of the anal or genital opening of another person by hand, finger, or other object;

(B) touching or fondling, either directly or through clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of another person;

(C) kissing for sexual stimulation;

(D) exposing the anus, buttocks, breasts, or genitals to another or exposing oneself knowing the act is likely to be observed by another person; or

(E) masturbating in an open and obvious way, whether or not the genitals are exposed.

(27) [~~(24)~~] Stealing--intentionally taking property with an estimated value of $100 or more from another without permission.

(28) [~~(25)~~] Tampering with Monitoring Equipment--a youth intentionally or knowingly tampers with monitoring equipment assigned to any youth.

(29) [~~(26)~~] Tampering with Safety Equipment--intentionally tampering with, damaging, or blocking any device used for safety or security of the facility. This includes, but is not limited to, any locking device or item that provides security access or clearance, any fire alarm or fire suppression system or device, video camera, radio, telephone (when the tampering prevents it from being used as necessary for safety and/or security), handcuffs, or shackles.

(30) [~~(27)~~] Tattooing/Body Piercing--engaging in tattooing or body piercing of self or others. Tattooing is defined as making a mark on the body by inserting pigment into the skin.

(31) [~~(28)~~] Threatening Another with a Weapon--intentionally and knowingly threatening another with a weapon. A weapon is something that is capable of inflicting bodily injury in the manner in which it is being used.

(32) [~~(29)~~] Unauthorized Absence--leaving a medium-restriction residential placement without permission or failing to return from an authorized leave.

(33) [~~(30)~~] Vandalism--intentionally causing $100 or more in damage to state property or personal property of another.

(34) [~~(31)~~] Violation of Any Law--violating a Texas or federal law that is not already defined as a major or minor rule violation.

(h) Minor Rule Violations. It is a violation to knowingly commit, attempt to commit, direct someone to commit, or aid someone else in committing any of the following conduct. [~~:~~] In terms of the TJJD treatment hierarchy, minor rule violations are considered treatment-interfering behavior targets, program-destroying behavior targets, or quality-of-life-interfering behavior targets.

(1) Breaching Group Confidentiality--disclosing or discussing information provided in a group session to another person not present in that group session.

(2) Disruption of Program--engaging in behavior that requires intervention to the extent that the current program of the youth and/or others is disrupted. This includes, but is not limited to:

(A) disrupting a scheduled activity;

(B) being loud or disruptive without staff permission;

(C) using profanity or engaging in disrespectful behavior toward staff or peers; or

(D) refusing to participate in a scheduled activity or abide by program rules.

(3) Failure to Abide by Dress Code--failing to follow the rules of dress and appearance as provided by facility rules.

(4) Failure to do Proper Housekeeping--failing to complete the daily chores of cleaning the living environment to the expected standard.

(5) Gang Activity--participating in an activity or behavior that promotes the interests of a gang or possessing or exhibiting anything related to or signifying a gang, such as, but not limited to, gang-related literature, symbols, or signs.

(6) Gambling or Possession of Gambling Paraphernalia--engaging in a bet or wager with another person or possessing paraphernalia that may be used for gambling.

(7) Horseplay--engaging in wrestling, roughhousing, or playful interaction with another person or persons that does not rise to the level of an assault. Horseplay does not result in any party getting upset or causing injury to another.

(8) Improper Use of Telephone/Mail/Computer--using the mail, a computer, or the telephone system for communication that is prohibited by facility rules, at a time prohibited by facility rules, or to inappropriately access information.

(9) Lending/Borrowing/Trading Items--lending or giving to another youth, borrowing from another youth, or trading with another youth possessions, including food items, without permission from staff.

(10) Lying/Falsifying Documentation/Cheating--lying or withholding information from staff, falsifying a document, and/or cheating on an assignment or test.

(11) Possession of an Unauthorized Item--possessing an item the youth is not authorized to have (possession of which is not a major rule violation), including items not listed on the youth's personal property inventory. This does not include personal letters or photographs.

(12) Refusal to Follow Staff Verbal Instructions--deliberately failing to comply with a specific reasonable verbal instruction made by a staff member.

(13) Stealing--intentionally taking property with an estimated value under $100 from another without permission.

(14) Threatening Others--making verbal or physical threats toward another person or persons.

(15) Unauthorized Physical Contact with Another Youth (No Injury)--intentionally making unauthorized physical contact with another youth without the intent to cause injury and that does not cause injury, such as, but not limited to, pushing, poking, or grabbing.

(16) Unauthorized Physical Contact with Staff (No Injury)--intentionally making unauthorized physical contact with a staff member, contract employee, or volunteer without the intent to cause injury and that does not cause injury, such as, but not limited to, pushing, poking, and grabbing.

(17) Undesignated Area--being in any area without the appropriate permission to be in that area.

(18) Vandalism--intentionally causing less than $100 in damage to state or personal property.

§380.9504. Rules and Consequences for Youth on Parole.

(a) Purpose. This rule establishes the actions that constitute violations of the rules of conduct youth are expected to follow while under parole supervision. Violations of the rules may result in disciplinary consequences, including revocation of parole, that are proportional to the severity and extent of the violation. Appropriate due process must be followed before imposing consequences.

(b) Applicability.

(1) This rule applies to youth on parole status who are assigned to a home placement.

(2) For parole revocation purposes, this rule also applies to youth on parole status who are assigned to a residential placement as a home substitute. However, this rule does not apply to the daily rules of

conduct for these youth. For the daily rules of conduct, see §380.9503 of this chapter.

(c) General Provisions.

(1) Conditions of parole are provided to the youth before release on parole.

(2) Conditions of parole, including the rules of conduct, are reviewed with youth when they initially meet with their parole officers and at other times as necessary.

(3) Repeated violations of any rule of conduct may result in more serious disciplinary consequences.

(d) Definition [~~Definitions~~]. Possession--actual care, custody, control, or management. It does not require the item to be on or about the youth's person.

(e) Parole Rule Violations. It is a violation to knowingly commit, attempt to commit, or aid someone else in committing any of the following conduct.[~~:~~] Parole rule violations are categorized in the TJJD treatment hierarchy based on the degree of interference or intrusiveness such conduct has on any youth's ability to effectively engage in treatment.

(1) Abscond--leaving a home placement or failing to return from an authorized leave when:

(A) the youth's parole officer did not give permission; and

(B) the youth's whereabouts are unknown to the youth's parole officer.

(2) Failure to Comply with Electronic Monitoring Program Conditions--failing to comply with one of the following conditions required by the youth's electronic monitoring program conditions:

(A) remain at the address listed at all designated times;

(B) follow curfew restriction as stated in the youth's conditions of placement or conditions of parole;

(C) remain at the approved placement while on electronic monitoring, going only to school, approved activities, religious functions, and medical/psychological appointments and then return to the approved placement, in accordance with the schedule identified in the conditions of placement or conditions of parole;

(D) wear the electronic monitoring device 24 hours a day;

(E) allow a TJJD staff member to enter the youth's residence to install, maintain, and inspect the device if required;

(F) notify the electronic monitoring officer as soon as possible within 24 hours if the youth experiences any problems with the electronic monitoring system; and

(G) charge the device daily for a minimum of one hour continuously in the morning and one hour continuously in the evening.

(3) Failure to Comply with Sex Offender Conditions of Parole--intentionally or knowingly failing to comply with one of the following conditions present in the youth's sex offender conditions of parole addendum:

(A) do not have unsupervised contact with children under the age specified by the conditions of parole;

(B) do not babysit or participate in any activity where the youth is responsible for supervising or disciplining children under the age specified by the conditions of parole; or

(C) do not initiate physical contact or touching of any kind with a child, victim, or potential victim.

(4) Failure to Report an Arrest or Citation--failing to report an arrest or receipt of a citation to the youth's parole officer within 24 hours of arrest or citation.

(5) Participating in a Major Disruption of Facility Operations--intentionally engaging in conduct that poses a threat to persons or property and substantially disrupts the performance of facility operations or programs. (This parole violation applies only to youth assigned to a residential placement as a substitute for home placement.)

(6) Possessing, Selling, or Attempting to Purchase Ammunition--possessing, selling, or attempting to purchase ammunition.

(7) Possessing, Selling, or Attempting to Purchase a Weapon--possessing, selling, or attempting to purchase a weapon or an item that has been made or adapted for use as a weapon.

(8) Refusing a Drug Screen--refusing to take a drug screen when requested to do so by staff or tampering with or contaminating the urine sample provided for a drug screen.

(9) Repeated Non-Compliance with a Written, Reasonable Request of Staff--failing on two or more occasions to comply with a specific condition of release under supervision and/or a specific written, reasonable request of staff. If the request requires the youth to do something daily or weekly, the two failures to comply must be within a 30-day period. If the request requires the youth to do something monthly, the two failures to comply must be within a 60-day period.

(10) Photos, Videos, or Social Media Posts with Weapon, Ammunition, or Unauthorized Substance--appearing in photos, videos, or other images, whether or not posted to social media, with any weapon, ammunition, or unauthorized substance or related paraphernalia, including any object that reasonably resembles a weapon, ammunition, or unauthorized substance or related paraphernalia. The term weapon includes, but is not limited to, guns, explosive devices, knives, blades, and clubs. The term related paraphernalia includes, but is not limited to, items used to make or deliver unauthorized substances.

(11) Tampering with Monitoring Equipment--a youth intentionally or knowingly tampers with monitoring equipment assigned to any youth.

(12) Unauthorized Absence--leaving a medium-restriction residential placement without permission or failing to return from an authorized leave.

(13) Possession or Use of Unauthorized Substances--possessing, ingesting, inhaling, or otherwise consuming any unauthorized substance, including controlled substances or intoxicants, medications not prescribed for the youth by authorized medical or dental staff, alcohol or tobacco products, or related paraphernalia such as that used to deliver or make any unauthorized substance.

(14) Violation of Any Law--violating a federal or state law or municipal ordinance.

(f) Possible Consequences.

(1) A parole rule violation may result in a Level I hearing or a Level hearing conducted in accordance with §380.9551 or §380.9557 of this chapter, respectively.

(A) This subparagraph applies only to youth alleged to have engaged in conduct classified as a first- or second-degree felony while on parole. Except as provided by this subparagraph, a Level I hearing shall be requested on these youth. The hearing may be deferred when requested by local prosecutors, as provided in §380.9551 of this chapter. The designated staff person may determine that, given all circumstances, a Level I hearing is not appropriate. Such decision shall be documented. If a Level I hearing is held and the youth's parole is revoked, the youth shall be reviewed for the most restrictive setting appropriate, including the intervention program described by §380.9510 of this chapter.

(B) Parole officers are encouraged to be creative in determining a consequence appropriate to address and correct the youth's behavior. Staff should use evidence-based interventions that relate to the youth's risk, needs, and responsivity when appropriate. All assigned consequences should be related to the misconduct when possible.

(2) Consequences through a Level hearing for a youth on parole include, but are not limited to:

(A) Verbal Reprimand--conference with a youth including a verbal reprimand that draws attention to the misbehavior and serves as a warning that continued misbehavior could result in more severe consequences.

(B) Curfew Restriction--an immediate change in existing curfew requirements outlined in the youth's conditions of parole.

(C) Community Service Hours--disciplinary assignment of a specific number of hours the youth is to perform community service in addition to the hours assigned when the youth was placed on parole. In no event may more than 20 community service hours be assigned through a Level hearing.

(D) Increased Level of Supervision--an assigned increase in the number of primary contacts between the youth and parole officer in order to increase the youth's accountability.

(E) Electronic Tracking--assignment to a system that electronically tracks a youth's movement and location.

(F) Writing Assignment--an assignment designed for the youth to address the misbehavior and identify appropriate behavior in similar situations.

(3) Consequences through a Level I hearing for a youth on parole, including youth assigned to a residential placement as a home substitute, include:

(A) parole revocation and placement in any high- or medium-restriction program operated by or under contract with the Texas Juvenile Justice Department; and

(B) assignment of a length of stay consistent with §380.8525 of this chapter.

§380.9505. Egregious Behavior Protocol.

(a) Purpose. The Texas Juvenile Justice Department (TJJD) addresses disruptive or unsafe youth behavior by using appropriate levels of intervention, including the egregious behavior protocol.

(b) Applicability.

(1) This rule applies to high-restriction facilities.

(2) This rule does not supersede requirements established by other policies and procedures regarding self-harming or suicidal behavior and ideation.

(c) General Provisions.

(1) Placing a youth out-of-program, as described in this procedure, is used to maintain safety and is not considered a disciplinary consequence.

(2) Being out-of-program includes the following stipulations:

(A) The youth programs individually during group activities on the dorm, generally in an assigned seat. Time is spent working on treatment assignments (e.g., completing Behavior Chain Analysis, practicing skills, working on correction), often with staff assistance.

(B) The youth cannot approach other youth or leave the assigned seat without staff permission.

(C) Other youth cannot approach the out-of-program youth without staff permission.

(D) Recreation is individual, if staffing permits.

(E) Stage privileges do not apply.

(F) Direct-care staff:

(i) assign treatment work, including Behavior Chain Analysis;

(ii) assist the youth with practicing skills to use the next time a similar situation occurs; and

(iii) document the youth's progress, focusing on a behavioral description of the youth's level of engagement and motivation to complete treatment work.

(d) Placing Youth Out-of-Program- Egregious Behavior Protocol.

(1) A direct-care staff member may place the youth on the Egregious Behavior Protocol and the youth is considered out-of-program when: a youth fails to respond positively to redirection from staff, maladaptive behavior escalates, and/or the youth engages in behavior that creates an immediate danger to safety or security or that prevents others from receiving programming.

(2) The staff member:

(A) tells the youth that the youth is out-of-program;

(B) explains the requirements associated with being out-of-program and expectations to return to programming;

(C) gives the youth an opportunity to address the maladaptive behavior and use skillful behavior, including the completion of a Behavior Chain Analysis; and

(D) documents a summary of the incident and engagement strategies.

(e) Additional Safety-Based Measures. Additional safety-based measures may include, but are not limited to:

(1) assigning color-coded clothing to indicate a high risk for unsafe behavior or aggression;

(2) placing the youth on a behavior plan or safety plan; or

(3) referral to a program in the Intervention Program.

(f) Returning Youth to Regular Programming.

(1) Removing the youth from out-of-program status is based on the youth completing all treatment assignments and verbally committing to safe behavior and/or using skills to avoid disruptive behavior. Other factors, such as the youth's level of commitment to work on target behaviors and to make progress in treatment, are considered.

(2) Designated staff members:

(A) review documentation of the youth's behavior;

(B) decide when to remove the youth from out-of-program status; and

(C) document the youth's return to regular programming.

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 August 5, 2026.

TRD-202603302
Jana Jones
General Counsel
Texas Juvenile Justice Department
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 490-7130

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PART 13. TEXAS COMMISSION ON FIRE PROTECTION

CHAPTER 439. EXAMINATIONS FOR CERTIFICATION

SUBCHAPTER A. EXAMINATIONS FOR ON-SITE DELIVERY TRAINING

37 TAC §439.1

The Texas Commission on Fire Protection (Commission) proposes an amendment to 37 Texas Administrative Code, Chapter 439, Examinations for Certification, concerning §439.1, Requirements--General.

Background and Purpose

The purpose of the proposed amendment is to remove the subsection establishing a two-section examination structure for Basic Fire Inspector certification from §439.1. The Basic Fire Inspector examination requirements are addressed elsewhere in commission rules. The removal of this subsection results in conforming re-lettering of existing subsections (h) through (n) to (g) through (m), with no substantive change to the text of those subsections.

Fiscal Note and Impact on State and Local Government

Michael Wisko, Agency Chief, has determined that for each year of the first five-year period this rule is in effect, there will be no fiscal impact on state or local government as a result of enforcing or administering the rule.

Public Benefit and Cost Note

Mr. Wisko has also determined that for each of the first five years this rule is in effect, the anticipated public benefit will be improved clarity and consistency in commission rules. There are no anticipated economic costs to individuals required to comply with the proposed rule.

Local Economy Impact Statement

There is no anticipated effect on local employment or the local economy for the first five years the rule is in effect; therefore, no local employment impact statement is required under Texas Government Code §2001.022.

Economic Impact on Small Businesses, Micro-Businesses, and Rural Communities

The Commission has determined that there will be no effect on small or micro-businesses or rural communities as a result of implementing this rule; therefore, no economic impact statement or regulatory flexibility analysis is required under Texas Government Code §2006.002.

Government Growth Impact Statement

Under Texas Government Code §2001.0221, the Commission has determined that during the first five years the rule is in effect:

The rule will not create or eliminate a government program;

The rule will not create or eliminate any existing employee positions;

The rule will not require an increase or decrease in future legislative appropriations;

The rule will not result in an increase or decrease in fees paid to the agency;

The rule will not create a new regulation;

The rule will not expand, limit, or repeal an existing regulation;

The rule will not increase the number of individuals subject to the rule; and

The rule is not anticipated to have an adverse effect on the state's economy.

Takings Impact Assessment

The Commission has determined that the proposed rule does not restrict or burden private real-property rights and therefore does not constitute a taking under Texas Government Code §2007.043.

Costs to Regulated Persons

The proposed rule does not impose additional costs on regulated persons, including another state agency, a special district, or a local government, and therefore is not subject to Texas Government Code §2001.0045.

Environmental Impact Statement

The Commission has determined that the proposed rule does not require an environmental impact analysis because the rule is not a major environmental rule under Texas Government Code §2001.0225.

Request for Public Comment

Comments on the proposed rule may be submitted in writing within 30 days of publication of this notice in the *Texas Register* to:

Frank King, General Counsel

Texas Commission on Fire Protection

P.O. Box 2286, Austin, Texas 78768

Email: frank.king@tcfp.texas.gov

Statutory Authority

The proposed amendment is authorized by Texas Government Code §§419.008 and 419.032, which authorize the Commission to adopt rules for the administration of its statutory responsibilities.

Cross Reference to Statute: Texas Government Code, Chapter 419.

§439.1. Requirements--General.

(a) The administration of examinations for certification, including performance skill evaluations, shall be conducted in compliance with commission rules and; as applicable, with:

(1) International Fire Service Accreditation Congress (IFSAC) regulations; or

(2) National Board on Fire Service Professional Qualifications (Pro Board) regulations for examinations administered by the Texas A&M Engineering Extension Service. Only Pro Board examinations administered by the Texas A&M Engineering Extension Service will be accepted by the commission for certification. In order for a Pro Board document to be accepted for certification, it must:

(A) List the commission issued course approval number for which the examination was conducted;

(B) Indicate that the examination was conducted in English; and

(C) List any special accommodations provided to the examinee. The commission may not issue a certificate for an examination conducted under special accommodations other than those specified in §439.13 of this title (relating to Special Accommodations for Testing).

(b) It is incumbent upon commission staff, committee members, training officers and field examiners to maintain the integrity of the state certification examination process (or portion thereof) for which they are responsible.

(c) The commission shall reserve the authority to conduct an annual review of Pro Board examinations, procedures, test banks, and facilities utilized by the Texas A&M Engineering Extension Service. The commission may also conduct a review at any time for cause and as deemed necessary to ensure the integrity of the certification examination process.

(d) Exams will be based on the job performance requirements and knowledge and skill components of the applicable NFPA standard for that discipline, if a standard exists and has been adopted by the commission. If a standard does not exist or has not been adopted by the commission, the exam will be based on curricula as currently adopted in the commission's Certification Curriculum Manual.

(e) Commission examinations that receive a passing grade shall expire two years from the date of the examination.

(f) An examination for Basic Structure Fire Protection shall consist of four sections: Fire Fighter I, Fire Fighter II, Hazardous Materials Awareness Level, and Hazardous Materials Operations Level including the Mission-Specific Competencies for Personal Protective Equipment and Product Control. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.

[~~(g) An examination for Basic Fire Inspector shall consist of two sections: Inspector I, and Inspector II. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.~~]

(g) [~~(h)~~] An examination for Basic Structure Fire Protection and Intermediate Wildland Fire Protection shall consist of five sections: Fire Fighter I, Fire Fighter II, First Responder Awareness, First Responder Operations, and Intermediate Wildland Fire Protection. The examinee must pass each section of the examination with a minimum score of 70% in order to qualify for certification.

(h) [~~(i)~~] All other state examinations consist of only one section.

(i) [~~(j)~~] The individual who fails to pass a commission examination for state certification will be given one additional opportunity to pass the examination or section(s) thereof. This opportunity must be exercised within 180 days after the date of the first failure. An examinee who fails to pass the examination within the required time may not sit for the same examination again until the examinee has re-qualified by repeating the curriculum applicable to that examination.

(j) [~~(k)~~] An individual may obtain a new certificate in a discipline which was previously held by passing a commission proficiency examination.

(k) [~~(l)~~] If an individual who has never held certification in a discipline defined in §421.5 of this title (relating to Definitions), seeks certification in that discipline, the individual shall complete all certification requirements.

(l) [~~(m)~~] If an individual completes a commission approved training program, or a program that has been evaluated and deemed equivalent to a certification curriculum approved by the commission, such as an out-of-state or military training program or a training program administered by the State Firemen's and Fire Marshals' Association of Texas, the individual may use only one of the following examination processes for certification:

(1) pass a commission examination; or

(2) submit documentation of the successful completion of the Pro Board examination process administered by the Texas A&M Engineering Extension Service; and

(3) meet any other certification requirements in order to become eligible for certification as fire protection personnel.

(4) An individual cannot use a combination of the two examination processes in this subsection from a single commission approved class for certification. An individual who chooses to submit to the commission examination process may not utilize the other process toward certification.

(m) [~~(n)~~] An individual or entity may petition the commission for a waiver of the examination required by this section if the person's certificate expired because of the individual's or employing entity's good faith clerical error or expired as a result of termination of the person's employment where the person has been restored to employment through a disciplinary procedure or a court action. All required renewal fees including applicable late fees and all required continuing education must be submitted before the waiver request may be considered.

(1) Applicants claiming good faith clerical error must submit a sworn statement together with any supporting documentation that evidences the applicant's good faith efforts to comply with commission renewal requirements and that failure to comply was due to circumstances beyond the control of the applicant.

(2) Applicants claiming restoration to employment as a result of a disciplinary or court action must submit a certified copy of the order, ruling or agreement restoring the applicant to employment.

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 August 10, 2026.

TRD-202603364
Mike Wisko
Agency Chief
Texas Commission on Fire Protection
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 936-3812

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 5. TEXAS VETERANS LAND BOARD

CHAPTER 177. VETERANS HOUSING ASSISTANCE PROGRAM [~~AND VETERANS HOME IMPROVEMENT PROGRAM~~]

40 TAC §§177.3, 177.5, 177.8

The Texas Veterans Land Board (Board) proposes amendments to Texas Administrative Code, Title 40, Part 5, Chapter 177, §177.3, concerning Administration of Fund, §177.5. Loan Eligibility Requirements, and §177.8. Qualifying Homes.

At its July 28, 2026 Special Called Meeting and based on staff recommendations, the Board voted unanimously to i) discontinue offering loans under its Veterans Home Improvement Loan Program (Program), and relatedly, to ii) to approve these proposed amendments. These proposed amendments remove references to the Program as follows:

The proposed amendments to §177.3 remove a requirement that the Board make funds available for its Veterans Housing Assistance Program to make home improvement loans.

The proposed amendments to §177.5 remove language allowing veterans to obtain a purchase money loan and a home improvement loan under the Veterans Housing Assistance Program.

The proposed amendments to §177.8 remove a subsection allowing veterans to obtain home improvement loans and calling on the Board to adopt guidelines and loan amounts for applicants to the Program

In addition, the title of this chapter is changed to "Veterans Housing Assistance Program" to reflect the rules' revised subject matter.

FISCAL IMPACT ON STATE AND LOCAL GOVERNMENT: Pursuant to Texas Government Code, §2001.024(a)(4), Mr. Raul Gonzales, Director of the Board's Land and Housing Division, has determined that for the first five-year period the proposed amendments are in effect, there will be no fiscal implications for state or local government as a result of the proposed amendments.

PUBLIC BENEFITS AND PROBABLE ECONOMIC COSTS: Pursuant to Texas Government Code, §2001.024(a)(5), Mr. Gonzales has determined that for each year of the first five years the proposed amendments are in effect, there will be no economic effects on businesses or individuals. The public benefit will be the availability additional resources for Board programs to more effectively serve the state's veterans.

