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# TEXAS REGISTER

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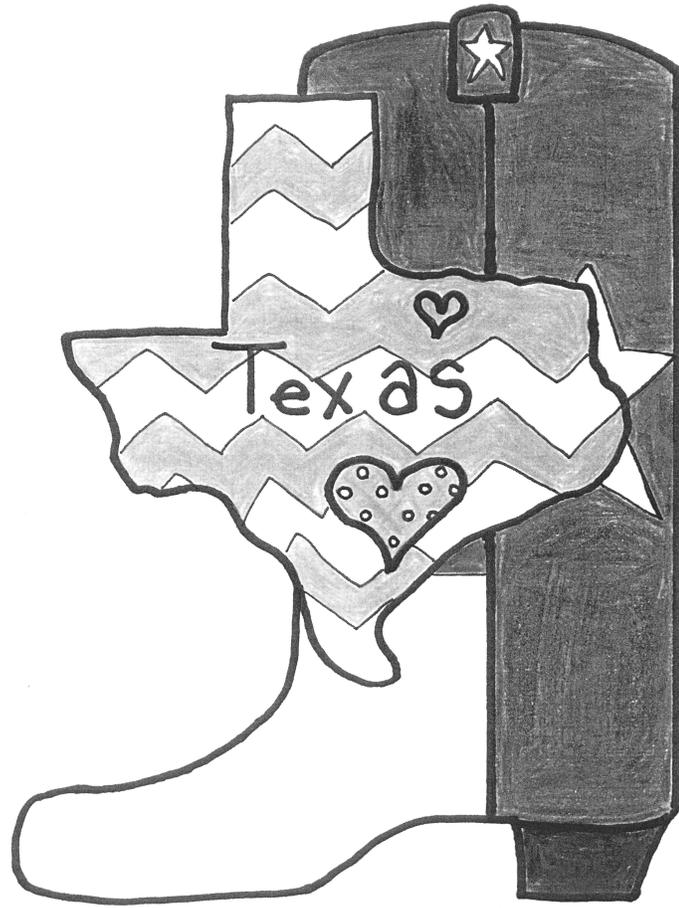
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# THE ATTORNEY GENERAL

The *Texas Register* publishes summaries of the following: Requests for Opinions, Opinions, and Open Records Decisions.

An index to the full text of these documents is available on the Attorney General's website at <https://www.texas.attorneygeneral.gov/attorney-general-opinions>. For information about pending requests for opinions, telephone (512) 463-2110.

An Attorney General Opinion is a written interpretation of existing law. The Attorney General writes opinions as part of his responsibility to act as legal counsel for the State of Texas. Opinions are written only at the request of certain state officials. The Texas Government Code indicates to whom the Attorney General may provide a legal opinion. He may not write legal opinions for private individuals or for any officials other than those specified by statute. (Listing of authorized requestors: <https://www.texasattorneygeneral.gov/attorney-general-opinions>.)

## Requests for Opinions

### **RQ-0628-KP**

#### **Requestor:**

Mr. Rex Isom

Executive Director

The Texas State Soil and Water Conservation Board

1497 Country View Lane

Temple, Texas 76504-8806

Re: Qualifications to serve on board of directors for a soil and water conservation district under Texas Agriculture Code §201.072 (RQ-0628-KP)

**Briefs requested by March 23, 2026**

### **RQ-0629-KP**

#### **Requestor:**

The Honorable Jessica H. Guy

Lampasas County Attorney

409 South Pecan, Suite 203

Lampasas, Texas 76550

Re: Whether an appraisal district's use of voter registration records to conduct residence homestead exemption audits, as required by Texas Tax Code §11.43(h-l), constitutes a permissible governmental use under Texas Election Code §§18.008 and 18.009 (RQ-0629-KP)

**Briefs requested by March 23, 2026**

### **RQ-0630-KP**

#### **Requestor:**

Mr. W. Boyd Bush, Jr., Ed.D.

Executive Director

Texas Board of Chiropractic Examiners

1801 North Congress, Suite 10.500

Austin, Texas 78701

Re: Authority of the Texas Board of Chiropractic Examiners to adopt a rule permitting licensed chiropractors with the requisite training established by the Board to perform certain procedures (RQ-0630-KP)

**Briefs requested by March 23, 2026**

### **RQ-0631-KP**

#### **Requestor:**

The Honorable Michael W. Hartman

Scurry County Attorney

1806 25th Street, Suite 201

Snyder, Texas 79549

Re: Tax-exempt status of General Land Office, University Lands, county, and local government corporation owned mineral interests (RQ-0631-KP)

**Briefs requested by March 23, 2026**

*For further information, please access the website at [www.texasattorneygeneral.gov](http://www.texasattorneygeneral.gov) or call the Opinion Committee at (512) 463-2110.*

TRD-202600864

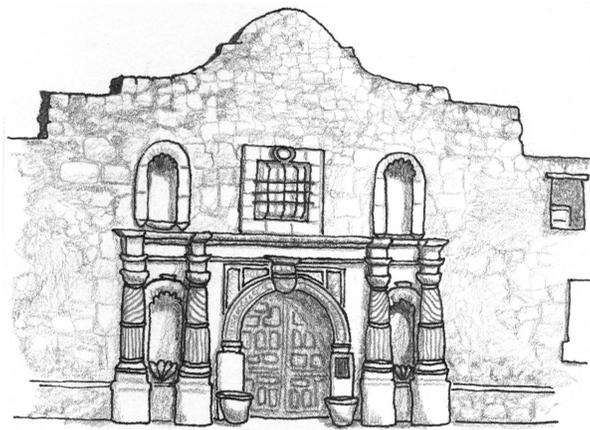
Justin Gordon

General Counsel

Office of the Attorney General

Filed: February 24, 2026





# 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 7. BANKING AND SECURITIES

### PART 5. OFFICE OF CONSUMER CREDIT COMMISSIONER

#### CHAPTER 83. REGULATED LENDERS AND CREDIT ACCESS BUSINESSES

##### SUBCHAPTER A. RULES FOR REGULATED LENDERS

##### DIVISION 10. DUTIES AND AUTHORITY OF AUTHORIZED LENDERS

###### 7 TAC §83.828, §83.829

The Finance Commission of Texas (commission) proposes amendments to §83.828 (relating to Files and Records Required (Subchapter E and F Lenders)) and §83.829 (relating to Files and Records Required (Subchapter G Lenders)) in 7 TAC Chapter 83, Subchapter A, concerning Rules for Regulated Lenders.

The rules in 7 TAC Chapter 83, Subchapter A govern regulated lenders. In general, the purpose of the proposed rule changes to 7 Chapter 83, Subchapter A is to implement changes resulting from the commission's review of the subchapter under Texas Government Code, §2001.039.

Proposed amendments to §83.828 would update recordkeeping requirements for regulated lenders making consumer loans that are not secured by real property under Texas Finance Code, Chapter 342, Subchapter E or Subchapter F. Regulated lenders are required to maintain transaction records under Texas Finance Code, §342.558, and are required to allow the OCCC to access records under Texas Finance Code, §342.552. Currently, provisions throughout §83.828 refer to both paper and electronic recordkeeping systems. Proposed amendments throughout §83.828 would simplify and rearrange this language to refer to electronic recordkeeping systems before referring to paper systems, based on licensees' increasing use of electronic systems rather than paper systems. Additional proposed amendments to §83.828 relate to data security recordkeeping. A proposed amendment at §83.828(14)(A) specifies that licensees must maintain written policies and procedures for an information security program to protect consumers' customer information, as required by the Federal Trade Commission's Safeguards Rule, 16 C.F.R. part 314. Another proposed amendment at §83.828(14)(B) specifies that if a licensee maintains customer information concerning 5,000 or more consumers, then the licensee must maintain a written incident response plan and written risk assessments, as required by 16 C.F.R. §314.4. A proposed amendment at §83.828(15) specifies that

licensees must maintain data breach notifications to consumers and to the Office of the Attorney General under Texas Business & Commerce Code, §521.053. Data security is a crucial issue. The OCCC's 2025-2029 strategic plan includes action items to "[p]romote cybersecurity awareness and best practices among regulated entities" and "[m]onitor cybersecurity incidents and remediation efforts reported by regulated entities." Recent data breaches affecting financial institutions highlight the urgent need for vigilance in this industry. The proposed data security recordkeeping amendments will help ensure that the OCCC can monitor this crucial issue.

Proposed amendments to §83.829 would update recordkeeping requirements for regulated lenders making secondary mortgage loans under Texas Finance Code, Chapter 342, Subchapter G. Similarly to the amendments described in the previous paragraph of this preamble, the proposed amendments to §83.829 would simplify and rearrange language to refer to electronic recordkeeping before paper systems, specify that licensees must maintain records for an information security program, and specify that licensees must maintain data breach notifications.

Mirand Diamond, Director of Licensing, Finance and Human Resources, has determined that for the first five-year period the proposed rule changes are in effect, there will be no fiscal implications for state or local government as a result of administering the rule changes.

Christine Graham, Director of Consumer Protection, has determined that for each year of the first five years the proposed amendments are in effect, the public benefit anticipated as a result of the changes will be that the commission's rules will be more easily understood by licensees required to comply with the rules, and will better enable licensees to comply with Texas Finance Code, Chapter 342 and related legal requirements.

The OCCC does not anticipate economic costs to persons who are required to comply with the rule changes as proposed. If there are economic costs, then the OCCC anticipates that these will be minimal. Regarding the proposed amendments related to information security programs and data breach notifications in §83.828 and §83.829, licensees are required to develop this information by existing statutes and regulations outside of the proposed amendments, so any costs do not result from the proposed amendments.

The OCCC is not aware of any adverse economic effect on small businesses, micro-businesses, or rural communities resulting from this proposal. But in order to obtain more complete information concerning the economic effect of these rule changes, the OCCC invites comments from interested stakeholders and the public on any economic impacts on small businesses, as well as any alternative methods of achieving the purpose of the pro-

posal while minimizing adverse impacts on small businesses, micro-businesses, and rural communities.

During the first five years the proposed rule changes will be in effect, the rules will not create or eliminate a government program. Implementation of the rule changes will not require the creation of new employee positions or the elimination of existing employee positions. Implementation of the rule changes will not require an increase or decrease in future legislative appropriations to the OCCC, because the OCCC is a self-directed, semi-independent agency that does not receive legislative appropriations. The proposal does not require an increase or decrease in fees paid to the OCCC. The proposal would not create a new regulation. The proposal would both expand and limit current §83.828 and §83.829 by adding references to certain cybersecurity-related information and removing unnecessary rule text. The proposal would not repeal a current regulation. The proposed rule changes do not increase or decrease the number of individuals subject to the rule's applicability. The agency does not anticipate that the proposed rule changes will have an effect on the state's economy.

In November 2025, the OCCC issued an advance notice of rule review, seeking informal feedback on the rule review. Notice of the review of 7 TAC Chapter 83, Subchapter A was published in the *Texas Register* on December 5, 2025 (50 TexReg 7925). The OCCC and the commission did not receive any comments in response to these notices.

The OCCC distributed an early precomment draft of proposed changes to interested stakeholders for review. The OCCC did not receive any written precomments on the rule text draft.

Comments on the proposal may be submitted in writing to Matthew Nance, General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705 or by email to rule.comments@occc.texas.gov. The commission invites any comments with information related to the cost, benefit, or effect of the proposed rule changes, including any applicable data, research, or analysis, from any person required to comply with the proposed rule changes or any other interested person. To be considered, a written comment must be received on or before the 30th day after the date the proposal is published in the *Texas Register*. After the 30th day after the proposal is published in the *Texas Register*, no further written comments will be considered or accepted by the commission.

The rule changes are proposed under Texas Finance Code, §342.551, which authorizes the commission to adopt rules to enforce Texas Finance Code, Chapter 342. In addition, Texas Finance Code, §11.304 authorizes the commission to adopt rules to ensure compliance with Texas Finance Code, Title 4.

The statutory provisions affected by the proposal are contained in Texas Finance Code, Chapter 342.

§83.828. *Files and Records Required (Subchapter E and F Lenders)*. Each licensee must maintain records with respect to each loan made under Texas Finance Code, Chapter 342, Subchapters E and F, and make those records available for examination. The records required by this section may be maintained by using either an electronic recordkeeping system, a paper or manual recordkeeping system, [electronic recordkeeping system, optically imaged recordkeeping system,] or a combination of the preceding types of systems, unless otherwise specified by statute or regulation. If federal law requirements for record retention are different from the provisions contained in this section, the federal law requirements prevail only to the extent of the conflict with the provisions of this section.

(1) Loan register. Each licensee must maintain a loan register, containing the information required by subparagraphs (A) - (D) of this paragraph, for each Texas Finance Code, Chapter 342, Subchapter E and F loan made by the licensee. The loan register can be maintained either as an electronic record or a paper [or an electronic] record. If the loan register is maintained as an electronic record, the licensee must be able to sort, generate, and print, as a separate record, the loan register for each day the licensee originated or acquired Chapter 342, Subchapter E and F loans. A licensee may incorporate the loan register as part of the record of daily transactions required by paragraph (7) of this section if the loan register is a separate and distinct section of the daily report. If the loan register is maintained as a paper record, the loan register must be currently maintained. A licensee may file, in chronological order, copies of any loan document or form prepared at the time a loan is made reflecting the information provided in subparagraphs (A) - (D) of this paragraph to serve as a loan register. A loan register must contain the following information:

(A) - (D) (No change.)

(2) Alphabetical index of current borrowers. A current alphabetical index or report of outstanding loans showing the full name of each borrower, co-borrower, or other obligor on the loan and the loan number assigned each loan must be maintained. A licensee may maintain the alphabetical index of current borrowers either as an electronic record or a paper [or an electronic] record. If the alphabetical index of current borrowers is maintained as an electronic record, the licensee must be able to sort, generate, and print, as a separate record, the alphabetical index of current borrowers in strict alphabetical order. A licensee may maintain the alphabetical index of current borrowers by creating a rolodex of current borrowers. In lieu of creating a rolodex of current borrowers, a licensee may maintain the alphabetical index of current borrowers by filing the loan files of the borrowers or individual borrower's account records in strict alphabetical order. The manual recordkeeping system for maintaining the alphabetical index of current borrowers must be currently maintained and include a card, file, or record for each co-borrower or other obligor.

(3) Borrower's account record (including payment and collection contact history). A separate electronic or paper [or electronic] record must be maintained for the account of each borrower. The paper or electronic borrower's account record must be readily available by reference to either a name or loan number. The borrower's account record must contain at least the following information on each loan:

(A) - (O) (No change.)

(4) Transfer records. A licensee must maintain transfer records, whether electronic or paper [or electronic], when any Texas Finance Code, Chapter 342 loan accounts made by or acquired by the licensee are transferred from its licensed location. The records must show the name of the borrower, the account number, the date of transfer, and the location to which the accounts are transferred.

(5) - (6) (No change.)

(7) Record of daily transactions. Each licensee must maintain sufficient records, electronic or paper [or electronic], to adequately reflect, on an individual account basis, the business occurring during each day. The records must reflect the date on which each transaction occurred.

(8) (No change.)

(9) Insurance loss registers. Each licensee must maintain a register, electronic or paper [or electronic], reflecting information on credit life, credit accident and health, personal property, credit involuntary unemployment, and collateral protection insurance claims whether paid or denied by the insurance carrier.

(A) - (E) (No change.)

(10) - (13) (No change.)

(14) Information security program. A licensee must maintain the following for an information security program:

(A) written policies and procedures for an information security program to protect consumers' customer information under the Federal Trade Commission's Safeguards Rule, 16 C.F.R. part 314; and

(B) if a licensee maintains customer information concerning 5,000 or more consumers, a written incident response plan and written risk assessments under 16 C.F.R. §314.4.

(15) Data breach notifications. A licensee must maintain the following for data breach notifications:

(A) the text of any data breach notification provided to consumers, including any notification under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification; and

(B) any data breach notification provided to a government agency, including any notification provided to the Office of the Attorney General under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification.

(16) [(14)] Retention and availability of records. All required books and records must be available for inspection at any time by OCCC staff, and must be retained for a period of four years from the date of the loan, or two years from the date of the final entry made thereon, whichever is later. All obligations authenticated by the borrower, including promissory notes and security agreements, must be kept at an office in the state designated by the licensee or made available in the state, except when transferred under an agreement that gives the OCCC access to the documents. Copies of loan documents, financing statements, loan applications, records of insurance policies issued by or through the licensee in connection with the loan, and books and records required by this section must be maintained at the licensed location or be made available at some location in the state designated by the licensee in writing to the OCCC. Documents may be maintained out of state if the licensee has in writing acknowledged responsibility for either making the records available within the state for examination or by acknowledging responsibility for additional examination costs associated with examinations conducted out of state.

§83.829. Files and Records Required (Subchapter G Lenders). Each licensee must maintain records with respect to each loan made under Texas Finance Code, Chapter 342, Subchapter G and each home equity loan made under Texas Constitution, Article XVI, Section 50, and make those records available for examination. The records required by this section may be maintained by using either an electronic recordkeeping system, a paper or manual recordkeeping system, [electronic recordkeeping system, optically imaged recordkeeping system,] or a combination of the preceding types of systems, unless otherwise specified by statute or regulation. If federal law requirements for record retention are different from the provisions contained in this section, the federal law requirements prevail only to the extent of the conflict with the provisions of this section. The records required by this section must be retained and made available for inspection in the same manner as that specified in §83.828(16) [§83.828(14)] of this title (relating to Files and Records Required (Subchapter E and F Lenders)).

(1) - (5) (No change.)

(6) Information security program. A licensee must maintain the following for an information security program:

(A) written policies and procedures for an information security program to protect consumers' customer information under the Federal Trade Commission's Safeguards Rule, 16 C.F.R. part 314; and

(B) if a licensee maintains customer information concerning 5,000 or more consumers, a written incident response plan and written risk assessments under 16 C.F.R. §314.4.

(7) Data breach notifications. A licensee must maintain the following for data breach notifications:

(A) the text of any data breach notification provided to consumers, including any notification under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification; and

(B) any data breach notification provided to a government agency, including any notification provided to the Office of the Attorney General under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification.

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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Matthew Nance

General Counsel

Office of Consumer Credit Commissioner

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For further information, please call: (512) 936-7660



## CHAPTER 84. MOTOR VEHICLE INSTALLMENT SALES SUBCHAPTER F. LICENSING

### 7 TAC §84.617

The Finance Commission of Texas (commission) proposes amendments to §84.617 (relating to License Term, Renewal, and Expiration) in 7 TAC Chapter 84, concerning Motor Vehicle Installment Sales.

In general, the purpose of the proposed rule changes is to adjust the license term for motor vehicle sales finance licensees under Texas Finance Code, Chapter 348, and commercial vehicle sales finance licensees under Texas Finance Code, Chapter 353, in anticipation of a transition to the Nationwide Multistate Licensing System (NMLS).

NMLS is an online platform used by state financial regulatory agencies to manage licenses, including license applications and renewals. NMLS was created in 2008. The federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 explains that the purposes of NMLS include increasing uniformity and reducing regulatory burden. SAFE Act, 12 USC §5101. Each state currently uses NMLS for licensing individual RMLOs, and states are increasingly using the system to license consumer finance companies. NMLS is managed by the Conference of State Bank Supervisors and is subject to ongoing modernization efforts and enhancements.

The OCCC has begun a phased process of migrating license groups from ALECS (the OCCC's previous licensing platform) to NMLS. In 2025, property tax lenders and regulated lenders completed their transition to NMLS. The OCCC believes that moving to NMLS will improve the user experience of the licensing system and promote efficiency. The OCCC anticipates that licensees under Chapters 348 and 353 of the Finance Code will be required to transition to NMLS during calendar year 2026.

Proposed amendments to §84.617 would adjust the license term for motor vehicle sales finance licensees and commercial vehicle sales finance licensees. Currently, these licenses have a term that runs from November 1 of a calendar year to October 31 of the next calendar year. These rule amendments would adjust the license term to run from January 1 to December 31, to align with the dates in the NMLS system. License fees paid in 2026 may be prorated to account for the extended term of licensure.

Mirand Diamond, Director of Licensing, Finance and Human Resources, has determined that for the first five-year period the proposed rule changes are in effect, there will be no fiscal implications for state or local government as a result of administering the rule changes.

Christine Graham, Director of Consumer Protection, has determined that for each year of the first five years the proposed amendments are in effect, the public benefit anticipated as a result of the changes will be that the commission's rules will be more consistent with the transition to NMLS as a licensing system, resulting in an improved user experience, efficiency for multistate entities, and an improved ability for consumers to access data about business licenses. Transitioning to NMLS will help minimize the costs of updating the OCCC's legacy technological systems.

The OCCC does not anticipate economic costs to persons who are required to comply with the rule changes as proposed.

The OCCC is not aware of any adverse economic effect on small businesses, micro-businesses, or rural communities resulting from this proposal. But in order to obtain more complete information concerning the economic effect of these rule changes, the OCCC invites comments from interested stakeholders and the public on any economic impacts on small businesses, as well as any alternative methods of achieving the purpose of the proposal while minimizing adverse impacts on small businesses, micro-businesses, and rural communities.

During the first five years the proposed rule changes will be in effect, the rules will not create or eliminate a government program. Implementation of the rule changes will not require the creation of new employee positions or the elimination of existing employee positions. Implementation of the rule changes will not require an increase or decrease in future legislative appropriations to the OCCC, because the OCCC is a self-directed, semi-independent agency that does not receive legislative appropriations. The proposal does not require an increase or decrease in fees paid to the OCCC. The proposal would not create a new regulation. The proposal would not expand, limit, or repeal a current regulation. The proposed rule changes do not increase or decrease the number of individuals subject to the rule's applicability. The agency does not anticipate that the proposed rule changes will have an effect on the state's economy.

The OCCC distributed an early precomment draft of proposed changes to interested stakeholders for review. The OCCC did not receive any written precomments on the rule text draft.

Comments on the proposal may be submitted in writing to Matthew Nance, General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705 or by email to [rule.comments@occc.texas.gov](mailto:rule.comments@occc.texas.gov). The commission invites any comments with information related to the cost, benefit, or effect of the proposed rule changes, including any applicable data, research, or analysis, from any person required to comply with the proposed rule changes or any other interested person. To be considered, a written comment must be received on or before the 30th day after the date the proposal is published in the *Texas Register*. After the 30th day after the proposal is published in the *Texas Register*, no further written comments will be considered or accepted by the commission.

The rule changes are proposed under Texas Finance Code, §14.112, §348.5055, and §353.5055, which authorize the commission to prescribe the term for a motor vehicle sales finance license under Texas Finance Code, Chapter 348, and the term for a commercial vehicle sales finance license under Texas Finance Code, Chapter 353. Also, Texas Finance Code, §348.513 and §353.513 authorize the commission to adopt rules to enforce Texas Finance Code, Chapters 348 and 353. In addition, Texas Finance Code, §11.304 authorizes the commission to adopt rules to ensure compliance with Texas Finance Code, Title 4.

The statutory provisions affected by the proposal are contained in Texas Finance Code, Chapters 348 and 353.

*§84.617. License Term, Renewal, and Expiration.*

(a) License term and renewal. A new license is effective from the date of its issuance until December [~~October~~] 31. A license must be renewed annually to remain effective. After renewal, a license is effective for a term of one year, from January 1 to December 31 [~~November 1 of a calendar year to October 31 of the next calendar year~~].