TAKINGS IMPACT ASSESSMENT: The amended section does not contemplate or authorize a taking by the Board; therefore, no Takings Impact Assessment is required under Texas Government Code, §2007.043.

LOCAL EMPLOYMENT IMPACT STATEMENT: Mr. Gonzales has determined that the proposed amendments will not affect a local economy, so the Board is not required to prepare a local employment impact statement under Texas Government Code, §2001.022.

FISCAL IMPACT ON SMALL BUSINESSES, MICRO-BUSINESSES, AND RURAL COMMUNITIES: The Board has determined there will be no adverse economic effect on small businesses, micro-businesses, or rural communities due to the proposed amendments, therefore preparation of an economic impact statement and a regulatory flexibility analysis under Texas Government Code, §2006.002, is not required.

GOVERNMENT GROWTH IMPACT STATEMENT: Pursuant to Texas Government Code, §2001.0221, Mr. Gonzales provides the following Government Growth Impact Statement for the proposed amendments. For each of the first five years the proposed amendments will be in effect:

(1) the proposed amendments will eliminate a government program – the Board's Home Improvement Loan Program;

(2) implementation of the proposed amendments will not require the creation or elimination of existing employee positions;

(3) implementation of the proposed amendments will not require an increase or decrease in future legislative appropriations to the Board;

(4) the proposed amendments will not require an increase or decrease in fees paid to the Board;

(5) the proposed amendments do not create a new regulation;

(6) the proposed amendments will not expand, limit, or repeal an existing regulation;

(7) the proposed amendments will not increase or decrease the number of individuals subject to the rules; and

(8) the proposed amendments will not affect the state's economy.

PUBLIC COMMENT REQUEST: Written comment on the proposed amendments may be submitted by mail to Mr. Walter Talley, *Texas Register* Liaison, Texas General Land Office, P.O. Box 12873, Austin, Texas 78711, facsimile number (512) 463-6311 or email to walter.talley@glo.texas.gov. Written comments must be received no later than thirty (30) days from the date of publication of the proposed amendments in the *Texas Register*.

The amendments are proposed pursuant to Section 162.003 of the Texas Natural Resources Code, which requires the Board to adopt rules governing the administration of the veterans housing assistance fund and the Veterans' Housing Assistance Program and the creation of Program-related loans. The Code affected by the proposed amendments is Chapter 162 of the Texas Natural Resources Code.

§177.3. Administration of Fund.

(a) (No change.)

(b) After the requirements of subsection (a) of this section have been satisfied, the board, with the assistance of the administrator, shall monitor the cash flow requirements of the program and shall administer the fund to:

(1) meet all bond repayment requirements; and

(2) make money available as needed by the program to make or acquire home loans as provided by the Texas Natural Resources Code, (Code) Chapter 162, and this chapter. [~~chapter; and~~]

[~~(3) make money available as needed by the program to make home improvement loans as provided by § 177.8 of this chapter (relating to Qualifying Homes).~~]

(c) - (f) (No change.)

§177.5. Loan Eligibility Requirements.

(a) - (b) (No change.)

(c) A veteran may be able to obtain more than one housing assistance loan under this chapter, provided that all previous program loans have been repaid in full and that only one home may be financed by a veteran at any time through the program. [~~However, for purposes of this chapter, an eligible veteran may obtain both a purchase money loan and a home improvement loan under the program.~~] An eligible veteran may also receive a loan under the Veterans Land Program.

(d) (No change.)

§177.8. Qualifying Homes.

(a) - (d) (No change.)

[~~(e) The home in which a veteran actually resides may be eligible for a home improvement loan if the home and the veteran meet the qualification requirements established by the board for a home improvement loan. The board will adopt guidelines setting forth the requirements for obtaining a home improvement loan through the program, whether FHA Title I or other. The guidelines will be provided to all participating lending institutions. The board shall establish the maximum loan amounts for home improvement loans by resolution.~~]

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 August 7, 2026.

TRD-202603329
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
Texas Veterans Land Board
Earliest possible date of adoption: September 20, 2026
For further information, please call: (512) 475-1859

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WITHDRAWN RULES

Withdrawn Rules include proposed rules and emergency rules. A state agency may specify that a rule is withdrawn immediately or on a later date after filing the notice with the Texas Register. A proposed rule is withdrawn six months after the date of publication of the proposed rule in the Texas Register if a state agency has failed by that time to adopt, adopt as amended, or withdraw the proposed rule. Adopted rules may not be withdrawn. (Government Code, §2001.027)

TITLE 13. CULTURAL RESOURCES

PART 7. STATE PRESERVATION BOARD

CHAPTER 111. RULES AND REGULATIONS OF THE BOARD

13 TAC §111.27

Proposed amended §111.27, published in the January 23, 2026, issue of the *Texas Register* (51 TexReg 357), is withdrawn. The agency failed to adopt the proposal within six months of publication. (See Government Code, §2001.027, and 1 TAC §91.38(d).)

Published by the Office of the Secretary of State on August 4, 2026.

TRD-202603296

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TITLE 22. EXAMINING BOARDS

PART 5. STATE BOARD OF DENTAL EXAMINERS

CHAPTER 101. DENTAL LICENSURE

22 TAC §101.8

The State Board of Dental Examiners withdraws proposed amendments to §101.8 which appeared in the July 3, 2026, issue of the *Texas Register* (51 TexReg 4329).

Filed with the Office of the Secretary of State on August 7, 2026.

TRD-202603351
Lauren Studdard
General Counsel
State Board of Dental Examiners
Effective date: August 7, 2026
For further information, please call: (737) 363-2333

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CHAPTER 116. DENTAL LABORATORIES

22 TAC §116.3

The State Board of Dental Examiners withdraws proposed amendments to §116.3 which appeared in the July 3, 2026, issue of the *Texas Register* (51 TexReg 4332).

Filed with the Office of the Secretary of State on August 7, 2026.

TRD-202603354
Lauren Studdard
General Counsel
State Board of Dental Examiners
Effective date: August 7, 2026
For further information, please call: (737) 363-2333

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TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 380. RULES FOR STATE-OPERATED PROGRAMS AND FACILITIES

SUBCHAPTER A. ADMISSION, PLACEMENT, RELEASE, AND DISCHARGE

DIVISION 5. PROGRAM COMPLETION AND RELEASE

37 TAC §380.8565

Proposed amended §380.8565, published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 46), is withdrawn. The agency failed to adopt the proposal within six months of publication. (See Government Code, §2001.027, and 1 TAC §91.38(d).)

Published by the Office of the Secretary of State on August 5, 2026.

TRD-202603297

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SUBCHAPTER B. TREATMENT

DIVISION 1. PROGRAM PLANNING

37 TAC §380.8702

Proposed amended §380.8702, published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 48), is withdrawn. The agency failed to adopt the proposal within six months of publication. (See Government Code, §2001.027, and 1 TAC §91.38(d).)

Published by the Office of the Secretary of State on August 5, 2026.

TRD-202603298

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SUBCHAPTER E. BEHAVIOR MANAGEMENT AND YOUTH DISCIPLINE

DIVISION 1. BEHAVIOR MANAGEMENT

37 TAC §§380.9503 - 380.9505

Proposed new and amended §§380.9503 - 380.9505, published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 50), is withdrawn. The agency failed to adopt the proposal within six months of publication. (See Government Code, §2001.027, and 1 TAC §91.38(d).)

Published by the Office of the Secretary of State on August 5, 2026.

TRD-202603299

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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 1. ADMINISTRATION

PART 15. TEXAS HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 373. MEDICAID ESTATE RECOVERY PROGRAM

The executive commissioner of the Texas Health and Human Services Commission (HHSC), on behalf of the Office of Inspector General (OIG), adopts in the Texas Administrative Code Title 1, Part 15, Chapter 373, Subchapter A, amendments to §§373.101, 373.103, 373.105, 373.201, 373.203, 373.205, 373.207, 373.209, 373.211, 373.213, 373.215, 373.217, and 373.219; and Subchapter C, amendments to §§373.301, 373.303, 373.305, and 373.307.

Sections 373.101, 373.103, 373.105, 373.201, 373.203, 373.205, 373.207, 373.209, 373.211, 373.213, 373.215, 373.217, 373.219, 373.301, 373.303, 373.305, and 373.307 are adopted without changes to the proposed text as published in the March 20, 2026, issue of the *Texas Register* (51 TexReg 1777). These rules will not be republished.

BACKGROUND AND JUSTIFICATION

The amendments are necessary to clarify provisions in the Medicaid Estate Recovery Program (MERP) rules, consistent with applicable federal law at 42 U.S.C. §1396p(b)(1). HHSC, as the State Medicaid Agency, is required to operate a MERP and recover the costs of Medicaid long-term care benefits received by certain Medicaid recipients. HHSC submitted a proposed State Plan Amendment (SPA) to the Centers for Medicare & Medicaid Services seeking approval to send MERP notices to the last known address of the Medicaid recipient upon their death to ensure the decedent's heirs are aware of a possible MERP claim. The SPA was approved on July 31, 2026, with an effective date of July 2, 2026. The amendments also implement House Bill 4611, 88th Legislature, Regular Session, 2023, which makes non-substantive amendments to the Texas Government Code that make the statute more accessible, understandable, and usable.

COMMENTS

The 31-day comment period ended April 20,2026.

During this period, HHSC did not receive any comments regarding the proposed rules.

SUBCHAPTER A. GENERAL

1 TAC §§373.101, 373.103, 373.105

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 Government Code §546.0403, which requires the executive commissioner to ensure Medicaid implements 42 United States Code §1396p(b)(1), Adjustments or recovery of medical assistance correctly paid under a State Plan, which has been done with the Medicaid Estate Recovery 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.

Filed with the Office of the Secretary of State on August 7, 2026.

TRD-202603326
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Effective date: August 27, 2026
Proposal publication date: March 20, 2026
For further information, please call: (512) 221-7320

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SUBCHAPTER B. RECOVERY CLAIMS

1 TAC §§373.201, 373.203, 373.205, 373.207, 373.209, 373.211, 373.213, 373.215, 373.217, 373.219

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 Government Code §546.0403, which requires the executive commissioner to ensure Medicaid implements 42 United States Code §1396p(b)(1), Adjustments or recovery of medical assistance correctly paid under a State Plan, which has been done with the Medicaid Estate Recovery 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.

Filed with the Office of the Secretary of State on August 7, 2026.

TRD-202603327
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Effective date: August 27, 2026
Proposal publication date: March 20, 2026
For further information, please call: (512) 221-7320

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SUBCHAPTER C. NOTICE

1 TAC §§373.301, 373.303, 373.305, 373.307

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 Government Code §546.0403, which requires the executive commissioner to ensure Medicaid implements 42 United States Code §1396p(b)(1), Adjustments or recovery of medical assistance correctly paid under a State Plan, which has been done with the Medicaid Estate Recovery 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.

Filed with the Office of the Secretary of State on August 7, 2026.

TRD-202603328

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Effective date: August 27, 2026

Proposal publication date: March 20, 2026

For further information, please call: (512) 221-7320

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CHAPTER 392. PURCHASE OF GOODS AND SERVICES FOR SPECIFIC HEALTH AND HUMAN SERVICES COMMISSION PROGRAMS

SUBCHAPTER C. AUTISM PROGRAM

1 TAC §§392.201, 392.203, 392.205, 392.207

The executive commissioner of the Texas Health and Human Services Commission (HHSC) adopts the repeal of §392.201, concerning Definitions; §392.203, concerning Staff Qualifications; §392.205, concerning Criminal Background Checks; and §392.207, concerning Safety.

Sections 392.201, 392.203, 392.205, and 392.207 are adopted without changes to the proposed text as published in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2855). These rules will not be republished.

BACKGROUND AND JUSTIFICATION

The Children's Autism Program rules were located in two Titles in the Texas Administrative Code (TAC). The adopted repeals remove duplicative rules from 1 TAC Chapter 392, Subchapter C, Autism Program. The Children's Autism program rules were consolidated in 26 TAC Chapter 358, published elsewhere in this issue of the *Texas Register*.

COMMENTS

The 31-day comment period ended June 1, 2026.

HHSC did not receive any comments regarding the proposed rules.

STATUTORY AUTHORITY

The repeals 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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism program, and Texas Human Resources Code Chapter 114 directs HHSC to perform the duties and functions of the Texas Council on Autism and Pervasive Developmental Disorders.

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 August 5, 2026.

TRD-202603314

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Effective date: August 25, 2026

Proposal publication date: May 1, 2026

For further information, please call: (512) 815-6272

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TITLE 7. BANKING AND SECURITIES

PART 6. CREDIT UNION DEPARTMENT

CHAPTER 91. CHARTERING, OPERATIONS, MERGERS, LIQUIDATIONS

SUBCHAPTER G. LENDING POWERS

7 TAC §91.709, §91.714

The Credit Union Commission adopts amendments to §91.709, Member Business and Commercial Loans, and §91.714, Leasing, without changes to the proposed text as published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2283) and as corrected in the April 24, 2026, issue (51 TexReg 2800), and the rules will not be republished.

The amendments, identified as a part of the Credit Union Department's quadrennial rule review process, delete a reference in subsection (b) of §91.714 to acquisition of property for the purpose of leasing it, already prohibited by §91.401, and make non-substantive changes to both rules, including clarifications to §91.709 regarding the concept of controlling interests in commercial loans and to §91.714 by adding a reference to §91.401 to ensure consistency between these sections that both address ownership and leasing of real property by a credit union.

The reasoned justification for the amendments is increased clarity, consistency, and readability of the rules.

No comments were received in response to the proposed amendments.

The amendments are adopted pursuant to Texas Finance Code, §15.402, which authorizes the Commission to adopt reasonable rules for administering Texas Finance Code, Title 2, Chapter 15 and Title 3, Subtitle D. Authority to adopt these amendments is found also in Texas Finance Code §123.103.

The statutory provisions affected by the amendments are contained in Texas Finance Code Chapter 15 and Title 3, Subtitle D, particularly Finance Code §123.103.

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 August 7, 2026.

TRD-202603341
Robert Etheridge
Commissioner
Credit Union Department
Effective date: August 27, 2026
Proposal publication date: April 10, 2026
For further information, please call: (512) 837-9236

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SUBCHAPTER J. CHANGES IN CORPORATE STATUS

7 TAC §91.1003

The Credit Union Commission adopts amendments to 7 TAC §91.1003, Mergers and Consolidations, without changes to the proposed text as published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2284). The rule will not be republished. The amendments prohibit merger inducements and require merger-related financial arrangements (both as defined in the rule) to be disclosed to members before they vote on a merger. The amendments also revise certain requirements for approval by the Department, increase consistency between the Texas and federal requirements for mergers, and make non-substantive changes for clarity and readability.

The reasoned justification for these amendments is to ensure that the member vote on a merger takes place without undue influence and to increase transparency by ensuring that any merger-related financial arrangements are disclosed to the members before voting.

Two comments were received in response to the proposed amendments. Both comments, from the Cornerstone Credit Union League and First Service Credit Union, support adoption of the amendments as proposed.

The amendments are adopted pursuant to Texas Finance Code, §15.402, which authorizes the Commission to adopt reasonable rules for administering Texas Finance Code, Chapter 15 and Title 3, Subtitle D. Authority to adopt these amendments is found also in Texas Finance Code §122.1531 and 122.156.

The statutory provisions affected by the amendments are contained in Texas Finance Code Chapter 15 and Title 3, Subtitle D, particularly Finance Code §§122.005, and 122.151-.156.

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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Robert Etheridge
Commissioner
Credit Union Department
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CHAPTER 95. SHARE AND DEPOSITOR INSURANCE PROTECTION
SUBCHAPTER A. INSURANCE REQUIREMENTS

7 TAC §§95.105, 95.108, 95.110

The Credit Union Commission adopts amendments to §§95.105, Reporting; 95.108, Examinations; and 95.110, Enforcement; Penalty; and Appeal, without changes to the text as proposed in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2288), and the rules will not be republished.

The amendments, identified as a part of the Credit Union Department's quadrennial rule review process, make non-substantive changes to the Department's rules. The amendments to §§95.105, Reporting, and 95.110, Enforcement; Penalty; and Appeal, consist of updates to the titles of other sections referenced in the rules as well as minor edits for readability. The amendments to §95.108, Examinations, incorporate provisions from §95.109, Fees and Charges, relating to fees for examinations of insuring organizations, which is being repealed elsewhere in this issue.

The reasoned justification for the rules is increased clarity and readability of the rules.

No comments were received in response to the proposed amendments.

The amendments are adopted pursuant to Texas Finance Code, §15.402, which authorizes the Commission to adopt reasonable rules for administering Texas Finance Code, Title 2, Chapter 15 and Title 3, Subtitle D.

The statutory provisions affected by the amendments are contained in Texas Finance Code Chapter 15 and Title 3, Subtitle D, specifically §15.402.

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 August 7, 2026.

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Robert Etheridge
Commissioner
Credit Union Department
Effective date: August 27, 2026
Proposal publication date: April 10, 2026
For further information, please call: (512) 837-9236

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7 TAC §95.109

The Credit Union Commission adopts the repeal of 7 TAC §95.109, Fees and Charges, as proposed in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2289). The repeal will not be republished.

The repeal is adopted in order to combine the provisions of this section with §95.108, Examinations, being amended elsewhere in this issue so that provisions regarding examinations of insuring organizations and the fees associated with those examinations will be in a single rule.

The reasoned justification for the repeal is clarity through the consolidation of provisions related to examinations of insuring organizations.

No comments were received in response to the proposed repeal.

The repeal is adopted pursuant to Texas Finance Code §15.402, which authorizes the Commission to adopt reasonable rules for administering Texas Finance Code, Title 2, Chapter 15 and Title 3, Subtitle D.

The statutory provisions affected by the repeal are contained in Texas Finance Code Chapter 15 and Title 3, Subtitle D.

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 August 7, 2026.

TRD-202603346
Robert Etheridge
Commissioner
Credit Union Department
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Proposal publication date: April 10, 2026
For further information, please call: (512) 837-9236

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SUBCHAPTER C. GUARANTY CREDIT UNION

7 TAC §§95.302, 95.305, 95.310

The Credit Union Commission adopts amendments to §§95.302, Powers; 95.305, Audited Financial Statements; Accounting Procedures; Reports; and 95.310, Fees and Charges, without changes to the text as proposed in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2290), and the rules will not be republished.

The amendments, identified as a part of the Credit Union Department's quadrennial rule review process, make non-substantive corrections to the titles of other rule sections referenced in the rules.

The reasoned justification for the amendments is accuracy of the rules.

No comments were received in response to the proposed amendments.

The amendments are adopted pursuant to Texas Finance Code §15.402, which authorizes the Commission to adopt reasonable rules for administering Texas Finance Code, Title 2, Chapter 15 and Title 3, Subtitle D.

The statutory provisions affected by the amendments are contained in Texas Finance Code Chapter 15 and Title 3, Subtitle D.

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 August 7, 2026.

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Robert Etheridge
Commissioner
Credit Union Department
Effective date: August 27, 2026
Proposal publication date: April 10, 2026
For further information, please call: (512) 837-9236

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TITLE 13. CULTURAL RESOURCES

PART 2. TEXAS HISTORICAL COMMISSION

CHAPTER 13. TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

13 TAC §§13.1 - 13.6, 13.8, 13.9

The Texas Historical Commission (Commission) adopts amendments to §§13.1 - 13.6, 13.8, and 13.9 of Chapter 13 of the Texas Administrative Code, Title 13, Part 2, related to the Texas Historic Preservation Tax Credit Program. Sections 13.2 - 13.6, 13.8, and 13.9 are adopted without changes to the text as published in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3013). These rules will not be republished. Section 13.1 is adopted with changes and will be republished.

The adopted amendments clarify administrative procedures and further explain the relationship between this state program and the Federal Rehabilitation Tax Credit Program. Specifically, the amendments refine definitions and remove redundant language in §13.1; explain the circumstances under which disparate scopes of work may be treated as part of a single application or separate applications in §13.2; add evaluation criteria for designation as a Recorded Texas Historic Landmark, and provide clarification and remove typographical errors regarding nonhistoric surface materials in §13.3; clarify procedures for the evaluation of Part B of the application and amendments in §13.4; consolidate duplicative information in §13.5; clarify application review procedures, including for buildings that are not yet certified historic structures in §13.6; disambiguate processing procedures between projects seeking both federal and state tax credits and projects seeking state tax credits only during the federal recapture period in §13.8; and establish that Part A of the application cannot be appealed in §13.9.

No public comments pertaining to these rule revisions were received during the thirty-day period following publication in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3013).

These amendments are adopted under the authority of Texas Government Code §172.110, of the Texas Tax Code, which authorizes the Commission to adopt rules necessary to implement the Tax Credit for Certified Rehabilitation of Certified Historic Structures, and Texas Government Code §442.005(q), which authorizes the Commission to adopt rules necessary to reasonably effect the purposes of the Commission.

§13.1. Definitions.

The following words and terms when used in these rules shall have the following meanings unless the context clearly indicates otherwise:

(1) Applicant--The entity that has submitted an application for a building or structure of which it is the owner, or for which it has a contract to purchase.

(2) Application--A fully completed Texas Historic Preservation Tax Credit Application form submitted to the Commission, which includes three parts:

(A) Part A - Evaluation of Significance, to be used by the Commission to make a determination whether the building is a certified historic structure;

(B) Part B - Description of Rehabilitation, to be used by the Commission to review proposed projects for compliance with the Standards for Rehabilitation; and

(C) Part C - Request for Certification of Completed Work, to be used by the Commission to review completed projects for compliance with the work approved under Part B.

(3) Application fee--The fee charged by the Commission and paid by the applicant for the review of Part B and Part C of the application as follows:
Figure: 13 TAC §13.1(3) (No change.)

(4) Audited cost report--Such documentation as defined by the Comptroller in 34 TAC Chapter 3, Tax Administration.

(5) Building--Any edifice enclosing a space within its walls, and usually covered by a roof, the purpose of which is principally to shelter any form of human activity, such as shelter or housing, or to provide working, office, parking, display, or sales space. The term includes, among other examples, banks, office buildings, factories, warehouses, barns, railway or bus stations, and stores. Functional constructions made usually for purposes other than creating human shelter or activity such as bridges, windmills, and towers are not considered buildings under this definition and are not eligible to be certified historic structures.

(6) Certificate of Eligibility--A document issued by the Commission to the owner, following review and approval of a Part C application, that confirms the property to which the eligible costs and expenses relate is a certified historic structure and the rehabilitation qualifies as a certified rehabilitation; and specifies the date the certified historic structure was first placed in service after the rehabilitation.

(7) Certified historic structure--A building or buildings located on a property in Texas that is certified by the Commission as:

(A) listed individually in the National Register of Historic Places;

(B) designated as a Recorded Texas Historic Landmark under §442.006, Texas Government Code; §21.6 of this title (relating to Recorded Texas Historic Landmark Designation);

(C) designated as a State Antiquities Landmark under Chapter 191, Texas Natural Resources Code; §26.3(66) and (67) of this title (relating to Definitions); or

(D) certified by the Commission as contributing to the historic significance of:

(i) a historic district listed in the National Register of Historic Places; or

(ii) a certified local district as per 36 CFR §67.9.

(8) Certified local district--A local historic district certified by the United States Department of the Interior in accordance with 36 CFR §67.9.

(9) Certified rehabilitation--The rehabilitation of a certified historic structure that the Commission has certified as meeting the Standards for Rehabilitation. If the project is submitted for the federal rehabilitation tax credit, it must be reviewed by the National Park Service prior to a determination that it meets the requirements for a certified rehabilitation under this rule. In the absence of a determination for the federal rehabilitation tax credit, the Commission shall have the sole responsibility for certifying the project.

(10) Commission--The Texas Historical Commission.

(11) Comptroller--The Texas Comptroller of Public Accounts.

(12) Contributing--A property in a historic district considered to be historically, culturally, or architecturally significant according to the criteria established by state or federal government, including those formally promulgated by the National Park Service and the United States Department of the Interior at 36 CFR Part 60 and applicable National Register bulletins.

(13) Credit--The tax credit for the certified rehabilitation of certified historic structures available pursuant to Chapter 172 of the Texas Tax Code.