(b) Due date for annual assessment fee. The annual assessment fee is due by December [~~October~~] 1 of each year.

(c) Notice of delinquency. If a licensee does not pay the annual assessment fee, the OCCC will send a notice of delinquency. Notice of delinquency is given when the OCCC sends the notice:

(1) by mail to the address on file with the OCCC as a master file address; or

(2) by e-mail to the address on file with the OCCC as a master file e-mail address, if the licensee has provided a master file e-mail address.

(d) Expiration. If a licensee does not pay the annual assessment fee, the license will expire on the later of:

(1) December [~~October~~] 31 of each year; or

(2) the 16th day after notice of delinquency is given under subsection (c) of this section.

(e) Reinstatement. As provided by Texas Finance Code, §349.301 and §349.303(a), if a license was in good standing when it expired, a person may reinstate the expired license not later than the 180th day after its expiration date by paying the annual assessment fee and a \$1,000 late filing fee. The late filing fee for a registered office is \$250 under Texas Finance Code, §349.302.

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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Matthew Nance

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Office of Consumer Credit Commissioner

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## CHAPTER 86. RETAIL CREDITORS AND COMMERCIAL SALES-BASED FINANCING

### SUBCHAPTER C. COMMERCIAL SALES-BASED FINANCING

#### 7 TAC §§86.301 - 86.307, 86.310 - 86.313, 86.320 - 86.322

The Finance Commission of Texas (commission) proposes new §86.301 (relating to Purpose and Scope), §86.302 (relating to Definitions), §86.303 (relating to Filing of New Application), §86.304 (relating to Processing of Registration Application), §86.305 (relating to Required Notifications), §86.306 (relating to Registration Term, Renewal, and Expiration), §86.307 (relating to Fees), §86.310 (relating to Disclosures), §86.311 (relating to Recordkeeping), §86.312 (relating to Prohibition of Unfair, Deceptive, and Abusive Acts), §86.313 (relating to Prohibition of Certain Automatic Debits), §86.320 (relating to Complaints and Investigations), §86.321 (relating to Enforcement), and §86.322 (relating to Suspension or Revocation Based on Criminal History) in 7 TAC Chapter 86, concerning Retail Creditors.

In general, the purpose of the proposed rules is to implement requirements for commercial sales-based financing providers and brokers under Texas Finance Code, Chapter 398, as added by HB 700 (2025).

Chapter 398 describes requirements for commercial sales-based financing providers and brokers. The Texas Legislature created Chapter 398 by enacting HB 700 (2025). HB 700 went into effect on September 1, 2025, and includes requirements for registration and disclosures, as well as prohibitions of certain practices. HB 700 requires the commission to adopt implementing rules by September 1, 2026, and requires providers and brokers to register with the OCCC by December 31, 2026.

Proposed new §86.301 explains the purpose and scope of the new rules, which apply to providers and brokers under Chapter 398.

Proposed new §86.302 contains definitions of terms that are used throughout the rules but are not otherwise defined in Chapter 398: "key individual," "NMLS," "OCCC" and "registrant."

Proposed new §86.303 describes the requirements for filing a new registration application. Registrants would be required to submit information through the Nationwide Multistate Licensing System (NMLS). NMLS is an online platform used by state financial regulatory agencies to manage licenses, including license applications and renewals. NMLS was created in 2008. The federal Secure and Fair Enforcement for Mortgage Licensing Act of 2008 explains that the purposes of NMLS include increasing uniformity and reducing regulatory burden. SAFE Act, 12 USC §5101. Each state currently uses NMLS for licensing certain individuals, and states are increasingly using the system

to license consumer finance companies. NMLS is managed by the Conference of State Bank Supervisors and is subject to ongoing modernization efforts and enhancements. New §86.303 describes the requirement to submit a registration application through NMLS, the information for a company application, and amendments for information that changes in a pending application.

Proposed new §86.304 describes the processing of a registration application, explaining that an application is complete when it conforms to rules and published instructions and all fees have been paid, and that a registration is effective on receipt of a completed application and required fees.

Proposed new §86.305 describes notifications that registrants are required to provide to the OCCC. The rule distinguishes between advance change notices (a term used in NMLS for changes that a registrant must provide in advance), and other required notifications to be reported within 30 days after the registrant has knowledge of the change (e.g., civil or regulatory actions, criminal history, bankruptcy, data breaches).

Proposed new §86.306 describes the term of registration. Registrations must be renewed annually during a specified renewal period. After renewal, a registration will have a one-year term.

Proposed new §86.307 describes fees for registration. There would be a \$1,000 fee for the initial registration and annual renewal. The rule would authorize the OCCC to annually adjust these dollar amounts based on the Consumer Price Index (CPI), but the rule would also provide that the OCCC may discount or reduce a fee.

Proposed new §86.310 describes disclosure requirements, explaining that the disclosures required by Texas Finance Code, §398.051 must be provided before the recipient signs an agreement for commercial sales-based financing, and that all terms in the disclosure must be accurate. In addition, proposed new §86.310(c) would require a contract to include a notice explaining how the recipient may contact the OCCC regarding a complaint.

Proposed new §86.311 would include recordkeeping requirements for providers and brokers. This includes a transaction file with any written agreement, each disclosure, and an account history, to be maintained for the later of four years from the date of the transaction or two years from the date of the final entry. The rule would also require maintaining third-party agreements and information related to data security and data breaches.

Proposed new §86.312 would implement the prohibition on unfair, deceptive, and abusive acts and practices under Texas Finance Code, §398.005. The proposed rule describes prohibited acts and practices including false, misleading, or inaccurate statements in advertisements, disclosures, or contracts; failure to perform contracted-for services; charging fees that were not specifically disclosed or contracted for; certain waivers of statutory rights; certain violations of Chapter 398; failure to maintain records; improperly characterizing a consumer transaction as a "business" or "commercial" transaction; a device or subterfuge to evade regulatory requirements; and other listed acts and practices.

Proposed new §86.313 would implement the prohibition of certain automatic debits under Texas Finance Code, §398.056. The rule explains that in order to automatically debit a deposit account, a provider or broker must hold a validly perfected, first-priority security interest in all accounts receivable of the recipient, and describes the requirements that govern perfection and pri-

ority under Texas Business & Commerce Code, Chapter 9. The rule's language aligns with a distinction in the definitions of the terms "account" and "deposit account" under Texas Business & Commerce Code, §9.102.

Proposed new §86.320 describes the OCCC's authority to take complaints, the authority to request information and conduct investigations, and the requirement for a business to allow the OCCC to investigate transactions and records.

Proposed new §86.321 describes the OCCC's enforcement authority to issue injunctions (which may include restitution), to impose administrative penalties, and to suspend or revoke a registration. The OCCC generally tries to resolve compliance issues informally without enforcement (e.g., through instructions resulting from complaints or investigations). When enforcement is necessary, the OCCC typically follows an approach of escalating sanctions, starting with an injunction to correct violations, and then progressing to administrative penalties (and ultimately revocation) if violations are not corrected.

Proposed new §86.322 describes authority for the OCCC to suspend or revoke a registration based on the criminal history of a registrant or its key individuals. An applicant is required to disclose this information to the OCCC under Texas Finance Code, §398.053(d). The rule would implement Texas Occupations Code, Chapter 53 by describing criminal offenses that relate to the occupation and explaining the factors that the OCCC considers in determining whether to suspend or revoke a registration.

Mirand Diamond, Director of Licensing, Finance and Human Resources, has determined that for the first five-year period the proposed rule changes are in effect, there will be fiscal implications for state government as a result of administering the rules. The OCCC anticipates a change in revenue due to the fees collected for registering commercial sales-based providers and administering the new regulatory program. While the OCCC has not yet received specific information about the number of companies that will register, the OCCC estimates a total number of approximately 65 registrants. The OCCC projects a change of revenue of approximately \$65,000 per year, based on an estimate of 65 registrants paying a \$1,000 fee each year. The OCCC anticipates that the agency's costs to administer the new regulatory program will result from the new statutory requirements in Texas Finance Code, Chapter 398, rather than resulting from the proposed rules. There are no anticipated fiscal implications for local government as a result of the proposed rules.

Christine Graham, Director of Consumer Protection, has determined that for each year of the first five years the proposed amendments are in effect, the public benefit anticipated as a result of the new rules will be that the commission's rules will specify requirements for commercial sales-based financing providers and brokers, will enable registered businesses to comply with Texas Finance Code, Chapter 398, and will enable the OCCC to effectively administer and enforce Chapter 398, resulting in improved compliance and a healthier credit environment for commercial sales-based finance.

The OCCC anticipates some costs for businesses required to comply with the new rules due to the fees for registration. The new rule at §86.307 describes a \$1,000 initial and annual registration fee. Other than the annual fee, any other compliance costs are anticipated to be minimal, and are anticipated to result primarily from requirements in Chapter 398 rather than requirements in the proposed rules.

The OCCC estimates that, for each year of the first five years during which the amended sections will be in effect, there will be some economic costs applicable to small businesses and micro-businesses required to comply with the new rules due to the fees for registration. While the OCCC has not yet received specific information about the number of companies that will register, the OCCC estimates that approximately 50 companies have fewer than 100 employees and would therefore be considered small businesses.

The OCCC has attempted to minimize the impact on small businesses and micro-businesses by allowing for discounts to fee amounts. The OCCC considered alternatives that included different amounts or different tiered structures, but found that these alternatives would be unnecessarily complex to administer or would fail to ensure that assessment amounts cover the cost of regulation, as required by Texas Finance Code, §16.003.

The OCCC is not aware of any adverse effect on rural communities resulting from this proposal. The OCCC is not aware of significant operational differences for regulated businesses in rural communities as opposed to urban locations. But in order to obtain more complete information concerning the economic effect of these rule changes, the OCCC invites comments from interested stakeholders and the public on any economic impacts on rural communities, as well as any alternative methods of achieving the purpose of the proposal while minimizing adverse impacts on small businesses, micro-businesses, and rural communities.

During the first five years the proposed rule changes will be in effect, the rules will not create or eliminate a government program. Implementation of the rule changes will not require the creation of new employee positions or the elimination of existing employee positions. Implementation of the rule changes will not require an increase or decrease in future legislative appropriations to the OCCC, because the OCCC is a self-directed, semi-independent agency that does not receive legislative appropriations. The proposal requires an increase in fees paid to the OCCC in order to implement a new regulatory program. The proposal creates new regulations. The proposal would not expand, limit, or repeal a current regulation. The proposed rules would increase the number of individuals subject to the rules' applicability because there are not currently administrative rules applying to this industry, although the scope of affected businesses is limited to providers and brokers as defined by Texas Finance Code, §398.001. The agency does not anticipate that the proposed rule changes will have an effect on the state's economy.

The OCCC distributed an early precomment draft of proposed changes to interested stakeholders for review. The OCCC received nine informal written precomments from stakeholders. These included a joint precomment from the representative and senator who authored and sponsored HB 700, as well as precomments from an association representing the payments industry, an attorney with a practice dedicated primarily to commercial lending, an association of fintech lenders, an association of finance companies providing capital to small and medium-sized businesses, a group of three factoring businesses that provide working capital to Texas small businesses, a consumer advocacy group, an association of small-business lenders and investors, and a law firm that represents commercial lenders and sales-based financing providers.

Regarding the disclosure provisions in proposed §86.310, two precomments recommend specifying that required disclosures

must be made when the provider makes a specific offer to the recipient. In response to these precomments, proposed §86.310 specifies that required disclosures must be made at or before the time the provider extends a specific offer to the recipient. This is consistent with the disclosure requirement of Texas Finance Code, §398.051(a). The term "specific offer" is defined in Texas Finance Code, §398.001(9). Two precomments also recommend adopting a model disclosure form for required disclosures. The OCCC may consider a model disclosure form in the future, but a model disclosure form does not appear to be immediately necessary in the current rulemaking, considering that Chapter 398 contains detailed disclosure provisions and detailed definitions of the information that must be disclosed.

Regarding the prohibition on unfair, deceptive, or abusive acts or practices in proposed §86.312, in their joint precomment, the author and sponsor of HB 700 recommend including prohibitions on certain practices, including failure to conduct an ability-to-repay analysis taking into account existing or concurrent advances, failure to provide a cool-down period after an application is approved, abusive "stacking" practices (which occur when a business takes out multiple advances at the same time, often from different providers, without paying off the original advance), violations of intercreditor agreements, and taking money from a deposit account without a first-priority perfected security interest in the deposit account through a deposit account control agreement or a legally enforceable court order. The precomment from a group of factoring businesses also recommends requiring an ability-to-repay analysis (to address abuses in stacking), prohibiting violations of intercreditor agreements, and a prohibition on notifying a recipient to redirect payments from a factoring company to a provider.

In response to these precomments, proposed §86.312 includes prohibitions on claiming legal rights to take actions that a person does not have the authority to take, filing a lien on a debtor's property without a security agreement authenticated by the debtor, withdrawing amounts from a person's account without the person's authorization, a provider's violation of an intercreditor agreement to which the provider is a party, and instructing a recipient to redirect payment amounts to the provider, where the amounts were previously scheduled to be paid to another person (e.g., a creditor or factor). The issue of stacking is also partially addressed by the requirement in proposed §86.313 to have a perfected security interest in accounts receivable in order to take an automatic debit of a deposit account. However, several of the other recommendations appear to go beyond the prohibited acts and practices listed in Texas Finance Code, §398.005, which focus primarily on harm to the recipient of funds, and would likely require additional clarifying language in Chapter 398 to be implemented. Some of the issues involving harm to third parties (such as a business's other creditors) may involve remedies that are outside the current scope of Chapter 398, such as creditor remedies under Texas Business & Commerce Code, Chapter 9, or a cause of action for tortious interference with contract.

Regarding the prohibition in proposed §86.812(b)(14) on characterizing a consumer transaction as "business" or "commercial," two precomments recommend limiting this prohibition, with one precomment recommending that the prohibition apply where funds "are intended primarily for personal, family, or household purposes," and another precomment recommending that the prohibition apply when the provider "has knowledge that the advanced funds will be used for individual, family, or household purposes." The commission and the OCCC believe that

proposed §86.812(b)(14) appropriately refers to transactions extended primarily for personal, family, or household use. This is similar to the language in Texas Finance Code, §342.005, regarding the applicability of requirements for regulated consumer loans.

Regarding the prohibition of certain automatic debits in §86.313, seven of the precomments express general support for the proposed text of §86.313(c), under which a provider or broker must hold a validly perfected, first-priority security interest in all accounts receivable of the recipient in order to automatically debit a deposit account. Several precomments note that this interpretation aligns with a distinction in the definitions of the terms "account" and "deposit account" under Texas Business & Commerce Code, §9.102. The precomment from an association representing the payments industry recommends further limiting the scope of the rule to accounts receivable for the covered transaction. However, this would appear to enable a provider to circumvent the intended scope of the prohibition on automatic debits. In their joint precomment, the author and sponsor of HB 700 recommend that certain additional actions be considered automatic debits for purposes of Texas Finance Code, §398.056, including manual debits, debits that are entered daily, prewritten checks that are deposited on a periodic basis, credit card split arrangements, mechanisms to remit payment to providers before money is deposited in a bank account, and use of a third-party vendor to debit an account. The precomment from a group of factoring businesses also recommends that daily manual debits, prewritten checks, a portal for daily ACH entries, instructions to redirect funds, and use of third-party service providers to handle automatic debits should be considered automatic debits under §86.313. In response to these precomments, proposed §86.313 includes provisions clarifying that an automatic debit includes prewritten checks and that a provider may not direct a third party to complete a debit that violates §86.313. However, several of the other recommendations appear to go beyond the scope of automatic debits described by Texas Finance Code, §398.056, either because they are manually initiated (rather than automatic) or because they do not involve a deposit account being debited.

Regarding the administrative penalty provisions in §86.321, two precomments recommend aligning the rule with Texas Finance Code, §398.101, which describes a penalty of \$10,000 for each violation. In response to these precomments, proposed §86.321(c) explains that there is a maximum administrative penalty of \$10,000 per violation.

Comments on the proposal may be submitted in writing to Matthew Nance, General Counsel, Office of Consumer Credit Commissioner, 2601 North Lamar Boulevard, Austin, Texas 78705 or by email to [rule.comments@occc.texas.gov](mailto:rule.comments@occc.texas.gov). The commission invites any comments with information related to the cost, benefit, or effect of the proposed rule changes, including any applicable data, research, or analysis, from any person required to comply with the proposed rule changes or any other interested person. To be considered, a written comment must be received on or before the 30th day after the date the proposal is published in the *Texas Register*. After the 30th day after the proposal is published in the *Texas Register*, no further written comments will be considered or accepted by the commission.

The new rules are proposed under Texas Finance Code, §398.005, which authorizes the commission to adopt rules applicable to commercial sales-based financing providers and brokers, and under Section 2(b) of HB 700 (2025), which

authorizes rules regarding registration fees and the form of registration. The rule provisions related to fees in §86.307 are also proposed under Texas Finance Code, §16.003, which authorizes the OCCC to set the amounts of fees as necessary for carrying out its functions. The provisions relating to suspension or revocation based on criminal history in §86.322 are also proposed under Texas Occupations Code, §53.025, which authorizes state licensing agencies to issue guidelines describing criminal offenses related to a particular occupation.

The statutory provisions affected by the proposal are contained in Texas Finance Code, Chapter 398.

§86.301. Purpose and Scope.

(a) Purpose. The purposes of this subchapter are to implement Texas Finance Code, Chapter 398, and to assist in the administration and enforcement of Chapter 398.

(b) Scope. This subchapter applies to any person who engages in business as a provider or broker of commercial sales-based financing, unless specifically exempted by Texas Finance Code, Chapter 398.

§86.302. Definitions.

Words and terms used in this subchapter that are defined in Texas Finance Code, Chapter 398, have the same meanings as defined in Chapter 398. The following words and terms, when used in this subchapter, will have the following meanings, unless the context clearly indicates otherwise.

(1) Key individual--An individual owner, officer, director, or employee with a substantial relationship to the business of an applicant or registrant. The following are key individuals:

(A) any individual who is a direct owner of 10% or more of an applicant or registrant; and

(B) any individual who is a control person or executive officer of an applicant or registrant, including individual who has the power to direct management or policies of a company (e.g., president, chief executive officer, general partner, managing member, vice president, treasurer, secretary, chief operating officer, chief financial officer); and

(C) an individual designated as a key individual where necessary to show that the business will be operated lawfully and fairly.

(2) NMLS--The Nationwide Multistate Licensing System.

(3) OCCC--The Office of Consumer Credit Commissioner of the State of Texas.

(4) Registrant--A person who has been issued a commercial sales-based financing registration under Texas Finance Code, Chapter 398.

§86.303. Filing of New Application.

(a) NMLS. To submit a commercial sales-based financing registration application, an applicant must submit a complete, accurate, and truthful registration application through NMLS (or a successor system designated by the OCCC). An application is complete when it conforms to the written instructions and necessary fees have been paid.

(b) Company registration application. A company registration application will include the following information and any other information listed in the written instructions:

(1) A company form including the name of the applicant entity, contact information, registered agent, location of books and records, legal status, and responses to disclosure questions.

(2) An individual form for each key individual, including name, contact information, and responses to disclosure questions.

(3) A business operating plan describing the source of customers, purpose of transactions, anticipated size of transactions, and source of working capital.

(4) A certificate of formation or other formation document.

(5) Any assumed names or other trade names that the applicant will use, and an assumed name certificate for each assumed name or other trade name.

(6) Franchise tax account information showing that the applicant entity is authorized to do business in Texas.

(7) An explanation and supporting documents for any judgment, memorandum of understanding, enforcement order, or conviction against the applicant or a key individual, related to a violation of law, act of fraud, breach of trust, or money laundering.

(c) Amendments to pending application. An applicant must immediately amend a pending application if any information changes requiring a materially different response from information provided in the original application.

§86.304. Processing of Registration Application.

(a) Complete application. A registration application is complete when:

(1) the application conforms to the rules and published instructions; and

(2) all fees have been paid.

(b) Effectiveness. A registration is effective on receipt of a completed registration application and required fees.

§86.305. Required Notifications.

(a) Advance change notice. No later than the date of the change (or an earlier date specified in the written instructions), a registrant must notify the OCCC of a change to any of the following information provided in the original registration application:

(1) legal name of entity;

(2) any assumed names of entity;

(3) legal status of entity;

(4) names of direct owners or indirect owners;

(5) names of affiliates or subsidiaries;

(6) names of any key individuals; or

(7) main address.

(b) Other required notifications. No later than 30 days after the registrant has knowledge of the information, a registrant must report the following information to the OCCC:

(1) any civil or regulatory actions against the registrant or key individuals that were not disclosed in the original application and would require a different answer than that given in the original registration application;

(2) criminal history of the registrant or key individuals that was not disclosed in the original application;

(3) any bankruptcy of the registrant or a direct owner; or

(4) any breach of system security under Texas Business & Commerce Code, §521.053, affecting at least 250 residents of this state.

(c) Contact information. Each applicant or registrant is responsible for ensuring that all contact information on file with the OCCC is current and correct, including all mailing addresses, all phone numbers, and all email addresses. The OCCC may send notices

to the mailing address or email address on file. It is a best practice for registrants to regularly review contact information on file to ensure that it is current and correct.

§86.306. Registration Term, Renewal, and Expiration.

(a) Registration term and renewal. A registration must be renewed annually during a specified renewal period to remain effective. After renewal, a registration is effective for a term of one year.

(b) NMLS. To maintain and renew a registration, a registrant must maintain an active account in NMLS (or a successor system designated by the OCCC). The OCCC may make renewal unavailable to a registrant that fails to maintain an active account.

(c) Expiration. If a registrant does not pay the annual fee during the renewal period, the registration will expire.

§86.307. Fees.

(a) Initial registration. For an initial registration, an applicant must pay a \$1,000 initial registration fee.

(b) Annual renewal. To renew a registration, a registrant must pay a \$1,000 annual fee.

(c) Registration amendment. The OCCC may require a registrant to pay a fee up to \$75 to amend registration information.

(d) Late renewal. The OCCC may allow late renewal of a registration for a specified period. To renew a registration late, a person must pay a late renewal fee up to \$1,000 in addition to the annual fee.

(e) Periodic adjustment. Starting July 1, 2027, and each July 1 thereafter, the OCCC may revise the dollar amounts in subsections (a) and (b) of this section based on the Consumer Price Index for Urban Wage Earners and Clerical Workers (or an equivalent measure of inflation if this measure is unavailable). The OCCC will use December 2025 as a base year and adjust fee amounts based on the percentage change from December 31, 2025, to the December 31 preceding the year of adjustment, rounding to the nearest \$5 increment. No later than May 1, the OCCC will publish the amount of any periodic adjustment.

(f) Discount. The OCCC may discount or reduce the amount of a fee described by this section. The commissioner is authorized to determine the amount of a discount.

(g) Fees nonrefundable and nontransferable. Fees described by this section are nonrefundable and nontransferable.

§86.310. Disclosures.

(a) Timing. A provider must provide a recipient with any disclosures required by Texas Finance Code, §398.051, in writing at or before the time the provider extends a specific offer to the recipient.

(b) Accuracy. All terms and dollar amounts disclosed under Texas Finance Code, §398.051, must be accurate.

(c) Revised disclosures in case of inaccuracy. At any time after providing required disclosures under Texas Finance Code, §398.051, if the provider learns that any information on the disclosures was inaccurate or did not correctly reflect the terms of the transaction at closing, then the provider must notify the recipient of the inaccuracy and must provide revised, accurate disclosures to the recipient.