(14) District--A geographically definable area, urban or rural, possessing a significant concentration, linkage, or continuity of sites, buildings, structures, or objects united by past events or aesthetically by plan or physical development. A district may also comprise individual elements separated geographically but linked by association or history.

(15) Eligible costs and expenses--The qualified rehabilitation expenditures as defined by §47(c)(2), Internal Revenue Code, including rehabilitation expenses as set out in 26 CFR §1.48-12(c), incurred during the project, except as otherwise specified in Chapter 172 of the Texas Tax Code, or, for a time period beginning January 1, 2026, until the statute reverts on January 1, 2035, by authorized investment of funds by an institution of higher education or university system as defined by Section 61.003, Education Code, if the other provisions of Section 47(c)(2) are met.

(16) Federal rehabilitation tax credit--A federal tax credit for 20% of qualified rehabilitation expenditures with respect to a certified historic structure, as defined in §47, Internal Revenue Code; 26 CFR §1.48-12; and 36 CFR Part 67.

(17) Functionally related buildings--A collection of buildings that were constructed or used to serve and support an overall single purpose during their period of significance. Examples include but are not limited to: a residence and carriage house; a multi-building apartment complex; a multi-building industrial or commercial complex; or buildings constructed as a campus. Buildings within a typical neighborhood or downtown commercial historic district, among other property types, do not count as functionally related buildings with other buildings in the district, unless there is a certain historical attachment other than community development. Functionally related buildings owned by one entity are viewed as a single property while those owned by separate entities are viewed as separate properties.

(18) National Park Service--The agency of the U.S. Department of the Interior that is responsible for certifying projects to receive the federal rehabilitation tax credit.

(19) Owner--A person, partnership, company, corporation, whether for profit or not, governmental body, an institution of higher

education or university system or any other entity holding a legal or equitable interest in a Property or Structure, which can include a full or partial ownership interest. Not all of these owner entities can qualify as an applicant for the credit, based on the requirements listed in Chapter 172 of the Texas Tax Code. A long-term lessee of a property may be considered an owner if their current lease term is at a minimum 27.5 years for residential rental property or 39 years for nonresidential real property, as referenced by §47(c)(2), Internal Revenue Code.

(20) Phased development--A rehabilitation project which may reasonably be expected to be completed in two or more distinct states of development, as defined by United States Treasury Regulation 26 CFR §1.48-12(b)(2)(v).

(21) Placed in Service--A status obtained upon completion of the rehabilitation project as described in Part B of the application, and any subsequent amendments, and documented in Part C of the application. Evidence of the date a property is placed in service must be provided as described in §13.5(b)(4) of this title (relating to Request for Certification of Completed Work).

(22) Project--A specified scope of work, as described in a rehabilitation plan submitted with Part B of the application and subsequent amendments, comprised of work items that will be fully completed and Placed in Service. Examples of a project may include, but are not limited to, a whole building rehabilitation, rehabilitation of individual floors or spaces within a building, repair of building features, or replacement of building systems (such as mechanical, electrical, and plumbing systems). Partial or incomplete scopes of work, such as project planning and design, demolition, or partial completion of spaces, features, or building systems are not included in this definition as projects. Per §13.6(f) of this title (relating to Application Review Process), the Commission's review encompasses the entire building and site, including all concurrent work regardless of whether that work is eligible to generate qualified rehabilitation.

(23) Property--A parcel of real property containing one or more buildings or structures that is the subject of an application for a credit.

(24) Rehabilitation--The process of returning a building or buildings to a state of utility, through repair or alteration, which makes possible an efficient use while retaining those portions and features of the building and its site and environment which are significant.

(25) Rehabilitation plan--Descriptions, drawings, construction plans, and specifications for the proposed rehabilitation of a certified historic structure in sufficient detail to enable the Commission to evaluate compliance with the Standards for Rehabilitation.

(26) Standards for Rehabilitation--The United States Secretary of the Interior's Standards for Rehabilitation as defined by the National Park Service in 36 CFR §67.7.

(27) Structure--A building; see also certified historic structure. "Structure" may be used in place of the word "building," but all tax credit projects must involve rehabilitation of a building as defined in §13.1(5) of this title.

(28) Tax Credit--A credit earned against either the state franchise tax or the insurance premium tax per Chapter 172 of the Texas Tax Code and any limitations provided therein.

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 August 7, 2026.

TRD-202603339

Joseph Bell

Executive Director

Texas Historical Commission

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For further information, please call: (512) 463-6100

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CHAPTER 15. ADMINISTRATION OF FEDERAL PROGRAMS

13 TAC §15.3

The Texas Historical Commission (Commission) adopts amendments to the Texas Administrative Code, Title 13, Part 2, Chapter 15, §15.3, related to the State Board of Review and National Register, without changes to the text published in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3022). The rule will not be republished.

Amendments remove references to the *Federal Register* to avoid current and future inaccuracies. No comments were received during the 30-day comment period following publication.

These amendments are adopted under the authority of Texas Government Code §442.005(q), which gives the Commission authority to adopt rules to reasonably affect the purposes of the Commission.

No other statutes, articles, or codes are affected by these amendments.

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 August 7, 2026.

TRD-202603340

Joseph Bell

Executive Director

Texas Historical Commission

Effective date: August 27, 2026

Proposal publication date: May 8, 2026

For further information, please call: (512) 463-6100

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CHAPTER 21. HISTORY PROGRAMS
SUBCHAPTER B. OFFICIAL TEXAS HISTORICAL MARKER PROGRAM

13 TAC §§21.6, 21.7, 21.9, 21.11, 21.12

The Texas Historical Commission (Commission) adopts amendments to §§21.6, 21.7, 21.9, 21.11, and 21.12 of the Texas Administrative Code, Title 13, Part 2, Chapter 21, Subchapter B, related to the Official Texas Historical Marker Program, as published in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3024). The rules are adopted without changes and will not be republished.

These amendments correct an inaccuracy in §21.6; remove overly specific and redundant language already given in Official Texas Historical Marker procedures and add the new Historic

Texas Freedmen's Cemetery designation to §21.7 and §21.9; and improve the accuracy and clarity of §21.11 and §21.12.

No comments were received during the 30-day public comment period following publication.

The Commission adopts the amendments under Texas Government Code §442.005(q), which authorizes the Commission to adopt rules to reasonably effect the purposes of the Commission.

No other statutes, articles, or codes are affected by these amendments.

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 August 7, 2026.

TRD-202603342

Joseph Bell

Executive Director

Texas Historical Commission

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Proposal publication date: May 8, 2026

For further information, please call: (512) 463-6100

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CHAPTER 22. CEMETERIES

13 TAC §§22.1 - 22.4, 22.6

The Texas Historical Commission (Commission) adopts amendments to §§22.1 - 22.4, and 22.6 in Chapter 22 of the Texas Administrative Code, Title 13, Part 2, related to Cemeteries, as published in the March 13, 2026, issue of the *Texas Register* (51 TexReg 1482). The amendments are adopted without changes and will not be republished.

These amendments update definitions, remove definitions not used in Chapter 22, and clarify language as needed in §22.1; remove unnecessary language and make corrections to §22.2; clarify and specify the Commission's role in abatement of a cemetery as a nuisance and options available in such cases in §22.3; correct cross-references to the Health and Safety Code and add more accurate and specific language in §22.4; and update procedures for Historic Texas Cemetery (HTC) designations and add procedures for the new Historic Texas Freedmen's Cemetery (HTFC) designation in §22.6 to implement Senate Bill 217 as enacted by the 89th Texas Legislature.

No comments were received on the proposed amendments during the 30-day comment period following publication.

These amendments are adopted under the authority of Texas Government Code §442.005(q), which gives the Commission authority to adopt rules necessary to reasonably effect the purposes of the Commission.

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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Joseph Bell

Executive Director

Texas Historical Commission

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Proposal publication date: March 13, 2026

For further information, please call: (512) 463-6100

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TITLE 19. EDUCATION

PART 2. TEXAS EDUCATION AGENCY

CHAPTER 103. HEALTH AND SAFETY
SUBCHAPTER CC. COMMISSIONER'S RULES CONCERNING SAFE SCHOOLS

19 TAC §103.1219

The Texas Education Agency (TEA) adopts new §103.1219, concerning assignment of a conservator for noncompliance with school safety and security requirements. The new rule is adopted without changes to the proposed text as published in the March 27, 2026 issue of the *Texas Register* (51 TexReg 1955) and will not be republished. The adopted new rule ensures school system compliance with safety requirements, as required by Texas Education Code (TEC), §37.1085, as added by House Bill (HB) 3, 88th Texas Legislature, Regular Session, 2023.

REASONED JUSTIFICATION: Adopted new §103.1219 outlines the circumstances under which a conservator can be assigned for school systems that fail to comply with safety and security monitoring or to timely address issues raised by TEA, in accordance with TEC, §37.1085.

Adopted new §103.1219 outlines the circumstances where the commissioner of education can appoint a conservator related to school safety and security monitoring, the powers and duties an assigned conservator may exercise, and exceptions to conservator appointments, as related to school safety and security.

SUMMARY OF COMMENTS AND AGENCY RESPONSES: The public comment period on the proposal began March 27, 2026, and ended April 27, 2026. Following is a summary of public comments received and agency responses.

Comment: The Texas Society of Architects (TxA) recommended the addition of good cause exception language to outline how school systems may achieve compliance with school safety and security requirements, citing TEC, §37.353. TxA requested additional language be added to the rule to envision and provide for the use of good cause exceptions for school systems to become compliant with other school facilities standards related to school safety and security. TxA stated that the omission of clear rule provisions to execute the use of a good cause exception as provided for in statute undermines effective compliance monitoring and enforcement on the part of the agency.

Response: The agency disagrees and provides the following clarification. TEC, §37.1085, outlines the specific circumstances in which the commissioner may assign a conservator for noncompliance with school safety and security requirements. The reference to a good cause exception outlined in the proposed rulemaking is consistent with the singular reference outlined in TEC, §37.1085(c).

Comment: A Texas administrator expressed concern that a significant majority of school systems may lack the financial capacity to implement new requirements and that many districts could be deemed noncompliant, not due to a lack of commitment to student safety, but due to insufficient funding.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A Texas administrator commented that there is a perceived lack of meaningful input from local educators and administrators in the decision-making process, commenting this has had a tangible impact on those working directly with students, who are striving to provide safe and supportive learning environments, often while navigating constraints that are beyond their control.

Response: This comment is beyond the scope of the proposed rulemaking.

Comment: A Texas administrator commented that school systems do not deliberately operate unsafe schools, stating that the proposed rulemaking is an overreaction, an overreach, and unnecessary.

Response: The agency disagrees and provides the following clarification. The agency recognizes efforts across the state to ensure the safety of students, staff, and visitors. TEC, §37.1085, directs commissioner rulemaking related to the assignment of a conservator for noncompliance with school safety and security requirements.

STATUTORY AUTHORITY. The new section is adopted under TEC, §37.1085, as added by HB 3, 88th Texas Legislature, Regular Session, 2023, which grants the commissioner of education the authority to assign a conservator under TEC, Chapter 39A, if a school district fails to submit to any required monitoring, assessment, or audit; to comply with applicable safety and security requirements; or to timely address issues raised by the Texas Education Agency's monitoring, assessment, or audit.

CROSS REFERENCE TO STATUTE. The new section implements TEC, §37.1085, as added by HB 3, 88th Texas Legislature, Regular Session, 2023.

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 August 10, 2026.

TRD-202603363
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Effective date: September 1, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 475-1497

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TITLE 22. EXAMINING BOARDS

PART 5. STATE BOARD OF DENTAL EXAMINERS

CHAPTER 117. FACULTY AND STUDENTS IN ACCREDITED DENTAL SCHOOLS

22 TAC §117.2

The State Board of Dental Examiners (Board) adopts amendments to rule 22 TAC §117.2, pertaining to dental faculty licensure. The amendments remove repetitive language that is currently found in Chapter 267, Texas Occupations Code, and make grammatical changes. The amendments are adopted without changes to the proposed text as published in the July 3, 2026, issue of the *Texas Register* (51 TexReg 4334) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted 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.

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 August 7, 2026.

TRD-202603347
Lauren Studdard
General Counsel
State Board of Dental Examiners
Effective date: August 27, 2026
Proposal publication date: July 3, 2026
For further information, please call: (737) 363-2333

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22 TAC §117.3

The State Board of Dental Examiners (Board) adopts amendments to rule 22 TAC §117.3, pertaining to dental hygiene faculty licensure. The amendments remove repetitive language that is currently found in Chapter 267, Texas Occupations Code, and make grammatical changes. The amendments are adopted without changes to the proposed text as published in the July 3, 2026, issue of the *Texas Register* (51 TexReg 4335) and will not be republished.

No comments were received regarding adoption of this rule.

This rule is adopted 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.

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 August 7, 2026.

TRD-202603348
Lauren Studdard
General Counsel
State Board of Dental Examiners
Effective date: August 27, 2026
Proposal publication date: July 3, 2026
For further information, please call: (737) 363-2333

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PART 14. TEXAS OPTOMETRY BOARD

CHAPTER 271. EXAMINATIONS

22 TAC §271.8

The Texas Optometry Board adopts the repeal of 22 TAC Part 14 Chapter 271 Examinations - §271.8 - Converting Optometric License to Therapeutic Optometric License. The Board adopts the repeal without changes to the proposed text as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3769). The repeal will not be republished.

This rule provided a mechanism for optometrists to convert an optometrist license to a therapeutic optometrist license. There are approximately 100 licensees who are licensed as optometrists. Given the number of licensees and the ability of the Board to verify competency, the rule is unnecessary and is being repealed.

There were no public comments regarding this repeal.

The Board adopts this repeal pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the repeal.

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 August 4, 2026.

TRD-202603280
Janice McCoy
Executive Director
Texas Optometry Board
Effective date: August 24, 2026
Proposal publication date: June 5, 2026
For further information, please call: (512) 305-8502

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22 TAC §271.12

The Texas Optometry Board adopts amendments to 22 TAC Part 14 Chapter 271 Examinations - §271.12 - License Designation with no changes to the proposed text as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3770). The rule will not be republished.

This rule is being amended to remove sections that simply restate statute. By eliminating the sections of the rules that restate statute, the agency is reducing the regulatory burden and increasing transparency for licensees.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the amendments.

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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Janice McCoy
Executive Director
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For further information, please call: (512) 305-8502

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CHAPTER 272. ADMINISTRATION

22 TAC §272.4

The Texas Optometry Board adopts the repeal of 22 TAC Part 14 Chapter 272 Administration - §272.4 - Public Participation in Meetings. The Board adopts the repeal without changes to the proposed text as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3771). The repeal will not be republished.

This rule is derived from Texas Occupations Code 351.202 which requires the Board to "develop and implement policies that provide the public with a reasonable opportunity to appear before the board and to speak on any issue under the board's jurisdiction."

In conjunction with the repeal of this rule, the Board will adopt a policy regarding public participation at meetings. The policy will be available on the Board's public facing website for public review.

There were no public comments regarding this repeal.

The Board adopts this repeal pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the repeal.

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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CHAPTER 273. GENERAL RULES

22 TAC §273.1

The Texas Optometry Board adopts the repeal of 22 TAC Part 14 Chapter 273 General Rules - §273.1 - Surrender of License. The Board adopts the repeal as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3772). The repeal will not be republished.

This rule originated in 1984 - the Board's purpose was to ensure that optometrists who do not renew a license would not be in possession of a valid license and therefore could not practice optometry. By requiring the return of the license and/or an affidavit stating the optometrist would not practice, the Board was protecting the health and welfare of the general public.

However, online searches of the Board's licensees now provide a way for member of the public to verify that a person has a valid therapeutic license. As such, this rule is an unnecessary step for licensees and an unnecessary burden for staff to maintain the affidavits. The Board has other disciplinary tools for those licensees who practice without a license.

There were no public comments regarding this repeal.

The Board repeals this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the amendments.

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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22 TAC §273.10

The Texas Optometry Board adopts the repeal of 22 TAC Part 14 Chapter 273 General Rules - §273.10 - Nonrenewal for Failure to Pay Child Support. The Board adopts the repeal without changes to the proposed text as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3773). The repeal will not be republished.

This rule is derived from the Family Code §232.0135 which directs the Board to hold license renewals for non-payment of child support. This rule is unnecessary as it simply restates the statute related to child support payments. The Board has full authority to withhold a license renewal based on the statute.

There were no public comments regarding this repeal.

The Board adopt this repeal pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the repeal.

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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CHAPTER 277. PRACTICE AND PROCEDURE

22 TAC §277.1

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.1 - Complaint Procedures with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4077). The rule will not be republished.

The amendments clarify the Board's complaint process for the public and licensees by reducing the word count and simplifying the classification system. The rule repeals current (e)(3) related to options the Board has regarding the disposition of complaint as these options are found in statute and do not need to be repeated in the rule.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the complaint process is found in Subchapter E of the Occupations Code (Public Interest Information and Complaint Procedures).

No other sections are affected by the amendments.

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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22 TAC §277.2

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.2 - Disciplinary Proceedings with changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4080). The rule will be republished.

The change to the text adds a period to the end of the sentence at subsection (d)(4).

The amendments clarify the Board's disciplinary proceedings process for the public and licensees by reducing word count and ensuring the Board's proceedings comply with the Administrative Procedures Act (APA). By referencing compliance with the APA, the Board does not need to amend its rule if the APA is amended by the Texas Legislature at a future date. Additionally, the rule adds a section referencing the option for Alternative Dispute Resolution as that rule is being repealed in a separate rule submission.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the disciplinary process is found in Subchapter K of the Occupations Code (Disciplinary Procedures).

No other sections are affected by the amendments.

§277.2. Disciplinary Proceedings.

(a) In a contested case before the Board, proceedings shall be governed by the Administrative Procedure Act (APA), except as specifically provided in the Optometry Act. In any contested case, opportunity shall be afforded to all parties to respond and present evidence and argument on all issues involved. Unless precluded by law, informal disposition may be made of any contested case by any method authorized under Government Code, Section 2001.056, including but not limited to stipulation, agreed settlement, consent order, or default.

(b) The Board may seek to resolve a contested matter through any Alternative Dispute Resolution (ADR) procedure. Such procedures may include, but are not limited to, those applied to resolve matters pending at the State Office of Administrative Hearing (SOAH) and in the state's district courts.

(c) Prior to the imposition of disciplinary sanctions, remedial plan, or administrative penalties against a respondent (a licensee or a person issued a cease and desist order), the respondent shall be offered an opportunity to attend an informal conference and show compliance with all requirements of law, in accordance with the APA.

(1) The Executive Director shall designate the informal conference panel in accordance with Section 351.507 of the Optometry Act. The respondent and/or the authorized representative may attend the informal conference and shall be provided an opportunity to be heard. If applicable, the complainant may attend the informal conference in order to be heard on the complaint.

(2) Informal conferences shall not be deemed to be meetings of the Board and no formal record of the proceedings at the conferences shall be made or maintained.

(3) In making a settlement offer, the panel shall consider the Penalty Schedule in §277.6 of this title to determine the recommendation for an administrative fine or penalty. The panel also may recommend the respondent refund all or part of the examination fee paid by the complainant.

(4) The panel's proposed settlement offer shall be presented to the Board for its review. At the conclusion of its review, the Board shall approve, amend, or disapprove the settlement offer. If the respondent does not concur with the settlement or the Board disapproves the offer, the case shall be forwarded to SOAH for formal action.

(d) Notice of the informal conference shall be served not less than 10 days prior to the date of the conference by certified or registered mail, return receipt requested, to the licensee's address of record as maintained by the Board or by electronic means to the licensee's designated electronic address of record, and shall include:

(1) a statement of the legal authority, jurisdiction, and alleged conduct under which the enforcement action is based, with a reference to the particular section(s) of the statutes and rules involved;

(2) an offer for the respondent to attend an informal conference at a specified time and place and show compliance with all requirements of law, in accordance with the APA;

(3) a statement that the respondent has an opportunity for a hearing before SOAH on the allegations; and

(4) a default warning in the form prescribed by Board policy.

(e) The respondent shall respond by either personal appearance at the informal conference or in writing no later than the date of the informal conference. If the respondent chooses to respond in writing, the response shall address the allegations set forth in the notice.

(f) If the respondent fails to respond the matter will be considered as a default case.

(1) The respondent will be deemed to have:

(A) admitted all the factual allegations in the notice specified in this subsection;

(B) waived the opportunity to show compliance with the law;

(C) waived notice of a hearing;

(D) waived the opportunity for a hearing on the allegations; and

(E) waived objection to the recommended sanctions made at the informal conference.

(2) The Board shall either enter a default order adopting the recommended sanctions made at the informal conference or direct that the case be set for a hearing at SOAH. Any default judgment will be entered on the basis of the factual allegations in the notice and upon proof of proper notice to the respondent's address of record.

(3) A motion for rehearing which requests that the Board vacate its default order under this section shall be granted if the motion presents convincing evidence that the failure to respond to the notice specified in this subsection was not intentional or the result of conscious indifference, but due to accident or mistake, provided that the respondent has a meritorious defense to the factual allegations contained in the notice specified in this subsection and the granting thereof will not result in delay or injury to the public or the Board.

(g) All contested cases not resolved by informal conference shall be referred to SOAH. Formal proceedings shall be conducted in accordance with the contested-case provisions of the APA and the procedural rules of SOAH.

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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Janice McCoy
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22 TAC §277.3

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.3 - Probation with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4082). The rule will not be republished.

The amendment simply updates the terminology found in the rule from "practitioner" to "licensee" to clarify that the Board may offer probation to a licensee. It further clarifies that the Board "may" act without the unnecessary language related to a majority vote as a majority vote is needed for all Board actions.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the probation process is found in §351.506 of the Occupations Code.

No other sections are affected by the amendments.

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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22 TAC §277.4

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.4 - Reinstatement with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4083). The rule will not be republished.

The amendment simply updates the terminology found in the rule from "practitioner" to "person" to clarify that the person seeking reinstatement of a license should not be practicing. Additionally, it provides that the Board may make the decision to reinstate a license without holding a hearing at the State Office of Administrative Hearings (SOAH). Implied is that if the Board makes an adverse action, the person may appeal the decision to SOAH under the provisions of the Administrative Procedures Act.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the reinstatement process is found in §351.505 of the Occupations Code.

No other sections are affected by the amendments.

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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22 TAC §277.5

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.5 - Convictions with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4084). The rule will not be republished.

The amendment removes unnecessary language which only restates statute or provides subjective commentary about the rule.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the review of convictions process is found in Chapter 53 of the Occupations Code. No other sections are affected by the amendments.

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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22 TAC §277.8

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.8 - Emergency Temporary Suspension or Restriction with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4086). The rule will not be republished.

The amendment provides the Chair of the Board has discretion when appointing the emergency committee and the appointments would not need to be approved by the full Board. Finally, the amendment allows the committee to meet by video or telephone call if necessary.

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the emergency suspension process is found in §351.5015 of the Occupations Code.

No other sections are affected by the amendments.

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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22 TAC §277.9

The Texas Optometry Board adopts the repeal of 22 TAC Part 14 Chapter 277 Administration - §277.9 - Alternative Dispute Resolution. The Board adopts the repeal as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4087). The repeal will not be republished.

This rule is derived from Texas Government Code Chapter 2009 which outlines the Alternative Dispute Resolution process for government agencies. In conjunction with this repeal, the Board amended Rule 277.2 to include the following: "The Board may seek to resolve a contested matter through any Alternative Dispute Resolution (ADR) procedure. Such procedures may include, but are not limited to, those applied to resolve matters pending at the State Office of Administrative Hearing (SOAH) and in the state's district courts."

There were no public comments regarding this repeal.

The Board adopts this repeal pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code.

No other sections are affected by the repeal.

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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22 TAC §277.12

The Texas Optometry Board adopts amendments to 22 TAC Chapter 277, §277.12 - Denial Of License And Disciplinary Action By Board with no changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4088). The rule will not be republished.

As currently written, the rule simply restated Texas Occupations Code §351.501 which is redundant and could be confusing for stakeholders. The amendment simplifies and clarifies the Board's authority to discipline a licensee or applicant.