(d) OCCC notice. A contract for services under Texas Finance Code, Chapter 398 must contain the following statement as a separate section or otherwise conspicuously set out from surrounding written material: "The Office of Consumer Credit Commissioner (OCCC) is a state agency that enforces certain laws that apply to this contract. If a complaint cannot be resolved by contacting the provider, a commercial

sales-based financing recipient can contact the OCCC to file a complaint. OCCC address: 2601 N. Lamar Blvd., Austin, Texas 78705. Phone: (800) 538-1579. Website: [occc.texas.gov](http://occc.texas.gov)."

§86.311. Recordkeeping.

(a) Generally. A provider or broker must maintain records for each transaction entered or brokered under Texas Finance Code, Chapter 398, and must make those records available for investigation. Records may be maintained using an electronic system, a paper or manual system, or a combination of these types of systems, unless otherwise specified by statute or rule.

(b) Provider's transaction file. A provider must maintain a transaction file for each recipient of a transaction under Texas Finance Code, Chapter 398. The transaction file must include the following:

(1) a complete copy of the written agreement between the provider and the recipient;

(2) each disclosure made to the recipient, including disclosures under Texas Finance Code, §398.051;

(3) each additional document, addendum, or authorization signed by the recipient;

(4) any documentation showing attachment, perfection, or release of a lien;

(5) an account history showing the application of each payment made by the recipient; and

(6) any written documentation of collection, repossession, foreclosure, or litigation against the recipient.

(c) Broker's transaction file. A broker must maintain a transaction file for each recipient of brokering services under Texas Finance Code, Chapter 398. The transaction file must include any disclosures provided to the recipient and any agreement that the broker entered with the recipient.

(d) Time to maintain transaction file. A registrant must maintain the transaction file under subsection (b) or (c) of this section until the later of:

(1) four years from the date of the transaction; or

(2) two years from the date of the final entry on the account.

(e) Application and adverse action records. If a prospective recipient applies for commercial sales-based financing and does not enter a commercial sales-based financing transaction, then a registrant must maintain the application and any written adverse action notice for one year from the date of the application, or one year from the date of the adverse action notice, whichever is later.

(f) Advertising and solicitation. A registrant must maintain each advertisement or solicitation for one year from the date of the advertisement or solicitation.

(g) Third-party agreements. A registrant must maintain any written agreements with third parties that relate to services under Texas Finance Code, Chapter 398, including any agreement between a provider and a broker, until one year after the date the agreement terminates.

(h) Data security policies and procedures. A registrant must maintain policies and procedures to maintain the security of customer information and protect information from unauthorized access.

(i) Data breach notifications. A registrant must maintain the following for data breach notifications:

(1) the text of any data breach notification provided to recipients, including any notification under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification; and

(2) any data breach notification provided to a government agency, including any notification provided to the Office of the Attorney General under Texas Business & Commerce Code, §521.053, for a period of four years from the date of the notification.

§86.312. Prohibition of Unfair, Deceptive, and Abusive Acts.

(a) Generally. A provider or broker may not engage in an unlawful, unfair, deceptive, or abusive act or practice related to a transaction under Texas Finance Code, Chapter 398.

(b) Acts and practices identified. The following are unlawful, unfair, deceptive, or abusive acts or practices:

(1) false, misleading, or inaccurate statements in advertisements, solicitations, disclosures, contracts, or communications with the recipient or other parties, including:

(A) inaccurate descriptions of contracted-for services;

(B) claiming a legal right to take an action that the person does not have the authority to take; and

(C) a statement that there is no personal guarantee, if this is inaccurate;

(2) failure to perform contracted-for services;

(3) charging fees or other amounts that were not specifically disclosed and contracted for;

(4) failure to make accurate disclosures under Texas Finance Code, Chapter 398 and this subchapter;

(5) a confession of judgment in violation of Texas Finance Code, §398.055;

(6) an automatic debit in violation of Texas Finance Code, §398.056 and this subchapter;

(7) a waiver of a recipient's statutory rights under Texas Finance Code, Chapter 398;

(8) filing a lien on a debtor's property without first obtaining a security agreement authenticated by the debtor under Texas Business & Commerce Code, §9.203;

(9) foreclosure of collateral without complying with applicable requirements (e.g., Texas Business & Commerce Code, Chapter 9);

(10) withdrawing amounts from a person's account without the person's authorization;

(11) failure to maintain records required by this subchapter;

(12) instructing a recipient to redirect payment amounts to the provider, where the amounts were previously scheduled to be paid to another person (e.g., a creditor or factor);

(13) a provider's violation of an intercreditor agreement, if the provider is a party to the agreement;

(14) improperly characterizing a transaction as a "business" or "commercial" transaction when the advanced funds are extended primarily for individual, family, or household use; and

(15) a device or subterfuge to evade statutory or regulatory requirements.

§86.313. Prohibition of Certain Automatic Debits.

(a) Generally. As provided by Texas Finance Code, §398.056, a provider or broker may not establish a mechanism for automatically debiting a recipient's deposit account unless the provider or broker holds a validly perfected security interest in the recipient's account under Chapter 9, Business & Commerce Code, with a first priority against the claims of all other persons.

(b) Automatic debit. For purposes of this section, debits are automatic if they are authorized in advance to occur more than one time or on a recurring basis. An automatic debit includes a situation in which a recipient provides more than one prewritten check to a provider in advance for payments under a commercial sales-based financing transaction.

(c) Security interest in accounts receivable. For purposes of this section, in order to automatically debit a deposit account, a provider or broker must hold a validly perfected, first-priority security interest in all accounts receivable of the recipient.

(d) Perfection and priority of security interest. Texas Business & Commerce Code, Chapter 9 governs perfection and priority of a security interest in accounts receivable. Generally, a UCC-1 financing statement must be filed in order to perfect a security interest, as provided by Texas Business & Commerce Code, §9.310(a). Priority is generally determined by the time of filing or perfection, as provided by Texas Business & Commerce Code, §9.322(a)(1).

(e) Violation by third party. A provider or broker may not accept payment of a debit in violation of this section and may not direct a third party to complete a debit that violates this section.

§86.320. Complaints and Investigations.

(a) Complaints. The OCCC may accept complaints regarding transactions under Texas Finance Code, Chapter 398 and this subchapter.

(b) Request for information and investigation. On receipt of a written complaint or other reasonable cause to believe that a person is violating Texas Finance Code, Chapter 398 or this subchapter, the OCCC may:

(1) require the person to furnish information regarding a specific transaction to which the violation relates; and

(2) conduct an investigation to determine whether a violation exists.

(c) Access to records. In an investigation under subsection (b) of this section, a person subject to investigation must allow the OCCC to:

(1) access the person's place of business;

(2) investigate the person's transactions and records relating to business under Texas Finance Code, Chapter 398; and

(3) make a copy of transactions and records relating to business under Texas Finance Code, Chapter 398.

§86.321. Enforcement.

(a) Informal resolution. The OCCC may agree to an informal resolution of a complaint, investigation, enforcement case, or other matter with a provider or broker.

(b) Injunction. If the OCCC has reasonable cause to believe that a person is violating Texas Finance Code, Chapter 398 or this subchapter, then the OCCC may issue an injunction to enforce compliance.

(1) An injunction may include an order to cease and desist from a violation, an order to take affirmative action, or both.

(2) An injunction may include an order to provide restitution to an identifiable person.

(3) If a person against whom an injunction is issued under this section requests a hearing not later than the 30th day after the injunction is served, the OCCC will set a hearing under Texas Government Code, Chapter 2001. If a hearing is not timely requested, the injunction is considered final and enforceable.

(c) Administrative penalty. After notice and an opportunity for hearing, the OCCC may impose an administrative penalty up to \$1,000 for each day of violation, with a maximum of \$10,000 per violation, against a person who:

(1) violates an injunction under subsection (a) of this section; or

(2) knowingly and willfully violates Texas Finance Code, Chapter 398 or this subchapter.

(d) Suspension or revocation. After notice and an opportunity for hearing, the OCCC may suspend or revoke a registration if the OCCC finds that:

(1) the registrant, knowingly or without exercise of due care, violated Texas Finance Code, Chapter 398, this subchapter, or an order issued under this section; or

(2) a fact or condition warrants the belief that the business will not be operated lawfully and fairly.

(e) Administrative Procedure Act. An enforcement order under this section is subject to Texas Government Code, Chapter 2001 (the Texas Administrative Procedure Act).

§86.322. Suspension or Revocation Based on Criminal History.

(a) Disclosure of criminal history. An applicant must disclose all criminal history information required to file a complete application. Failure to provide information described in the disclosure questions or written instructions is a violation of this subchapter and is grounds for suspending or revoking a registration.

(b) Crimes directly related to registered occupation. The OCCC may suspend or revoke a registration if the registrant or a key individual has been convicted of an offense that directly relates to the duties and responsibilities of a registrant under Texas Finance Code, Chapter 398, as provided by Texas Occupations Code, §53.021(a)(1).

(1) Originating or servicing transactions under Texas Finance Code, Chapter 398 involves or may involve making representations to a recipient regarding transaction terms, receiving money from recipients, remitting money to third parties, maintaining accounts, repossessing property without a breach of the peace, maintaining repossessed property, collecting due amounts in a legal manner, and foreclosing on property in compliance with state and federal law. Consequently, the following crimes are directly related to the duties and responsibilities of a registrant and may be grounds for suspension or revocation:

(A) theft;

(B) assault;

(C) any offense that involves misrepresentation, deceptive practices, or making a false or misleading statement (including fraud or forgery);

(D) money laundering;

(E) any offense that involves breach of trust or other fiduciary duty;

(F) any criminal violation of a statute governing credit transactions or debt collection;

(G) failure to file a government report, filing a false government report, or tampering with a government record;

(H) any greater offense that includes an offense described in subparagraphs (A) - (G) of this paragraph as a lesser included offense;

(I) any offense that involves intent, attempt, aiding, solicitation, or conspiracy to commit an offense described in subparagraphs (A) - (H) of this paragraph.

(2) In determining whether a criminal offense directly relates to the duties and responsibilities of holding a registration, the OCCC will consider the following factors, as specified in Texas Occupations Code, §53.022:

(A) the nature and seriousness of the crime;

(B) the relationship of the crime to the purposes for requiring a registration to engage in the occupation;

(C) the extent to which a registration might offer an opportunity to engage in further criminal activity of the same type as that in which the person previously had been involved;

(D) the relationship of the crime to the ability or capacity required to perform the duties and discharge the responsibilities of a registrant; and

(E) any correlation between the elements of the crime and the duties and responsibilities of the registered occupation.

(3) In determining whether a conviction for a crime renders a registrant unfit to hold a registration, the OCCC will consider the following factors, as specified in Texas Occupations Code, §53.023:

(A) the extent and nature of the person's past criminal activity;

(B) the age of the person when the crime was committed;

(C) the amount of time that has elapsed since the person's last criminal activity;

(D) the conduct and work activity of the person before and after the criminal activity;

(E) evidence of the person's rehabilitation or rehabilitative effort while incarcerated or after release, or following the criminal activity if no time was served;

(F) evidence of the person's compliance with any conditions of community supervision, parole, or mandatory supervision; and

(G) evidence of the person's current circumstances relating to fitness to hold a registration, which may include letters of recommendation.

(c) Revocation on imprisonment. A registration will be revoked on the registrant's imprisonment following a felony conviction, felony community supervision revocation, revocation of parole, or revocation of mandatory supervision, as provided by Texas Occupations Code, §53.021(b).

(d) Other grounds for suspension or revocation. The OCCC may suspend or revoke a registration based on any other ground authorized by law, including a registrant's or key individual's conviction for an offense listed in Texas Code of Criminal Procedure, art. 42A.054, or art. 62.001(6), as provided by Texas Occupations Code, §53.021(a)(2) - (3).

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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Matthew Nance

General Counsel

Office of Consumer Credit Commissioner

Earliest possible date of adoption: April 5, 2026

For further information, please call: (512) 936-7660



## TITLE 13. CULTURAL RESOURCES

### PART 1. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION

#### CHAPTER 7. LOCAL RECORDS

##### SUBCHAPTER D. RECORDS RETENTION SCHEDULES

###### 13 TAC §7.127

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure in 13 TAC §7.127 is not included in the print version of the Texas Register. The figure is available in the on-line version of the March 6, 2026, issue of the Texas Register.)*

The Texas State Library and Archives Commission (commission) proposes amendments to 13 TAC Chapter 7, Local Government Records, §7.127, Local Schedule PW: Records of Public Works and Other Government Services which establishes minimum records retention requirements for certain types of records for local governments.

The proposed amendments are necessary to improve retention of public records and ensure that the local records retention schedules remain aligned with current statutory requirements, recordkeeping practices, and administrative needs of local governments.

Government Code, §441.006 directs the commission to aid and encourage, by adoption of policies and programs, the development of effective records management and preservation programs in state agencies and local governments of the state. Texas Government Code, §441.158 directs the commission to adopt records retention schedules for each type of local government, including a schedule for records common to all types of local government. In adopting these schedules, the commission must prescribe by rule minimum retention periods for local government records unless a minimum retention period is otherwise established by federal or state law, rule of court, or regulation. Pursuant to this authority, the commission has established 12 local records retention schedules, including Local Schedule PW: Records of Public Works and Other Government Services. This schedule establishes the minimum length of time certain records must be retained by local governments before destruction or archival preservation. The retention periods set forth in the schedule are required minimums; however, the commission

also recommends these periods as appropriate for maximum retention.

In developing the proposed amendments to §7.127, the commission reviewed previously identified issues, questions, and suggested changes collected over time for future incorporation. The commission also considered changes in law, administrative practices, and recordkeeping technologies. As part of this process, the commission consulted informally with various local government records management officers and other stakeholders, who were given an opportunity to review draft revisions and provide informal comments and feedback. The proposed amendments to the schedules reflect the commission's consideration of the information received and are intended to clarify retention requirements, improve usability of the schedules, and support consistent records management practices across local governments.

The commission plans to make available a version of the schedule showing tracked changes to aid the public in reviewing the proposed revisions.

**SUMMARY.** In addition to the specific record series amendments listed below, general amendments are proposed to §7.127 (Schedule PW) to update non-substantive formatting and structural elements of the schedule. These amendments include revisions to effective dates, headings, pagination, table formatting, internal references, and similar clerical or organizational matters to improve readability and consistency.

Amendments are also proposed in the introductory section to improve the readability of the introduction, to encapsulate the substantive changes made to the schedule in the summary of important points, and to reformat and reorder the retention codes and abbreviations used to promote consistency with the other schedules.

Proposed amendments to 13 Texas Administrative Code §7.127 (Local Schedule PW) include the following changes:

Proposed amendments include the addition of five new record series: Public Works and Services Planning Studies and Reports- Eminent Domain (PW5200-01c), Zoning Permit Records - Withdrawn Applications (PW5225-03c), Blueprints and Specifications (PW5250-01e), Archives Collection Control Records (PW5500-07), and Reference Request Records (PW5500-08). These new series address gaps in the schedule created by statutory requirements, operational changes, and the need to distinguish records with differing administrative and legal value.

Proposed amendments also include the withdrawal or consolidation of twenty-three record series. Many withdrawn record series were header-only series that were removed and incorporated into subseries to improve organization and usability (e.g., PW5200-01, Public Works and Services Planning Studies and Reports). Other record series were withdrawn due to redundancy with newly revised or consolidated subseries of like function or type (e.g., PW5300-07a, Traffic Signs and Signals Inventory Records, consolidated into revised permitting subseries). Additional record series were withdrawn due to obsolescence resulting from changes in regulatory requirements or recordkeeping practices (e.g., PW5450-04b, Pest Control Records, withdrawn due to the repeal of 25 TAC §267.11).

Additional proposed changes include restructuring and simplifying record series within multiple sections of Schedule PW to better delineate between the different kinds of records. These changes include consolidating duplicative subseries, clarifying

the scope of retained records, and relocating explanatory language from standalone header rows into applicable subseries. Overall, the proposed changes aim to simplify, condense, and improve the usability of Schedule PW while maintaining compliance with applicable statutory and regulatory requirements.

Proposed amendments to §7.127, Schedule PW would change specific retention periods as follows:

PW5200-01c, Public Works and Services Planning Studies and Reports: The proposed amendment would establish a retention period of ten years for records related to eminent domain cases. This change is proposed to align with Texas Property Code §21.0111(a), which requires entities with eminent domain power to disclose all relevant appraisal reports for the ten years preceding an offer.

PW5250-11a, Reports of Building Permits Issued: The proposed amendment does not substantively change the retention period, which remains Permanent. Instead, the retention requirement is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal)- Annual Reports, on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed to minimize duplication and improve efficiency.

PW5250-11b, Reports of Building Permits Issued: The proposed amendment does not substantively change the retention period, which remains Permanent. Instead, the retention requirement is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal), on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed for efficiency and to maintain consistency with PW5250-11a.

PW5300-07, Traffic Signs and Signals Inventory Records: The proposed amendment would establish a retention period of US (until superseded). This retention period is proposed to reflect the ongoing administrative and operational value of traffic inventory records and to consolidate previously separate subseries into a single series with a clear retention requirement.

PW5325-02, Parking Device Inventory Records: The proposed amendment would establish a retention period of US. This change is proposed to combine subseries for clarity and consistency yet still provide consistency with other inventory records and reflect their administrative value.

PW5375-11b, Operations Reports: The proposed amendment does not substantively change the retention period, which remains Permanent. Instead, the retention requirement is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal), on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed for consistency and efficiency.

PW5375-12a, Reports to Regulatory Agencies: The proposed amendment does not substantively change the retention period, which remains Permanent. Instead, the retention requirement is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal), on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed for consistency and efficiency.

PW5375-12b, Reports to Regulatory Agencies: The proposed amendment does not substantively change the retention period, which remains Permanent. Instead, the retention requirement

is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal), on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed to improve consistency, reduce duplication, and enhance efficiency.

PW5525-01, Attendance Reports: The proposed amendment does not substantively change the retention period. Instead, the retention requirement is revised to reference the retention period prescribed for GR1000-41(a)(1), Reports and Studies (non-fiscal), on the general records schedule, so that any future changes to that retention period will apply automatically. This change is proposed to improve consistency, reduce duplication, and enhance efficiency.

PW5600-05, Volunteer Service Files: The proposed amendment does not substantively change the retention period. Instead, the retention requirement is revised to reference the retention period prescribed for GR1050-39, Volunteer Service Files, on the general records schedule, which is US (until superseded) or date of separation plus three years. This change is proposed to improve consistency, reduce duplication, and enhance efficiency.

PW5650-01b, Bingo Applications and Licenses: The proposed amendment would revise the retention period from US (until superseded) to US or date of issuance plus two years, whichever sooner, to ensure consistency with related series and incorporate retention guidance previously contained in remarks.

PW5650-02a, Reports of Proceeds: The proposed amendment revises the retention requirement to reference the retention period prescribed for GR1025-27a, Accounts Receivable Records, on the general records schedule, which is FE (fiscal year end) of date of receipt plus five years for school districts and FE of date of receipt plus three years for other governments. This change is proposed to improve consistency, reduce duplication, and enhance efficiency.

**FISCAL IMPACT.** Craig Kelso, Director, State and Local Records Management, has determined that for each of the first five years the proposed amendments are in effect, there are no foreseeable fiscal implications for state or local governments as a result of enforcing or administering the rule as proposed.

**PUBLIC BENEFIT AND COSTS.** Mr. Kelso has determined that for each of the first five years the proposed amendments are in effect, the anticipated public benefit will be clarity and consistency in local government entities' records management retention, leading to better access to public records. There are no anticipated economic costs to persons required to comply with the proposed amendments.

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

**SMALL BUSINESS, MICRO-BUSINESS, AND RURAL COMMUNITY IMPACT STATEMENT.** The proposed amendments will have 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 proposed amendments do 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 proposed amendments will be in effect, the commission has determined that:

1. The amendments will not create or eliminate a government program.
2. Implementation will not require the creation or elimination of any employee positions.
3. Implementation will not require an increase or decrease in future legislative appropriations.
4. The amendments will not require an increase or decrease in fees paid to the commission.
5. The amendments will not create new regulations.
6. The amendments will modify an existing regulation.
7. The amendments will not increase the number of individuals subject to the rule's applicability.
8. The amendments will not positively or adversely affect this state's economy.

TAKINGS IMPACT ASSESSMENT. No private real property interests are affected by this proposal. Therefore, the proposed amendments do 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 Megan Carey, Manager, Records Management Assistance, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at [rules@tsl.texas.gov](mailto: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 amendments may be directed to Megan Carey, Manager, Records Management Assistance, Texas State Library and Archives Commission, P.O. Box 12927, Austin, Texas 78711, or via email at [rules@tsl.texas.gov](mailto:rules@tsl.texas.gov). Comments will be accepted for 30 days after publication in the *Texas Register*.

STATUTORY AUTHORITY. The amendments are proposed under Government Code, §441.158, which authorizes the commission to prescribe by rule a minimum retention period for any local record unless a minimum retention period for the record is prescribed by another federal or state law, rule of court, or regulation. In addition, the amendments are proposed under Government Code, §441.160, which authorizes the commission to revise retention schedules.

CROSS REFERENCE TO STATUTE. Government Code, Chapter 441; Local Government Code, Subtitle C.

§7.127. *Local Schedule PW: Records of Public Works and Other Government Services.*

Local Schedule PW: Records of Public Works and Other Government Services.

Figure: 13 TAC §7.127  
[Figure: 13 TAC §7.127]

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 February 20, 2026.

TRD-202600813

Sarah Swanson

General Counsel

Texas State Library and Archives Commission

Earliest possible date of adoption: April 5, 2026

For further information, please call: (512) 463-5460



## TITLE 16. ECONOMIC REGULATION

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

#### CHAPTER 118. LASER HAIR REMOVAL

The Texas Department of Licensing and Regulation (Department) proposes amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 118, Subchapter A, §118.3; Subchapter B, §118.12 and §118.13; Subchapter C, §§118.26, 118.28, and 118.29; Subchapter F, §118.50; and Subchapter H, §118.70, regarding the Laser Hair Removal program. These proposed changes are referred to as "proposed rules."

#### EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 118, implement Health and Safety Code Chapter 401.

The proposed rules are necessary to implement Senate Bill (SB) 748, 89th Legislature, Regular Session (2025), specifically, Section 2. These proposed rules also include grammatical changes and other changes recommended by Department staff during the Department's four-year rule review of Chapter 118.

The proposed rules remove size and font size requirements from the warning signs required to be posted at laser hair removal facilities and remove the requirement that the signage include verbiage about the hazards of electromagnetic radiation.

The proposed rules also clarify that an applicant for an apprentice-in-training certification must submit proof of successful completion of a training program approved by the department covering the topics listed in §118.26(a)(3) in addition to §118.26(a)(2).

Finally, the proposed rules amend a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

#### SECTION-BY-SECTION SUMMARY

##### *Subchapter A. General Provisions*

The proposed rules amend §118.3, Definitions. The proposed rules correct a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

##### *Subchapter B. Laser Hair Removal Facility*

The proposed rules amend §118.12, LHR Facility--Responsibilities; and §118.13, LHR Facility--Consulting Physician. The proposed rules amend §118.12(k) by removing size and font size requirements from the warning signs required to be posted at laser

hair removal facilities. The proposed rules also remove the requirement that the signage include verbiage about the hazards of electromagnetic radiation and update the Department's current contact phone number for complaints.