Additionally, based on a recent State Office of Administrative Hearing's ruling, the Board is attempting to define "wilful" by stating "An applicant or license holder is considered to have committed a wilful violation if the person intentionally disregarded the Optometry Act. Unless the person can prove he or she did not know how to review and understand the law, the Board deems every violation as intentional as each person is required to take and pass the Board's jurisprudence exam prior to licensure and to take one hour of continuing education related to professional responsibility each year once licensed."

No comments were received regarding the amendment.

The Board adopts this rule pursuant to the authority found in §351.151 of the Occupations Code which vests the Board with the authority to adopt rules necessary to perform its duties and implement Chapter 351 of the Occupations Code. Additional authority related to the disciplinary process is found in Subchapter K of the Occupations Code (Disciplinary Procedures).

No other sections are affected by the amendments.

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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TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 358. CHILDREN'S AUTISM PROGRAM

The executive commissioner of the Texas Health and Human Services Commission (HHSC) adopts amendments to §§358.101, 358.105, 358.307, 358.311, 358.313, 358.315, 358.605, 358.607 - 358.609; the repeal of §§358.309, 358.507, and 358.515; and new §§358.107, 358.109, 358.201, and 358.309.

Sections 358.105 and 358.311 are adopted with changes to the proposed text as published in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2869). These rules will be republished.

Sections 358.101, 358.107, 358.109, 358.201, 358.307, 358.309, 358.313, 358.315, 358.507, 358.515, 358.605, and 358.607 - 358.609 are adopted without changes to the proposed text as published in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2869). These rules will not be republished.

BACKGROUND AND JUSTIFICATION

The amendments, new sections, and repeals update the Children's Autism Program rules in Title 26 Texas Administrative Code (TAC) Chapter 358, including definitions and contractor qualifications. The updates also replace references to the former Texas Department of Assistive and Rehabilitative Services with HHSC.

The adopted rules change the program eligibility requirement based on age. This change aligns with the other program within the Children's Autism and Blindness Services section, the Blind Children's Program.

Additionally, the Children's Autism Program rules were in two titles in TAC. The adopted rules consolidate program rules into 26 TAC Chapter 358. The repealed rules in 1 TAC Chapter 392, Subchapter C, Autism Program, are published elsewhere in this issue of the *Texas Register*.

COMMENTS

The 31-day comment period ended June 1, 2026.

HHSC received comments regarding the proposed rules from five commenters. HHSC received comments from Texas Nurse Practitioners, Texas Academy of Physician Assistants, Families for Effective Autism Treatment - Houston, Texas Council of Community Centers, and Texas Association for Behavior Analysis Public Policy Group. A summary of comments relating to the rules and HHSC's responses follows.

Comment: A commenter suggested the proposed definition of "qualified professional" in §358.105(24) should include advanced practice registered nurses, such as nurse practitioners (NPs). The commenter indicated the proposed rule limited qualified professionals to "a physician or psychologist" and the restriction is inconsistent with NPs' scope of practice under Texas law and authority under other HHSC programs.

Response: HHSC agrees and revises the rule as suggested. HHSC also adds a definition for "nurse practitioner" in §358.105(20) and renumbers the section accordingly.

Comment: A commenter suggested the proposed definition of "qualified professional" in §358.105(24) should include physicians assistants (PAs). The commenter indicated PAs are authorized to perform medical acts, including diagnosis, within their scope of practice. The commenter further indicated the proposed rule created an internal inconsistency within HHSC's regulatory framework.

Response: HHSC agrees and revises the rule as suggested. HHSC also adds a definition for "physician assistant" in §358.105(24) and renumbers the section accordingly.

Comment: Multiple commenters expressed support and enthusiasm for expansion of services to children and adults through age 21. The commenters further expressed continuing support for flexibility in the use of authorized service hours and limitations and appreciate tailoring the services to the child rather than arbitrary limits. The commenters also encouraged HHSC to carefully consider how requirements related to parent participation and client attendance are implemented.

Response: HHSC acknowledges support for expanded eligibility and changes to use of service hours. The Children's Autism Program's policy and process continue to include reviewing and approving exceptions to participation requirement. No changes were made in response to the comment.

A minor editorial change was made to §358.105 for consistency across HHSC rules.

A minor editorial change was made to §358.105(4) to correct formatting.

A minor editorial change was made to §358.311(a)(1)(B) to correct a typo.

SUBCHAPTER A. GENERAL RULES

26 TAC §§358.101, 358.105, 358.107, 358.109

STATUTORY AUTHORITY

The amendments and new sections 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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism program.

§358.105. Definitions.

The following terms in this chapter have the following meanings, unless the context clearly indicates otherwise.

(1) Adjusted gross income--The total income of the family after subtracting allowable deductions. Adjusted gross income is used to calculate a family's monthly cost share for a child to participate in the Children's Autism Program.

(2) Allowable deductions--Expenses that may be subtracted from total income. Allowable deductions are limited to:

(A) the actual medical or dental expenses of the family that are mainly for helping or preventing a physical or mental condition, paid within the last 12 months, and expected to continue during the eligibility period. Expenses must be limited to the cost of:

(i) diagnosis, cure, alleviation, treatment, or prevention of disease;

(ii) treatment of any affected body part or function;

(iii) legal medical services delivered by physicians, surgeons, dentists, and other medical practitioners;

(iv) medication, medical supplies, and diagnostic devices;

(v) premiums paid for insurance that covers the expenses of medical or dental care;

(vi) transportation to receive medical or dental care; and

(vii) medical or dental debt that is being paid on an established payment plan;

(B) child-care and respite expenses for a family member;

(C) costs and fees associated with the adoption of a child who will be counted as a family member; and

(D) court-ordered child support payments paid for a child who is not counted as a family member.

(3) ABA--Applied behavior analysis. The design, implementation, and evaluation of systematic environmental changes to produce socially significant change in human behavior through skill acquisition and the reduction of problematic behavior. Applied behavior analysis includes direct observation and measurement of behavior

and the identification of functional relations between behavior and the environment. Contextual factors, establishing operations, antecedent stimuli, positive reinforcers, and other consequences are used to produce the desired behavior change.

(4) ASD--Autism spectrum disorder. A disorder found in the fifth edition of the Diagnostic and Statistical Manual of Mental Disorders (DSM) related to autism or a diagnosis of autistic disorder, Asperger's disorder, or pervasive developmental disorder not otherwise specified, made under a previous DSM, used to meet the eligibility criteria for a documented diagnosis in §358.307(a) of this chapter (relating to Eligibility).

(5) BCaBA--Board Certified Assistant Behavior Analyst. A person who meets the requirements in and holds the appropriate license under Texas Occupations Code Chapter 506, the Behavior Analyst Licensing Act.

(6) BCBA--Board Certified Behavior Analyst. A person who meets the requirements in and holds the appropriate license under Texas Occupations Code Chapter 506.

(7) BCBA-D--Board Certified Behavior Analyst-Doctoral. A person who meets the requirements in and holds the appropriate license under Texas Occupations Code Chapter 506.

(8) Child--An individual diagnosed with ASD who is younger than 22 years of age.

(9) Contractor--A local community agency or organization under contract with HHSC to provide services under this chapter.

(10) Cost share--The amount of money a family must pay each month for a child to participate in the Children's Autism Program, as described in Subchapter F of this chapter (relating to Cost Share).

(11) Dependent--A person in the household of a child who receives services who is 19 years of age or older, a parent, a guardian, a stepparent, a grandparent, a brother, a sister, a stepbrother, a stepsister, or an in-law. Dependents may not have gross income more than the income requirement set by the Internal Revenue Service (IRS) for the relevant year. More than half of the person's support must be provided by the parent during the calendar year.

(12) Direct services--Direct services happen when a staff member provides services to a child or the family. Direct services include parent or family training, in person and virtual ABA sessions, and meetings related to the service plan. Direct services do not include casual or accidental physical contact with, talking to, or meeting at an educational presentation or seminar with a child who is in the Children's Autism Program or with the child's family.

(13) Family--If living in the same home, means:

(A) the parent;

(B) the child;

(C) other children younger than 19 years old; and

(D) other dependents.

(14) Fiscal year--The state fiscal year. Begins on September 1 and ends on August 31 of the following year.

(15) Focused ABA services--ABA services provided to a child by an HHSC contractor to treat one or more skill deficits or behaviors.

(16) Gross income--All income received by the family for determination of the family's cost share, from whatever source, that is considered income by the Internal Revenue Service before federal allowable deductions are applied.

(17) HHSC--The Texas Health and Human Services Commission.

(18) Individualized Education Program (IEP)--A written document that is developed for each public school child who is eligible for special education.

(19) Interest list--A list, maintained by a contractor, of families who have indicated an interest in receiving services, and who meet the eligibility criteria.

(20) Nurse practitioner--A person licensed to practice nursing under Texas Occupations Code Chapter 301.

(21) Parent--Means:

(A) a child's natural or adoptive parent; or

(B) a child's guardian.

(22) Parent training--A Focused ABA service that a contractor provides to a parent in the native language of a parent with limited English proficiency, when possible.

(23) Physician--A person licensed to practice medicine under Texas Occupations Code Chapter 155.

(24) Physician assistant--A person licensed to practice medicine under Texas Occupations Code Chapter 204.

(25) Psychologist--A person licensed to practice psychology under Texas Occupations Code Chapter 501.

(26) Qualified professional--A physician, psychologist, nurse practitioner, or physician assistant who has training and experience in diagnosing and treating neurodevelopmental disorders.

(27) RBT--Registered Behavior Technician. A paraprofessional who provides direct support to individuals, under the supervision of a BCBA or BCaBA. A RBT implements behavior intervention plans, collects data, and assists individuals to develop or improve skills and manage challenging behaviors. This term also includes a Board Certified Autism Technician.

(28) Staff member--Means a person working for a contractor as:

(A) an RBT;

(B) a BCaBA;

(C) a BCBA; or

(D) a BCBA-D.

(29) Texas resident--A person who lives in Texas.

(30) Third-party payer--A company, organization, insurer, or government agency, except for HHSC, that pays for health care services a child receives in the Children's Autism Program.

(31) Transition plan--A written document that lists the steps and services needed to help the child and family move from the Children's Autism Program to local education agency special education services or other community activities, places, or programs chosen by the family after leaving the Children's Autism Program.

(32) Treatment plan--A written plan of care that describes how services will be provided to a child and the child's family to enhance the child's development, that includes treatment goals.

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: May 1, 2026

For further information, please call: (512) 815-6272

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SUBCHAPTER B. STAFF REQUIREMENTS

26 TAC §358.201

STATUTORY AUTHORITY

The new section 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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism 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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SUBCHAPTER C. DARS FOCUSED ABA SERVICES

26 TAC §358.309

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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism program.

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26 TAC §§358.307, 358.309, 358.311, 358.313, 358.315

STATUTORY AUTHORITY

The amendments and new section 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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism program.

§358.311. Services Provided.

(a) A contractor must:

(1) develop a written treatment plan with the family for each child served, which must include;

(A) goals that are clear, specific, and can be measured and will direct the treatment process and show progress; and

(B) plans that help the child use skills and behaviors learned during services in other places, such as home or school; and

(2) provide and keep records of parent training as a part of the Focused ABA services.

(b) A contractor must provide parent training. A contractor may provide this training in either individual or group format. If provided in a group of other parents and children, a contractor may provide parent training in a home, school, or clinic setting.

(c) Parent training must include:

(1) providing education to the parent about ABA;

(2) the contractor working with the parent to find ways to help the child practice skills at home so learned skills can carry over to other places, including school settings; and

(3) teaching the parent how to review data, make decisions about the program, and plan for new goals.

(d) Documentation of parent training must include:

(1) the name of the child;

(2) the names of those who participated in the training;

(3) any training information the contractor discussed and shared with each parent who participated in the training; and

(4) the location where the contractor provided the training.

(e) A contractor must:

(1) provide ongoing analysis and evaluation of each child's progress;

(2) collect data on operationally defined target behaviors at baseline, during treatment, and after treatment for every behavior listed in the child's treatment plan;

(3) document efforts to coordinate services with the school setting the child attends to promote the child's use of learned skills in that setting so learned skills can carry over to other places;

(4) develop a written transition plan with the child and family before each child exits the Children's Autism Program;

(5) maintain an updated transition plan in the child's record and include in the transition plan:

(A) timelines for completing each of the steps and transition services documented in the plan to support the family's exit from the Children's Autism Program; and

(B) the family's choice for the child to:

(i) transition to local education agency special education services or other community activities, places, or programs the family would like the child to participate in after exiting the Children's Autism Program; or

(ii) remain in the home; and

(6) maintain documentation in the child's record of all services provided to the child that includes:

(A) the child's name;

(B) the date of service;

(C) the start and end time of service;

(D) the location of service;

(E) the names of those present during the time of service;

(F) the contractor's signature;

(G) a description of the service and goals addressed; and

(H) progress toward goals.

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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SUBCHAPTER E. AUTISM PROGRAM RIGHTS

26 TAC §358.507, §358.515

STATUTORY AUTHORITY

The repeals 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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism program.

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SUBCHAPTER F. COST SHARE

26 TAC §§358.605, 358.607 - 358.609

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 Government Code §524.0005, which provides the executive commissioner of HHSC with broad rulemaking authority. In addition, Texas Human Resources Code §117.082 requires HHSC to adopt rules for the children's autism 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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TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 7. TEXAS COMMISSION ON LAW ENFORCEMENT

CHAPTER 211. ADMINISTRATION

37 TAC §211.16

The Texas Commission on Law Enforcement (Commission) adopts amended 37 Texas Administrative Code §211.16, Establishment or Continued Operation of an Appointing Entity, with non-substantive changes to the proposed text as published in the May 22, 2026 issue of the *Texas Register* (51 TexReg 3533). The rule will be republished.

The adopted amended rule conforms with the amendments made by House Bill 33 (89R). It requires every agency to have access to a breaching tool and ballistic shield, clarifies requirements of an agency's active shooter policy, and requires certain agencies to have a Public Information Officer. The Public Information Officer has one year from assignment to obtain the certificate. It also clarifies the communications equipment requirement that if certain officers have a radio, they do not also need a cell phone.

Finally, the adopted amended rule conforms with the amendment to Texas Occupations Code §1701.163 made by Senate Bill 1445 (88R). It provides guidance to determine whether a prospective agency or existing agency provides public benefit to the community and describes the process for applying to create a new agency or deactivating an existing agency. The goal is to provide objective measures and consistent processes when evaluating applications for new agencies and issues involving existing agencies. Non-exclusive lists of factors to determine whether an agency provides public benefit to the community are included in the adopted amended rule for both prospective and existing agencies. These factors and processes were developed from prior experiences and observations when evaluating past applications for the creation of a new agency and addressing issues with struggling agencies. This adopted amended rule will allow governing bodies and agencies to better understand the process and requirements to create and maintain an agency and what may put an agency at risk.

The public comment period began on May 22, 2026, and ended on June 25, 2026, at the conclusion of the public meeting of the Commission. One public comment was received.

Public Comment No. 1 from the Bastrop-Travis Counties Emergency Services District 1: Commenter requests that the following be added as subsection (b)(6): "the agency is an Emergency Services District, and the Emergency Services District has adopted a Fire Code in accordance with Texas Health and Safety Code 775.036 (5)(b) and the Peace Officers will be performing duties outlined in Texas Health and Safety Code 775.036 (g)." Commenter states that Emergency Services Districts (ESDs) have the authority to appoint peace officers and the Legislature did not intend that ESDs have to face the extra hurdle of proving to the Commission that they provide a public benefit to the community. Commenter states that ESDs "respond to emergencies, investigate arson, environmental and other fire-related crimes, secure hazardous scenes, and enforce burn bans and other life-safety ordinances-often in rural or rapidly growing unincorporated areas where no other law-enforcement agency is readily available or are inadequately qualified to do so."

Commission Response: By law, many governmental entities may appoint peace officers. However, the entity must become a law enforcement agency to appoint peace officers. To this end, the Legislature has required that the Commission establish by rule minimum standards for the creation and continued operation of a law enforcement agency so that an authorized entity can appoint peace officers. One of these required minimum standards is a determination regarding the public benefit of creating the law enforcement agency in the community. No law requires that an ESD be a law enforcement agency or that an ESD be presumed to provide public benefit to the community. Similarly, nothing in the public comment leads to the policy conclusion that an ESD should be presumed to provide a public benefit to the community and be included in subsection (b) of the adopted amended rule. The Commission made a policy decision that most entities that may appoint peace officers not be included in subsection (b) to give effect to the Legislature's intent that an entity show a public benefit to the community to possibly become a law enforcement agency. Generally, the excepted entities in subsection (b) are required by law, prosecute criminal offenses, or are school related.

The Texas Constitution states that ESDs may provide emergency medical services, emergency ambulance services, rural fire prevention and control services, or other emergency services authorized by the Legislature. Emergency medical services and emergency ambulance services may only be provided by a person licensed as an emergency medical services provider by the Texas Department of State Health Services. Besides ESDs, fire prevention and control services, including inspections for fire hazards, may also be provided by fire departments and fire marshals, among others. Importantly, private businesses that provide their own fire prevention and control services with the right equipment are not subject to an ESD's authority or an ESD's taxes. None of these entities, including ESDs, are required to be a law enforcement agency to provide these services. And not all ESDs are the same, as an ESD may provide limited services or use its funding to contract for the provision of authorized services. Additionally, many ESDs across Texas provide their authorized services without being a law enforcement agency, including Commenter. Therefore, public benefit to the community as a law enforcement agency should not be presumed solely because of the services an ESD is authorized to provide, including inspection for fire hazards. However, this does not preclude an ESD from showing that it provides public benefit to the community through subsection (c) of the adopted amended rule to possibly become a law enforcement agency.

The amended rule is adopted pursuant to Texas Government Code §411.3735, Certification and Continuing Education Required for Certain Public Information Officers, Texas Government Code §418.333, Certification and Continuing Education, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.163, Minimum Standards for Law Enforcement Agencies. Texas Government Code §411.3735 requires certain agencies to have a public information officer who has or obtains the public information officer certificate. Texas Government Code §418.333 requires an applicant for a public information officer certification to complete minimum education and training requirements for initial certification and to complete continuing education to maintain the certificate. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701. Texas Occupations Code §1701.163 requires the Commission to adopt rules to establish minimum standards with respect to the creation or continued operation of a law enforcement agency.

The amended rule as adopted affects or implements Texas Government Code §411.3735, Certification and Continuing Education Required for Certain Public Information Officers, Texas Government Code §418.333, Certification and Continuing Education, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.163, Minimum Standards for Law Enforcement Agencies. No other code, article, or statute is affected by this adoption.

§211.16. Establishment or Continued Operation of an Appointing Entity.

(a) To establish that an agency or a prospective agency meets the minimum standards for the creation or continued operation of a law enforcement agency, the agency must provide evidence that the agency:

(1) provides public benefit to the community;

(2) has sustainable funding sources that meet or exceed the continued operating expenses outlined in a line-item budget for the agency;

(3) has physical resources available to officers, including:

(A) at least one firearm per officer on duty;

(B) at least one less lethal force weapon per officer on duty;

(C) effective communications equipment, specifically:

(i) at least one radio communication device per officer on duty performing patrol, courtroom security, traffic enforcement, responding to calls for service, assigned to a controlled access point, acting as a visual deterrent to crime, surveillance, warrant execution, and service of civil process; and

(ii) at least one radio communication device or cell phone device for any other officer on duty who may have contact with the general public;

(D) at least one bullet-resistant vest per officer on duty with vest panels that:

(i) have been certified as compliant by the National Institute of Justice (NIJ);

(ii) are within the ballistic performance warranty period listed by the manufacturer on the affixed tags; and

(iii) have never been shot or otherwise compromised;

(E) access to at least one breaching tool and one ballistic shield;

(F) for agencies with primary jurisdiction over a school district or open-enrollment charter school, one breaching tool and one ballistic shield available at each campus;

(G) at least one uniform per officer whose duties include any of the following:

(i) performing patrol;

(ii) courtroom security;

(iii) traffic enforcement;

(iv) responding to calls for service;

(v) assigned to a controlled access point;

(vi) acting as a visual deterrent to crime;

(vii) warrant execution; or

(viii) service of civil process;

(H) at least one motor vehicle owned and insured by an agency created on or after June 1, 2024; and

(I) patrol vehicles provided to officers whose duties include either performing patrol, traffic enforcement, or responding to calls for service that:

(i) are owned, insured, and equipped by the agency; or

(ii) may be personally owned for agencies in existence before June 1, 2024, that have not provided agency-owned patrol vehicles from June 1, 2024, to the present;

(4) has physical facilities, including:

(A) an evidence room or other acceptable secure evidence storage for officers whose duties include any of the following:

(i) performing patrol;

(ii) traffic enforcement;

(iii) criminal investigations;

(iv) responding to calls for service; or

(v) executing search or arrest warrants;

(B) a dispatch area for any agency appointing and employing telecommunicators; and

(C) a public area including written notices posted and visible 24 hours a day explaining:

(i) how to receive the most immediate assistance in an emergency;

(ii) how to make a nonemergency report of a crime; and

(iii) how to make a compliment or complaint on a member of the agency by mail, online, or by phone;

(5) has policies, including policies on:

(A) use of force;

(B) vehicle pursuit;

(C) professional conduct of officers;

(D) domestic abuse protocols;

(E) response to missing persons;

(F) supervision of part-time officers;

(G) impartial policing;

(H) medical and psychological examination of licensees;

(I) active shooters, including a detailed written policy based on current best practices for responding to an active shooter incident at a primary or secondary school facility and a recommendation for the frequency at which simulated emergency drills should be conducted;

(J) barricaded subjects;

(K) evidence collection and handling;

(L) eyewitness identification;

(M) misconduct investigations;

(N) hiring a license holder;

(O) personnel files;

(P) uniform and dress code;

(Q) training required to maintain licensure; and

(R) outside and off-duty employment;

(6) has an assigned public information officer who must hold a valid public information officer certificate or must obtain the certificate within the first year of assignment, if the agency is:

(A) a municipal police department;

(B) a sheriff's office;

(C) a county constable's office;

(D) a school district police department; or

(E) the Texas Department of Public Safety;

(7) has an established administrative structure, including:

(A) an organizational chart for the agency that illustrates the division and assignment of licensed and unlicensed personnel;

(B) a projection for the number of full-time peace officers, part-time peace officers, and reserve law enforcement officers that the agency would employ during the year if at full staffing; and

(C) the number of School Resource Officer (SRO) positions employed by the agency and working in schools if the agency is not an independent school district (ISD) police department;

(8) has liability insurance for the agency and any vehicles used for agency purposes;

(9) has a defined process by which the agency will receive by mail, online, and by phone and document compliments and complaints on its employees; and

(10) any other information the commission requires.

(b) An entity applying to create a law enforcement agency is presumed to provide public benefit to the community if any of the following conditions are satisfied:

(1) the agency's chief administrator is an officer elected under the Texas Constitution;

(2) the agency is required by statute;

(3) the agency serves a municipality that contains a population of at least 10,000 people and the municipality is without an agency;

(4) the agency consists of investigators for a county or district attorney's office; or

(5) the agency serves a school district, open-enrollment charter school, private school, state institution of higher education, public technical institute, or private institution of higher education with an enrollment of at least 2,500 students.

(c) An entity applying to create a law enforcement agency may be found to provide public benefit to the community based upon a balance of the following factors:

(1) the unmet law enforcement needs of the subject community;

(2) a consideration of the presence of other agencies within the subject community, including but not limited to:

(A) the number and types of agencies that serve the community;

(B) the consistency of jurisdictional coverage to be provided;

(C) the unique law enforcement needs to be provided that are not already provided by another agency; and

(D) the ability of other agencies to provide the desired law enforcement services to the community through agreements or contracts;

(3) the desired law enforcement functions, roles, and responsibilities of the prospective agency within the subject community;

(4) a comparison of establishing an agency versus other options to address the desired law enforcement needs;

(5) the ability to provide continuity of law enforcement services;

(6) the provision of full-time versus part-time coverage;

(7) the staffing to be achieved by full-time, part-time, or reserve law enforcement officers;

(8) the ability to recruit and retain qualified licensees for appointment;

(9) the ability to recruit or retain a chief administrator;

(10) the ability to supervise, train, and develop licensees;

(11) the ability to fulfill administrative obligations required by law, including but not limited to:

(A) training compliance;

(B) maintaining required records in compliance with applicable laws;

(C) reporting compliance;

(D) appointment and separation processes;

(E) investigating and resolving allegations of misconduct; and

(F) policy development, implementation, and compliance;

(12) access to legal support and other supportive resources;

(13) oversight and support to be provided by the governing body;

(14) prior agency and governing body history with the commission; and

(15) any other factor the commission considers relevant.