The proposed rules also correct a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

#### *Subchapter C. Laser Hair Removal Individual Certification*

The proposed rules amend §118.26, LHR Individual Certification--Apprentice-in-Training; §118.28, LHR Individual Certification--Senior LHR Technician; and §118.29, LHR Individual Certification--LHR Professional. The proposed rules amend §118.26(b) by clarifying that an applicant for an apprentice-in-training certification must submit proof of successful completion of a training program approved by the department covering the topics listed in §118.26(a)(3) in addition to §118.26(a)(2).

The proposed rules also correct a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

#### *Subchapter F. Laser Hair Removal Devices*

The proposed rules amend §118.50, LHR Devices--General and Operating Requirements. The proposed rules correct a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

#### *Subchapter H. Fees*

The proposed rules amend §118.70, Fees. The proposed rules correct a consistent grammatical error in Chapter 118 by changing all references from "a LHR facility" to "an LHR facility."

#### FISCAL IMPACT ON STATE AND LOCAL GOVERNMENT

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

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

#### LOCAL EMPLOYMENT IMPACT STATEMENT

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

#### PUBLIC BENEFITS

Mr. Couvillon also has determined that for each year of the first five-year period the proposed rules are in effect, the public benefit will be safety standards that are clear and easy to understand for their laser care providers. The changes are intended to make it easier for applicants for an apprentice-in-training certification, licensees, and the general public to understand and comply with the rules.

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

Mr. Couvillon has determined that for each year of the first five-year period the proposed rules are in effect, there are no antic-

ipated economic costs to persons who are required to comply with the proposed rules.

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

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities as a result of the proposed rules. Because the agency has determined that the proposed rule will have no adverse economic effect on small businesses, micro-businesses, or rural communities, preparation of an Economic Impact Statement and a Regulatory Flexibility Analysis, as detailed under Texas Government Code §2006.002, is not required.

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

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

#### GOVERNMENT GROWTH IMPACT STATEMENT

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

1. The proposed rules do not create or eliminate a government program.
2. Implementation of the proposed rules does not require the creation of new employee positions or the elimination of existing employee positions.
3. Implementation of the proposed rules does not require an increase or decrease in future legislative appropriations to the agency.
4. The proposed rules do not require an increase or decrease in fees paid to the agency.
5. The proposed rules do not create a new regulation.
6. The proposed rules expand, limit, or repeal an existing regulation.

Specifically, the proposed rules expand an existing regulation by now requiring an applicant for an apprentice-in-training certification to submit proof of successful completion of the 16 additional hours required in a training program approved by the department. The proposed rules also limit existing regulations by removing certain specifications for the warning sign required at a laser hair removal facility.

7. The proposed rules do not increase or decrease the number of individuals subject to the rules' applicability.
8. The proposed rules do not positively or adversely affect this state's economy.

#### TAKINGS IMPACT ASSESSMENT

The Department has determined that no private real property interests are affected by the proposed rules and the proposed rules do not restrict, limit, or impose a burden on an owner's rights to his or her private real property that would otherwise exist in the absence of government action. As a result, the proposed rules

do not constitute a taking or require a takings impact assessment under Texas Government Code §2007.043.

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

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

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

## SUBCHAPTER A. GENERAL PROVISIONS

### 16 TAC §118.3

#### STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under 16 TAC, Chapter 118. The statutory provisions affected by the proposed rules are those set forth in Health and Safety Code, Chapter 401. No other statutes, articles, or codes are affected by the proposed rules.

The legislation that enacted the statutory authority under which the proposed rules are proposed to be adopted is Senate Bill 748, 89th Legislature, Regular Session (2025).

#### §118.3. Definitions.

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

(1) - (6) (No change.)

(7) Consulting physician--A physician, licensed in Texas, who has a written contract with an [a] LHR facility for the purpose of meeting the requirements under Section 401.519 of the Act.

(8) - (12) (No change.)

(13) Individual LHR certification--A certification issued by the department to an individual who has met the requirements for individual LHR licensure. The term includes certifications issued by the department for an [a] LHR apprentice-in-training, an [a] LHR technician, a senior LHR technician, and an [a] LHR professional.

(14) - (19) (No change.)

(20) Nonablative hair removal procedure--A hair removal procedure using an [a] LHR device that does not remove the epidermis.

(21) - (27) (No change.)

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 February 19, 2026.

TRD-202600800

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Earliest possible date of adoption: April 5, 2026

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



## SUBCHAPTER B. LASER HAIR REMOVAL FACILITY

### 16 TAC §118.12, §118.13

#### STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under 16 TAC, Chapter 118. The statutory provisions affected by the proposed rules are those set forth in Health and Safety Code, Chapter 401. No other statutes, articles, or codes are affected by the proposed rules.

The legislation that enacted the statutory authority under which the proposed rules are proposed to be adopted is Senate Bill 748, 89th Legislature, Regular Session (2025).

#### §118.12. LHR Facility--Responsibilities.

(a) An LHR device used for laser hair removal in an [a] LHR facility must follow all applicable federal and state laws and regulations.

(b) - (j) (No change.)

(k) A warning sign must be posted in a conspicuous location that is readily visible to a person entering the LHR facility. The warning sign must state "To make a complaint, contact the Texas Department of Licensing and Regulation, Laser Hair Removal Program, at P.O. Box 12157, Austin, Texas 78711, (800) 803-9202, or via [www.tdlr.texas.gov](http://www.tdlr.texas.gov)." [meet the following requirements:]

[(1) be of a size with dimensions at least 8 and 1/2 inches by 11 inches;]

[(2) contain wording with a font size no smaller than size 26;]

[(3) contain at least the following wording:]

[(A) Laser hair removal devices emit electromagnetic radiation that is considered to be an acute hazard to the skin and eyes from direct and scattered radiation. Laser hair removal procedures provide no medical benefit and may result in adverse effects.]

[(B) To make a complaint, contact the Texas Department of Licensing and Regulation, Laser Hair Removal Program at P.O. Box 12157, Austin, Texas 78711, (512) 539-5600, or [www.tdlr.texas.gov](http://www.tdlr.texas.gov).]

(l) - (o) (No change.)

#### §118.13. LHR Facility--Consulting Physician.

(a) An [A] LHR facility must have a written contract with a consulting physician. The LHR facility's contract with its consulting physician must provide the following:

(1) - (4) (No change.)

(b) (No change.)

(c) The protocols required in accordance with §118.10, must include at least the following:

(1) - (5) (No change.)

(6) list of medications taken by the client that must be reported to the consulting physician before LHR services are provided or that, if taken by the client, preclude an [a] LHR procedure from being performed.

(d) (No change.)

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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Doug Jennings

General Counsel

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## SUBCHAPTER C. LASER HAIR REMOVAL INDIVIDUAL CERTIFICATION

### 16 TAC §§118.26, 118.28, 118.29

#### STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under 16 TAC, Chapter 118. The statutory provisions affected by the proposed rules are those set forth in Health and Safety Code, Chapter 401. No other statutes, articles, or codes are affected by the proposed rules.

The legislation that enacted the statutory authority under which the proposed rules are proposed to be adopted is Senate Bill 748, 89th Legislature, Regular Session (2025).

§118.26. *LHR Individual Certification--Apprentice-in-Training.*

(a) (No change.)

(b) LHR Apprentice-In-Training Certification Submission Requirement. An applicant for an LHR apprentice-in-training certification must submit proof of successful completion of a training program approved by the department covering the topics listed in §118.26(a)(2) and §118.26(a)(3). An individual must not perform LHR procedures unless under the direct supervision of a senior LHR technician or an LHR professional.

§118.28. *LHR Individual Certification--Senior LHR Technician.*

(a) (No change.)

(b) Verification requirements. A physician or other licensed health professional must not verify the LHR procedures directly supervised by an applicant for a senior LHR technician certificate in accordance with this section unless that individual meets the requirements for an [a] LHR professional specified in §118.29.

§118.29. *LHR Individual Certification--LHR Professional.*

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

(c) Supervisor requirements. An LHR professional must ensure that there was direct supervision of the 100 LHR procedures performed by an [a] LHR technician under §118.27 while obtaining the requirements of a senior LHR technician under §118.28.

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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Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

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



## SUBCHAPTER F. LASER HAIR REMOVAL DEVICES

### 16 TAC §118.50

#### STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under 16 TAC, Chapter 118. The statutory provisions affected by the proposed rules are those set forth in Health and Safety Code, Chapter 401. No other statutes, articles, or codes are affected by the proposed rules.

The legislation that enacted the statutory authority under which the proposed rules are proposed to be adopted is Senate Bill 748, 89th Legislature, Regular Session (2025).

§118.50. *LHR Devices--General and Operating Requirements.*

(a) - (j) (No change.)

(k) Compliance with the written statement requirement specified in subsection (j), does not affect the liability of the LHR facility operator or a manufacturer of an [a] LHR device.

(l) - (o) (No change.)

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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Doug Jennings  
General Counsel  
Texas Department of Licensing and Regulation  
Earliest possible date of adoption: April 5, 2026  
For further information, please call: (512) 475-4879



## SUBCHAPTER H. FEES

### 16 TAC §118.70

#### STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The proposed rules are also proposed under 16 TAC, Chapter 118. The statutory provisions affected by the proposed rules are those set forth in Health and Safety Code, Chapter 401. No other statutes, articles, or codes are affected by the proposed rules.

The legislation that enacted the statutory authority under which the proposed rules are proposed to be adopted is Senate Bill 748, 89th Legislature, Regular Session (2025).

§118.70. *Fees.*

- (a) (No change.)
- (b) The two-year initial licensing fee for an [a] LHR facility license is \$900.
- (c) - (h) (No change.)

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 February 19, 2026.

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Doug Jennings  
General Counsel  
Texas Department of Licensing and Regulation  
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For further information, please call: (512) 475-4879



## TITLE 22. EXAMINING BOARDS

### PART 16. TEXAS BOARD OF PHYSICAL THERAPY EXAMINERS

#### CHAPTER 341. LICENSE RENEWAL

##### 22 TAC §341.2

The Texas Board of Physical Therapy Examiners (Board) proposes amending 22 TAC §341.2 relating to the components of the jurisprudence assessment module that must be completed as part of a licensee's total continuing competence requirement.

The following amendment is necessary to implement changes made by the American Physical Therapy Association's adoption

of a new Code of Ethics for the Physical Therapy Profession that combines the Code of Ethics for the Physical Therapist and the Standards of Ethical Conduct for the Physical Therapist Assistant into one comprehensive document. The new Code of Ethics for the Physical Therapy Profession went into effect on January 1, 2026. The proposal utilizes generic language to describe professional physical therapy code of ethics and standards to avoid the need for additional amendments if documents are changed and renamed in the future.

#### Fiscal Note

Ralph A. Harper, Executive Director of the Executive Council of Physical Therapy & Occupational Therapy Examiners, has determined that for the first five-year period the amendment is in effect there would be no loss of revenue, and there would be no fiscal implication to units of local government as a result of enforcing or administering the rules.

#### Public Benefits and Costs

Mr. Harper has determined that for the first five-year period the amendment is in effect, the amendment will have no direct or indirect impact on the public.

#### Local Employment Economic Impact Statement

The amendment is not anticipated to impact a local economy, so a local employment economic impact statement is not required.

#### Small and Micro-Businesses and Rural Communities Impact

Mr. Harper has determined that there will be no costs or adverse economic effects to small or micro-businesses or rural communities as the result of the amendment; therefore, an economic impact statement or regulatory flexibility analysis is not required.

#### Government Growth Impact Statement

During the first five-year period the amendment is in effect, the impact on government growth is as follows:

- (1) The proposed rule amendment will neither create nor eliminate a government program.
- (2) The proposed rule amendment will neither create new employee positions nor eliminate existing employee positions.
- (3) The proposed rule amendment will neither increase nor decrease future legislative appropriations to the agency.
- (4) The proposed rule amendment will require neither an increase nor a decrease in fees paid to the agency.
- (5) The proposed rule amendment does not create a new regulation.
- (6) The proposed rule amendment will neither repeal nor limit an existing regulation.
- (7) The proposed rule amendment will not increase individuals subject to the rule's applicability.
- (8) The proposed rule amendment will neither positively nor adversely affect this state's economy.

#### Takings Impact Assessment

The proposed rule amendment will not impact private real property as defined by Tex. Gov't Code §2007.003, so a takings impact assessment under Tex. Gov't Code §2001.043 is not required.

#### Requirement for Rule Increasing Costs to Regulated Persons

Tex. Gov't Code §2001.0045, Requirement for Rule Increasing Costs to Regulated Persons, does not apply to this because the proposed rule amendment will not increase costs to regulated persons.

#### Public Comment

Comments on the proposed amendment may be submitted to Karen Gordon, PT Coordinator, Texas Board of Physical Therapy Examiners, 1801 Congress Ave, Suite 10.900, Austin, Texas 78701; email: karen@ptot.texas.gov. Comments must be received no later than 30 days from the date this proposed amendment is published in the *Texas Register*.

#### Statutory Authority

The Board proposes the amendment to §341.2, pursuant to Texas Occupations Code §453.102, which authorizes the Board to adopt rules necessary to implement chapter 453, Occupations Code.

#### Cross-reference to Statute

The Board proposes the amendment to §341.2 under Texas Occupations Code §453.205, which authorizes the Board to require an applicant for a physical therapist or physical therapist assistant license to pass a jurisprudence examination.

#### §341.2. Continuing Competence Requirements.

(a) - (e) (No change.)

(f) All licensees must complete a board-approved jurisprudence assessment module as part of their total continuing competence requirement. The jurisprudence assessment module shall be assigned a CCU value and standard approval number by the board and shall include at a minimum the following components.

(1) The theoretical basis for ethical decision-making;

(2) Professional code of ethics and standards pertaining to the practice of physical therapy; [APTA's Code of Ethics for the Physical Therapist and Guide for Professional Conduct, and the Guide for Conduct of the Physical Therapist Assistant and Standards of Ethical Conduct for the Physical Therapist Assistant;]

(3) Legal standards of behavior (including but not limited to the Act and Rules of the board); and

(4) Application of content to real and/or hypothetical situations.

(g) - (h) (No change.)

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 February 20, 2026.

TRD-202600812

Ralph Harper

Executive Director

Texas Board of Physical Therapy Examiners

Earliest possible date of adoption: April 5, 2026

For further information, please call: (512) 305-6900



## TITLE 37. PUBLIC SAFETY AND CORRECTIONS

## PART 6. TEXAS DEPARTMENT OF CRIMINAL JUSTICE

### CHAPTER 151. GENERAL PROVISIONS

#### 37 TAC §151.3

The Texas Board of Criminal Justice (board) proposes amendments to §151.3, concerning Texas Board of Criminal Justice Operating Procedures. The proposed amendments make minor grammatical updates.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed amendments will be in effect, enforcing or administering the proposed amendments will not have foreseeable implications related to costs or revenues for state or local government because the proposed amendments merely make minor grammatical updates.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rules because the proposed amendments merely make minor grammatical updates. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed amendments, will be to enhance clarity and public understanding. No cost will be imposed on regulated persons.

The proposed amendments will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed amendments will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogcomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The amendments are proposed under Texas Government Code §§492.005-.007, which establishes general duties for the board, §492.013, which authorizes the board to adopt rules; and Chapter 551, which establishes general provisions for open meetings.

Cross Reference to Statutes: None.

#### §151.3. Texas Board of Criminal Justice Operating Procedures.

(a) General. This section establishes operating procedures for the Texas Board of Criminal Justice (TBCJ) to conduct business.

(b) Organization.

(1) The TBCJ is a ~~nine-member~~ [nine member] body appointed by the governor to oversee the Texas Department of Criminal Justice (TDCJ). The TBCJ chairman is designated by and serves at the request of the governor pursuant to Texas Government Code §492.005.

(2) The TBCJ shall elect a vice-chairman and a secretary each odd-numbered year. The vice-chairman shall preside over meetings in the chairman's absence, and either the chairman or the secretary shall execute any necessary documents.

(3) The chairman, on behalf of the TBCJ, is empowered to appoint members of the TBCJ to be members or chairs of standing or limited-purpose committees, or to serve as liaisons to the TBCJ on particular subject areas or divisions within the TDCJ's jurisdiction, or both. The purpose of a committee, if appointed, is to have certain members become particularly familiar with various issues and to facilitate discussion and recommend potential strategies as appropriate.

(4) The TBCJ chairman may appoint non-members to sit on a committee in an advisory capacity; however, advisory members are non-voting members and cannot be reimbursed for expenses incurred in this capacity.

(c) Meetings.

(1) The TBCJ shall attempt to hold a regular meeting at least every other month of the year<sup>[5]</sup> but shall meet at least once each quarter of the calendar year pursuant to Texas Government Code §492.006. Special called meetings can be held at the discretion of the TBCJ chairman.

(2) TBCJ meetings shall be held at a location in Texas as determined by the TBCJ chairman. If the TBCJ uses video conference technology to convene a meeting, at least one conference site must be located in Huntsville or Austin, Texas. To convene a video conference meeting, a quorum of the TBCJ must be present at one of the video conference sites. The other members may convene using the technology from remote sites.

(A) During a TBCJ meeting convened as a video conference meeting, any member shall be considered absent from any portion of the meeting during which audio or video communication with the member is lost or disconnected.

(B) The TBCJ may continue the meeting only if a quorum remains present at the meeting location.

(3) The agenda and date for the TBCJ meetings shall be set by the TBCJ chairman in consultation with the TDCJ executive director.

(4) The agenda for committee meetings shall be set by the TBCJ chairman in consultation with the committee's chairman and the TDCJ executive director. If the TBCJ committee uses video conference technology to convene a meeting, at least one conference site must be located in Huntsville or Austin. To convene a video conference meeting, a quorum of the committee must be present at one of the video conference sites. The other member(s) may convene using the technology from remote sites.

(5) A majority of the TBCJ, or of a committee of the TBCJ, constitutes a quorum for the convening of and transaction of business at any meeting. A quorum of a committee with two members consists of both members.

(6) A quorum of a committee does not include its advisory member.

(7) Meetings of the TBCJ and its committees shall be conducted according to standard parliamentary procedures.

(8) TBCJ meetings are governed by the *Texas Open Meetings Act*, Texas Government Code §§551.001-.146.

(9) The TDCJ executive director shall ensure members are provided the materials necessary to conduct the business of the TBCJ and its committees well in advance of the meetings.

(10) The TDCJ executive director shall ensure the minutes of each meeting are prepared, retained, and filed with the Legislative Reference Library, and made available to the public. The minutes shall state the subject matter of each deliberation and shall indicate each vote, order, decision, or other action taken by the TBCJ.

(11) Requests by the public to make presentations or comments to the TBCJ are governed by 37 Texas Administrative Code §151.4, pursuant to Texas Government Code §§492.007 and 551.042.

(12) The TBCJ shall approve meeting minutes for any committees deleted, renamed, or for which their limited purpose [~~limited purpose~~] has concluded.

(13) Prior to each regularly scheduled meeting, the TBCJ shall offer the opportunity for:

(A) The presiding officer of the Board of Pardons and Paroles or a designee of the presiding officer to present any item relating to the operation of the parole system and other matters of mutual interest determined by the presiding officer to require the TBCJ's consideration, pursuant to Texas Government Code §492.006;

(B) The chairman of the Judicial Advisory Council (JAC) to the Community Justice Assistance Division and the TBCJ to present any item relating to the operation of the community justice system and other matters of mutual interest determined by the JAC chairman to require the TBCJ's consideration, pursuant to Texas Government Code §492.006;

(C) The TDCJ executive director to present any item relating to the TDCJ as determined by the executive director or the TBCJ chairman;

(D) The TBCJ chairman to present any item relating to the TBCJ or the TDCJ as determined by the TBCJ chairman in consultation with the TDCJ executive director;

(E) The chairman or designee of the Correctional Managed Health Care Committee (CMHCC) to present on the CMHCC's policy decisions, the financial status of the correctional health care system, and corrective actions taken by or required of the TDCJ or the health care providers; and

(F) The chairman of the Advisory Committee on Offenders with Medical or Mental Impairments (ACOOMMI) or a designee of the ACOOMMI chairman to present any item related to offenders with medical or mental impairments.

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 February 23, 2026.

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Stephanie Greger  
General Counsel  
Texas Department of Criminal Justice  
Earliest possible date of adoption: April 5, 2026  
For further information, please call: (936) 437-6700



37 TAC §151.55

The Texas Board of Criminal Justice (board) proposes amendments to §151.55, concerning Disposal of Surplus Agricultural Goods and Agricultural Personal Property. The proposed amendments make minor grammatical updates.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed amendments will be in effect, enforcing or administering the proposed amendments will not have foreseeable implications related to costs or revenues for state or local government because the proposed amendments merely make minor grammatical updates.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rules because the proposed amendments merely make minor grammatical updates. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed amendments, will be to enhance clarity and public understanding. No cost will be imposed on regulated persons.

The proposed amendments will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed amendments will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed amendments should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The amendments are proposed under Texas Government Code §492.013, which authorizes the board to adopt rules; and §497.113, which establishes guidelines for surplus agricultural property and products.

Cross Reference to Statutes: None.

§151.55. *Disposal of Surplus Agricultural Goods and Agricultural Personal Property.*

(a) Policy. It is the policy of the Texas Board of Criminal Justice (TBCJ) that surplus agricultural goods produced by the Texas Department of Criminal Justice (TDCJ) and surplus agricultural personal property used in the TDCJ's agricultural operations be disposed in the most efficient manner possible for the goods or personal property being disposed.

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

(1) "Surplus agricultural goods" are those agricultural commodities grown, produced, purchased, or acquired by the TDCJ for use within the TDCJ or other state or local agency or non-profit organization, which:

(A) exceed the needs of TDCJ operations;

(B) are not required for the TDCJ's foreseeable needs; and

(C) have been determined to be surplus by the TDCJ chief financial officer in coordination with the Manufacturing, Agribusiness and Logistics Division director.

(2) "Surplus agricultural personal property" is personal property related to the agricultural operations of the TDCJ and grown, produced, purchased, or acquired by the TDCJ, including livestock and farming equipment and implements, which:

(A) exceeds the needs of TDCJ operations;

(B) is not required for the TDCJ's foreseeable needs; and

(C) has been determined to be surplus by the chief financial officer in coordination with the Manufacturing, Agribusiness and Logistics Division director.

(c) Procedures.

(1) The TBCJ hereby authorizes the chief financial officer or designee to sell or dispose of surplus agricultural goods and surplus agricultural personal property. Sale or disposal shall be accomplished in such a manner so as to provide, if possible, reasonable consideration for the sale or disposal of such surplus items.

(2) When items of agricultural goods or agricultural personal property are considered surplus, the Manufacturing, Agribusiness and Logistics Division director shall provide a written report to the chief financial officer setting forth those items of agricultural goods and agricultural personal property considered to be surplus. In those instances requiring immediate action due to the perishable nature of such items, the report may be transmitted via email. The chief financial officer shall review the report and determine if such items shall be sold or disposed as surplus agricultural goods or personal property.