(d) A law enforcement agency may be found to no longer provide public benefit to the community based upon a balance of the following factors:

(1) the relevant factors contained in subsection (c) of this section;

(2) the turnover rate of agency staff;

(3) the history and seriousness of the agency's audit and inspection deficiencies and violations;

(4) the history and seriousness of administrative and criminal misconduct of the agency's appointees;

(5) neglect of the agency's duties;

(6) lack of oversight or abuse by the agency's governing body;

(7) involvement in activities not related to the statutory purpose for the type of agency; and

(8) any other factor the commission considers relevant.

(e) An entity authorized by law to establish a law enforcement agency and appoint licensees must first complete training offered and required by the commission on the creation and continued operation of a new agency before applying to create a new law enforcement agency. This training consists of:

(1) an introduction to the new agency creation process that outlines the objectives, process, and timelines for creating a new agency;

(2) review and completion of the new agency workbook, including the gathering of required information and completion of required worksheets; and

(3) an in-person commission staff working group.

(f) After completing the required training, the entity may then submit the initial application for the creation of a new law enforcement agency by:

(1) submitting the current agency number application form;

(2) demonstrating that the prospective new agency would provide public benefit to the community and has sustainable funding sources; and

(3) outlining the prospective agency plan.

(g) If the executive director denies the initial application, the entity may appeal to the commissioners during a public meeting of the commission. If the commissioners approve the initial application, the entity may submit the final application demonstrating all requirements of subsection (a) of this section have been met.

(h) If the executive director approves the initial application, the entity may submit the final application demonstrating all requirements of subsection (a) of this section have been met.

(i) After submission of the final application, the commission will perform an inspection to confirm that the prospective agency meets the minimum standards for the creation of a law enforcement agency. If the minimum standards are met, a new law enforcement agency will be created.

(j) A denial of the initial or final application may include conditions which must be satisfied before an entity may reapply to create a new law enforcement agency.

(k) A law enforcement agency that no longer meets the minimum standards for the continued operation of an agency may be deactivated. Deactivation of an agency requires the separation of all licensees, including the chief administrator, and the revocation of the authority to appoint licensees.

(l) The governing body of an agency that has been deactivated must continue to maintain records required by the commission as prescribed by law and must report motor vehicle stop data for all years and partial years that elapsed prior to deactivation.

(m) An entity authorized by Local Government Code, §361.022 to operate a correctional facility to house inmates, in this state, convicted of offenses committed against the laws of another state of the United States, and appoint jailers requiring licensure by the commission, may make application for an agency number by submitting the current agency number application form, any associated application fee, and a certified copy of the contract under which the facility will operate.

(n) A political subdivision wanting to establish a consolidated emergency telecommunications center and appoint telecommunicators, as required by Texas Occupations Code, §1701.405, may make application for an agency number by submitting the current agency number application form, any associated application fee and a certified copy of the consolidation contract.

(o) The Texas Department of Criminal Justice - Pardon and Parole Division, a community supervision and corrections department, or a juvenile probation department may make application for an agency number if seeking firearms training certificates for parole officers, community supervision and corrections officers, or juvenile probation officers by submitting the current agency number application form and any associated application fee.

(p) All law enforcement agencies must complete and submit an annual report due between January 1st and March 1st of each year documenting their continued compliance with the requirements of this rule.

(q) The effective date of this section is September 1, 2026.

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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Gregory Stevens
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For further information, please call: (512) 936-7700

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37 TAC §211.29

The Texas Commission on Law Enforcement (Commission) adopts amended 37 Texas Administrative Code §211.29, Responsibilities of Agency Chief Administrators, with non-substantive changes to the proposed text as published in the May 22, 2026 issue of the *Texas Register* (51 TexReg 3537). The rule will be republished.

The adopted amended rule conforms with the amendments made by House Bill 33 (89R). It requires a chief administrator to submit a preliminary report within 45 days and then a final report within 90 days that evaluates the response by the law enforcement agency to an active shooter incident at a primary or secondary school.

Also, the adopted amendment requires a chief administrator to report to the Commission successful completion of personnel orientation and field training by a licensee. This will reduce delays for licensees in achieving basic proficiency certificates and will reduce administrative burdens for the Commission in issuing basic proficiency certificates. This will also allow the Commission to better track which law enforcement agencies are providing the required training to licensees.

Finally, the adopted amendment requires a chief administrator to report to the Commission that certain individuals do not meet the minimum standards for enrollment or initial licensure. This will help the Commission to sooner identify those who are potentially ineligible for a license.

The public comment period began on May 22, 2026, and ended on June 25, 2026, at the conclusion of the public meeting of the Commission. No public comments were received.

The amended rule is adopted pursuant to Texas Government Code §418.1873, Evaluation and Report on Response to Active Shooter Incident at School Facility Required for Certain Entities, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.402, Proficiency Certificates. Texas Government Code §418.1873 requires the Commission to adopt rules with respect to local law enforcement agencies for evaluating responses to active shooter incidents at primary or secondary schools. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701 and to establish minimum standards relating to the competence and reliability, including the education, training, physical, and mental standards, for licensing as an officer, county jailer, or telecommunicator. Texas Occupations Code §1701.402 requires law enforcement agencies to provide training relating to employment issues that affect peace officer, telecommunicators, and county jailers and makes this training a requirement for a basic proficiency certificate.

The amended rule as adopted affects or implements Texas Government Code §418.1873, Evaluation and Report on Response to Active Shooter Incident at School Facility Required for Certain Entities, Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, and Texas Occupations Code §1701.402, Proficiency Certificates. No other code, article, or statute is affected by this adoption.

§211.29. Responsibilities of Agency Chief Administrators.

(a) An agency chief administrator is responsible for making any and all reports and submitting any and all documents required of that agency by the commission.

(b) An individual who is appointed or elected to the position of the chief administrator of a law enforcement agency shall notify the Commission of the date of appointment and title, through a form prescribed by the Commission within 30 days of such appointment.

(c) An agency chief administrator must comply with the appointment and retention requirements under Texas Occupations Code, Chapter 1701.

(d) An agency chief administrator must report to the commission within 30 days, any change in the agency's name, physical location, mailing address, electronic mail address, or telephone number.

(e) An agency chief administrator must report, in a standard format, incident-based data compiled in accordance with Texas Occupations Code §1701.164.

(f) For purposes of this subsection, an active shooter incident is an incident involving one or more individuals actively engaged in killing or attempting to kill people in a populated area. Following a response to an active shooter incident at a primary or secondary school facility by any member of a law enforcement agency, the agency chief administrator must submit to the commission on a form prescribed by the commission:

(1) a preliminary report on an evaluation of the agency's response to the incident within 45 days of the incident, or as soon as practicable thereafter; and

(2) a final report on an evaluation of the agency's response to the incident within 90 days of the incident, or as soon as practicable thereafter.

(g) Line of duty deaths shall be reported to the commission in current peace officers' memorial reporting formats.

(h) An agency chief administrator must report to the commission on a form prescribed by the commission within seven days of discovery by any member of the agency that one of the following does not currently meet or did not meet the minimum standards for enrollment or initial licensure at the time of application, enrollment, or appointment:

(1) a licensee applying for enrollment or appointment with the agency;

(2) a person enrolled in the agency's academy;

(3) a person enrolled in any academy and sponsored by the agency; or

(4) a licensee appointed with the agency.

(i) An agency chief administrator has an obligation to determine that all appointees are able to safely and effectively perform the essential job functions. An agency chief administrator may require a fit for duty review upon identifying factors that indicate an appointee may no longer be able to perform job-related functions safely and effectively. These factors should be based on objective evidence and a reasonable basis that the cause may be attributable to a medical or psychological condition or impairment.

(j) An agency chief administrator shall notify the commission of any failed medical (L-2) or psychological (L-3) examination within 30 days on a form prescribed by the commission. An agency chief administrator shall notify the commission upon a final determination of a failed fit-for-duty examination (FFDE) or drug screen within 30 days on a form prescribed by the commission.

(k) An agency must provide training on employment issues identified in Texas Occupations Code §1701.402 and field training. If successfully completed, the agency must report these trainings to the commission within 30 days.

(l) An agency must provide continuing education training required in Texas Occupations Code §1701.351 and §1701.352.

(m) Before an agency appoints any licensee to a position requiring a commission license it shall complete the reporting requirements of Texas Occupations Code §1701.451.

(n) An agency appointing a person who does not hold a commission license must file an application for the appropriate license with the commission.

(o) An agency must notify the commission electronically following the requirements of Texas Occupations Code §1701.452, when a person under appointment with that agency resigns or is terminated.

(p) An agency chief administrator must comply with orders from the commission regarding the correction of a report of resignation/termination or request a hearing from SOAH.

(q) An agency chief administrator must:

(1) at the time the agency becomes aware of an allegation of misconduct, as defined in the model policy required by Texas Occupations Code § 1701.4522(a)(1), that may result in suspension, demotion, or termination, initiate an appropriate administrative or criminal investigation into alleged misconduct of a licensee who was appointed by the law enforcement agency at the time the alleged misconduct occurred;

(2) ensure completion of the investigation into alleged misconduct in a timely manner consistent with the law enforcement agency's policies even if the licensee has separated from the law enforcement agency;

(3) submit a report of a completed investigation into alleged criminal misconduct for which criminal charges are filed against a licensee to the commission within 30 days after the investigation is completed on a form prescribed by the commission;

(4) submit a report of a completed investigation into alleged administrative misconduct to the commission in a timely manner, but not later than 30 days after the licensee's separation from the law enforcement agency, on a form prescribed by the commission;

(5) if the investigative findings or disciplinary action taken are appealed, notify the commission that the matter is under appeal and notify the commission of the disposition of an appeal within 30 days after receipt of the decision; and

(6) include documentation of the completed investigation in the licensee's personnel or department file, as appropriate.

(r) An agency chief administrator must:

(1) maintain a personnel file and department file for each licensee appointed with the law enforcement agency;

(2) submit to the commission a complete copy of the personnel file of a licensee within 30 days after separation of the licensee from the law enforcement agency in a manner prescribed by the commission; and

(3) submit to the commission a complete copy of the personnel file and department file of a licensee upon request as part of an ongoing investigation relating to the licensee.

(s) Except in the case of a commission error, an agency that wishes to report a change to any information within commission files about a licensee shall do so in a request to the commission, containing:

(1) the licensees name, date of birth, last four digits of the social security number, or PID;

(2) the requested change; and

(3) the reason for the change.

(t) An agency chief administrator may not appoint an applicant subject to pending administrative action based on:

(1) enrollment or licensure ineligibility; or

(2) statutory suspension or revocation.

(u) The effective date of this section is September 1, 2026.

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 August 7, 2026.

TRD-202603356
Gregory Stevens
Executive Director
Texas Commission on Law Enforcement
Effective date: September 1, 2026
Proposal publication date: May 22, 2026
For further information, please call: (512) 936-7700

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CHAPTER 218. CONTINUING EDUCATION

37 TAC §218.3

The Texas Commission on Law Enforcement (Commission) adopts amended 37 Texas Administrative Code §218.3, Legislatively Required Continuing Education for Licensees, with no changes to the proposed text as published in the May 22, 2026 issue of the *Texas Register* (51 TexReg 3539). The rule will not be republished.

This adopted amended rule conforms with the amendments to Texas Occupations Code §1701.253 and §1701.3525 made by Senate Bill 1852 (88R). It requires individuals licensed as a reserve law enforcement officer or as a public security officer to complete Advanced Law Enforcement Rapid Response Training (ALERRT) continuing education every four-year cycle and ALERRT Level 1 not later than August 31, 2029.

Also, the adopted amended rule conforms with the addition of Texas Occupations Code §1701.3526 made by House Bill 33 (89R). It requires supervisors to complete an advanced incident response and command continuing education course each two-year training unit.

The public comment period began on May 22, 2026, and ended on June 25, 2026, at the conclusion of the public meeting of the Commission. No public comments were received.

The amended rule is adopted pursuant to Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, Texas Occupations Code §1701.253, School Curriculum, Texas Occupations Code §1701.3525, Active Shooter Response Training Required for Officers, and Texas Occupations Code §1701.3526, Continuing Education on Incident Response and Command. Texas Occupations Code §1701.151 authorizes the Commission to adopt rules for the administration of Occupations Code Chapter 1701 and to establish minimum standards relating to the competence and reliability, including the education, training, physical, and mental standards, for licensing as an officer, county jailer, or telecommunicator. Texas Occupations Code §1701.253 requires officers to complete ALERRT Level 1 not later than the end of the first full training period after licensure unless completed as part of a basic licensing course. Texas Occupations Code §1701.3525 requires officers to complete 16 hours of ALERRT continuing education each training period. Texas Occupations Code §1701.3526 requires peace officers whose duties involve the supervision of officers in an incident response to complete an advanced incident response and command continuing education course.

The amended rule as adopted affects or implements Texas Occupations Code §1701.151, General Powers of Commission; Rulemaking Authority, Texas Occupations Code §1701.253, School Curriculum, Texas Occupations Code §1701.3525, Active Shooter Response Training Required for Officers, and Texas Occupations Code §1701.3526, Continuing Education on Incident Response and Command. No other code, article, or statute is affected by this adoption.

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 August 7, 2026.

TRD-202603357
Gregory Stevens
Executive Director
Texas Commission on Law Enforcement
Effective date: September 1, 2026
Proposal publication date: May 22, 2026
For further information, please call: (512) 936-7700


Texas

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

Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), in its own capacity and on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 231, Requests for Information or Official Determination on Food Regulation

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 231, Requests for Information or Official Determination on Food Regulation, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 231" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register.*

The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202603376
Jessica Miller
Director, Rules Coordination Office
Department of State Health Services
Filed: August 11, 2026

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Texas Workforce Commission

Title 40, Part 20

The Texas Workforce Commission (TWC) files this notice of its intent to review the following chapters:

--Chapter 801, Local Workforce Development Boards

--Chapter 803, Skills Development Fund

--Chapter 805, Adult Education and Literacy

--Chapter 815, Unemployment Insurance

--Chapter 839, Apprenticeship Programs - Additional

TWC will assess whether the reasons for adopting the rules in Chapters 801, 803, 805, 815, and 839 continue to exist. Each rule in the chapters will be reviewed to determine whether the rule is obsolete, reflects current legal and policy considerations, and reflects current procedures of TWC.

Comments on the proposed rule reviews may be submitted to TWCPolicyComments@twc.texas.gov and must be received no later than September 21, 2026.

TRD-202603379
Les Trobman
General Counsel
Texas Workforce Commission
Filed: August 11, 2026

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Adopted Rule Reviews

Credit Union Department

Title 7, Part 6

The Texas Credit Union Commission (Commission) adopts the review of Texas Administrative Code Title 7, Part 6, Chapter 91, Subchapter E (Direction of Affairs) and Subchapter F (Accounts and Services).

Notice of the review of 7 TAC, Part 6, Chapter 91, Subchapters E and F was published in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3157). The Credit Union Department received no comments in response to the review of these subchapters; however, prior to the opening of rule review, it did receive one comment regarding 7 TAC §91.601, Share and Deposit Accounts, suggesting changes to this section to exempt the categories of entities in subsection (c) from the requirements of subsection (d). The Commission has determined that this rule will require further consideration prior to proposing any amendments..

After reviewing these rules, the Commission determined that the reasons for initially adopting these rules continue to exist and readopts Chapter 91, Subchapters E and F in their entirety in accordance with the requirements of Texas Government Code § 2001.039. However, the Commission has determined that certain sections of these subchapters should be amended and is proposing those changes, with the exception of 7 TAC §91.601 as discussed above, elsewhere in this issue of the *Texas Register*. This concludes the review of Texas Administrative Code Title 7, Part 6, Chapter 91, Subchapters E and F.

TRD-202603353
Robert Etheridge
Commissioner
Credit Union Department
Filed: August 7, 2026

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Texas Historical Commission

Title 13, Part 2

In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 12 of the Texas Administrative Code, Title 13, Part 2, related to the Texas Historic Courthouse Preservation Program. The Commission published Notice of Intent to Review this chapter in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2961). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 12 continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 12 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603331
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 13 of the Texas Administrative Code, Title 13, Part 2, related to the Texas Historic Preservation Tax Credit Program. The Commission published Notice of Intent to Review this chapter in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2961). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 13 continue to exist and readopts this chapter. However, the Commission also identified provisions in the reviewed rules that may warrant further amendment. The Commission will formally propose any amendments consistent with the Texas Administrative Procedure Act, Chapter 2001, Texas Government Code.

This concludes the Commission's review of Chapter 13 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603332
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 15, §15.3 of the Texas Administrative Code, Title 13, Part 2, related to the State Board of Review and National Register. The Commission published Notice of Intent to Review this chapter in the May 1, 2026 issue of the *Texas Register* (51 TexReg 2961). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 15 continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 15 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603333
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 21, Subchapter B of the Texas Administrative Code, Title 13, Part 2, related to historical markers. The Commission published Notice of Intent to Review this Chapter in the May 1, 2026 issue of the *Texas Register* (51 TexReg 2961). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 21 continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 21 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603334
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 21, Subchapter E of the Texas Administrative Code, Title 13, Part 2, related to the Texas Historic Roads and Highways Program. The Commission published Notice of Intent to Review this chapter in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2962). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 21, Subchapter E continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 21 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603335
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 22 of the Texas Administrative Code, Title 13, Part 2, related to Cemeteries. The Commission published Notice of Intent to Review this chapter in the March 13, 2026, issue of the *Texas Register* (51 TexReg 1719). The Commission received no public comments on the proposed rule review during the 30-day comment period.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 22 continue to exist and readopts this chapter. However, the Commission also identified provisions in the reviewed rules that may warrant further amendment. The Commission will formally propose any amendments consistent with the Texas Administrative Procedure Act, Chapter 2001, Texas Government Code.

This concludes the Commission's review of Chapter 22 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603336
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 24 of the Texas Administrative Code, Title 13, Part 2, related to the Restricted Cultural Resource Information. The Commission published Notice of Intent to Review this chapter in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2692). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 24 continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 24 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603337
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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In accordance with §2001.039, Government Code, the Texas Historical Commission (Commission) has completed its review of Chapter 25 of the Texas Administrative Code, Title 13, Part 2, related to the State Archeological Program. The Commission published Notice of Intent to Review this chapter in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2692). The Commission received no comments on the proposed rule review.

As a result of the review, the Commission has determined that the original reasons for adopting Chapter 25 continue to exist and readopts this chapter.

This concludes the Commission's review of Chapter 25 of the Texas Administrative Code, Title 13, Part 2.

TRD-202603338
Joseph Bell
Executive Director
Texas Historical Commission
Filed: August 7, 2026

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Texas State Board of Dental Examiners

Title 22, Part 5

The Texas State Board of Dental Examiners (Board) adopts the review of the chapters below in Title 22, Part 5, of the Texas Administrative Code (TAC):

Chapter 117, Faculty and Students in Accredited Dental Schools;

Chapter 119, Special Areas of Dental Practice; and

Chapter 125, Applications for Special Consideration or Exception to Board Rules.

Notice of the review of these chapters was published in the May 22, 2026 issue of the *Texas Register* (51 TexReg 3617). No comments were received in response to this notice.

The Board has reviewed Chapters 117, 119, and 125 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the original reasons for adopting a rule continue to exist. The Board determined that the initial reasons for adopting rules in the chapters continue to exist and readopts Chapters 117, 119, and 125.

This concludes the Board's review of 22 TAC Chapters 117, 119, and 125 as required by the Texas Government Code §2001.039.

TRD-202603349
Lauren Studdard
General Counsel
State Board of Dental Examiners
Filed: August 7, 2026

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Texas State Board of Pharmacy

Title 22, Part 15

The Texas State Board of Pharmacy adopts the review of Chapter 281 (§§281.1 - 281.23, 281.30 - 281.35, 281.60 - 281.70), concerning Administrative Practices and Procedures, pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules. The proposed rule review was published in the June 19, 2026, issue of the *Texas Register* (51 TexReg 4017).

No comments were received.

The agency finds the reasons for adopting the rules contained in Chapter 281 continue to exist.

TRD-202603371
Daniel Carroll, Pharm.D.
Executive Director
Texas State Board of Pharmacy
Filed: August 10, 2026

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The Texas State Board of Pharmacy adopts the review of Chapter 311 (§311.1 and §311.2), concerning Code of Conduct, concerning Administrative Practices and Procedures, pursuant to the Texas Government Code §2001.039, regarding Agency Review of Existing Rules. The proposed rule review was published in the June 19, 2026, issue of the *Texas Register* (51 TexReg 4017).

No comments were received.

The agency finds the reasons for adopting the rules contained in Chapter 311 continue to exist.

TRD-202603372
Daniel Carroll, Pharm.D.
Executive Director
Texas State Board of Pharmacy
Filed: August 10, 2026

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Texas Workforce Commission

Title 40, Part 20

The Texas Workforce Commission (TWC) adopts the reviews of the following chapters:

--Chapter 808, Youth Driver Education Funding Program

--Chapter 821, Texas Payday Rules

--Chapter 835, Self-Sufficiency Fund

--Chapter 849, Employment and Training Services for Dislocated Workers Eligible for Trade Benefits

--Chapter 850, Vocational Rehabilitation Services Administrative Rules and Procedures.

The proposed notice of intent to review rules was published in the May 8, 2026, issue of the *Texas Register* (51 TexReg 3157).

PUBLIC COMMENTS

The public comment period closed on June 8, 2026. TWC received a comment regarding the review of Chapter 850 from KJH Media LLC.

COMMENT: The commenter encouraged continued and expanded support for TWC's vocational rehabilitation initiatives that recognize the abilities and potential of people with disabilities.

RESPONSE: The Commission appreciates the comment and support for TWC's Vocational Rehabilitation program.

TWC has assessed and determined that the reasons for adopting the rules continue to exist and therefore readopts Chapters 808, 821, 835, 849, and 850.

TRD-202603380
Les Trobman
General Counsel
Texas Workforce Commission
Filed: August 11, 2026

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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.

Credit Union Department

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 08/17/26 - 08/23/26 is 18.00% for consumer[1] credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 08/17/26 - 08/23/26 is 18.00% for commercial[2] credit.

[1] Credit for personal, family, or household use.

[2] Credit for business, commercial, investment, or other similar purpose.

TRD-202603420
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: August 12, 2026

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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 **September 21, 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 **September 21, 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: 4283929 Delaware, LLC; DOCKET NUMBER: 2023-1375-AIR-E; IDENTIFIER: RN100789114; LOCATION: Sachse, Dallas County; TYPE OF FACILITY: pet crematory; PENALTY: $14,738; ENFORCEMENT COORDINATOR: Yuliya Dunaway, (210) 403-4077; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(2) COMPANY: Albert RE Partners, LP; DOCKET NUMBER: 2026-0642-PWS-E; IDENTIFIER: RN109667402; LOCATION: Stonewall, Gillespie County; TYPE OF FACILITY: public water supply; PENALTY: $5,500; ENFORCEMENT COORDINATOR: Katherine Mckinney, (512) 239-4619; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(3) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2024-0168-MWD-E; IDENTIFIER: RN102956448; LOCATION: Wood Creek, Hays County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $56,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $22,650; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(4) COMPANY: Baker Petrolite LLC; DOCKET NUMBER: 2024-1133-AIR-E; IDENTIFIER: RN100223536; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: $7,688; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: Bayport Polymers LLC; DOCKET NUMBER: 2025-0219-AIR-E; IDENTIFIER: RN109845768; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: petrochemical manufacturing plant; PENALTY: $36,352; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $14,541; ENFORCEMENT COORDINATOR: Raven Daigle, (713) 767-3634; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(6) COMPANY: Chester Water Supply Corporation; DOCKET NUMBER: 2026-0434-PWS-E; IDENTIFIER: RN101192615; LOCATION: Chester, Tyler County; TYPE OF FACILITY: public water supply; PENALTY: $7,578; ENFORCEMENT COORDINATOR: Anjali Talpallikar, (512) 239-2507; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(7) COMPANY: Circle K Stores Inc.; DOCKET NUMBER: 2023-1257-PST-E; IDENTIFIER: RN102367901; LOCATION: La Marque,

Galveston County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: $10,104; ENFORCEMENT COORDINATOR: Casey Cobb, (512) 239-0351; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(8) COMPANY: City of Chico; DOCKET NUMBER: 2025-0502-MWD-E; IDENTIFIER: RN102833845; LOCATION: Chico, Wise County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $133,687; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $133,687; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(9) COMPANY: City of Hempstead; DOCKET NUMBER: 2024-1784-MWD-E; IDENTIFIER: RN101920692; LOCATION: Hempstead, Waller County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $14,125; ENFORCEMENT COORDINATOR: Elizabeth Vanderwerken, (512) 239-5900; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(10) COMPANY: City of Lovelady; DOCKET NUMBER: 2024-0944-MWD-E; IDENTIFIER: RN102185543; LOCATION: Lovelady, Houston County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $32,300; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $25,840; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(11) COMPANY: City of Mabank; DOCKET NUMBER: 2024-0223-MWD-E; IDENTIFIER: RN101918845; LOCATION: Mabank, Kaufman County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $55,900; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $55,900; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(12) COMPANY: City of Moody; DOCKET NUMBER: 2022-1111-MWD-E; IDENTIFIER: RN102077278; LOCATION: Moody, McLennan County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $37,287; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $37,287; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 4 - DALLAS-FORT WORTH.

(13) COMPANY: City of Pearland; DOCKET NUMBER: 2024-0998-MWD-E; IDENTIFIER: RN101613446; LOCATION: Pearland, Brazoria County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $22,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $18,000; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(14) COMPANY: City of San Marcos; DOCKET NUMBER: 2022-0880-MLM-E; IDENTIFIER: RN100838648; LOCATION: San Marcos, Hays County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $51,188; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $40,951; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 4 - DALLAS-FORT WORTH.

(15) COMPANY: City of Seminole; DOCKET NUMBER: 2025-1780-MWD-E; IDENTIFIER: RN102077955; LOCATION: Seminole, Gaines County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $27,312; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $27,312; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(16) COMPANY: DALEY'S SUPERIOR ASPHALT MANUFACTURING INC; DOCKET NUMBER: 2022-0802-AIR-E; IDENTIFIER: RN111277174; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: hot mix asphalt plant; PENALTY: $34,000; ENFORCEMENT COORDINATOR: Elizabeth Vanderwerken, (512) 239-5900; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(17) COMPANY: DEF Rentals, LLC; DOCKET NUMBER: 2026-0078-SLG-E; IDENTIFIER: RN110940111; LOCATION: Port Arthur, Jefferson County; TYPE OF FACILITY: registered sludge transporter business; PENALTY: $31,781; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(18) COMPANY: Eagle Railcar Services - Orange, Texas, LLC; DOCKET NUMBER: 2025-0451-AIR-E; IDENTIFIER: RN100234681; LOCATION: Orange, Orange County; TYPE OF FACILITY: railcar cleaning site; PENALTY: $73,900; ENFORCEMENT COORDINATOR: Raven Daigle, (713) 767-3634; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(19) COMPANY: Flint Hills Resources Corpus Christi, LLC; DOCKET NUMBER: 2025-0436-AIR-E; IDENTIFIER: RN100235266; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: oil refinery; PENALTY: $53,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $26,625; ENFORCEMENT COORDINATOR: Raven Daigle, (713) 767-3634; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(20) COMPANY: Forterra Pressure Pipe, Inc.; DOCKET NUMBER: 2025-1593-IWD-E; IDENTIFIER: RN102597267; LOCATION: Grand Prairie, Dallas County; TYPE OF FACILITY: concrete pressure pipe and products manufacturing site PENALTY: $125; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(21) COMPANY: Hannelore Crane; DOCKET NUMBER: 2026-0162-PWS-E; IDENTIFIER: RN102675121; LOCATION: Midland, Midland County; TYPE OF FACILITY: public water supply; PENALTY: $13,222; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(22) COMPANY: Horizon Regional Municipal Utility District; DOCKET NUMBER: 2025-0635-WQ-E; IDENTIFIER: RN102336955; LOCATION: Horizon City, El Paso County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $21,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $16,800; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 4 - DALLAS-FORT WORTH.

(23) COMPANY: Hull Fresh Water Supply District; DOCKET NUMBER: 2022-1578-MWD-E; IDENTIFIER: RN102094729; LOCATION: Hull, Liberty County; TYPE OF FACILITY: domestic wastewater treatment facility; PENALTY: $29,687; SUPPLEMEN-

TAL ENVIRONMENTAL PROJECT OFFSET: $23,750; ENFORCEMENT COORDINATOR: Casey Cobb, (512) 239-0351; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(24) COMPANY: IMOGENE WAGNER COMPANY, INC. and SM Wagner, LLC; DOCKET NUMBER: 2024-1062-WQ-E; IDENTIFIER: RN111301065; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: aggregate production operation; PENALTY: $8,978; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(25) COMPANY: JIM WELLS COUNTY FRESH WATER SUPPLY DISTRICT NO. 1; DOCKET NUMBER: 2023-1779-PWS-E; IDENTIFIER: RN102673506; LOCATION: Ben Bolt, Jim Wells County; TYPE OF FACILITY: public water supply; PENALTY: $4,998; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $4,998; ENFORCEMENT COORDINATOR: Casey Cobb, (512) 239-0351; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(26) COMPANY: Jarrell Industrial Park LLC; DOCKET NUMBER: 2024-0300-EAQ-E; IDENTIFIER: RN111277596; LOCATION: Jarrell, Williamson County; TYPE OF FACILITY: construction site; PENALTY: $25,000; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(27) COMPANY: Judson Independent School District; DOCKET NUMBER: 2024-0495-MWD-E; IDENTIFIER: RN106851983; LOCATION: San Antonio, Bexar County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $19,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $15,600; ENFORCEMENT COORDINATOR: Casey Cobb, (512) 239-0351; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(28) COMPANY: KEETYO ENTERPRISES, INC.; DOCKET NUMBER: 2025-0581-AIR-E; IDENTIFIER: RN104276365; LOCATION: Dallas, Dallas County; TYPE OF FACILITY: sign manufacturing plant; PENALTY: $23,250; ENFORCEMENT COORDINATOR: Raven Daigle, (713) 767-3634; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(29) COMPANY: Matagorda County Water Control & Improvement District No. 2; DOCKET NUMBER: 2024-0325-PWS-E; IDENTIFIER: RN101408201; LOCATION: Sargent, Matagorda County; TYPE OF FACILITY: public water supply; PENALTY: $2,012; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $1,610; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(30) COMPANY: NuStar Logistics, L.P.; DOCKET NUMBER: 2026-0613-AIR-E; IDENTIFIER: RN100214949; LOCATION: Southlake, Tarrant County; TYPE OF FACILITY: chemical storage terminal; PENALTY: $5,638; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(31) COMPANY: Nueces County Water Control and Improvement District No. 5; DOCKET NUMBER: 2026-0558-PWS-E; IDENTIFIER: RN101427037; LOCATION: Banquete, Nueces County; TYPE OF FACILITY: public water supply; PENALTY: $2,520; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(32) COMPANY: PR STONE INC; DOCKET NUMBER: 2024-0806-WQ-E; IDENTIFIER: RN111683728; LOCATION: Tolar, Hood County; TYPE OF FACILITY: aggregate production operation; PENALTY: $28,750; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(33) COMPANY: Richards Independent School District; DOCKET NUMBER: 2022-1536-MWD-E; IDENTIFIER: RN101513489; LOCATION: Richards, Grimes County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $19,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $15,400; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(34) COMPANY: SIGLER, DALTON R; DOCKET NUMBER: 2026-0783-WOC-E; IDENTIFIER: RN111470332; LOCATION: Katy, Harris County; TYPE OF FACILITY: operator; PENALTY: $175; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(35) COMPANY: Synthomer Adhesive Technologies LLC; DOCKET NUMBER: 2026-0804-AIR-E; IDENTIFIER: RN111518981; LOCATION: Longview, Harrison County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: $7,800; ENFORCEMENT COORDINATOR: Morgan Kopcho, (512) 239-4167; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(36) COMPANY: TDIndustries, Inc.; DOCKET NUMBER: 2026-0701-PST-E; IDENTIFIER: RN100222231; LOCATION: Fort Worth, Denton County; TYPE OF FACILITY: underground storage tank system; PENALTY: $2,500; ENFORCEMENT COORDINATOR: Sujata Sinha, (512) 239-1963; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(37) COMPANY: Targa Downstream LLC; DOCKET NUMBER: 2025-1903-AIR-E; IDENTIFIER: RN100222900; LOCATION: Mont Belvieu, Chambers County; TYPE OF FACILITY: natural gas extraction plant; PENALTY: $17,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $8,750; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(38) COMPANY: Targa Midstream Services LLC; DOCKET NUMBER: 2026-0524-AIR-E; IDENTIFIER: RN100222900; LOCATION: Mont Belvieu, Chambers County; TYPE OF FACILITY: natural gas extraction plant; PENALTY: $25,438; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(39) COMPANY: Texas Department of Criminal Justice; DOCKET NUMBER: 2025-0775-MWD-E; IDENTIFIER: RN102317070; LOCATION: Tennessee Colony, Anderson County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $148,625; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $148,625; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(40) COMPANY: The Goodyear Tire & Rubber Company; DOCKET NUMBER: 2024-1426-AIR-E; IDENTIFIER: RN100870898; LOCATION: Houston, Harris County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: $45,998; ENFORCEMENT COORDINATOR: Trenton White, (903) 535-5155; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 5 - TYLER.

(41) COMPANY: Union Water Supply Corporation; DOCKET NUMBER: 2023-1735-MWD-E; IDENTIFIER: RN102915501; LOCATION: Garciasville, Starr County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $51,562; ENFORCEMENT COORDINATOR: Casey Cobb, (512) 239-0351; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(42) COMPANY: Veolia ES Technical Solutions, L.L.C.; DOCKET NUMBER: 2026-0671-IWD-E; IDENTIFIER: RN102599719; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: commercial storage, treatment, and disposal facility; PENALTY: $983; ENFORCEMENT COORDINATOR: Madison Crawford, (512) 239-4603; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(43) COMPANY: Vopak Industrial Infrastructure Americas Freeport, LLC; DOCKET NUMBER: 2025-1344-AIR-E; IDENTIFIER: RN111204632; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: chemical and petroleum products storage facility; PENALTY: $26,644; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $10,658; ENFORCEMENT COORDINATOR: Nicholas Lohret-Froio, (512) 239-2545; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(44) COMPANY: Westport Orange Shipyard LLC; DOCKET NUMBER: 2022-0885-MLM-E; IDENTIFIER: RN100214303; LOCATION: Orange, Orange County; TYPE OF FACILITY: ship building and repair facility; PENALTY: $111,487; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

TRD-202603374
Gitanjali Yadav
Deputy Director, Litigation Division
Texas Commission on Environmental Quality
Filed: August 11, 2026

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Enforcement Orders

An agreed order was adopted regarding City Of Cuney, Docket No. 2022-0021-MWD-E on August 12, 2026 assessing $37,450 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 Sienna Shipyards LLC, Docket No. 2022-0120-MLM-E on August 12, 2026 assessing $120,844 in administrative penalties with $24,168 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, 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 City Of Kyle, Docket No. 2022-0891-MLM-E on August 12, 2026 assessing $182,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, 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 ASA RealEstate LP, Docket No. 2022-0921-EAQ-E on August 12, 2026 assessing $20,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, 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 MAKAS Management Inc, Docket No. 2022-0943-PST-E on August 12, 2026 assessing $3,938 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Misty James , 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 TotalEnergies Petrochemicals & Refining USA Inc, Docket No. 2022-1290-AIR-E on August 12, 2026 assessing $78,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, 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 Red River Authority Of Texas, Docket No. 2023-0272-PWS-E on August 12, 2026 assessing $26,050 in administrative penalties with $5,210 deferred. Information concerning any aspect of this order may be obtained by contacting Penny Wimberly, 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 Ragnar Trucking LLC, Docket No. 2023-1380-WQ-E on August 12, 2026 assessing $50,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Keagle, 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 Valero Refining-Texas LP, Docket No. 2023-1471-AIR-E on August 12, 2026 assessing $131,250 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Graves, 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 City Of Cuney, Docket No. 2023-1499-PWS-E on August 12, 2026 assessing $7,015 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Keagle, 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 MarkWest Tornado GP LLC, Docket No. 2024-0444-AIR-E on August 12, 2026 assessing $37,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, 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 INEOS Oligomers USA LLC, Docket No. 2024-0445-AIR-E on August 12, 2026 assessing $66,750 in administrative penalties with $13,350 deferred. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, 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 City Of Boyd, Docket No. 2024-0494-MWD-E on August 12, 2026 assessing $76,562 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Casey Cobb, 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 INEOS Oligomers USA LLC, Docket No. 2024-0499-AIR-E on August 12, 2026 assessing $477,900 in administrative penalties with $95,580 deferred. Information concerning any aspect of this order may be obtained by contacting Yuliya Dunaway, 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. 2024-0592-AIR-E on August 12, 2026 assessing $16,250 in administrative penalties with $3,250 deferred. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, 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 HP Gibbs LP, Docket No. 2024-0716-MWD-E on August 12, 2026 assessing $132,167 in administrative penalties with $26,433 deferred. Information concerning any aspect of this order may be obtained by contacting Bethany Batchelor, 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 City Of Jacksonville, Docket No. 2024-0875-MWD-E on August 12, 2026 assessing $52,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Penny Wimberly, 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 Chevron Phillips Chemical Company LP, Docket No. 2024-1040-AIR-E on August 12, 2026 assessing $22,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Raven Daigle, 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 Arcelormittal Texas HBI LLC, Docket No. 2024-1312-AIR-E on August 12, 2026 assessing $42,750 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, 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 Diamond Green Diesel LLC, Docket No. 2024-1334-AIR-E on August 12, 2026 assessing $69,605 in administrative penalties with $13,921 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, 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. 2024-1358-AIR-E on August 12, 2026 assessing $17,814 in administrative penalties with $3,562 deferred. Information concerning any aspect of this order may be obtained by contacting Cheryl Thompson, 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 Safety-Kleen Systems Inc, Docket No. 2025-0245-IHW-E on August 12, 2026 assessing $25,076 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, 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 City Of Tyler, Docket No. 2025-0537-MWD-E on August 12, 2026 assessing $23,250 in administrative penalties with $4,650 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Crawford, 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 City Of Austin, Docket No. 2025-0813-MWD-E on August 12, 2026 assessing $38,750 in administrative penalties. 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 Reyna-Carbajal, Ruben, Docket No. 2025-0949-MSW-E on August 12, 2026 assessing $32,432 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 Equistar Chemicals LP, Docket No. 2025-1226-AIR-E on August 12, 2026 assessing $29,050 in administrative penalties with $5,810 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 Loves Travel Stops & Country Stores Inc, Docket No. 2025-1333-MLM-E on August 12, 2026 assessing $79,639 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 City Of Plano, Docket No. 2025-1335-WQ-E on August 12, 2026 assessing $9,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Amy Lane, 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 CabinetWorks Group Michigan LLC, Docket No. 2025-1378-AIR-E on August 12, 2026 assessing $32,000 in administrative penalties with $6,400 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 City Of Fort Stockton, Docket No. 2025-1396-MWD-E on August 12, 2026 assessing $49,600 in administrative penalties with $9,920 deferred. 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 Molded Fiber Glass Companies Texas LLC, Docket No. 2025-1413-AIR-E on August 12, 2026 assessing $28,280 in administrative penalties with $5,656 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 URI Inc, Docket No. 2025-1471-WDW-E on August 12, 2026 assessing $17,183 in administrative penalties with $3,436 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, 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 OK Pump Service Inc, Docket No. 2025-1590-SLG-E on August 12, 2026 assessing $14,101 in administrative penalties. 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 Shell USA Inc, Docket No. 2025-1673-IHW-E on August 12, 2026 assessing $24,278 in administrative penalties with $4,855 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 City Of Holliday, Docket No. 2025-1770-MWD-E on August 12, 2026 assessing $18,725 in administrative penalties with $3,745 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 Dow Chemical Company, Docket No. 2025-1835-AIR-E on August 12, 2026 assessing $20,625 in administrative penalties with $4,125 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 Houston Refining LP, Docket No. 2025-1868-AIR-E on August 12, 2026 assessing $19,050 in administrative penalties with $3,810 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 Bright Coop Inc, Docket No. 2026-0113-WQ-E on August 12, 2026 assessing $66,956 in administrative penalties with $13,391 deferred. Information concerning any aspect of this order may be obtained by contacting Amy Lane, 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 SEYR Odessa LLC, Docket No. 2026-0221-PWS-E on August 12, 2026 assessing $3,595 in administrative penalties. 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 Undine Texas LLC, Docket No. 2026-0292-PWS-E on August 12, 2026 assessing $92 in administrative penalties. 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.

TRD-202603426
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 12, 2026

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Enforcement Orders

An agreed order was adopted regarding SADDLE & SURREY ACRES WATER SUPPLY CORPORATION, Docket No. 2023-0561-PWS-E on August 11, 2026 assessing $900 in administrative penalties with $180 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, 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 White River Municipal Water District, Docket No. 2023-0707-PWS-E on August 11, 2026 assessing $4,125 in administrative penalties with $825 deferred. Information concerning any aspect of this order may be obtained by contacting Penny Wimberly, 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 HELOTES READY MIX, LLC, Docket No. 2024-0202-MLM-E on August 11, 2026 assessing $10,000 in administrative penalties with $2,000 deferred. 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 Blackacre Mobile Home Community LLC, Docket No. 2024-0404-PWS-E on August 11, 2026 assessing $5,915 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jennifer Peltier, 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 Travis County Municipal Utility District No. 26, Docket No. 2024-1804-MWD-E on August 11, 2026 assessing $9,000 in administrative penalties with $1,800 deferred. Information concerning any aspect of this order may be obtained by contacting Madison Crawford, 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 RED EWALD LLC, Docket No. 2025-0255-AIR-E on August 11, 2026 assessing $5,500 in administrative penalties with $1,100 deferred. Information concerning any aspect of this order may be obtained by contacting Raven Daigle, 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 PLANET, LLC, Docket No. 2025-0345-PWS-E on August 11, 2026 assessing $5,694 in administrative penalties with $1,138 deferred. Information concerning any aspect of this order may be obtained by contacting Emerson Rinewalt, 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 ETC Gas Processing, LLC, Docket No. 2025-0437-AIR-E on August 11, 2026 assessing $8,750 in administrative penalties with $1,750 deferred. Information concerning any aspect of this order may be obtained by contacting Kadrienn Woodard, 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 5510 Acorn, L.L.C., Docket No. 2025-0559-PWS-E on August 11, 2026 assessing $500 in administrative penalties with $100 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 Targa Downstream LLC, Docket No. 2025-0594-AIR-E on August 11, 2026 assessing $9,700 in administrative penalties with $1,940 deferred. Information concerning any aspect of this order may be obtained by contacting Jennifer Graves, 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 Hill Sand Company, Inc. dba Dixie Farm Road Landfill, Docket No. 2025-0657-MSW-E on August 11, 2026 assessing $11,363 in administrative penalties with $2,272 deferred. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An field citation was adopted regarding Southwestern Bell Telephone Company Llc, Docket No. 2025-0758-PST-E on August 11, 2026 assessing $2,625 in administrative penalties. 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 RILEY PERMIAN OPERATING COMPANY, LLC, Docket No. 2025-0940-AIR-E on August 11, 2026 assessing $7,975 in administrative penalties with $1,595 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, 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 Selma, Docket No. 2025-1204-WQ-E on August 11, 2026 assessing $4,500 in administrative penalties with $900 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 field citation was adopted regarding Select Stop 4, LLC, Docket No. 2025-1212-PST-E on August 11, 2026 assessing $5,250 in administrative penalties. 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 Harris County Fresh Water Supply District No. 47, Docket No. 2025-1328-MWD-E on August 11, 2026 assessing $5,650 in administrative penalties with $1,130 deferred. 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 Aqua Texas, Inc., Docket No. 2025-1556-MWD-E on August 11, 2026 assessing $12,142 in administrative penalties with $2,428 deferred. 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 Riverway Farms Community Association, Docket No. 2025-1583-WR-E on August 11, 2026 assessing $1,800 in administrative penalties with $360 deferred. Information concerning any aspect of this order 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 Aqua Texas, Inc., Docket No. 2025-1738-MWD-E on August 11, 2026 assessing $12,251 in administrative penalties with $2,450 deferred. 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 field citation was adopted regarding GPM Southeast, LLC, Docket No. 2025-1909-PST-E on August 11, 2026 assessing $2,625 in administrative penalties. 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 Chevron Phillips Chemical Company LP, Docket No. 2025-1922-AIR-E on August 11, 2026 assessing $10,875 in administrative penalties with $2,175 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 Vaishnavi Enterprises LLC dba Robinson Food Mart, Docket No. 2026-0025-PST-E on August 11, 2026 assessing $11,726 in administrative penalties with $2,345 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 Texas Water Utilities, L.P. f/k/a MIDWAY WATER UTILITIES, INC., Docket No. 2026-0066-PWS-E on August 11, 2026 assessing $510 in administrative penalties with $102 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 Frank Bartel Transportation Inc., Docket No. 2026-0070-AIR-E on August 11, 2026 assessing $5,250 in administrative penalties with $1,050 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 EKAM ENTERPRISE LLC dba Chevron Fac 105874, Docket No. 2026-0072-PST-E on August 11, 2026 assessing $3,375 in administrative penalties with $675 deferred. Information concerning any aspect of this order may be obtained by contacting Bryce Huck, 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 JERRY REICHENAU CONST., INC., Docket No. 2026-0094-WQ-E on August 11, 2026 assessing $6,750 in administrative penalties with $1,350 deferred. 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 SDC AUSTIN LLC, Docket No. 2026-0105-IHW-E on August 11, 2026 assessing $75 in administrative penalties with $15 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, 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 Lyondell Chemical Company, Docket No. 2026-0110-AIR-E on August 11, 2026 assessing $12,075 in administrative penalties with $2,415 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 Top Rocks, LLC, Docket No. 2026-0137-WQ-E on August 11, 2026 assessing $6,875 in administrative penalties with $1,375 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 E & M Equity Holdings, LLC., Docket No. 2026-0196-PWS-E on August 11, 2026 assessing $1,908 in administrative penalties with $381 deferred. Information concerning any aspect of this order may be obtained by contacting Anjali Talpallikar, 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 BUCKHORN GOLF II, LTD, Docket No. 2026-0203-WR-E on August 11, 2026 assessing $1,551 in administrative penalties with $310 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 OXY USA WTP LP, Docket No. 2026-0212-AIR-E on August 11, 2026 assessing $3,658 in administrative penalties with $731 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 Oil States Industries, Inc., Docket No. 2026-0240-AIR-E on August 11, 2026 assessing $6,750 in administrative penalties with $1,350 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 Wyman-Gordon Forgings, Inc., Docket No. 2026-0243-PWS-E on August 11, 2026 assessing $895 in administrative penalties with $179 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 Redline Cattle, LLC, Docket No. 2026-0244-PWS-E on August 11, 2026 assessing $4,030 in administrative penalties with $2,055 deferred. Information concerning any aspect of this order may be obtained by contacting Amanda Conner, 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 Magruder Homes, LP, Docket No. 2026-0262-WQ-E on August 11, 2026 assessing $2,600 in administrative penalties with $520 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 the City of Avery, Docket No. 2026-0286-PWS-E on August 11, 2026 assessing $765 in administrative penalties with $153 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 LCY ELASTOMERS LP, Docket No. 2026-0320-AIR-E on August 11, 2026 assessing $6,250 in administrative penalties with $1,250 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 Texas Water Utilities, L.P., Docket No. 2026-0324-PWS-E on August 11, 2026 assessing $50 in administrative penalties with $10 deferred. Information concerning any aspect of this order may be obtained by contacting Amanda Conner, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An expedited compliance order was adopted regarding CityLink Transit, Docket No. 2026-0348-PST-E on August 11, 2026 assessing $2,500 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Julie Nieto, 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 CWT INVESTMENT PROPERTIES, LLC, Docket No. 2026-0376-PWS-E on August 11, 2026 assessing $2,750 in administrative penalties with $550 deferred. Information concerning any aspect of this order may be obtained by contacting Katherine McKinney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An expedited compliance order was adopted regarding El Campo Memorial Hospital, Docket No. 2026-0436-PST-E on August 11, 2026 assessing $2,000 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Jocelyn Cruz, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An expedited compliance order was adopted regarding Salazar, Karina, Docket No. 2026-0465-WOC-E on August 11, 2026 assessing $500 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.