(3) The chief financial officer shall review the report submitted as required herein and shall determine if such reported items are surplus to the needs of the TDCJ, and the terms and method of sale or disposal of such items. Sale or disposal of surplus agricultural goods or agricultural personal property includes:

(A) sale in the usual market for such items;

(B) direct sale by bid or negotiated sale;

(C) exchange for other agricultural products and finished goods; and

(D) donation of food commodities to state, local, or non-profit organizations.

(4) Proceeds from the sale of surplus agricultural goods and surplus agricultural personal property shall be deposited in the appropriate TDCJ fund to be used for purchase of agricultural goods and agricultural personal property necessary for the operation of the TDCJ.

(5) Prices of sales shall be at prevailing market prices or better.

(6) After TDCJ staff takes action on the disposition of surplus agricultural goods and agricultural personal property, a report detailing the actions shall be submitted for inclusion in the materials provided to the TBCJ at each meeting.

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 February 23, 2026.

TRD-202600850

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: April 5, 2026

For further information, please call: (936) 437-6700



## CHAPTER 152. CORRECTIONAL INSTITUTIONS DIVISION

### SUBCHAPTER D. OTHER RULES

#### 37 TAC §152.81

The Texas Board of Criminal Justice (board) proposes new rule §152.81, concerning Housing of Inmates. The proposed new rule states inmates shall be housed in compliance with state and federal law in accordance with Senate Bill 8, which was passed during the 89th Second Special Session and established Texas Government Code §3002.054.

Ron Steffa, Chief Financial Officer for the Texas Department of Criminal Justice (TDCJ), has determined that for each year of the first five years the proposed new rule will be in effect, enforcing or administering the proposed new rule will not have foreseeable implications related to costs or revenues for state or local government because the proposed new rule merely clarify existing procedures.

Mr. Steffa has also determined that for each year of the first five-year period, there will not be an economic impact on persons required to comply with the rules because the proposed new rule merely clarify existing procedures. There will not be an adverse economic impact on small or micro businesses or on rural communities. Therefore, no regulatory flexibility analysis is required.

The anticipated public benefit, as a result of enforcing the proposed new rule, will be to enhance clarity and public understanding. No cost will be imposed on regulated persons.

The proposed new rule will have no impact on government growth; no impact on local employment; no creation or elimination of a government program; no creation or elimination of employee positions; no increase or decrease in future legislative appropriations to the TDCJ; no increase or decrease in fees paid to the TDCJ; no new regulation and no effect on an existing regulation; no increase or decrease in the number of individuals subject to the rule; and no effect upon the economy. The proposed new rule will not constitute a taking.

Comments and information such as applicable data, research, or analysis related to the cost, benefit, or effect of the proposed new rule should be directed to the Office of the General Counsel, Texas Department of Criminal Justice, P.O. Box 4004, Huntsville, Texas 77342, ogccomments@tdcj.texas.gov. Written comments and informational submissions from the general public must be received within 30 days of the publication of this rule in the *Texas Register*.

The new rule is proposed under Texas Government Code §3002.054, which establishes the requirement for inmates to

be housed according to sex; and 28 C.F.R. Part 115, which establishes the Prison Rape Elimination Act.

Cross Reference to Statutes: None.

§152.81. Housing of Inmates.

Inmates shall be housed in compliance with state and federal law.

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

Filed with the Office of the Secretary of State on February 23, 2026.

TRD-202600851

Stephanie Greger

General Counsel

Texas Department of Criminal Justice

Earliest possible date of adoption: April 5, 2026

For further information, please call: (936) 437-6700



## TITLE 40. SOCIAL SERVICES AND ASSISTANCE

### PART 5. TEXAS VETERANS LAND BOARD

#### CHAPTER 175. GENERAL RULES OF THE VETERANS LAND BOARD

##### SUBCHAPTER A. GENERAL RULES OF CONTRACT FOR DEED AND FINANCING FOR LAND

#### 40 TAC §175.3, §175.4

The Texas Veterans Land Board (Board) proposes amendments to Texas Administrative Code, Title 40, Part 5, Chapter 175, Subchapter A, §175.3, concerning Land Selection, and §175.4, concerning Land Description.

The proposed amendments update the rules' provisions and facilitate transactions under the Board's Veterans Land Program (Program).

At its special called meeting on February 3, 2026, the Board unanimously approved a recommendation from its staff to incorporate the proposed amendments with the aim of enhancing the effectiveness of the Program.

**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 may be minimal fiscal implications for state, but not local, government as a result of the proposed amendments. Specifically, the proposed amendments removing the requirement that surveys of properties under the Program include a license from the surveyor may lead to the Board having to perform updated surveys for any properties on which it forecloses and sells. However, this event occurs for approximately one percent of Program properties. Furthermore, the costs of performing such surveys on staff resources would be minimal.

**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 increased access in the benefit the Program offers to 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:

the proposed amendments will not create or eliminate a government program;

implementation of the proposed amendments will not require the creation or elimination of existing employee positions;

implementation of the proposed amendments will not require an increase or decrease in future legislative appropriations to the Board;

the proposed amendments will not require an increase or decrease in fees paid to the Board;

the proposed amendments do not create a new regulation;

the proposed amendments will not expand, limit, or repeal an existing regulation;

the proposed amendments will not increase or decrease the number of individuals subject to the rules; and

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@glotexas.gov](mailto:walter.talley@glotexas.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 under Section 161.063 of the Texas Natural Resources Code, which allows the Board to adopt rules it considers necessary to ensure the integrity of the Program. The Code affected by this proposal is Chapter 161 of the Texas Natural Resources Code.

§175.3. *Land Selection.*

(a) Land selected by a veteran for purchase or financing through the program must:

(1) (No change.)

(2) contain at least one (1) net acre (excluding, as determined [defined] by the board, inundated or submerged land, or otherwise unusable land);

(3) (No change.)

(4) if more than one tract of land is selected the tracts must be contiguous [as defined by the board]; or, if not contiguous, then one tract must meet the minimum acreage requirement, and the use, location, and value of the tracts would permit the board, in its sole discretion, to consider the combination of the tracts as one tract; [and]

(5) have direct access to a publicly maintained [public] road. If the tract does not directly abut a publicly maintained [public] road; [a perpetual access easement appurtenant must be conveyed to the board, or other board approved access must be provided. This easement must meet the county width requirement for publicly maintained roads and, in any event, must be at least 60 feet wide. The easement must be conveyed to the board by general warranty deed or dedicated to the public or subdivision owners. If the easement is conveyed to the board by deed, it must be described by metes and bounds. This description must contain specific tie calls to both the tract and a public road. If the easement is dedicated, the deed to the board must refer to the recording information of the subdivision plat or other dedication instrument. If the board finances the transaction the tract must have similar easement rights. Easements and roads must be usable by standard automobiles during inclement weather.]

(A) access may be provided by way of a public or private perpetual access and easement either conveyed to the borrower or board or dedicated to the public or subdivision owners;

(B) all roadway easements must be at least sixty (60) feet wide or meet the county's minimum width requirement for a publicly maintained road, whichever is greater. The width requirement may be waived by the chairman, but in no event can an easement be less than thirty (30) feet in width;

(C) easements being conveyed to the borrower or board must be described by metes and bounds. The description must contain specific tie calls to both the tract and publicly maintained road;

(D) if the easement is dedicated to the public or subdivision owners, it must refer to the recording information of the subdivision plat or other dedication instrument and a copy of the instrument must be provided to the board; and

(E) easement and roads must be usable by two (2)-wheel drive automobiles during inclement weather, including snow, rain, and freezing temperatures.

(6) in the case of flagpole tracts, or tracts with a similar configuration, where the pole portion of the tract provides access to the main body (flag portion) of the tract, the pole portion of the tract must meet the width and drivability requirements for an access easement, and the main body of the tract must meet the requirement of one (1) net acre, as determined by the board.

(b) The board will not purchase or finance a tract of land that was wholly owned by the veteran or his spouse, separately or jointly, within three (3) [3] years of the date of application.

(c) - (g) (No change.)

§175.4. *Land Description.*

(a) Land selected to be purchased by the board must be described by a legally sufficient metes and bounds description. The property description must:

(1) contain a general description of the land, specifying the acreage contained, the original survey(s) or grant(s) with abstract number(s), survey number(s) and block designation, if applicable, and the county in which the tract is located. If the tract is divided by a county line, the appropriate abstract numbers and acreage on each side of the county line will be shown. The general description shall also contain the deed reference to the parent tract including grantor, grantee, date of instrument, and [volume and page of] recording information. Additional references to other instruments in the chain of title may be referred to if appropriate;

(2) - (4) (No change.)

(b) (No change.)

~~[(e) All metes and bounds descriptions and survey plats shall bear the seal and signature of the surveyor preparing the same. Any field notes or survey plat prepared for and used in any board transaction includes a license from the surveyor to the board and the veteran purchaser to copy and use the field notes in that transaction and in any future transactions involving the surveyed property.]~~

~~[(c) [(d)] Metes and bounds descriptions must be prepared from a survey of the property made on the ground. The survey should be made in such manner to be generally acceptable to title companies in the State of Texas for the purpose of deleting the survey exception clause.~~

~~[(e) Each corner of the tract of land shall be marked by concrete or metal monuments or other durable monuments generally used in the area. A description of each monument set or found and its location, with witnesses as available, shall be incorporated into the metes and bounds description of the property.]~~

~~[(f) When a roadway or easement crosses a tract, it shall be described sufficiently to enable its location throughout the tract and its area to be determined.]~~

~~[(g)] Property descriptions and subdivision plats will be examined by the board for access and acreage, and may be examined by the board for closure and sufficiency [acreage, closure, and sufficiency]. The board's determination of these items will control.~~

~~[(h)] The surveyor should be instructed to do a proper boundary survey of the land to be conveyed according to the record boundaries of the tracts involved. Any encroachments by existing perimeter fences into the subject tract or into adjacent tracts should be shown together with the area of any lands lying between the record boundaries and the existing occupation. Any occupation on the ground not conforming to the record boundaries should be shown on a plat of survey and fully explained in an accompanying surveyor's report.~~

~~[(i)] The chairman may waive any of the foregoing requirements and accept a survey deemed sufficient by the title company to permit deletion of the survey exception clause.~~

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 February 20, 2026.

TRD-202600818

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

Texas Veterans Land Board

Earliest possible date of adoption: April 5, 2026

For further information, please call: (512) 475-1859



# 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 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 §2.2, §2.3

The Texas State Library and Archives Commission (commission) adopts amendments to 13 Texas Administrative Code, §2.2, Responsibilities of the Commission and the Director and Librarian, and §2.3, Procedures of Commission. The amendments are adopted without changes to the proposed text as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7813). The rules will not be republished.

**BACKGROUND.** The adopted amendments increase the dollar threshold at which non-competitive grants require formal commission approval from \$100,000 to \$250,000. The \$100,000 threshold was established by the commission over three decades ago. Increasing the approval threshold reflects the evolving financial landscape in which the agency operates and promotes agency efficiency. The amendments do not change the commission's requirement to approve all competitive grants, regardless of dollar amount.

###### EXPLANATION OF AMENDMENTS.

The amendment to §2.2(b)(4) increases the non-competitive grant threshold requiring commission approval from \$100,000 to \$250,000.

The amendment to §2.3(k) makes a corresponding revision by replacing the reference to non-competitive grants of \$100,000 or more with non-competitive grants of \$250,000 or more.

**SUMMARY OF COMMENTS.** The commission did not receive any comments on the proposed amendments or any information related to the cost, benefit, or effect of the proposed amendments.

**STATUTORY AUTHORITY.** The amendments are adopted under Texas Government Code §441.002, which authorizes the commission to assign duties to the director and librarian and requires the commission to develop and implement policies that separate policy-making and management responsibilities, and under §441.006, which authorizes the commission to administer and approve state library grants.

**CROSS REFERENCE TO STATUTE.** Government Code, Chapter 441.

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 February 18, 2026.

TRD-202600769

Sarah Swanson

General Counsel

Texas State Library and Archives Commission

Effective date: March 10, 2026

Proposal publication date: December 5, 2025

For further information, please call: (512) 463-5460



###### 13 TAC §2.56

The Texas State Library and Archives Commission (commission) adopts amendments to 13 Texas Administrative Code, §2.56, Training and Education of Staff. The amendments are adopted without changes to the proposed text as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7816) and will not be republished.

**BACKGROUND.** Section 656.048 of the Government Code directs state agencies to adopt rules relating to the eligibility of the agency's administrators and employees for agency-supported training and education, as well as the obligations administrators and employees assume when receiving such training and education. Section 656.048 also directs state agencies to adopt rules requiring that before an administrator or employee of the agency may be reimbursed for a training or education program offered by an institution of higher education or private or independent institution of higher education, the executive head of the agency must authorize the tuition reimbursement payment.

The commission recently updated its tuition assistance program. As a result of these updates, the commission finds it necessary to update its rule regarding training and education of staff to ensure its policy and rule align. In addition, the current rule was adopted in 2001 with only minor non-substantive amendments since that time. The adopted amendments update the rule in compliance with §656.048 and update the rule language for readability and clarity.

###### EXPLANATION OF AMENDMENTS.

The amendment to subsection (a) replaces existing language regarding the purpose of the agency's training and education program with broader language regarding the statutory authority for the program. The new subsection also adds language noting that the agency will develop policies for employee training and

education. Greater details regarding the program will be available in the agency's policies.

New subsection (b) describes what the agency's training and education program may include: agency sponsored training, seminars and conferences, internet training, and tuition reimbursement. This list is not exhaustive of all possible training and education the agency may provide its employees but notes the most common.

An amendment to subsection (e) adds that approval for participation in a training program is not automatic and may be subject to the availability of funds.

Amendments to subsection (g) add an introductory clause to the existing obligations for employees on completion of training. Other amendments to this subsection clarify existing language.

Amendments to subsection (h) clarify the existing language regarding when an employee may be required to reimburse the agency for training the employee fails to attend.

Amendments to subsection (i) delete references to "special training," and add a reference to the agency's Tuition Assistance Program. The amendments also add the purpose of the agency's Tuition Assistance Program.

An amendment deletes current subsection (i), as the content of this subsection is included within current subsection (b), which is renumbered as subsection (c).

Amendments to subsection (j) add specific references to the Tuition Assistance Program and add employee eligibility information.

New subsection (k) provides that an employee who wishes to participate in the Tuition Assistance Program must agree in writing to a one-year service commitment to the agency. Employees who do not complete their service commitment would be required to reimburse the agency for the amount of tuition reimbursements made to the employee.

New subsection (l) states that before a tuition reimbursement is made to an employee or administrator, the director and librarian must approve the payment.

Finally, amendments throughout update the numbering of the subsections due to the addition and deletion of subsections throughout the section.

**SUMMARY OF COMMENTS.** The commission did not receive any comments on the proposed amendments or any information related to the cost, benefit, or effect of the proposed amendments.

**STATUTORY AUTHORITY.** The amendments are adopted under Government Code, §656.048, which directs state agencies to adopt rules relating to the eligibility of the agency's administrators and employees for training and education supported by the agency and the obligations assumed by the administrators and employees on receiving the training and education, and to adopt rules requiring that before an administrator or employee of the agency may be reimbursed for a training or education program offered by an institution of higher education or private or independent institution of higher education, the executive head of the agency must authorize the tuition reimbursement payment.

**CROSS REFERENCE TO STATUTE.** Government Code, Chapter 441.

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 February 18, 2026.

TRD-202600770

Sarah Swanson

General Counsel

Texas State Library and Archives Commission

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Proposal publication date: December 5, 2025

For further information, please call: (512) 463-5460



## CHAPTER 4. SCHOOL LIBRARY PROGRAMS

### SUBCHAPTER A. STANDARDS AND GUIDELINES

#### 13 TAC §4.2

The Texas State Library and Archives Commission (commission) adopts amendments to §4.2, School Library Programs: Collection Development Standards. The amendments are adopted with changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7645) and will be republished.

**BACKGROUND.** The amendments are adopted to implement Senate Bill (SB) 13, 89th Regular Session (2025), which amended portions of the Education Code related to public school libraries, including the school library collection development standards first adopted by the commission in December 2023. Because of the statutory changes made by SB 13, the commission finds it necessary to amend the school library collection development standards to implement and comply with the new legislation.

Section 33.021 of the Education Code requires approval (by majority vote) by the State Board of Education (SBOE) of the school library collection development standards prior to adoption by the commission. The commission originally considered draft amendments to the standards at its August 1, 2025, meeting and approved forwarding the draft amendments to the SBOE Chair and SBOE Member appointed to work on the collection development standards. Representatives of the commission met with the SBOE Chair and Member to discuss SBOE feedback and, after making additional changes to the standards to reflect input of the SBOE, finalized a draft of the proposed amendments. The commission approved the publication of the proposed amendments at its November 14, 2025, meeting. After reviewing the public comments received and finalizing the amendments, the commission presented the final draft of the proposed amendments to the SBOE for approval at their January 30, 2026, meeting. The SBOE approved the amendments by majority vote.

**EXPLANATION OF ADOPTED AMENDMENTS.** An amendment to subsection (a) adds the term "library" before "materials" for consistency with the term as defined by Educ. Code, §33.020(3). An amendment to this subsection also adds the statutory citation for the definition of "library materials" to enable individuals to locate and review the full statutory definition. If Educ. Code,

§33.030(3) is amended in the future, the rule will remain up-to-date and no amendments to the rule language will be necessary.

An amendment to paragraph (c)(6) adds "catalog" to clarify that the access plan must, at a minimum, allow efficient parental access to both the school district's physical and online library catalogs. An additional amendment made on adoption adds "physical" before "catalog" to clarify the rule references both a school library's physical and online catalogs.

Amendments to subparagraph (c)(7)(B) separate the subparagraph into clauses to provide greater clarity in the subparagraph's requirements and reinforce that each item stands alone as an individual requirement. An amendment to clause (i) updates the statutory reference for the definition of "harmful material" to Educ. Code, §33.020(1) as added by SB 13. Another amendment updates the reference to *Board of Education v. Pico*, 457 U.S. 853 (1982) consistent with Educ. Code, §33.021(d)(2)(A)(iii) as amended by SB 13. A change made on adoption to clause (iv) adds the statutory reference to the definitions of indecent content and profane content. Other amendments to §4.2(c)(7)(B) add new requirements added to Educ. Code, §33.021 for a school district's collection development policy- that the collection development policy must prohibit the possession, acquisition, and purchase of library material containing indecent or profane content and library material that refers a person to an Internet website containing content prohibited by the rule. Finally, amendments update and correct punctuation throughout the subparagraph.

An amendment to subparagraph (c)(7)(D) adds library mobile applications and any other library catalog a student may access to the scope of the collection development standards as required by SB 13.

An amendment to subparagraph (c)(7)(H) adds the requirement that a collection development policy must demonstrate a commitment to compliance with the Children's Internet Protection Act as required by SB 13.

An amendment to subsection (d) adds a requirement to consider recommendations of a local school library advisory council (LSLAC) if a district has established one when evaluating materials for inclusion in a school library. The amendment also adds the statutory citation for LSLACs.

Amendments to subsection (e) change "legal guardian" to "person standing in parental relation" consistent with SB 13 and add that a person residing in the school district may request reconsideration of a specific item in their school district's library catalog as established by SB 13. Additional amendments to this subsection update the reference to the form used to request reconsideration of an item and define "reasonable timeframe" for review and recommendation (changed on adoption from "review and decision" as proposed) by a committee to mean no longer than 90 days after the date the request for reconsideration is received, as required by SB 13. Final decisions on an item will be made by the school district's board of trustees as required by SB 13. Finally, an amendment to the subsection requires that a school district prohibit students enrolled in the district from accessing material that is going through the reconsideration process until the district takes action on the material as required by SB 13.

**SUMMARY OF COMMENTS.** The Commission received comments on the proposed amendments from the Texas Library Association (TLA) and four individuals during the comment period as discussed below.

**COMMENT:** TLA did not have any comments on or suggested changes to the proposed amendments but noted that SB 13 has created major challenges for school districts and librarians, including repeated policy revisions, an added layer of bureaucracy, increased administrative burdens due to centralizing material-challenge decisions at the board level, and a purchasing process that limits librarians' ability to serve students and support learning.

**RESPONSE:** The commission appreciates the comment.

**COMMENT:** Two individuals commented that the references to vendor rating requirements established by House Bill (HB) 900, 88th Regular Session (2023), should be removed from the rule as those requirements were declared unconstitutional and permanently blocked by the United States District Court for the Western District of Texas.

**RESPONSE:** The commission notes that while the United States District Court for the Western District of Texas did issue an order permanently enjoining certain sections of the Education Code as added by HB 900, including the sections requiring vendors to rate library materials, Defendant Mike Morath appealed the ruling on October 23, 2025. Therefore, though the injunction remains in effect and the enjoined laws are unenforceable at this time, there still has been no final determination. Until the matter is finally determined by the courts, the commission declines to make a change to this section.

**COMMENT:** Two individuals suggested the rule include full definitions of certain terms, including but not limited to "harmful material," "educationally unsuitable," "obscene content," "profane content," and "indecent content," noting that school librarians and administrators need clear, accessible definitions directly within the Administrative Code rather than cross-references to external statutes.

**RESPONSE:** The commission appreciates the comment and considered including full statutory definitions within the proposed rules but ultimately decided against such action. The primary reason for not including the full text of statutory definitions is that by defining terms by reference to the statute, the rule will remain up to date should any of the statutory definitions be amended in the future. In addition, for terms defined in the rule by reference to statutes, the commission notes that statutes are easily accessible and freely available online at <https://statutes.capitol.texas.gov/>. The commission also suggests interested persons review the guidance material on SB 13 created by the Texas Education Agency, available online at <https://tea.texas.gov/texas-schools/school-boards/sb13-guidance.pdf>. Finally, the commission notes that of the terms noted by the commenter, only "harmful material," "profane content," and "indecent content" are specifically defined in statute. "Educationally unsuitable" is defined in statute by reference to the United States Supreme Court case, *Board of Education v. Pico*, 457 U.S. 853 (1982). "Obscene content" is not specifically defined in SB 13 by reference or otherwise. The commission declines to add any definitions not specifically adopted by the Texas legislature.

**COMMENT:** One individual commented that a strict 90-day deadline for a decision regarding challenged material may not always be reasonable, particularly when multiple book challenges are submitted simultaneously or at a time when the district is closed. The commenter noted that flexibility is needed to maintain the integrity and quality of the review process.

RESPONSE: The commission appreciates the comment and notes that the 90-day deadline is required by statute. However, the commission further notes that the language as proposed should be clarified to ensure consistency with SB 13. The 90-day deadline pertains to a recommendation on a challenge by a review committee and not a final decision on the item. Education Code §33.027(b) as added by SB 13 requires a Local School Library Advisory Council (LSLAC) to make a recommendation on an item within 90 days after receiving a copy of the challenge. The district's board of trustees must then make a decision on the item at the first open meeting of the board held after the LSLAC has made a recommendation. If a district has not established an LSLAC, the district's board of trustees must take action on a challenge at the first open meeting held after the 90th day after the date on which the districts receives a written challenge. Therefore, whether the committee reviewing an item is an LSLAC or a review committee formed by the district, the committee has 90 days to review an item and make a recommendation. The commission appreciates that this deadline may be difficult to meet if multiple books are challenged at the same time or if challenges are submitted when the district is closed. However, the commission is bound by the deadlines established in SB 13.

COMMENT: One individual commented that SB 13 added library material that contains profane or indecent content to the list of materials prohibited in school libraries and states this type of content does not require reviewing a book in its entirety, unlike library material that is obscene or contains harmful content. This individual recommended revising subsection (e)(4) to explain the different review standards depending on whether the challenge is based on "obscene or harmful" content or "profane or indecent" content.