An expedited compliance order was adopted regarding SA Velocity Ops LLC dba Velocity 9, Docket No. 2026-0517-PST-E on August 11, 2026 assessing $3,125 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Julie Nieto, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202603428
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 12, 2026

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Notice of an Amendment to a Certificate of Adjudication Application No. 21-3092A

Notices Issued August 10, 2026

Sun Group Investments LLC, P.O. Box 1087, Eunice, Louisiana, 70535, seeks to sever a portion of Certificate of Adjudication No. 21-3091 and combine it with and amend Certificate of Adjudication

No. 3092 to change the place of use and to change the diversion point to a diversion reach on Comanche Creek, Nueces River Basin in Zavala County. More information on the application and how to participate in the permitting process is given below.

The application was received on June 27, 2023. Additional information and fees were received on July 7, November 28, and December 5, 2023. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on December 15, 2023.

The Executive Director completed the technical review of the application and prepared a draft amendment. The draft amendment, if granted, would contain special conditions including, but not limited to, the implementation of measures to reduce impacts to aquatic resources due to entrainment or impingement. 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. 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 August 24, 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 August 24, 2026. The Executive Director can consider an approval of the application unless a written request for a contested case hearing is filed by August 24, 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 3092 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 1-800-687-4040. General information regarding the TCEQ can be found at our website at 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-202603427

Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 12, 2026

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Notice of Opportunity to Comment on Default 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 Default Orders (DOs). 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 **September 21, 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 each 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 September 21, 2026**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: RAYFORD RV, LLC; DOCKET NUMBER: 2023-0389-MWD-E; TCEQ ID NUMBER: RN104373717; LOCATION: 29321 South Plum Creek Drive, Montgomery County; TYPE OF FACILITY: a wastewater treatment facility; PENALTY: $10,000; STAFF ATTORNEY: William Hogan, Litigation, MC 175, (512) 239-5918; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Waterstone on Lake Conroe, Inc.; DOCKET NUMBER: 2023-0781-WQ-E; TCEQ ID NUMBER: RN105618706; LOCATION: 22455 FM 1097 Road, Montgomery, Montgomery County; TYPE OF FACILITY: a construction site; PENALTY: $11,250; STAFF ATTORNEY: Taylor Pearson, Litigation, MC 175, (512) 239-5937; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202603375
Gitanjali Yadav
Deputy Director, Litigation Division
Texas Commission on Environmental Quality
Filed: August 11, 2026

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Notice of Public Meeting Cancellation

The Texas Commission on Environmental Quality (TCEQ) submitted a Notice of Public Meeting for Fermi Equipment Holdco, LLC: Proposed Permit Nos. 183462, PSDTX1704, & GHGPSDTX271 to be held on August 24, 2026 in the issue of the *Texas Register*, TexReg Docket Number 202602901. Therefore, the Notice and Comment Hearing scheduled for August 24, 2026 is cancelled. The public meeting will be rescheduled for a later date.

Members of the public with questions regarding this application or public hearing may seek further information by calling the TCEQ Public Education Program toll free at (800) 687-4040.

TRD-202603433
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 12, 2026

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Notice of Public Meeting Cancellation

The Texas Commission on Environmental Quality (TCEQ) submitted a Notice of Public Meeting for YUPEL, LLC: Proposed Permit No. WQ0016885001 to be held on September 21, 2026 in the issue of the *Texas Register*, TexReg Docket Number 202603306. Therefore, the Notice and Comment Hearing scheduled for September 21, 2026 is cancelled. The public meeting will be rescheduled for a later date.

Members of the public with questions regarding this application or public hearing may seek further information by calling the TCEQ Public Education Program toll free at (800) 687-4040.

TRD-202603434
Laurie Gharis
Chief Clerk
Texas Commission on Environmental Quality
Filed: August 12, 2026

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General Land Office

Coastal Boundary Survey - Anahuac National Wildlife Reserve - East Galveston Bay - Merten

Surveying Services

Coastal Boundary Survey

Project: Anahuac National Wildlife Reserve- East Galveston Bay - Merten

Project No: CEPRA Project No. 1681

Project Manager: Abigail Richardson, CEPRA Project Manager

Surveyor: William 'Bill' Merten, LSLS, RPLS

Description: Coastal Boundary Survey dated October 20, 2020, delineating the littoral boundary of East Galveston Bay Submerged Tracts 185, 188, 189, and 190, adjacent to the James Jackson Survey, A-395, James Jackson Survey, A-393, T&NO RR Co Survey, A-285, James Jackson Survey, A-394, Cantillo Colony Ditch Co Survey, A-324, Cantillo Colony Ditch Co Survey, A-325, M. Scherdin Survey, A-347, and Wm. B. Perkins Survey, A-208, in Chambers County, in connection with CEPRA Project Number 1681. Centroid coordinates 29°34'29.07"N, 94°33'23.61"W, WGS84. A copy of the survey recorded in Volume 4, Page 216, of the Surveyors Records of Chambers County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: July 15, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: July 29, 2026

Filed as: Chambers County, NRC Article 33.136 Sketch No. 20

Tex. Nat. Res. Code §33.136

TRD-202603321
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

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Coastal Boundary Survey - City of Galveston - Pirates Beach - Hoover

Surveying Services

Coastal Boundary Survey

Project: Pirates Beach-City of Galveston-Hoover

Project No: Galveston Island Galveston Seawall to 13-Mile Road Beach Nourishment

Project No. 1692

Project Manager: Dianna Ramirez, Coastal Field Operations

Surveyor: Michael Hoover, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated April 2, 2026, delineating the littoral boundary of the Trimble and Linsey Survey, Sections 2 and 3, Edward Hall and Levi Jones Grant, Abstract No. 21, and Patented Outlots of the Trimble and Linsey Survey to Thomas J Chambers, Abstract No. 260, 264, 265, 267, 275, 276, 279, 283, 284, 291, and 292 and to William Cook, Abstract No. 312, 313, and 314, all in Galveston County, along the line of Mean Higher High Water, all Situated on the Northerly Shoreline of State Submerged Tracts 253 and 264, of the Gulf of America (Formerly Gulf of Mexico), in connection with Galveston Island Galveston Seawall to 13-Mile Road Beach Nourishment Project No. 1692. Centroid coordinates 29.20173°N, 94.93738°W, WGS84. A copy of the survey recorded in Document No. SLS2026000004, State Land Survey Records of Galveston County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: July 27, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: August 3, 2026

Filed as: Galveston County, NRC Article 33.136 Sketch No. 104

Tex. Nat. Res. Code §33.136

TRD-202603324
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

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Coastal Boundary Survey - Copano Bay - Hoover

Surveying Services

Coastal Boundary Survey

Project: Copano Bay

Project No: GLO Lease No. CL20230004

Project Manager: Kristen Hernandez, CEPRA Project Mgr.

Surveyor: Michael Hoover, RPLS, LSLS

Description: Coastal Boundary Survey dated January 27, 2026 delineating the littoral boundary of the B.H. Hornburg Survey, Abstract 437, Scrap File 015030, along the line of Mean High Water, on the Northerly Shoreline of Copano Bay (State Submerged Tract 90) in Refugio County, in connection with GLO Leases No CL20230004. Centroid coordinates 28.077429° N, 97.222125° W, WGS84. A copy of the survey recorded in Document No. 2026000649, Plat Records of Refugio County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: July 30, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: August 5, 2026

Filed as: Refugio County, NRC Article 33.136 Sketch No. 5

Tex. Nat. Res. Code §33.136

TRD-202603325
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

♦ ♦ ♦

Coastal Boundary Survey - Elijah Franks - Rollover Pass - Sand Monitor - Escobar

Surveying Services

Coastal Boundary Survey

Project: Rollover Pier Sand Motor Project

Project No: Coastal Erosion Planning and Response Act (CEPRA) No. 1845

Project Manager: Kelly Brooks, Coastal Resources (Texas General Land Office)

Surveyor: Miguel A. Escobar, LSLS (Texas General Land Office)

For David Klotz, LSLS (now Retired)

Description: Coastal Boundary Survey dated April 6, 2026, delineating the littoral boundary of along the Elijah Franks Survey, Abstract 64, and State Submerged Tracts 144, 132, and 133, in the Gulf of America (Gulf of Mexico), in connection with Rollover Pier Sand Motor Project under CEPRA Project No. 1845. Centroid coordinates 29°30'25"N 94°29'58"W, WGS84. A copy of the survey recorded in Document No. SLS2026000002, Records of Galveston County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: April 21, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: July 29, 2026

Filed as: Galveston County, NRC Article 33.136 Sketch No. 102

Tex. Nat. Res. Code §33.136

TRD-202603322
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

♦ ♦ ♦

Coastal Boundary Survey - Matagorda Bay/Carancahua Bay - Blaskey

Surveying Services

Coastal Boundary Survey

Project: Matagorda Bay & Carancahua Bay

Project No: CEPRA 1645, GLO Lease: SL20250054

Project Manager: Kristin Hames, CEPRA Project Manager

Surveyor: Stephen Blaskey, RPLS, LSLS

Description: Coastal Boundary Survey dated June 5, 2026, delineating the littoral boundary, being the Mean High Water Line of the North Shore of Matagorda Bay (State Submerged Tracts 124 and 278) and the West Shore of Carancahua Bay (State Submerged Tracts 270, 271, 272, 273, and 276) and the Joseph Clements Survey, Abstract 59 and the Bauer-Smith Ranch Survey, Abstract 276, in Calhoun County, in connection with CEPRA 1645 (GLO Lease SL20250054. Centroid coordinates Line 1: 28.61642°N, 96.38882°W, Line 2: 28.62817°N, 96.38107°W, WGS84. A copy of the survey recorded in Document No. 2026-01761, Official Public Records of Calhoun County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: July 30, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: August 3, 2026

Filed as: Calhoun County, NRC Article 33.136 Sketch No. 18

Tex. Nat. Res. Code §33.136

TRD-202603323
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

♦ ♦ ♦

Coastal Boundary Survey - Oso Bay, Nueces Count - Blaskey

Surveying Services

Coastal Boundary Survey

Project: Oso Bay - Blaskey

Project No: USACE Permit Number SWG-2025-00644

Project Manager: Amy Nunez, Coastal Field Operations

Surveyor: Stephen Blaskey, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated May 20, 2026, delineating the littoral boundary of a portion of the Enriquez Villareal Survey, Abstract 1 and a portion of the Ramon De Ynojosa Survey Abstract 411, both situated on the shores of the Oso Bay (State Submerged Tracts A, B, and D), in connection with USACE Permit No. SWG-2025-00644. Centroid coordinates Line 1: 27.66551°N, 97.31966°W and Line 2: 27.66432°N, 97.31708°W, WGS84. A copy of the survey recorded in Document No. 2026021689, Official Public Records of Nueces County.

A Coastal Boundary Survey for the above-referenced project has been reviewed and accepted by Surveying Services; upon completion of public notice requirements, the survey will be filed in the Texas General Land Office, Archives and Records, in accordance with provisions of the Tex. Nat. Res. Code §33.136.

by:

Signed: Miguel A. Escobar, Assistant Chief Surveyor

Date: July 22, 2026

Pursuant to Tex. Nat. Res. Code §33.136, the herein described Coastal Boundary Survey is approved by Dawn Buckingham, M.D., Commissioner of the Texas General Land Office.

by:

Signed: Jennifer G. Jones, Chief Clerk and Deputy Land Commissioner

Date: July 28, 2026

Filed as: Nueces County, NRC Article 33.136 Sketch No. 27

Tex. Nat. Res. Code §33.136

TRD-202603320
Jennifer Jones
Chief Clerk & Deputy Land Commissioner
General Land Office
Filed: August 6, 2026

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Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of August 3, 2026 to August 7, 2026. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, August 14, 2026. The public comment period for this project will close at 5:00 p.m. on Sunday, September 13, 2026.

Federal License and Permit Activities:

Applicant: The City of Texas City

Location: The project site is located in the Texas City Ship Channel, Swan Lake, and adjacent wetlands, at Shoal Point, in Galveston County, Texas.

Latitude and Longitude: 29.3747259, -94.8744539

Project Description: The applicant proposes an extension of time to complete work associated with Department of the Army Permit SWG-2000-00354 with minor modifications to the proposed work. The permit expires December 31, 2026 and authorizes the construction of a 400-acre container yard terminal that consists of 6 berthing areas and a turning basin within the Texas City Ship Channel. Associated work includes hydraulically and mechanically dredging 32.2 million cubic yards (CY) of material from a 651-acre area within the Texas City Ship Channel, an adjacent berthing area, and a turning basin to a maximum depth of -49 feet mean lower low water (MLLW). Dredged material will be first used to create the 357-acre Swan Lake Mitigation Site, raise the elevation of Shoal Point around the terminal facility, and develop the proposed terminal facility's access corridor. The remaining material will be placed into established placement areas (PA): PA5, PA6, and the Pelican Island Dredge Material Placement Area. The material may also be used for the further development of placement areas PA #2A, PA #2B, and SPPA1 through SPP5.

Riprap and/or interlocking concrete slabs will be used as appropriate for bank stabilization. Wharves will extend 140 feet out from the bank and be used for vessel docking. The six-berth wharf will be supported by 48-inch-diameter sheet piling installed via impact hammer or with smaller concrete piles cast in place.

Modifications to the previously authorized work include dredging an additional 2.2 million CY of material to reach a maximum dredge depth of -50-foot MLLW to match federal channel depths, increasing the total volume of dredged material to 34.4 million CY. The applicant also proposes expanding the turning basin from 700 square feet in diameter to 1,700 square feet to accommodate larger vessels and ensure safe vessel maneuverability.

The applicant has stated that they have avoided and minimized environmental impacts to waters of the United States associated with the proposed activity by utilizing best management practices (BMPs) during all construction activities. Turbidity curtains will be deployed to reduce total suspended solids (TSS) from entering the water column. Silt fencing and other erosion control devices will be used and dredging will not produce effluent that exceeds a TSS concentration of 300 mg/l prior to release of the decanted water into Galveston Bay. Pollution prevention procedures will be incorporated into the construction and maintenance of transportation projects to minimize pollutant loading into coastal waters. The project will be located in existing right of ways or previously disturbed areas to the maximum extent practicable. The applicant has proposed the dredged material be used in the Swan Lake Beneficial Use Site to offset unavoidable impacts to waters of the United States.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2000-00534. This application will be reviewed pursuant Section 404 of the Clean Water Act and Sections 10 and 14 of the Rivers and Harbors Act of 1899. Note: The consistency review for this project may be conducted by The Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 26-1201-F1

Applicant: Targa Downstream LLC

Location: The project site is located in the Houston Ship Channel (HSC) near Station 860+00, at 1050 Jefferson Road, in Harris County, Texas.

Latitude and Longitude: 29.744587, -95.185331

Project Description: The applicant proposes to install approximately 1,215 feet of new bulkhead, a new ship dock, barge dock, pipe racks, access road, three new 60-inch-diameter breasting dolphins, one new 60-inch-diameter mooring dolphin, and nine breasting fenders fastened to the bulkhead wall to construct the proposed Patriot Terminal on a 16.6-acre site adjacent to the Houston Ship Channel (HSC). The proposed ship dock will be 90-foot-long and 45-foot-wide and oriented parallel to the HSC and directly abut the newly installed bulkhead wall. The ship dock will match the modified elevations and will be supported by twenty-four 24-inch-square concrete piles pneumatically installed to a depth to ensure structural integrity. The proposed barge dock will be 100-foot-long and 45-foot-wide and oriented parallel to the HSC. The barge dock infrastructure will be elevated approximately 3 feet above existing grade to 12 feet above the mean high water (MHW) line and will be supported by twenty-one 24-inch-square concrete piles pneumatically installed to a depth to ensure structural integrity. A staircase will be attached to the proposed barge dock allowing access to the breasting fenders fastened to the bulkhead wall. The proposed project would support one 750-foot-long vessel and two 300-foot-long barges positioned parallel to the HSC. The terminal would have a 255-foot setback from the HSC in order to not impede vessel traffic. Site preparation, including the demolition and removal of existing bulkhead and docking structures, will be completed first.

Following site preparation, the new bulkhead would be installed approximately 50 feet landward of the previously existing bulkhead in uplands, and approximately 5,000 cubic yards (CY) of material will be mechanically excavated from 0.9 acre of dry land in front of the new bulkhead. Approximately 240,000 CY of material would be mechanically and/or hydraulically dredged from an additional 5.1 acres channelward of the new bulkhead to a maximum depth of -47 feet mean lower low water (MLLW) and within 0.9 acres to a maximum depth of -18.44 feet MLLW adjacent to the proposed barge dock. The total dredge and excavation footprint consists of 6.9 acres. All dredged/excavated material will be placed within public or private upland confined dredge material placement areas (DMPAs) or beneficial use (BU) site, including but not limited to Targa Dynegy DMPA, Clinton DMPA, Pinto Lion Jacintoport DMPA, Stimson House Tract DMPA, and East and West Jones DMPA. Additionally, Targa proposes 10 years of future maintenance dredging to maintain a depth of -47 feet MLLW at the ship docks.

The applicant stated that the purpose of the proposed Patriot Terminal project is to offer clients the opportunity to load, transport, and export petroleum and petroleum products gathered from pipelines/storage facilities and sold on the domestic/international market. Construction of the proposed project would provide the intermodal transportation capabilities necessary to fulfill strategic corporate expansion initiatives and stability within a growing market.

The applicant has stated that they have avoided and minimized environmental impacts to waters of the United States (U.S.) associated with the proposed activity by designing the proposed Patriot Terminal project components to be the minimal needed to meet the project purpose. Temporary impacts to waters of the U.S. will be minimized through the use of best management practices (BMPs) during construction activities. The excavation and temporary side casting of material will be completed using BMPs. As such, material temporarily side-cast will be placed at nearby locations of the highest elevations practical to prevent potential adverse effects as a result of the proposed construction activities. The proposed project would demolish the existing bulkhead and dock structures and construct a new dock with a larger setback from the HSC to ensure navigational safety for incoming and outgoing vessel traffic, as well as neighboring and on-site personnel. The applicant has not proposed any compensatory mitigation because there would be no loss of waters of the United States, nor would there be any impacts to special aquatic sites. The U.S. Army Corps of Engineers will determine the type and amount of compensatory mitigation necessary to offset losses of waters of the U.S. which may result from the proposed activity in accordance with 33 CFR § 332.

Type of Application: U.S. Army Corps of Engineers permit application # SWG-2015-00725. This application will be reviewed pursuant Section 404 of the Clean Water Act and Section 10 of the Rivers and Harbors Act of 1899. Note: The consistency review for this project may be conducted by The Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

CMP Project No: 26-1202-F1

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

TRD-202603405
Jennifer Jones
Chief Clerk and Deputy Land Commissioner
General Land Office
Filed: August 11, 2026

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Texas Department of Insurance

Company Licensing

Application for American National Lloyds Insurance Company, a domestic Lloyds plan, to convert to and change its name to Farm Family Specialty Insurance Company, a domestic fire and/or casualty company. The home office is in San Antonio, Texas.

Application for American National County Mutual Insurance Company, a domestic fire and/or casualty company, to change its name to Farm Family County Mutual Insurance Company. The home office is in San Antonio, Texas.

Application for Everett Cash Mutual Insurance Company, a foreign fire and/or casualty company, to change its name to ECM Insurance Company. The home office is in Everett, Pennsylvania.

TRD-202603319
Justin Beam
Chief Clerk
Texas Department of Insurance
Filed: August 6, 2026

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Texas Department of Licensing and Regulation

Scratch Ticket Game Number 2763 "LOTERIA SUPREME"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2763 is "LOTERIA SUPREME". The play style is "row/column/diagonal".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2763 shall be $100.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2763.

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: AIRPLANE SYMBOL, ARMORED CAR SYMBOL, BAG SYMBOL, BANK SYMBOL, BIRD SYMBOL, BOOT SYMBOL, BOW SYMBOL, CAKE SYMBOL, CANDY SYMBOL, ATM CARD SYMBOL, CLUB SYMBOL, COFFEE SYMBOL, COINS SYMBOL, CROWN SYMBOL, DIAMOND SYMBOL, FLAG SYMBOL, GOLD BAR SYMBOL, HEART SYMBOL, JOKER SYMBOL, KEY SYMBOL, LAMP SYMBOL, LEMON SYMBOL, LIGHTNING SYMBOL, MOON SYMBOL, ORANGE SYMBOL, PEACH SYMBOL, PICK SYMBOL, PIGGY BANK SYMBOL, PIZZA SYMBOL, POT OF GOLD SYMBOL, RAINBOW SYMBOL, RING SYMBOL, 7 SYMBOL, SHADES SYMBOL, SPADE SYMBOL, SUN SYMBOL, TROPHY SYMBOL, WALLET SYMBOL, WISHBONE SYMBOL, ANCHOR SYMBOL, BAR SYMBOL, BELL SYMBOL, BILL SYMBOL, CAMERA SYMBOL, CHEESE SYMBOL, CHEST SYMBOL, CLOVER SYMBOL, DICE SYMBOL, DOLLAR SIGN SYMBOL, DRUM SYMBOL, EMERALD SYMBOL, GIFT SYMBOL, MELON SYMBOL, NECKLACE SYMBOL, PEARL SYMBOL, SHELL SYMBOL, STAR SYMBOL, VAULT SYMBOL, WATER BOTTLE SYMBOL, ARMADILLO SYMBOL, BAT SYMBOL, BICYCLE SYMBOL, BLUEBONNET SYMBOL, BOAR SYMBOL, BUTTERFLY SYMBOL, CACTUS SYMBOL, CARDINAL SYMBOL, CHERRIES SYMBOL, CHILE PEPPER SYMBOL, COVERED WAGON SYMBOL, COW SYMBOL, COWBOY SYMBOL, COWBOY HAT SYMBOL, DESERT SYMBOL, FIRE SYMBOL, FOOTBALL SYMBOL, GEM SYMBOL, GUITAR SYMBOL, HEN SYMBOL, HORSE SYMBOL, HORSESHOE SYMBOL, JACKRABBIT SYMBOL, LIZARD SYMBOL, LONE STAR SYMBOL, MARACAS SYMBOL, MOCKINGBIRD SYMBOL, MOONRISE SYMBOL, MORTAR PESTLE SYMBOL, NEWSPAPER SYMBOL, OIL RIG SYMBOL, PECAN TREE SYMBOL, PIÑATA SYMBOL, RACE CAR SYMBOL, ROADRUNNER SYMBOL, SADDLE SYMBOL, SHIP SYMBOL, SHOES SYMBOL, SOCCER BALL SYMBOL, SPEAR SYMBOL, SPUR SYMBOL, STRAWBERRY SYMBOL, SUNSET SYMBOL, WHEEL SYMBOL, WINDMILL SYMBOL, $100, $200, $300, $500, $1,000, $5,000, $10,000 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. 2763 - 1.2D

PLAY SYMBOL	CAPTION
AIRPLANE SYMBOL	AIRPLANE
ARMORED CAR SYMBOL	ARMCAR
BAG SYMBOL	BAG
BANK SYMBOL	BANK
BIRD SYMBOL	BIRD
BOOT SYMBOL	BOOT
BOW SYMBOL	BOW
CAKE SYMBOL	CAKE
CANDY SYMBOL	CANDY
ATM CARD SYMBOL	CARD
CLUB SYMBOL	CLUB
COFFEE SYMBOL	COFFEE
COINS SYMBOL	COINS
CROWN SYMBOL	CROWN
DIAMOND SYMBOL	DIAMND
FLAG SYMBOL	FLAG
GOLD BAR SYMBOL	GOLDBAR
HEART SYMBOL	HEART
JOKER SYMBOL	JOKER
KEY SYMBOL	KEY
LAMP SYMBOL	LAMP
LEMON SYMBOL	LEMON
LIGHTNING SYMBOL	LIGHTN
MOON SYMBOL	MOON
ORANGE SYMBOL	ORANGE
PEACH SYMBOL	PEACH
PICK SYMBOL	PICK