RESPONSE: The commission notes that while SB 13 did add additional prohibitions on certain types of library material, the Legislature did not establish a different review process or standard to apply to a review committee's review of those items. Nor is the commission aware of a different standard required for a committee when reviewing materials that contain obscene or harmful content as opposed to profane or indecent content. The commission has determined that a thorough review of challenged material will aid the review committee in making its findings of fact and provide the strongest context and position for the committee's recommendation. As such, the commission has determined that reviewing material in its entirety is a best practice when the material is challenged, regardless of the reason for the challenge, and therefore declines to make a change based on this comment.

COMMENT: One individual commented that SB 13 expanded the right to challenge materials to all district residents, not solely parents of children in the district. This individual recommended that subsection (c)(6) be revised to expand access to the school district's library catalog to the public as opposed to just parents.

RESPONSE: The commission appreciates the comment and points the commenter to subsection (c)(7)(E), which addresses the individual's comment directly by requiring schools to provide library catalog transparency, including, but not limited to online catalogs that are publicly available. Subsection (c)(6) specifically relates to a parental access plan the district establishes within its collection development policy, which supports parents' roles as primary decision makers regarding a student's access to library material. No change is necessary in response to this comment.

The commission received four comments on the proposed amendments during the Commission's November 14, 2025, commission meeting prior to approval of the proposed amendments. One individual provided comments in-person, and the other three comments were read aloud. All comments were considered by the commission. However, the commission did not recommend any changes to the proposed amendments based on the comments presented during the commission meeting and approved publication of the proposed amendments as presented. However, one commenter suggested adding "physical" before "catalog" in subsection (c)(6) for clarity. The commission appreciates the suggestion and makes the change on adoption.

STATUTORY AUTHORITY. The amendments are adopted under Education Code, §33.021, which requires the commission to adopt standards for school library collection development that a school district shall adhere to in developing or implementing the district's library collection development policies.

§4.2. *School Library Programs: Collection Development Standards.*

(a) Each Texas public school district board or governing body must approve and institute a collection development policy that describes the processes and standards by which a school library acquires, maintains, and withdraws library materials as defined by Education Code, §33.020(3).

(b) A school library collection should include materials that are age appropriate and suitable to the campus and students it serves and include a range of materials. A school library collection should:

(1) Enrich and support the Texas Essential Knowledge and Skills (TEKS) and curriculum established by Education Code, §28.002 (relating to Required Curriculum), while taking into consideration students' varied interests, maturity levels, abilities, and learning styles;

(2) Foster growth in factual knowledge, literary appreciation, aesthetic values, and societal standards;

(3) Encourage the enjoyment of reading, foster high-level thinking skills, support personal learning, and encourage discussion based on rational analysis; and

(4) Represent the ethnic, religious, and cultural groups of the state and their contribution to Texas, the nation, and the world.

(c) A school library collection development policy must:

(1) Describe the purpose and collection development goals;

(2) Designate the responsibility for collection development;

(3) Establish procedures for the evaluation, selection, acquisition, reconsideration, and deselection of materials;

(4) Consider the distinct age groups, grade levels, and possible access to materials by all students within a campus;

(5) Include a process to determine and administer student access to material rated by library material vendors as "sexually relevant" as defined by Education Code, §35.001 consistent with any policies adopted by the Texas Education Agency and local school board requirements;

(6) Include an access plan that, at a minimum, allows efficient parental access to the school district's physical library catalog and online library catalog; and

(7) Comply with all applicable local, state, and federal laws and regulations. Specifically, a collection development policy must:

(A) Recognize that parents are the primary decision makers regarding their student's access to library material;

(B) Prohibit the possession, acquisition, and purchase of:

(i) harmful material, as defined by Education Code, §33.020(1);

(ii) library material rated sexually explicit material by the selling library material vendor under Education Code, §35.002;

(iii) library material that is pervasively vulgar or educationally unsuitable as referenced in Board of Education v. Pico, 457 U.S. 853 (1982);

(iv) library material containing indecent content as defined by Education Code, §33.020(2) or profane content as defined by Education Code, §33.020(4);

(v) or library material that refers a person to an Internet website containing content prohibited under this subsection, including by use of a link or QR code, as defined by Health and Safety Code, §443.001;

(C) Recognize that obscene content is not protected by the First Amendment to the United States Constitution;

(D) Be required for all library materials available for use or display, including material contained in school libraries, classroom libraries, online catalogs, library mobile applications, and any other library catalog a student may access;

(E) Ensure schools provide library catalog transparency, including, but not limited to:

(i) Online catalogs that are publicly available; and

(ii) Information about titles and how and where material can be accessed;

(F) Recommend schools communicate effectively with parents regarding collection development, including, but not limited to:

(i) Access to district/campus policies relating to school libraries;

(ii) Consistent access to library resources; and

(iii) Opportunities for students, parents, educators, and community members to provide feedback on library materials and services;

(G) Prohibit the removal of material based solely on the ideas contained in the material or the personal background of the author of the material or characters in the material; and

(H) Demonstrates a commitment to compliance with the Children's Internet Protection Act (Pub. L. No. 106-554), including through the use of technology protection measures, as defined by that Act.

(d) Evaluation of materials as referenced in this section includes a consideration of the factors described in subsection (b) of this section, consideration of local priorities and school district standards, including recommendations of a local school library advisory council if the district has established one under Education Code, §33.025, and at least two of the following:

(1) Consideration of recommendations from parents, guardians, and local community members;

(2) Consultation with the school district's educators and library staff and/or consultation with library staff of similarly situated

school districts and their collections and collection development policies;

(3) An extensive review of the text of item;

(4) The context of a work, including consideration of the contextual characteristics, overall fit within existing school library collection, and potential support of the school curriculum; or

(5) Consideration of authoritative reviews of the items from sources such as professional journals in library science, recognized professional education or content journals with book reviews, national and state award recognition lists, library science field experts, and highly acclaimed author and literacy expert recommendations.

(e) A reconsideration process as referenced in this section should ensure that any parent or person standing in parental relation to a student enrolled in the school district, a person employed by the district, or a person residing in the district may request the reconsideration of a specific item in their school district's library catalog. A reconsideration process should:

(1) Establish a uniform procedure an individual must follow when filing a request;

(2) Require a school district to include a form adopted by the Texas Education Agency to request a reconsideration of an item on the school's public internet website if the school has a public internet website or ensure the form is publicly available at a school district administrative office;

(3) Require that the completed form be distributed to the superintendent or superintendent designee, school librarian, school district board of trustees or governing body at the time of submission;

(4) Include a reasonable timeframe, approved by the school board, for the review and recommendation by a committee charged with the review of the item in its entirety. A district should convene a review committee in accordance with criteria established by the district to ensure a thorough and fair process. A reasonable timeframe should take no longer than 90 days after the date the request for reconsideration is received and take into account:

(A) The time necessary to convene a committee to meet and review the item;

(B) Flexibility that may be necessary depending on the number of pending reconsideration requests; and

(C) Other factors relevant to a fair and consistent process, including informing the requester on the progress of the review in a timely fashion;

(5) Prohibit students enrolled in the district from accessing the material until the district takes action in response to the request for reconsideration;

(6) Include a review and appeal process approved by the school district board of trustees or governing body; and

(7) Provide that if an item has gone through the reconsideration process and remains in the collection, a school district may not be required to reconsider an item within two calendar years of the final decision.

(f) School districts should ensure a professional librarian certified by the State Board for Educator Certification or other dedicated professional library staff trained on proper collection development standards is responsible for the selection and acquisition of library materials.

(g) A school district must develop collection assessment and evaluation procedures to periodically appraise the quality of library materials in the school library to ensure the library's goals, objectives, and information needs are serving its school community and should stipulate the means to weed or update the collection.

(h) A school district's collection development policy should be reviewed at least every three years and updated as necessary.

(i) School districts may add procedures to these minimum requirements to satisfy local needs so long as the added procedures do not conflict with these minimum requirements.

(j) School districts are responsible for ensuring their school libraries implement and adhere to these collection development standards.

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 February 18, 2026.

TRD-202600755

Sarah Swanson

General Counsel

Texas State Library and Archives Commission

Effective date: March 10, 2026

Proposal publication date: November 28, 2025

For further information, please call: (512) 463-5460



## PART 2. TEXAS HISTORICAL COMMISSION

### CHAPTER 13. TEXAS HISTORIC PRESERVATION TAX CREDIT PROGRAM

#### 13 TAC §§13.1, §13.2

The Texas Historical Commission (hereafter referred to as the Commission) adopts amendments to §13.1 and §13.2 of Title 13, Part 2, Chapter 13 of the Texas Administrative Code (relating to the Texas Historic Preservation Tax Credit Program). The rules are adopted without changes to the text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7648). The rules will not be republished.

The adopted amendments are needed to implement House Bill 4044 introduced by Representative Meyer and passed into law during the 89th Legislative session. These changes address the addition of public institutions of higher education as eligible recipients under certain circumstances.

The adopted amendments include a provision that specifies that an institution of higher education or university system as defined in Section 61.003, Education Code, will not be subject to the depreciation and tax-exempt use provisions as defined in Section 47(c)(2) of the Internal Revenue Code, as laid out in Texas Tax Code § 172.102(b). The change applies to eligible costs and expenses incurred on or after the effective date of the act, January 1, 2026, until the amendment expires on January 1, 2035.

No comments pertaining to these rule revisions were received during the thirty-day period following publication in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7648).

These amendments are adopted under the authority of Texas Government Code § 442.005(q), which provides the Commission with the authority to promulgate rules to reasonably affect the purposes of the Commission, and 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.

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 February 13, 2026.

TRD-202600676

Joseph Bell

Executive Director

Texas Historical Commission

Effective date: March 5, 2026

Proposal publication date: November 28, 2025

For further information, please call: (512) 463-6100



## TITLE 16. ECONOMIC REGULATION

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

#### CHAPTER 63. FINANCIAL CRIMES INTELLIGENCE CENTER

##### 16 TAC §§63.1 - 63.5

The Texas Commission of Licensing and Regulation (Commission) adopts new rules at 16 Texas Administrative Code (TAC), Chapter 63, §§63.1 - 63.5, regarding the Financial Crimes Intelligence Center program, without changes to the proposed text as published in the November 14, 2025, issue of the *Texas Register* (50 TexReg 7399). These rules will not be republished.

#### EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 63, implement Texas Business and Commerce Code Chapter 607A, Payment Card Skimmers on Electronic Terminals.

The adopted rules implement Senate Bill (SB) 2371, 89th Legislature, Regular Session (2025) which requires merchants to report skimmers on electronic terminals to law enforcement and the Financial Crimes Intelligence Center (FCIC). In these adopted rules, electronic terminals are certain electronic devices, such as point-of-sale terminals, that consumers use to conduct transactions. Skimmers are devices that criminals place on or in electronic terminals and are capable of unlawfully intercepting electronic communications or data to commit fraud. The adopted rules are necessary to establish the procedures merchants must follow when reporting a skimmer to the FCIC and removing the skimmer from electronic terminals.

#### SECTION-BY-SECTION SUMMARY

The adopted rules create §63.1, Authority. This new rule identifies the authority under which the rules are created.

The adopted rules create §63.2, Definitions. This new rule adds definitions for "Center," "Electronic Terminal," "Merchant," and "Skimmer." The proposed rule in this section establishes what electronic terminals and skimmers are and who is considered a merchant subject to the rules.

The adopted rules create §63.3, Merchant Duties Upon Skimmer Discovery. This new rule sets out what merchants must do when they discover, or are notified, of a skimmer on an electronic device. The proposed subsection (a) lists the actions a merchant must take upon discovery of a skimmer. Proposed subsection (b) requires merchants to cooperate with law enforcement and the FCIC in the investigation of a suspected or discovered skimmer.

The adopted rules create §63.4, Unauthorized Removal of Skimmers Prohibited. This new rule controls the removal of skimmers by merchants. The proposed subsection (a) specifies the conditions under which merchants may remove skimmers from electronic terminals. Proposed subsection (b) allows merchants to remove skimmers 24 hours after reporting the skimmer if law enforcement or the FCIC has not arrived to remove the skimmer. Proposed subsection (c) sets the procedure that a merchant who is removing a skimmer must follow in order to preserve evidence.

The adopted rules create §63.5, Administrative Sanctions and Penalties. This new rule establishes that violations of Texas Business and Commerce Code, Chapter 607A, this chapter, or any other rule or order may result in penalties and/or sanctions.

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

The Department drafted and distributed the proposed rules to persons internal and external to the agency. The proposed rules were published in the November 14, 2025, issue of the *Texas Register* (50 TexReg 7399). The Department requested public comments on the proposed rules and information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis. The public comment period closed on December 15, 2025. The Department received comments from one interested party on the proposed rules. The public comment is summarized below.

**Comment:** The Texas Food and Fuel Association (TFFA) commented to request the removal of §63.5, Administrative Sanctions and Penalties because they contend that Texas Business and Commerce Code Chapter 607A does not grant the Department authority to issue administrative penalties/sanctions for violations of the statute and rules. Additionally, TFFA claims the Department is not engaged in the skimmer investigation or enforcement process.

**Department Response:** The Department disagrees with this comment. Texas Occupations Code §51.301 and §51.3025 authorize the imposition of administrative penalties or sanctions against any person who violates the laws or rules of a program administered by the Department. Here, Texas Business and Commerce Code §607A.002 and §607A.003 direct the Department to administer and enforce the chapter and adopt rules necessary to do so. The proposed rules, including §63.5, are necessary to administer and enforce the chapter.

Texas Occupations Code §51.351 authorizes the Department to conduct inspections or investigations as necessary to enforce the laws administered by the Department. Texas Government

Code §426.051 establishes the Financial Crimes Intelligence Center (FCIC) within the Department. The FCIC is directed to maximize the ability of the Department, law enforcement agencies, and other governmental agencies to detect, prevent, and respond to criminal activities related to payment fraud by Texas Government Code §426.052.

The Department, and by extension the FCIC, has the authority to investigate potential violations of Texas Business and Commerce Code Chapter 607A or its rules, and issue administrative penalties or sanctions accordingly. The Department did not make any changes to the proposed rules in response to this comment.

#### COMMISSION ACTION

At its meeting on February 18, 2026, the Commission adopted the proposed rules as published in the *Texas Register*.

#### STATUTORY AUTHORITY

The adopted rules are proposed under Texas Occupations Code, Chapter 51, which authorizes the Texas Commission of Licensing and Regulation, the Department's governing body, to adopt rules as necessary to implement that chapter and any other law establishing a program regulated by the Department. The rules are also adopted under Texas Business and Commerce Code Chapter 607A.

The statutory provisions affected by the adopted rules are those set forth in Texas Occupations Code, Chapters 51 and Texas Business and Commerce Code Chapter 607A. No other statutes, articles, or codes are affected by the adopted rules.

The legislation that enacted the statutory authority under which the rules are proposed to be adopted is Senate Bill 2371, 89th Legislature, Regular Session (2025).

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 February 23, 2026.

TRD-202600837

Doug Jennings

General Counsel

Texas Department of Licensing and Regulation

Effective date: March 15, 2026

Proposal publication date: November 14, 2025

For further information, please call: (512) 463-7750



## PART 8. TEXAS RACING COMMISSION

### CHAPTER 309. RACETRACK LICENSES AND OPERATIONS

#### SUBCHAPTER C. HORSE RACETRACKS

#### DIVISION 3. FACILITIES FOR LICENSEES

##### 16 TAC §309.282

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 309. Racetrack

Licenses and Operations, Subchapter C. Horse Racetracks, Division 3. Facilities for Licensees, §309.282. Living Quarters for Licensees. Amended Chapter 309, §309.282 is adopted with a deletion of the words "barn and" of the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7667) and will be republished.

#### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment enables the standards to be updated over time without additional rule changes and aligns our rules with the expectations of the SFMO including National Fire Protection Act 150 which specifically addresses the horse industry.

#### PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7667). During this period, the Agency received comments that requested an edit to section (d) requesting that "barn" be removed so that a person could stay close to an animal that was in medical distress. That is the only change to the version published in the *Texas Register*.

#### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on November 13, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

#### STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code §2026.001.

The statutory provisions affected by the adopted rule amendment are those set forth in Texas Occupations Code §2026.001.

§309.282. *Living Quarters for Licensees.*

(a) If an association permits licensees to reside on association grounds, the association shall provide living quarters for the licensees.

(b) The living quarters must be in a permanent structure and be adequate to house the anticipated number of licensees who will be living on association grounds. The association must provide equivalent facilities for men and women licensees.

(c) The living quarters must be in compliance with the Texas State Fire Marshall's Office (SFMO) codes using the appropriate National Fire Protection Association (NFPA) standards and equipped with:

- (1) windows that open;
- (2) heating;
- (3) hot and cold water; and
- (4) showers, toilets, and sinks.

(d) An association may not permit an individual to sleep in the stable areas, including tack room areas, if the occupancy creates

a violation of the NFPA standards, specifically NFPA 150 covering "Horse Barns."

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 February 19, 2026.

TRD-202600806

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: November 28, 2025

For further information, please call: (512) 833-6699



## CHAPTER 311. OTHER LICENSES SUBCHAPTER B. SPECIFIC LICENSES

### 16 TAC §311.104

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 311. Other Licenses, Subchapter B. Specific Licenses, §311.104. Trainers. Amended Chapter 311, §311.104 is adopted without changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7670) and will not be republished.

#### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment removes obsolete references to greyhounds and racing judges where appropriate; deletes a section allowing trainers without a license to enter a horse under some circumstances; and makes conforming edits throughout for consistency.

#### PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7670). During this period, the Agency received no comments regarding this proposed rule change.

#### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on August 21, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

#### STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2021.002, 2023.004, 2025.001, 2025.251, and 2025.252 of the Texas Occupations Code.

The amendment is adopted under Texas Occupations Code §2025.001, which requires the Commission to adopt rules relating to license applications and the financial responsibility, moral character, and ability of applicants; §2025.252, which authorizes the Commission to adopt categories of occupational licenses and specify qualifications by rule; and §2023.004, which requires the Commission to adopt rules for conducting horse racing involving wagering. The amendments affect Texas Occupations Code §§2025.001, 2025.251-2025.254, and 2025.252.

The amendment is adopted under Texas Occupations Code §§2021.002, 2023.004, 2025.001, 2025.251, and 2025.252.

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 February 19, 2026.

TRD-202600807

David Holmes

Interim Executive Director

Texas Racing Commission

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Proposal publication date: November 28, 2025

For further information, please call: (512) 833-6699



## 16 TAC §311.109

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 311, Subchapter B. Specific Licenses, §311.109. Mutuel Employees. Amended Chapter 311, §311.109 is adopted with changes to the proposed text as published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7672) and will be republished.

### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment clarifies the licensure requirements for mutuel department personnel by adding a requirement that applicants complete a commission-approved Background Disclosure Form.

**Purpose and Background:** The amendment is intended to support the integrity of pari-mutuel operations by ensuring that applicants for a mutuel license provide standardized background information for review by the executive director or designee.

### PUBLIC COMMENTS

The 30-day comment period ended on December 28, 2025. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the November 28, 2025, issue of the *Texas Register* (50 TexReg 7672). During this period, the Agency received no comments regarding this proposed rule change.

### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the October 8, 2025, meeting and the Rules Committee meeting, held on August 21, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

### STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2021.002, 2023.002, 2025.253-2025.259 of the Texas Occupations Code.

The amendment is adopted under the Texas Occupations Code, Title 13, Subtitle A-1 (Texas Racing Act), §§2023.004, 2025.001, and 2025.251. Section 2023.004 requires the commission to adopt rules for conducting racing and to administer the subtitle. Section 2025.001 directs the commission to adopt rules relating to license applications and the qualifications of applicants. Section 2025.251 requires an occupational license for a person working in an occupation for which commission rules require a license.

The amendment is adopted under Texas Occupations Code §§2021.002, 2023.002, 2025.253-2025.259 (related to purpose, general rulemaking and licensing procedures).

#### §311.109. *Mutuel Employees.*

(a) To be licensed as a mutuel clerk or other employee of the mutuel department of an association, an individual must be at least 16 years old.

(b) In addition to the requirements of §311.3, applicants for a mutuel license must complete a Background Disclosure Form approved by the executive director.

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 February 23, 2026.

TRD-202600848

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 15, 2026

Proposal publication date: November 28, 2025

For further information, please call: (512) 833-6699



## CHAPTER 321. PARI-MUTUEL WAGERING SUBCHAPTER A. MUTUEL OPERATIONS DIVISION 3. MUTUEL TICKETS AND VOUCHERS

### 16 TAC §321.37

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 321. Pari-mutuel Wagering, Subchapter A. Mutuel Operations, Division 3. Mutuel Tickets and Vouchers, §321.37. Cashed Tickets and Vouchers. Amended Chapter 321, §321.37 is adopted without changes to the proposed text as published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 18) and will not be republished.

### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The purpose of this rule amendment modernizes recordkeeping requirements by clarifying secure procedures for digitally stored files associated with cashed tickets, vouchers, and outstanding ticket and voucher files. The Commission's existing rules reference physical storage of tickets and vouchers. As wagering systems and audit records move to digital formats, the rule text is updated to require secure procedures for accessing and maintaining digitally stored files and to clarify access limitations. These changes support integrity of pari-mutuel wagering operations and modern auditing practices.

#### PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 18). During this period, the Agency received no comments regarding this proposed rule change.

#### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

#### STATUTORY AUTHORITY

The amendments are adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600808

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: January 2, 2026

For further information, please call: (512) 833-6699



#### 16 TAC §321.39

The Texas Racing Commission (TXRC) adopts Texas Administrative Code, Title 16, Part 8, Chapter 321. Pari-mutuel Wagering, Subchapter A. Mutuel Operations, Division 3. Mutuel Tickets and Vouchers, §321.39. Altering Cashed Tickets and Cashed Vouchers. Amended Chapter 321, §321.39 is adopted without changes to the proposed text as published in the Jan-

uary 2, 2026, issue of the *Texas Register* (51 TexReg 19) and will not be republished.

#### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The amendment is adopted in conjunction with amendments to §321.37 that modernize requirements for secure handling and access to digitally stored files of cashed tickets and vouchers, rendering physical alteration unnecessary for digitally stored files.

Section 321.39 required physical alteration of cashed or refunded mutuel tickets and cashed vouchers to indicate their status without destroying identity.

#### PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 19). During this period, the Agency received no comments regarding this proposed rule change.

#### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

#### STATUTORY AUTHORITY

The amendment is adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600809

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: January 2, 2026

For further information, please call: (512) 833-6699



#### SUBCHAPTER B. TOTALISATOR REQUIREMENTS AND OPERATING ENVIRONMENT

#### 16 TAC §321.101

The Texas Racing Commission (TXRC) adopts amendments to 16 Texas Administrative Code §321.101, relating to Totalisator Requirements and Operating Environment, in Chapter 321, Pari-Mutuel Wagering, Subchapter B. Totalisator Requirements and Operating Environments. Amended Chapter 321, §321.101 is adopted without changes to the proposed text as published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 20) and will not be republished.

#### EXPLANATION AND JUSTIFICATION FOR THE AMENDMENT

The amendments update the incorporated technical standards for totalisator systems and remove outdated address language.