PIGGY BANK SYMBOL	PIGBNK
PIZZA SYMBOL	PIZZA
POT OF GOLD SYMBOL	POTGLD
RAINBOW SYMBOL	RAINBOW
RING SYMBOL	RING
7 SYMBOL	SEVEN
SHADES SYMBOL	SHADES
SPADE SYMBOL	SPADE
SUN SYMBOL	SUN
TROPHY SYMBOL	TROPHY
WALLET SYMBOL	WALLET
WISHBONE SYMBOL	WISHBONE
ANCHOR SYMBOL	ANCHOR
BAR SYMBOL	BAR
BELL SYMBOL	BELL
BILL SYMBOL	BILL
CAMERA SYMBOL	CAMERA
CHEESE SYMBOL	CHEESE
CHEST SYMBOL	CHEST
CLOVER SYMBOL	CLOVER
DICE SYMBOL	DICE
DOLLAR SIGN SYMBOL	DOLLAR
DRUM SYMBOL	DRUM
EMERALD SYMBOL	EMERALD
GIFT SYMBOL	GIFT
MELON SYMBOL	MELON
NECKLACE SYMBOL	NECKLACE
PEARL SYMBOL	PEARL
SHELL SYMBOL	SHELL

STAR SYMBOL	STAR
VAULT SYMBOL	VAULT
WATER BOTTLE SYMBOL	WATER
ARMADILLO SYMBOL	ARMADILLO
BAT SYMBOL	BAT
BICYCLE SYMBOL	BICYCLE
BLUEBONNET SYMBOL	BLUEBONNET
BOAR SYMBOL	BOAR
BUTTERFLY SYMBOL	BUTTERFLY
CACTUS SYMBOL	CACTUS
CARDINAL SYMBOL	CARDINAL
CHERRIES SYMBOL	CHERRIES
CHILE PEPPER SYMBOL	CHILE PEPPER
COVERED WAGON SYMBOL	COVERED WAGON
COW SYMBOL	COW
COWBOY SYMBOL	COWBOY
COWBOY HAT SYMBOL	COWBOY HAT
DESERT SYMBOL	DESERT
FIRE SYMBOL	FIRE
FOOTBALL SYMBOL	FOOTBALL
GEM SYMBOL	GEM
GUITAR SYMBOL	GUITAR
HEN SYMBOL	HEN
HORSE SYMBOL	HORSE
HORSESHOE SYMBOL	HORSESHOE
JACKRABBIT SYMBOL	JACKRABBIT
LIZARD SYMBOL	LIZARD
LONE STAR SYMBOL	LONE STAR
MARACAS SYMBOL	MARACAS

MOCKINGBIRD SYMBOL	MOCKINGBIRD
MOONRISE SYMBOL	MOONRISE
MORTAR PESTLE SYMBOL	MORTAR PESTLE
NEWSPAPER SYMBOL	NEWSPAPER
OIL RIG SYMBOL	OIL RIG
PECAN TREE SYMBOL	PECAN TREE
PIÑATA SYMBOL	PIÑATA
RACE CAR SYMBOL	RACE CAR
ROADRUNNER SYMBOL	ROADRUNNER
SADDLE SYMBOL	SADDLE
SHIP SYMBOL	SHIP
SHOES SYMBOL	SHOES
SOCCER BALL SYMBOL	SOCCER BALL
SPEAR SYMBOL	SPEAR
SPUR SYMBOL	SPUR
STRAWBERRY SYMBOL	STRAWBERRY
SUNSET SYMBOL	SUNSET
WHEEL SYMBOL	WHEEL
WINDMILL SYMBOL	WINDMILL
$100	ONHN
$200	TOHN
$300	THHN
$500	FVHN
$1,000	ONTH
$5,000	FVTH
$10,000	10TH
$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 (2763), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 015 within each Pack. The format will be: 2763-0000001-001.

H. Pack - A Pack of the "LOTERIA SUPREME" Scratch Ticket Game contains 015 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket back 001 and 015 will both be exposed.

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 pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "LOTERIA SUPREME" Scratch Ticket Game No. 2763.

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. Each Scratch Ticket contains exactly ninety-eight (98) Play Symbols. A prize winner in the "LOTERIA SUPREME" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose Play Symbols as follows: PLAY AREA 1 INSTRUCTIONS (PLAYBOARD): (1) The player completely scratches the CALLER'S CARD to reveal 27 Play Symbols. (2) The player scratches ONLY the Play Symbols on the PLAYBOARD that exactly match the Play Symbols revealed on the CALLER'S CARD. (3) If the player reveals a complete row, column or diagonal line, the player wins the prize for that line. PLAY AREA 2 INSTRUCTIONS (BONUS): If the player reveals 2 matching Play Symbols in the same BONUS, the player wins the PRIZE for that BONUS. PLAY AREA 3 INSTRUCTIONS (10X, 20X, 50X, 100X, 500X MULTIPLIER): The player scratches the 10X, 20X, 50X, 100X and 500X MULTIPLIER boxes to reveal 2 Play Symbols in each box. If the player reveals 2 matching Play Symbols in the same MULTIPLIER box, the player multiplies the total prize won on the ticket by that MULTIPLIER and wins that amount. For example, revealing 2 "STAR" Play Symbols in the 10X MULTIPLIER box will multiply the total prize won by 10 TIMES. INSTRUCCIONES PARA ÁREA DE JUEGO 1 (TABLA DE JUEGO): (1) El jugador raspa completamente la CARTA DEL GRITÓN para revelar 27 símbolos. (2) El jugador SOLAMENTE raspa los símbolos en la TABLA DE JUEGO que son exactamente iguales a los símbolos revelados en la CARTA DEL GRITÓN. (3) Si el jugador revela una línea completa, horizontal, vertical o diagonal, el jugador gana el premio para esa línea. INSTRUCCIONES PARA ÁREA DE JUEGO 2 (BONO): Si el jugador revela 2 símbolos iguales en el mismo BONO, el jugador gana el PREMIO para ese BONO. INSTRUCCIONES PARA ÁREA DE JUEGO 3 (MULTIPLICADOR 10X, 20X, 50X, 100X, 500X): El jugador raspa las cajas de MULTIPLICADOR 10X, 20X, 50X, 100X y 500X para revelar 2 símbolos en cada caja. Si el jugador revela 2 símbolos iguales en la misma caja de MULTIPLICADOR, el jugador multiplica el premio total ganado en el boleto por ese MULTIPLICADOR y gana esa cantidad. Por ejemplo, revelando 2 símbolos de "ESTRELLA" en la caja MULTIPLICADOR 10X multiplicará por 10 el premio total ganado. 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 ninety-eight (98) 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 ninety-eight (98) 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 ninety-eight (98) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the ninety-eight (98) 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 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: A Ticket can win up to eleven (11) times in accordance with the prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. PLAY AREA 1 (PLAYBOARD)/ÁREA DE JUEGO 1 (TABLA DE JUEGO): There will be no identical Play Symbols in the CALLER'S CARD/CARTA DEL GRITÓN play area.

D. PLAY AREA 1 (PLAYBOARD)/ÁREA DE JUEGO 1 (TABLA DE JUEGO): At least eight (8) but no more than twelve (12) CALLER'S CARD/CARTA DEL GRITÓN Play Symbols will match a Play Symbol on the PLAYBOARD/TABLA DE JUEGO play area.

E. PLAY AREA 1 (PLAYBOARD)/ÁREA DE JUEGO 1 (TABLA DE JUEGO): No identical Play Symbols are allowed on the same PLAYBOARD/TABLA DE JUEGO play area.

F. PLAY AREA 2 (BONUS)/ÁREA DE JUEGO 2 (BONO): There will never be matching Play Symbols in the BONUS/BONO play areas, unless used as a winning play.

G. PLAY AREA 2 (BONUS)/ÁREA DE JUEGO 2 (BONO): Non-winning Play Symbols from one (1) BONUS/BONO play area will not match winning Play Symbols from another BONUS/BONO play area.

H. PLAY AREA 2 (BONUS)/ÁREA DE JUEGO 2 (BONO): Non-winning Play Symbols will never appear more than one (1) time on a Ticket.

I. PLAY AREA 2 (BONUS)/ÁREA DE JUEGO 2 (BONO): Winning Play Symbols will be matching and appear in the same BONUS/BONO play area and will not appear more than two (2) times on a Ticket.

J. PLAY AREA 3 (10X, 20X, 50X, 100X, 500X MULTIPLIER)/ÁREA DE JUEGO 3 (MULTIPLICADOR 10X, 20X, 50X, 100X, 500X): There will never be identical Play Symbols in the MULTIPLIER/MULTIPLICADOR play areas, unless used as a winning play.

K. PLAY AREA 3 (10X, 20X, 50X, 100X, 500X MULTIPLIER)/ÁREA DE JUEGO 3 (MULTIPLICADOR 10X, 20X, 50X, 100X, 500X): Non-winning Play Symbols from one (1) MULTIPLIER/MULTIPLICADOR play area will not match winning Play Symbols from another MULTIPLIER/MULTIPLICADOR play area.

L. PLAY AREA 3 (10X, 20X, 50X, 100X, 500X MULTIPLIER)/ÁREA DE JUEGO 3 (MULTIPLICADOR 10X, 20X, 50X, 100X, 500X): Non-winning Play Symbols will never appear more than one (1) time on a Ticket.

M. PLAY AREA 3 (10X, 20X, 50X, 100X, 500X MULTIPLIER)/ÁREA DE JUEGO 3 (MULTIPLICADOR 10X, 20X, 50X, 100X, 500X): Winning Play Symbols will be identical and appear in the same MULTIPLIER/MULTIPLICADOR play area and will not appear more than two (2) times on a Ticket.

2.3 Procedure for Claiming Prizes.

A. To claim a "LOTERIA SUPREME" Scratch Ticket Game prize of $100, $200, $300 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 $100, $200, $300 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 "LOTERIA SUPREME" Scratch Ticket Game prize of $1,000, $5,000, $10,000 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. To claim a "LOTERIA SUPREME" Scratch Ticket Game top level prize of $7,500,000, the claimant must sign the winning Scratch Ticket and present it at Texas Lottery Commission headquarters in Austin, Texas. 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 and proof of Social Security number or Taxpayer Identification (for U.S. Citizens or Resident Aliens). The Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service () and shall withhold federal income tax at a rate set by the 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.

D. As an alternative method of claiming a "LOTERIA SUPREME" Scratch Ticket Game prize, with the exception of the top prize level of $7,500,000, 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 Taxpayer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, 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.

E. 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.

F. 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 "LOTERIA SUPREME" 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 "LOTERIA SUPREME" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2763. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2763 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
$100	800,000	7.50
$200	600,000	10.00
$300	100,000	60.00
$500	300,000	20.00
$1,000	54,000	111.11
$5,000	2,300	2,608.70
$10,000	160	37,500.00
$100,000	30	200,000.00
$7,500,000	4	1,500,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.23. 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 Commission.

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. 2763 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. 2763, 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-202603404
Deanne Rienstra
General Counsel
Texas Department of Licensing and Regulation
Filed: August 11, 2026

♦ ♦ ♦

Scratch Ticket Game Number 2773 "SUGAR SKULL CASH"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2773 is "SUGAR SKULL CASH". The play style is "key symbol match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2773 shall be $5.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2773.

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 Play Symbols are: YELLOW SKULL SYMBOL, CROWN SYMBOL, CACTUS SYMBOL, CHILE PEPPER SYMBOL, CANDLE SYMBOL, GUITAR SYMBOL, GREEN SKULL SYMBOL, HEART SYMBOL, PURPLE SKULL SYMBOL, IGUANA SYMBOL, GRAPES SYMBOL, MARACAS SYMBOL, LIME SYMBOL, PIÑATA SYMBOL, SOMBRERO SYMBOL, TACO SYMBOL, STAR SYMBOL, BLUE SKULL SYMBOL, CHEST SYMBOL, RED SKULL SYMBOL, BANNER SYMBOL, LEMON SYMBOL, ROSE SYMBOL, FLOWER SKULL SYMBOL, COIN SYMBOL, $5, $10, $15, $20, $50, $100, $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. This game does not have Play Symbol Captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2773 - 1.2D

PLAY SYMBOL	CAPTION
YELLOW SKULL SYMBOL	
CROWN SYMBOL	
CACTUS SYMBOL	
CHILE PEPPER SYMBOL	
CANDLE SYMBOL	
GUITAR SYMBOL	
GREEN SKULL SYMBOL	
HEART SYMBOL	
PURPLE SKULL SYMBOL	
IGUANA SYMBOL	
GRAPES SYMBOL	
MARACAS SYMBOL	
LIME SYMBOL	
PIÑATA SYMBOL	
SOMBRERO SYMBOL	
TACO SYMBOL	
STAR SYMBOL	
BLUE SKULL SYMBOL	
CHEST SYMBOL	
RED SKULL SYMBOL	
BANNER SYMBOL	
LEMON SYMBOL	
ROSE SYMBOL	
FLOWER SKULL SYMBOL	
COIN SYMBOL	
$5	
$10	

$15	
$20	
$50	
$100	
$500	
$1,000	
$100,000	

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 (2773), 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: 2773-0000001-001.

H. Pack - A Pack of the "SUGAR SKULL CASH" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

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 pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "SUGAR SKULL CASH" Scratch Ticket Game No. 2773.

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 "SUGAR SKULL CASH" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose forty-five (45) Play Symbols. PLAY INSTRUCTIONS: The player scratches the entire play area to reveal 5 WINNING SYMBOLS Play Symbols and 20 YOUR SYMBOLS Play Symbols. If the player matches any of the YOUR SYMBOLS Play Symbols to any of the WINNING SYMBOLS Play Symbols, the player wins 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-five (45) 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. This game does not have Play Symbol Captions;

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-five (45) 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-five (45) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the forty-five (45) 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. A Ticket can win up to twenty (20) times in accordance with the prize structure.

B. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. Each Ticket will have five (5) different WINNING SYMBOLS Play Symbols.

D. Non-winning YOUR SYMBOLS Play Symbols will all be different.

E. Non-winning Prize Symbols will never appear more than four (4) times.

F. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

G. Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

2.3 Procedure for Claiming Prizes.

A. To claim a "SUGAR SKULL CASH" Scratch Ticket Game prize of $5.00, $10.00, $15.00, $20.00, $50.00, $100 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $50.00, $100 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 "SUGAR SKULL CASH" Scratch Ticket Game prize of $1,000 or $100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of $600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied, and the claimant shall be notified promptly.

C. As an alternative method of claiming a "SUGAR SKULL CASH" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is $1,000,000 or more, the claimant must also provide proof of Social Security number or Taxpayer 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 "SUGAR SKULL CASH" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of $600 or more from the "SUGAR SKULL CASH" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 5,040,000 Scratch Tickets in Scratch Ticket Game No. 2773. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2773 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
$5.00	537,600	9.38
$10.00	369,600	13.64
$15.00	134,400	37.50
$20.00	134,400	37.50
$50.00	67,200	75.00
$100	20,160	250.00
$500	462	10,909.09
$1,000	55	91,636.36
$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 3.99. 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. 2773 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. 2773, 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-202603421
Deanne Rienstra
General Counsel
Texas Department of Licensing and Regulation
Filed: August 12, 2026

♦ ♦ ♦

Scratch Ticket Game Number 2776 "PATRIOTIC PAYOUT"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2776 is "PATRIOTIC PAYOUT". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2776 shall be $2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2776.

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 Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, USA SYMBOL, $2, $4, $5, $10, $20, $30, $50, $100, $500 and $30,000.

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. This particular Scratch Ticket Game does not have Play Symbol Captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2776 - 1.2D

PLAY SYMBOL	CAPTION
01	
02	
03	
04	
05	
06	
07	
08	
09	
10	
11	
12	
13	
14	
15	
16	
17	
18	
19	
20	
21	
22	
23	
24	
25	

26	
27	
28	
29	
30	
USA SYMBOL	
$2	
$4	
$5	
$10	
$20	
$30	
$50	
$100	
$500	
$30,000	

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 (2776), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2776-0000001-001.

H. Pack - A Pack of the "PATRIOTIC PAYOUT" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the Packs will be in an A, B, C and D configuration.

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 pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "PATRIOTIC PAYOUT" Scratch Ticket Game No. 2776.

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 "PATRIOTIC PAYOUT" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose twenty-two (22) Play Symbols. PLAY INSTRUCTIONS: If a player matches any of the YOUR NUMBERS Play Symbols to either of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "USA" Play Symbol, the player wins DOUBLE 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 twenty-two (22) 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. This particular Scratch Ticket Game does not have Play Symbol Captions;

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 twenty-two (22) 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 twenty-two (22) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the twenty-two (22) 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. A Ticket can win up to ten (10) times in accordance with the prize structure.

B. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. Each Ticket will have two (2) different WINNING NUMBERS Play Symbols.

E. Non-winning YOUR NUMBERS Play Symbols will all be different.

F. Non-winning Prize Symbols will never appear more than two (2) times.

G. The "USA" (DBL) Play Symbol will never appear in the WINNING NUMBERS Play Symbol spots.

H. The "USA" (DBL) Play Symbol will only appear on winning Tickets as dictated by the prize structure.

I. Non-winning Prize Symbol(s) will never be the same as the winning Prize Symbol(s).

J. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 04 and $4).

2.3 Procedure for Claiming Prizes.

A. To claim a "PATRIOTIC PAYOUT" Scratch Ticket Game prize of $2.00, $4.00, $5.00, $10.00, $20.00, $30.00, $50.00, $100 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 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 "PATRIOTIC PAYOUT" Scratch Ticket Game prize of $30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of $600 or more, the Texas

Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied, and the claimant shall be notified promptly.

C. As an alternative method of claiming a "PATRIOTIC PAYOUT" 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 Taxpayer 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 "PATRIOTIC PAYOUT" 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 "PATRIOTIC PAYOUT" 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 4,080,000 Scratch Tickets in Scratch Ticket Game No. 2776. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2776 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
$2.00	416,160	9.80
$4.00	236,640	17.24
$5.00	228,480	17.86
$10.00	73,440	55.56
$20.00	32,640	125.00
$30.00	7,616	535.71
$50.00	5,100	800.00
$100	2,040	2,000.00
$500	136	30,000.00
$30,000	8	510,000.00

*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 4.07. 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. 2776 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. 2776, 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-202603365
Deanne Rienstra
General Counsel
Texas Department of Licensing and Regulation
Filed: August 10, 2026

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Public Utility Commission of Texas

Memorandum Establishing a Deadline and Filing Instructions for Comments on the Petition of Green Recursive Utility Service LLC in Project No. 60084

TO: Interested Persons

FROM: Katelyn Lewis, Rules and Projects Division

DATE: August 12, 2026

RE: Staff Memorandum Establishing a Deadline and Filing Instructions for Comments on the Petition of Green Recursive Utility Service LLC in Project No. 60084.

On August 3, 2026, petitioner Green Recursive Utility Service LLC filed a petition for rulemaking in Project Number 59727. On August 8, 2026, Commission Staff filed a memo reassigning the petition to Project Number 60084 and indicating that the petition and responsible comments filed prior to Commission Staff's memo would be relocated to Project Number 60084.

The rulemaking petition requested that the Commission consider adopting a new framework through its rulemaking authority to establish a new measurement for computational loads, as a standard unit of measurement for computational loads does not currently exist. The petition also requests that the Commission adopt a uniform, auditable metering framework with defined technical standards and criteria to determine what constitutes a computational load, and further requests that the Commission develop new framework for large-scale computing facilities to improve monitoring, reporting, and management of the impact on the Texas electric grid and related infrastructure resources.

The deadline to file comments in this project is **Friday, September 11, 2026**. Comments may be filed through the interchange on the commission's website at Filer Home. Interested persons may contact the commission via email at Katelyn.Lewis@puc.texas.gov with questions, however, Commission Staff notes that they are unable to publicly file comments sent via email on behalf of the public. All comments should reference **Project Number 60084**.

Please be aware that any personally identifiable or sensitive information, such as names or home addresses, included in your filing will be publicly available on the interchange, and that once a control number has been closed (at the conclusion of the project), information can no longer be redacted or removed.

TRD-202603425
Katelyn Lewis
Projects Coordinator
Public Utility Commission of Texas
Filed: August 12, 2026

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Texas Water Development Board

Notice for Public Hearing and Public Comment Period for the Amendment to the 2027 State Water Plan and Intent to Adopt an Amendment to the 2027 State Water Plan

The Texas Water Development Board (TWDB) will conduct a public hearing on September 24, 2026, to receive public comments on the proposed amendment to the 2027 State Water Plan in accordance with Texas Water Code §16.051 and 31 Texas Administrative Code §358.4(a). The hearing will begin at 1:00 p.m. in room 170 of the Stephen F. Austin Building, 1700 North Congress Avenue, Austin, Texas and via Teams Meeting at https://teams.microsoft.com/meet/26541447339778?p=gNNilaZIYro6Jre2Ub. Meeting ID: 265 414 473 397 78; Passcode: c5Nf9pc9. Audio access only: (512) 298-6360; phone conference ID: 635 380 055#.

Relevant comments concerning the amendment will be accepted in person and through virtual attendance of the public hearing. If you would like to provide a public comment, please fill out the online registration form at www.twdb.texas.gov/waterplanning/swp/2027/docs/visitor-sign-in-card.pdf and send it to SWPPublicComment@twdb.texas.gov by 12:00 p.m. on September 23, 2026.

Persons with disabilities who plan to attend this hearing and who may need auxiliary aids or services such as interpreters for persons who are deaf or hearing impaired, readers, large print or Braille, are requested to contact Jacque Lustig at (512) 463-8676 or at Jacque.lustig@twdb.texas.gov two (2) workdays prior to the hearing so that appropriate arrangements can be made.

Persons may also provide written comments on or before 5:00 p.m. on September 25, 2026, via the following link: https://forms.office.com/r/4nvDM64UAf.

A copy of the proposed amendment to the 2027 State Water Plan is available on the TWDB website at http://www.twdb.texas.gov/waterplanning/swp/2027/index.asp.

Additional information may be obtained from: Temple McKinnon, Director of Water Supply Planning, Texas Water Development Board, P.O. Box 13231, Austin, Texas 78711, (512) 475-2057, temple.mckinnon@twdb.texas.gov.

The TWDB will consider the adoption of an amendment to the 2027 State Water Plan at its regularly noticed and scheduled Texas Water Development Board meeting tentatively scheduled to be held in December 2026. The state water plan amendment under consideration incorporates additional and more robust content in line with previously adopted state water plans.

TRD-202603362
Temple McKinnon
Director of Water Supply Planning
Texas Water Development Board
Filed: August 10, 2026

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How to Use the Texas Register

Information Available: The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

Governor - Appointments, executive orders, and proclamations.

Attorney General - summaries of requests for opinions, opinions, and open records decisions.

Texas Ethics Commission - summaries of requests for opinions and opinions.

Emergency Rules - sections adopted by state agencies on an emergency basis.

Proposed Rules - sections proposed for adoption.

Withdrawn Rules - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

Adopted Rules - sections adopted following public comment period.

Texas Department of Insurance Exempt Filings - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

Review of Agency Rules - notices of state agency rules review.

Tables and Graphics - graphic material from the proposed, emergency and adopted sections.

Transferred Rules - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

In Addition - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

How to Cite: Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words "TexReg" and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 51 (2026) is cited as follows: 51 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written "51 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 51 TexReg 3."

How to Research: The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: https://www.sos.texas.gov. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

Texas Administrative Code

The *Texas Administrative Code (TAC*) is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the *TAC*.

The *TAC* volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete *TAC* is available through the Secretary of State's website at http://www.sos.state.tx.us/tac.

The Titles of the *TAC*, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

How to Cite: Under the *TAC* scheme, each section is designated by a *TAC* number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

How to Update: To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule's *TAC* number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

TITLE 1. ADMINISTRATION
Part 4. Office of the Secretary of State
Chapter 91. Texas Register
1 TAC §91.1……..950 *(P)*

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