Section 321.101 requires each association to conduct wagering using a Commission-approved pari-mutuel system that meets specified technical standards. The proposal updates the reference to the Association of Racing Commissioners International (ARCI) Totalisator Technical Standards to the version amended in December 2020, and prospectively to subsequent amendments, and removes obsolete mailing address references for where standards are available. These changes align the rule with current industry standards and Commission practice.

#### PUBLIC COMMENTS

The 30-day comment period ended on February 1, 2026. TXRC drafted and distributed the proposed rule to persons both internal and external to the agency. The proposed rule was published in the January 2, 2026, issue of the *Texas Register* (51 TexReg 20). During this period, the Agency received no comments regarding this proposed rule change.

#### COMMISSION ACTION

At its meeting on February 11, 2026, the Commission adopted the proposed rule as recommended by the Commission at the December 10, 2025, meeting and the Rules Committee meeting, held on March 27, 2025.

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

The Commission is exempt and not required to take further action under Texas Government Code §2001.0045. The Commission is specifically exempt under Texas Government Code §2001.0045(c)(7).

#### STATUTORY AUTHORITY

David Holmes, Interim Executive Director certifies that a legal review has been completed and the proposal is within agency's legal authority to adopt under §§2023.001 and 2023.004 of the Texas Occupations Code.

The amendments are adopted under Texas Occupations Code §2023.001, which authorizes the Commission to license and regulate all aspects of horse and greyhound racing in this state, and §2023.004, which requires the Commission to adopt rules for conducting racing that involves wagering and for administering the Texas Racing Act.

The agency certifies that legal counsel has reviewed the adoption and found it to be a valid exercise of the agency's legal authority.

Filed with the Office of the Secretary of State on February 19, 2026.

TRD-202600810

David Holmes

Interim Executive Director

Texas Racing Commission

Effective date: March 11, 2026

Proposal publication date: January 2, 2026

For further information, please call: (512) 833-6699

## TITLE 19. EDUCATION

### PART 7. STATE BOARD FOR EDUCATOR CERTIFICATION

#### CHAPTER 103. HEALTH AND SAFETY SUBCHAPTER DD. COMMISSIONER'S RULES CONCERNING VIDEO SURVEILLANCE OF CERTAIN SPECIAL EDUCATION SETTINGS

##### 19 TAC §103.1301

The Texas Education Agency (TEA) adopts an amendment to §103.1301, concerning video surveillance of certain special education settings. The amendment is adopted without changes to the proposed text as published in the October 31, 2025 issue of the *Texas Register* (50 TexReg 7093) and will not be republished. The adopted amendment replaces the term "self-contained classroom" with "special education classroom" and clarifies the definitions for classroom settings in accordance with House Bill (HB) 2 and Senate Bill (SB) 568, 89th Texas Legislature, Regular Session, 2025.

**REASONED JUSTIFICATION:** Section 103.1301 establishes criteria for video surveillance of special education settings.

HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, updated Texas Education Code (TEC), §29.022, to replace the term "self-contained classroom" with "special education classroom" and add a definition for "special education classroom or other special education setting."

The adopted amendment implements HB 2 and SB 568 by aligning terminology and clarifying in subsection (b)(4) the definition of a special education classroom or other special education setting.

In addition, a cross reference to 19 TAC §89.1053, Procedures for Use of Restraint and Time-Out, is added, and the reference to another administrative rule has been updated.

**SUMMARY OF COMMENTS AND AGENCY RESPONSES:** The public comment period on the proposal began October 31, 2025, and ended December 1, 2025. Following is a summary of public comments received and agency responses.

**Comment:** An administrator commented in support of the proposed amendment to change terminology from "self-contained classroom" to "special education classroom" but expressed concern that the amendment would increase the number of classrooms subject to the requirements. The commenter stated that the additional cameras would not be funded by the state and would be costly for school districts. The commenter disagreed that the Texas School for the Deaf, the Texas School for the Blind and Visually Impaired, the Texas Juvenile Justice Department, and any other state agency that provides special education and related services to students are not subject to the requirements

in TEC, §29.022. Finally, the commenter noted that the retention period in §103.1301(g)(13) should be increased from 3 months to 12 months.

Response: The agency disagrees that the transition from the term "self-contained classroom" to "special education classroom" alters or increases the types of classrooms required to have cameras. Under TEC, §29.022, a special education classroom is defined as a classroom or setting primarily used for delivering special education services to students who spend on average less than fifty percent of an instructional day in a general education classroom or setting. The agency also disagrees that the rule should apply to the Texas School for the Deaf, the Texas School for the Blind and Visually Impaired, the Texas Juvenile Justice Department, and any other state agency that provides special education and related services to students. There is no language in TEC, §29.022, reflecting that it applies to the state agencies that operate educational programs. The commenter's concerns related to the retention period for recordings are outside of the scope of the proposed rulemaking.

**STATUTORY AUTHORITY.** The amendment is adopted under TEC §29.022, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025, which establishes criteria for video surveillance of special education settings. TEC, §29.022(k), allows the commissioner of education to adopt rules to implement and administer the section, including rules regarding the special education classrooms and other special education settings to which the section applies.

**CROSS REFERENCE TO STATUTE.** The amendment implements TEC, §29.022, as amended by HB 2 and SB 568, 89th Texas Legislature, Regular Session, 2025.

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 February 23, 2026.

TRD-202600836

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Texas Education Agency

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Proposal publication date: October 31, 2025

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## CHAPTER 231. REQUIREMENTS FOR PUBLIC SCHOOL PERSONNEL ASSIGNMENTS

The State Board for Educator Certification (SBEC) adopts amendments to §§231.1, 231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31, 231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77, 231.91, and 231.753; and new §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145, 231.161, 231.163, 231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195, 231.211, 231.213, 231.215, 231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249,

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**REASONED JUSTIFICATION:** The SBEC rules in 19 TAC Chapter 231 establish the personnel assignments that correlate with appropriate certifications and are organized as follows: Subchapter A, Criteria for Assignment of Public School Personnel; Subchapter B, Prekindergarten-Grade 6 Assignments; Subchapter C, Grades 6-8 Assignments; Subchapter D, Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12 Assignments; Subchapter E, Grades 9-12 Assignments; Subchapter F, Special Education-Related Services Personnel Assignments; and Subchapter G, Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments.

These subchapters offer guidance to school districts and educators by providing the list of courses by grade level and subject area and identifying the corresponding certificates and other requirements for the placement of individuals into classroom and/or campus assignments. This information assists districts with hiring and personnel assignment decisions.

The adopted revisions to 19 TAC Chapter 231, Subchapters A-E and Subchapter G, are described below and identify the appropriate certificates for placement in particular classroom assignments and/or role(s) within the district.

*Subchapter A. Criteria for Assignment of Public School Personnel*

The adopted amendment to §231.1(e) adds language to ensure that a non-certified individual employed by a school district as a substitute teacher has the appropriate knowledge and skills to serve in the assignment.

*Subchapter B. Prekindergarten-Grade 6 Assignments*

The adopted amendments to Subchapter B add the new set of Core EC-6 certificates to the appropriate assignments to align with recent SBEC rule changes in Chapter 230 and Chapter 233 to establish the new certificates. Changes to the following sections update the appropriate certificates to teach those courses, strike redundant references to assignments, and apply technical edits to alphabetize and renumber information in each section.

The adopted amendments to §231.3, General Education, Prekindergarten, §231.9, General Education, Kindergarten, and §231.15, Elementary, Prekindergarten-Grade 6, add the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.5, Bilingual, Prekindergarten, and §231.11, Bilingual, Prekindergarten-Grade 6, add the following certificate: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendment to §231.17, Reading, Prekindergarten-Grade 6, adds the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core with the Science of Teaching Reading: Early Childhood-Grade 6"; "English Language Arts and Reading with the Science of Teaching Reading: Grades 4-8"; and "English Language Arts and Reading with the Science of Teaching Reading/Social Studies: Grades 4-8."

The adopted amendments to §231.21, Art, Prekindergarten-Grade 6; §231.23, Music, Prekindergarten-Grade 6; §231.25, Theatre, Prekindergarten-Grade 6; §231.27, Physical Education, Prekindergarten-Grade 6; and §231.31, Health Education, Prekindergarten-Grade 6, add the following certificate: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.7, English as a Second Language, Prekindergarten, and §231.13, English as a Second Language, Prekindergarten-Grade 6, add the following certificates to specify supplemental certificate assignments: "Bilingual Education Supplemental: American Sign Language," "Bilingual Education Supplemental: Arabic," "Bilingual Education Supplemental: Japanese," "Bilingual Education Supplemental: Spanish," "Bilingual Education Supplemental: Vietnamese," "Bilingual Special Education Supplemental: Early Childhood-Grade 12"; "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

Supplemental: Japanese," "Bilingual Education Supplemental: Mandarin Chinese," "Bilingual Education Supplemental: Spanish," "Bilingual Education Supplemental: Vietnamese," "Bilingual Special Education Supplemental: Early Childhood-Grade 12," "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6," and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

*Subchapter C. Grades 6-8 Assignments*

The adopted amendments to Subchapter C add the new set of Core EC-6 certificates to the appropriate assignments for Grade 6 to align with recent SBEC rule changes in Chapter 230 and Chapter 233 to establish the new certificates. Changes to the following sections update the appropriate certificates to teach those courses, strike redundant references to assignments, and apply technical edits to alphabetize and renumber information in each section.

The adopted amendments to §231.41, Self-Contained, Grades 6-8; §231.43, All General Subjects, Grade 6; §231.45, English Language Arts, Grades 6-8; §231.49, Reading (At or Above Grade Level), Grades 6-8; §231.51, Reading Improvement (One Year or More Below Grade Level), Grades 6-8; §231.57, Social Studies, Grade 6; §231.61, Mathematics, Grades 6-8; and §231.63, Science, Grades 6-8, add the following certificates: "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core/Special Education with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.67, Health, Grades 6-8; §231.69, Physical Education, Grades 6-8; §231.71, Art, Middle School 1-3; and §231.73, Music, Middle School 1-3, add the following certificate: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.75, Theatre, Middle School 1-3, add the following certificates: "Core/Fine Arts/Physical Education/Health with the Science of Teaching Reading: Early Childhood-Grade 6"; "Core Subjects: Early Childhood-Grade 6"; and "Core Subjects with Science of Teaching Reading: Early Childhood-Grade 6."

The adopted amendments to §231.47, English as a Second Language, Grades 6-8, add the following list of certificates considered appropriate for English as a Second Language, Grades 6-8, to specify supplemental certificate assignments: "Bilingual Education Supplemental: American Sign Language"; "Bilingual Education Supplemental: Arabic"; "Bilingual Education Supplemental: Japanese"; "Bilingual Education Supplemental: Mandarin Chinese"; "Bilingual Education Supplemental: Spanish"; "Bilingual Education Supplemental: Vietnamese"; "Bilingual Special Education Supplemental: Early Childhood-Grade 12"; "Core/Bilingual Education Spanish with the Science of Teaching Reading: Early Childhood-Grade 6"; and "Core/English as a Second Language Supplemental with the Science of Teaching Reading: Early Childhood-Grade 6."

*Subchapter D. Electives, Disciplinary Courses, Local Credit Courses, and Innovative Courses, Grades 6-12*

The adopted amendment to §231.91, Reserve Officer Training Corps, Grades 6-12, provides technical edits to add the term "Junior" to the section title and in other places where the assignment appears and adds a "J" to the acronym in each place where it appears.

#### *Subchapter E. Grades 9-12 Assignments*

The adopted new Subchapter E reorganizes the structure of certificate assignments for Grades 9-12.

The following table summarizes the divisions in repealed Subchapter E that are merged in adopted new Subchapter E.

Figure: 19 TAC Chapter 231-Preamble

The explanation below describes the changes in adopted new 19 TAC Chapter 231, Subchapter E, that were made to the Grades 9-12 Assignments listed in the adopted repeal of Subchapter E, which can be found in the Adopted Rules section of this issue of the *Texas Register*.

#### *Adopted New Division 1. English Language Arts and Reading, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 1, English Language Arts and Reading, Grades 9-12 Assignments, with the following updates.

Adopted new §231.133, English I and II for Speakers of Other Languages, Grades 9-12, and §231.135, English as a Second Language, Grades 9-12, add the following certificates: "Bilingual Education Supplemental: American Sign Language"; "Bilingual Education Supplemental: Arabic"; "Bilingual Education Supplemental: Japanese"; "Bilingual Education Supplemental: Mandarin Chinese"; "Bilingual Education Supplemental: Spanish"; "Bilingual Education Supplemental: Vietnamese"; and "Bilingual Special Education Supplemental: Early Childhood-Grade 12".

#### *Adopted New Division 2. Languages Other Than English, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 2, Languages Other Than English, Grades 9-12 Assignments.

#### *Adopted New Division 3. Social Studies, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 3, Social Studies, Grades 9-12 Assignments.

#### *Adopted New Division 4. Mathematics, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 4, Mathematics, Grades 9-12 Assignments.

#### *Adopted New Division 5. Science, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 5, Science, Grades 9-12 Assignments, with the following updates.

Adopted new §231.239, Physics for Engineering, Grades 9-12, updates the title of the section to align with related course offerings.

Adopted new §231.243, Earth Systems Science, Grades 9-12, updates the title of the section to match the new course title adopted by the State Board of Education (SBOE).

Adopted new §231.249, Scientific Research and Design, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Cer-

tificates requiring experience and preparation in a skill area), to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

#### *Adopted New Division 6. Health and Physical Education, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 6, Health and Physical Education, Grades 9-12 Assignments.

#### *Adopted New Division 7. Fine Arts, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 7, Fine Arts, Grades 9-12 Assignments.

#### *Adopted New Division 8. Career Development, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 9, Career Development, Grades 9-12 Assignments, with the following updates.

Adopted new §231.291, Career Development, Grades 9-12, updates course titles from Career Preparation I to Career Preparation General and Career Preparation II to Career Preparation for Programs of Study to align with course offerings and removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in paragraph (2) and subsections (b)(1) and (c)(1) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

#### *Adopted New Division 9. Agriculture, Food, and Natural Resources, Grades 9-12 Assignments*

The adoption retains a subset of course information from repealed Division 10, Agriculture and Construction, with the following updates.

Adopted new §231.301, Agriculture, Food, and Natural Resources, Grades 9-12, updates course titles to align with course offerings; merges the Practicum and Extended Practicum in Agriculture, Food, and Natural Resources in subsection (b) into subsection (a) with the same certificates allowed to streamline the section; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.303, Sciences in Agriculture, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new §231.307, Mathematics in Agriculture, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new to §231.309, Agricultural Mechanics, Grades 9-12, updates the title of the section to align with course offerings.

Adopted new §231.311, Floral Design, Grades 9-12, adds new SBOE-approved course, Advanced Floral Design, and specifies the certificates appropriate to serve in the assignments.

#### *Adopted New Division 10. Architecture and Construction, Grades 9-12 Assignments*

The adoption retains a subset of course information from repealed Division 10, Agriculture and Construction, with the following updates.

Adopted new §231.331, Architecture and Construction, Grades 9-12, merges §231.307, Construction Management; Construction Technology, Grades 9-12, and §231.309, Building Maintenance Technology, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; removes the "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" certificates, since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; and adds a new subsection to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.333, Interior Design, Grades 9-12, merges the Practicum and Extended Practicum in Interior Design in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.335, Architectural Design, Grades 9-12, removes the "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" certificates in subsection (b), since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; merges the Practicum and Extended Practicum in Architectural Design in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.339, Construction Trades, Grades 9-12, updates the title of the section to align with course offerings; merges the Practicum and Extended Practicum in Masonry Technology in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 11. Arts, Audio/Visual Technology, and Communications, Grades 9-12 Assignments*

The adoption retains a subset of course information from repealed Division 12, Arts, Audio/Video Technology, and Communications, Grades 9-12 Assignments, with the following updates. Adopted new Division 11 promotes consistency in terminology and supports clearer information sharing and knowledge alignment across related content areas.

Adopted new §231.351, Professional Communications, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in §231.351(3) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted new §231.353, Principles of Arts, Audio Visual Technology, and Communications, Grades 9-12, updates the title of the section to align with course offerings; and removes certificates "Any home economics or homemaking certificate" and "Family and Consumer Sciences, Composite: Grades 6-12" since they

no longer align with the course offerings, maintaining consistency between certification areas and the courses offered.

Adopted new §231.355, Animation, Production, and Graphic Design, Grades 9-12, merges §231.337, Audio/Video Production; Graphic Design and Illustration, Grades 9-12, into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the section title to align with course offerings; removes the "Any business or office education certificate," the "Business and Finance: Grades 6-12" certificate, and the "Business Education: Grades 6-12" certificate since they no longer align with the course offerings, maintaining consistency between certification areas and the courses offered; merges the Practicum and Extended Practicum in Animation and the Practicums and Extended Practicums in Audio/Video Production and Graphic Design and Illustration in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.357, Photography, Grades 9-12, merges the Practicum and Extended Practicum in Commercial Photography in subsection (b) into subsection (a) with the same certificates allowed and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.359, Printing and Imaging Technology, Grades 9-12, merges the Practicum and Extended Practicum in Printing and Imaging Technology in subsection (b) into subsection (a) with the same certificates allowed and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.361, Fashion Design, Grades 9-12, merges the Practicum and Extended Practicum in Fashion Design in subsection (b) into subsection (a) with the same certificates allowed and re-alphabetized the subsections and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 12. Business, Marketing, and Finance, Grades 9-12 Assignments*

The adoption merges the contents of repealed Division 15, Finance, Grades 9-12 Assignments, and repealed Division 23, Marketing, Grades 9-12 Assignments, into adopted new Division 12 to streamline the organization of certification assignments, eliminate redundancy, ensure clarity in credential alignment with course offerings, promote consistency in terminology, and support clearer information sharing and knowledge alignment across related content areas.

Adopted new §231.381, Business Management, Grades 9-12, updates the title of the section to align with course offerings; merges the courses, Business Information Management II, Business Law, Touch System Data Entry, and Practicum and Extended Practicum in Business Management into subsection (a) and merges §231.363, Business Management; Business Lab; Global Business; Human Resources Management; Principles of Business, Marketing, and Finance; and Virtual Business, Grades 9-12, into subsection (a) with the same certificates allowed, adding the "Any marketing or distributive education certificate" to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings. The update also removes

"Health Science Education: Grades 6-12. This assignment requires appropriate work approval" and "Health Science Technology Education: Grades 8-12. This assignment requires appropriate work approval" certificates, since they no longer align with the course offerings, to maintain consistency between certification areas and the courses offered; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing. In response to public comment, the course names for Business Information Management I and Business Information Management II were amended at adoption to Foundations of Business Communications and Technologies and Business Communications and Technologies, respectively, to match the course name as adopted by the SBOE in 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education.

Adopted new §231.383, Business English, Grades 9-12, updates language in subsection (a) to clarify that the provisions in the subsection are contingent upon the specific conditions or limitations outlined in subsection (b), ensuring accurate interpretation and application of certification requirements.

Adopted new §231.385, Advertising and Marketing, Grades 9-12, merges §231.543, Advertising, Grades 9-12, and adds the "Trade and Industrial Education: Grades 6-12 and Grades 8-12" certificates and the "Trade and Industrial Workforce Training: Grades 6-12" certificate to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; merges Advanced Marketing and Practicum and Extended Practicum in Marketing into subsection (a) with the same certificates allowed to streamline the section and eliminate redundancy; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.389, Entrepreneurship, Grades 9-12, adds new SBOE-approved courses, Entrepreneurship II and Practicum in Entrepreneurship and Extended Practicum in Entrepreneurship into rule and specifies the certificates appropriate to serve in these assignments; and adds a new subsection with language to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.391, Financial Services, Grades 9-12, merges §231.393, Accounting I; Financial Analysis; Insurance Operations; and Securities and Investments, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.395, Business Mathematics, Grades 9-12, merges the §231.395, Financial Mathematics, Grades 9-12, into this section that already shares similar certificate information to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

*Adopted New Division 13. Education and Training, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 14, Education and Training, Grades 9-12 Assignments, with the following updates.

Adopted new §231.423, Human Growth and Development, Grades 9-12, merges §231.385, Child Development, Child Guidance, or Child Development Associates Foundation, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings.

*Adopted New Division 14. Energy, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 26, Energy, Grades 9-12 Assignments.

*Adopted New Division 15. Engineering, Grades 9-12 Assignments*

The adoption retains a subset of course information from repealed Division 24, Science, Technology, Engineering, and Mathematics, Grades 9-12 Assignments, with the following updates.

Adopted new Division 15 includes engineering-specific courses and their associated certificates, streamlines the organization of certification assignments, eliminates redundancy, and ensures clarity in credential alignment with course offerings.

Adopted new §231.461, Principles of Applied Engineering, Grades 9-12, removes the following certificates that no longer align with course offerings to maintain consistency between certification areas and the courses offered: "Agriculture, Food, and Natural Resources: Grades 6-12"; "Agricultural Science and Technology: Grades 6-12"; "Any vocational agriculture certificate"; "Health Science: Grades 6-12"; "Health Science Technology Education: Grades 8-12"; "Vocational Health Occupations"; and "Vocational Health Science Technology."

Adopted new §231.467, Electronics and Engineering Design and Presentation, Grades 9-12, merges §231.571, AC/DC Electronics; Solid State Electronics, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; and updates the course title Engineering Design and Presentation I to Engineering Design and the course title Presentation and Engineering Design and Presentation II to Advanced Engineering Design and Presentation, as adopted by the SBOE; and removes subsections (b) and (c) since the Practicum and Extended Practicum courses were repealed effective September 9, 2024, as approved by the SBOE.

Adopted new §231.469, Engineering Mathematics and Robotics II, Grades 9-12, includes the "Vocational Trades and Industry" certificate. This assignment requires appropriate work approval, based on the Texas Essential Knowledge and Skills (TEKS) for Robotics II, which has a foundation in technical, mechanical, and engineering principles and falls within the instructional scope of educators certified in Vocational Trades and Industry, which also requires work approval.

Adopted new §231.471, Physics for Engineering, Grades 9-12, replaces the Principles of Technology course and updates the title of the section to align with course offerings.

Adopted new §231.473, Engineering Design and Problem Solving and Engineering Science, Grades 9-12, merges §231.579,

Engineering Science, Grades 9-12, into this section with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.475, Scientific Research and Design, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), in subsection (a)(1) to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

Adopted new §231.487, Mobile Applications Development, Grades 9-12, includes the following certificates: "Any business or office education certificate"; "Business and Finance: Grades 6-12"; "Business Education: Grades 6-12"; "Marketing: Grades 6-12"; and "Marketing Education: Grades 8-12."

*Adopted New Division 16. Health Science, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 17, Health Science, Grades 9-12 Assignments, with the following updates.

Adopted new §231.511, Health Science, Grades 9-12, merges §231.427, Health Informatics, Grades 9-12, and §231.429, Healthcare Administration and Management; Leadership and Management in Nursing, Grades 9-12, in subsection (c) into subsection (a), and merges §231.423, Anatomy and Physiology, Medical Microbiology, Pathophysiology, Respiratory Therapy I, Respiratory Therapy II, Grades 9-12, into subsection (b) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; streamlines new subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing; and adds new subsection (d) to ensure that all teachers assigned to these courses are adequately prepared through Texas Education Agency (TEA)-approved training.

*Adopted New Division 17. Hospitality and Tourism, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 18, Hospitality and Tourism, Grades 9-12 Assignments, with the following updates.

Adopted new §231.531, Hospitality and Tourism, Grades 9-12, merges the Practicum and Extended Practicum in Hospitality Services in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.533, Culinary Arts, Grades 9-12, merges the Practicum and Extended Practicum in Culinary Arts in subsection (b) into subsection (a) with the same certificates allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 18. Human Services, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 19, Human Services, Grades 9-12 Assignments, with the following update.

Adopted new §231.551, Human Services, Grades 9-12, merges the Practicum and Extended Practicum in Human Services in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 19. Information Technology, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 20, Information Technology, Grades 9-12 Assignments, with the following updates.

Adopted new §231.573, Digital Communications, Grades 9-12, merges §231.485, Web Communications, Web Design, Grades 9-12, and related certificates to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and updates the title of the section to align with course offerings.

Adopted new §231.575, Computer Maintenance and Technician, Grades 9-12, merges with §231.489, Computer Technician; Information Technology, Grades 9-12, and related certificates to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; updates the title of the section to align with course offerings; and adds a new subsection to ensure that school districts are accountable for verifying that teachers assigned to Practicum or Extended Practicum courses have received appropriate training in state and federal work-based learning and safety requirements.

Adopted new §231.577, Independent Study in Evolving/Emerging Technologies and Independent Study in Technology Applications, Grades 9-12, removes references to §233.13, Career and Technical Education (Certificates not requiring experience and preparation in a skill area), and §233.14, Career and Technical Education (Certificates requiring experience and preparation in a skill area), to ensure that previous SBEC-issued certificates for Career and Technical Education are appropriate for placement in assignments as deemed appropriate by the school district.

*Adopted New Division 20. Law and Public Service, Grades 9-12 Assignments*

The adoption retains all information from repealed Division 16, Government and Public Administration, Grades 9-12 Assignments, and repealed Division 21, Law, Public Safety, Corrections, and Security, Grades 9-12 Assignments, with the following updates.

Adopted new Division 20 merges the contents of repealed Divisions 16 and 21 to update the title, streamline the organization of certification assignments, eliminate redundancy, ensure consistency in terminology and clarity in credential alignment with course offering, and maintain alignment across related content areas.

Adopted new §231.591, Law, Public Safety, Corrections, and Security, Grades 9-12, merges the Practicum and Extended Practicum in Law, Public Safety, Corrections, and Security in subsection (b) into subsection (a) with the same certificates

allowed; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

Adopted new §231.595, Government and Public Administration, Grades 9-12, merges the Practicum and Extended Practicum in Local, State, and Federal Government in subsection (b) into subsection (a) with the same certificates allowed to streamline the organization of certification assignments, eliminate redundancy, and ensure clarity in credential alignment with course offerings; and streamlines new subsection (b) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 21. Manufacturing, Grades 9-12 Assignments*

The adoption retains all information in repealed Division 22, Manufacturing, Grades 9-12 Assignments, with the following update.

Adopted new §231.621, Manufacturing, Grades 9-12, streamlines subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing.

*Adopted New Division 22. Transportation, Distribution, and Logistics, Grades 9-12 Assignments*

The adoption retains all information in repealed Division 25, Transportation, Distribution, and Logistics, Grades 9-12 Assignments, with the following update.

Adopted new §231.641, Transportation, Distribution, and Logistics, Grades 9-12, includes the new SBOE-approved Aircraft Maintenance Technology course in the section and specifies the certificates appropriate to serve in these assignments; and streamlines subsection (c) to enhance readability by removing redundant language and simplifying complex phrasing.

*Subchapter G. Paraprofessional Personnel, Administrators, and Other Instructional and Professional Support Assignments*

The adopted amendment to §231.753 adds "Principal as Instructional Leader" to the list of certificates appropriate to serve in the assignment of principal and assistant principal. The adoption also adds "Educational Diagnostician, Early Childhood-Grade 12" as the certificate appropriate to serve in the assignment of Educational Diagnostician; and "Reading Specialist, Early Childhood-Grade 12" as the certificate appropriate to serve in the assignment of Reading Specialist.

**SUMMARY OF COMMENTS AND RESPONSES:** The public comment period on the proposal began October 17, 2025, and ended November 17, 2025. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the December 4, 2025 meeting's public comment period in accordance with the SBEC board operating policies and procedures. The following public comments were received on the proposal.

Comment: A counselor expressed concern that substitutes are already in short supply and that the proposed amendments could increase stress on teachers. The commenter noted that when staff absences occur without available substitutes, administrators often pressure employees to avoid taking leave, and classes are split among other teachers, disrupting instruction for multiple groups. The commenter stated the proposal is unrealistic and suggested offering pay incentives or financial assistance for aides seeking certification instead of limiting the substitute pool.

Response: This comment is outside the scope of the proposed rulemaking.

Comment: A career and technical education (CTE) director stated that merging the Practicum with Extended Practicum courses to align with teacher certifications would be helpful. The commenter also noted that the name for the Business Information Management II course has changed and referenced proposed updates that would merge several courses, including Business Information Management II, Business Law, Touch System Data Entry, and Practicum and Extended Practicum in Business Management in §231.381(a).

Response: The SBEC agrees and took action at adoption to change the course names for Business Information Management I to Foundations of Business Communications and Technologies and Business Information Management II to Business Communications and Technologies to match the course names adopted by the SBOE in 19 TAC Chapter 127, Texas Essential Knowledge and Skills for Career Development and Career and Technical Education.

Comment: A CTE specialist requested that the SBEC add Family and Consumer Science (FCS) into rule as an option for teaching Principles of Arts and AV and Principles of Architecture. The commenter stated that these introductory courses have previously been taught by FCS teachers and are essential for allowing the same teacher to deliver complete Fashion Design and Interior Design pathways and that removing this ability could make it harder for districts to offer full course sequences. The commenter noted that these courses cover design elements, career exploration, and soft skills, areas where FCS teachers are qualified, and encouraged SBEC to reconsider this change.

Response: The SBEC disagrees. While FCS teachers have historically taught these courses, the current alignment of Principles of Arts, Audio/Video Technology, and Communications and Principles of Architecture is intended to ensure that students receive instruction from educators with specialized knowledge in those career clusters. These introductory courses lay the foundation for technical skills and industry standards that are specific to Arts/AV and Architecture pathways. The competencies required go beyond general design elements and soft skills. Maintaining this alignment in the programs of study helps districts provide students with a coherent, industry-relevant sequence of courses and ensures educators are adequately prepared to teach the specialized content.

The State Board of Education (SBOE) took no action on the review of the amendments to §§231.1, 231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31, 231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77, 231.91, and 231.753; and new §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145, 231.161, 231.163, 231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195, 231.211, 231.213, 231.215, 231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249, 231.251, 231.271, 231.281, 231.291, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.351, 231.353, 231.355, 231.357, 231.359, 231.361, 231.381, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395, 231.421, 231.423, 231.441, 231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487,

231.489, 231.491, 231.511, 231.513, 231.531, 231.533, 231.535, 231.551, 231.553, 231.555, 231.557, 231.559, 231.571, 231.573, 231.575, 231.577, 231.591, 231.593, 231.595, 231.597, 231.599, 231.621, 231.623, 231.625, 231.641, and 231.643 at the January 30, 2026 SBOE meeting.

## SUBCHAPTER A. CRITERIA FOR ASSIGNMENT OF PUBLIC SCHOOL PERSONNEL

### 19 TAC §231.1

**STATUTORY AUTHORITY.** The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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 B. PREKINDERGARTEN- GRADE 6 ASSIGNMENTS

### 19 TAC §§231.3, 231.5, 231.7, 231.9, 231.11, 231.13, 231.15, 231.17, 231.21, 231.23, 231.25, 231.27, 231.31

**STATUTORY AUTHORITY.** The amendments are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school

district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The amendments implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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. GRADES 6-8 ASSIGNMENTS

### 19 TAC §§231.41, 231.43, 231.45, 231.47, 231.49, 231.51, 231.57, 231.61, 231.63, 231.67, 231.69, 231.71, 231.73, 231.75, 231.77

**STATUTORY AUTHORITY.** The amendments are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a des-

ignation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendments implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## SUBCHAPTER D. ELECTIVES, DISCIPLINARY COURSES, LOCAL CREDIT COURSES, AND INNOVATIVE COURSES, GRADES 6-12 ASSIGNMENTS

### 19 TAC §231.91

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## SUBCHAPTER E. GRADES 9-12 ASSIGNMENTS

### DIVISION 1. ENGLISH LANGUAGE ARTS AND READING, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.131, 231.133, 231.135, 231.137, 231.139, 231.141, 231.143, 231.145

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 2. LANGUAGES OTHER THAN ENGLISH, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.161, §231.163

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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### DIVISION 3. SOCIAL STUDIES, GRADES 9-12 ASSIGNMENTS

#### 19 TAC §§231.181, 231.183, 231.185, 231.187, 231.189, 231.191, 231.193, 231.195

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued,

including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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### DIVISION 4. MATHEMATICS, GRADES 9-12 ASSIGNMENTS

#### 19 TAC §§231.211, 231.213, 231.215

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 5. SCIENCE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.231, 231.233, 231.235, 231.237, 231.239, 231.241, 231.243, 231.245, 231.247, 231.249, 231.251

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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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## DIVISION 6. HEALTH AND PHYSICAL EDUCATION, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.271

**STATUTORY AUTHORITY.** The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern

or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 7. FINE ARTS, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.281

**STATUTORY AUTHORITY.** The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 8. CAREER DEVELOPMENT, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.291

STATUTORY AUTHORITY. The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 9. AGRICULTURE, FOOD, AND NATURAL RESOURCES, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 10. ARCHITECTURE AND CONSTRUCTION, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.331, 231.333, 231.335, 231.337, 231.339

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter

B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 11. ARTS, AUDIO VISUAL TECHNOLOGY, AND COMMUNICATIONS, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.351, 231.353, 231.355, 231.357, 231.359, 231.361

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 12. BUSINESS, MARKETING, AND FINANCE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.381, 231.383, 231.385, 231.387, 231.389, 231.391, 231.393, 231.395

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

§231.381. *Business Management, Grades 9-12.*

(a) An assignment for Foundations of Business Communications and Technologies, Business Communications and Technologies, Business Law, Touch System Data Entry, Business Management, Business Lab, Global Business, Human Resources Management, Principles of Business, Marketing, and Finance, Virtual Business, Practicum in Business Management, or Extended Practicum in Business Management, Grades 9-12, is allowed with one of the following certificates.

- (1) Any business or office education certificate.
- (2) Any marketing or distributive education certificate.
- (3) Business and Finance: Grades 6-12.

- (4) Business Education: Grades 6-12.
- (5) Marketing: Grades 6-12.
- (6) Marketing Education: Grades 8-12.

(b) The school district is responsible for ensuring that each teacher assigned to a Practicum or Extended Practicum course, Grades 9-12, has completed appropriate training in state and federal requirements regarding work-based learning and safety.

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### DIVISION 13. EDUCATION AND TRAINING, GRADES 9-12 ASSIGNMENTS

#### 19 TAC §231.421, §231.423

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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### DIVISION 14. ENERGY, GRADES 9-12 ASSIGNMENTS

#### 19 TAC §231.441

**STATUTORY AUTHORITY.** The new section is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new section implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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### DIVISION 15. ENGINEERING, GRADES 9-12 ASSIGNMENTS

#### 19 TAC §§231.461, 231.463, 231.465, 231.467, 231.469, 231.471, 231.473, 231.475, 231.477, 231.479, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states

that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 16. HEALTH SCIENCE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.511, §231.513

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master

teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 17. HOSPITALITY AND TOURISM, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.531, 231.533, 231.535

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 18. HUMAN SERVICES, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.551, 231.553, 231.555, 231.557, 231.559

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 19. INFORMATION TECHNOLOGY, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.571, 231.573, 231.575, 231.577

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator,

educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 20. LAW AND PUBLIC SERVICE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.591, 231.593, 231.595, 231.597, 231.599

**STATUTORY AUTHORITY.** The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 21. MANUFACTURING, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.621, 231.623, 231.625

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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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Director, Rulemaking

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## DIVISION 22. TRANSPORTATION, DISTRIBUTION, AND LOGISTICS, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.641, §231.643

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## SUBCHAPTER G. PARAPROFESSIONAL PERSONNEL, ADMINISTRATORS, AND OTHER INSTRUCTIONAL AND PROFESSIONAL SUPPORT ASSIGNMENTS

### 19 TAC §231.753

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter

B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## CHAPTER 231. REQUIREMENTS FOR PUBLIC SCHOOL PERSONNEL ASSIGNMENTS SUBCHAPTER E. GRADES 9-12 ASSIGNMENTS

The State Board for Educator Certification (SBEC) adopts the repeal of §§231.121, 231.123, 231.125, 231.127, 231.129, 231.131, 231.133, 231.135, 231.151, 231.153, 231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177, 231.191, 231.193, 231.195, 231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221, 231.231, 231.241, 231.271, 231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.341, 231.343, 231.361, 231.363, 231.365, 231.381, 231.383, 231.385, 231.391 - 231.395, 231.397, 231.401, 231.403, 231.405, 231.421, 231.423, 231.425, 231.427, 231.429, 231.441, 231.443, 231.445, 231.461, 231.463, 231.465, 231.467, 231.469, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.501, 231.503, 231.521, 231.523, 231.525, 231.541, 231.543, 231.545, 231.547, 231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, 231.583, 231.585, 231.587, 231.589, 231.591, 231.593, 231.595, 231.631, 231.633, and 231.651, concerning requirements for public school personnel assignments. The repeals are adopted without changes to the proposed text as published

in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6806) and will not be republished. The adoption repeals requirements related to the criteria for school districts to make personnel assignments for Grades 9-12.

REASONED JUSTIFICATION: The SBEC rules in 19 TAC Chapter 231 establish the personnel assignments that correlate with appropriate certifications and offer guidance to school districts and educators by providing the list of courses by grade level and subject area and identifying the corresponding certificates and other requirements for the placement of individuals into classroom and/or campus assignments. This information assists districts with hiring and personnel assignment decisions. In a separate rule action, personnel assignments for Grades 9-12 are reorganized in adopted new Subchapter E, which can be found in the Adopted Rules section of this issue of the *Texas Register*. The following table summarizes the repealed divisions that were merged in new Subchapter E.

Figure: 19 TAC Chapter 231 - Preamble

SUMMARY OF COMMENTS AND RESPONSES: The public comment period on the proposal began October 17, 2025, and ended November 17, 2025. The SBEC also provided an opportunity for registered oral and written comments on the proposal at the December 4, 2025 meeting's public comment period in accordance with the SBEC board operating policies and procedures. No public comments were received on the proposal.

The State Board of Education (SBOE) took no action on the repeal of §§231.121, 231.123, 231.125, 231.127, 231.129, 231.131, 231.133, 231.135, 231.151, 231.153, 231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177, 231.191, 231.193, 231.195, 231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221, 231.231, 231.241, 231.271, 231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293, 231.301, 231.303, 231.305, 231.307, 231.309, 231.311, 231.313, 231.331, 231.333, 231.335, 231.337, 231.339, 231.341, 231.343, 231.361, 231.363, 231.365, 231.381, 231.383, 231.385, 231.391 - 231.395, 231.397, 231.401, 231.403, 231.405, 231.421, 231.423, 231.425, 231.427, 231.429, 231.441, 231.443, 231.445, 231.461, 231.463, 231.465, 231.467, 231.469, 231.481, 231.483, 231.485, 231.487, 231.489, 231.491, 231.501, 231.503, 231.521, 231.523, 231.525, 231.541, 231.543, 231.545, 231.547, 231.561, 231.563, 231.565, 231.567, 231.569, 231.571, 231.573, 231.575, 231.577, 231.579, 231.581, 231.583, 231.585, 231.587, 231.589, 231.591, 231.593, 231.595, 231.631, 231.633, and 231.651 at the January 30, 2026 SBOE meeting.

### DIVISION 1. ENGLISH LANGUAGE ARTS AND READING, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.121, 231.123, 231.125, 231.127, 231.129,  
231.131, 231.133, 231.135**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing edu-

ation, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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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## DIVISION 2. LANGUAGES OTHER THAN ENGLISH, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.151, §231.153

**STATUTORY AUTHORITY.** The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 3. SOCIAL STUDIES, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.161, 231.163, 231.165, 231.167, 231.169, 231.171, 231.173, 231.177

**STATUTORY AUTHORITY.** The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 4. MATHEMATICS, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.191, 231.193, 231.195

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 5. SCIENCE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.201, 231.203, 231.205, 231.207, 231.209, 231.211, 231.213, 231.215, 231.217, 231.219, 231.221

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general

administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 6. HEALTH AND PHYSICAL EDUCATION, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.231

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 7. FINE ARTS, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.241

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 9. CAREER DEVELOPMENT, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.271

STATUTORY AUTHORITY. The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 10. AGRICULTURE, FOOD, AND NATURAL RESOURCES, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.281, 231.283, 231.285, 231.287, 231.289, 231.291, 231.293

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules

that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 11. ARCHITECTURE AND CONSTRUCTION, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.301, 231.303, 231.305, 231.307, 231.309,  
231.311, 231.313**

**STATUTORY AUTHORITY.** The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 12. ARTS, AUDIO/VIDEO TECHNOLOGY, AND COMMUNICATIONS, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.331, 231.333, 231.335, 231.337, 231.339,  
231.341, 231.343**

**STATUTORY AUTHORITY.** The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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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**DIVISION 13. BUSINESS MANAGEMENT AND ADMINISTRATION, GRADES 9-12 ASSIGNMENTS**

**19 TAC §§231.361, 231.363, 231.365**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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**DIVISION 14. EDUCATION AND TRAINING, GRADES 9-12 ASSIGNMENTS**

**19 TAC §§231.381, 231.383, 231.385**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules

that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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**DIVISION 15. FINANCE, GRADES 9-12 ASSIGNMENTS**

**19 TAC §§231.391 - 231.395, 231.397**

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 16. GOVERNMENT AND PUBLIC ADMINISTRATION, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.401, 231.403, 231.405

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 17. HEALTH SCIENCE, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.421, 231.423, 231.425, 231.427, 231.429

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 18. HOSPITALITY AND TOURISM, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.441, 231.443, 231.445

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued,

including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 19. HUMAN SERVICES, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.461, 231.463, 231.465, 231.467, 231.469

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 20. INFORMATION TECHNOLOGY, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.481, 231.483, 231.485, 231.487, 231.489, 231.491

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 21. LAW, PUBLIC SAFETY, CORRECTIONS, AND SECURITY, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.501, §231.503

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 22. MANUFACTURING, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.521, 231.523, 231.525

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which

requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 23. MARKETING, GRADES 9-12 ASSIGNMENTS

### 19 TAC §§231.541, 231.543, 231.545, 231.547

STATUTORY AUTHORITY. The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 24. SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS, GRADES 9-12 ASSIGNMENTS

**19 TAC §§231.561, 231.563, 231.565, 231.567, 231.569,  
231.571, 231.573, 231.575, 231.577, 231.579, 231.581,  
231.583, 231.585, 231.587, 231.589, 231.591, 231.593,  
231.595**

**STATUTORY AUTHORITY.** The repeals are adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeals implement Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 25. TRANSPORTATION, DISTRIBUTION, AND LOGISTICS, GRADES 9-12 ASSIGNMENTS

## 19 TAC §231.631, §231.633

**STATUTORY AUTHORITY.** The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

**CROSS REFERENCE TO STATUTE.** The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## DIVISION 26. ENERGY, GRADES 9-12 ASSIGNMENTS

### 19 TAC §231.651

**STATUTORY AUTHORITY.** The repeal is adopted under Texas Education Code (TEC), §21.003(a), which states that a person may not be employed as a teacher, teacher intern or teacher trainee, librarian, educational aide, administrator, educational diagnostician, or school counselor by a school district unless the person holds an appropriate certificate or permit issued as provided by the TEC, Chapter 21, Subchapter B; TEC, §21.031(a), which states that the SBEC shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators; TEC, §21.041(b)(1), which requires the SBEC to propose rules that provide for the regulation of educators and the general administration of the TEC, Chapter 21, Subchapter B, in a manner consistent with the TEC, Chapter 21, Subchapter B; TEC, §21.041(b)(2), which requires the SBEC to propose rules that specify the classes of educator certificates to be issued, including emergency certificates; and

TEC, §21.064, which requires the SBEC to stop the issuance and renewal of master teacher certificates effective September 1, 2019, to add a designation of "legacy" to each master teacher certificate issued, and to recognize these certificates until they expire.

CROSS REFERENCE TO STATUTE. The repeal implements Texas Education Code (TEC), §§21.003(a), 21.031(a), 21.041(b)(1) and (2), and 21.064.

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## TITLE 22. EXAMINING BOARDS

### PART 5. STATE BOARD OF DENTAL EXAMINERS

#### CHAPTER 101. DENTAL LICENSURE

##### 22 TAC §101.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.2, pertaining to dental licensure by examination. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7978) 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.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



##### 22 TAC §101.6

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.6, pertaining to dental licensing for military service members, military veterans, and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) allows for alternative licensing if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; (3) requires the Board to issue a provisional license to the applicant while the Board processes the application or issue the license for which the applicant applied; (4) requires the Board to process an alternative licensing application within 10 business days; and (5) waives all fees. The adoption also corrects clerical errors. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7979) 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 February 20, 2026.

TRD-202600823  
Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
Effective date: March 12, 2026  
Proposal publication date: December 12, 2025  
For further information, please call: (737) 363-2333



##### 22 TAC §101.14

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §101.14, pertaining to exemption from licensure for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines

good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7980) 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.

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Lauren Studdard  
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State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



## CHAPTER 103. DENTAL HYGIENE LICENSURE

### 22 TAC §103.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §103.2, pertaining to dental hygiene licensure by examination. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The adopted rule also corrects a grammatical error. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7982) 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.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



### 22 TAC §103.10

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §103.10, pertaining to exemption from dental hygiene licensure for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current license issued by another state that is similar in scope of practice to the license in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days.

The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7983) 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 February 20, 2026.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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Proposal publication date: December 12, 2025  
For further information, please call: (737) 363-2333



## CHAPTER 104. CONTINUING EDUCATION

### 22 TAC §104.1

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §104.1, pertaining to continuing education requirements. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is

adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7984) 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 February 20, 2026.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



### 22 TAC §104.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §104.2, pertaining to continuing education providers. The adopted rule reflects that CDCA-WREB-CITA (a dental exam administrator) and the American Board of Dental Examiners (developer of the ADEX licensure exams) have combined under a single entity: the American Board of Dental Examiners. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7986) 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.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



## CHAPTER 114. EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL ASSISTANTS

### 22 TAC §114.2

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.2, pertaining to registration of dental assistants. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7987) and will not be republished. The adopted amendment: (1) specifies that applications for registration or for renewal of registration must be submitted online; (2) specifies that dental assistants can obtain a duplicate registration from their online account; (3) removes language pertaining to the Dental Assistant Advisory Committee because the committee no longer exists; (4) updates the language to reflect that a student who takes a dental assistant radiology course should be able to demonstrate concepts for both film and digital x-rays; and (5) updates the language to reflect that technology has replaced film x-rays with digital x-rays, although the Board notes that film x-rays are still being used in the dental profession.

The Texas Academy of General Dentistry (TAGD) submitted a written comment in support of adoption of the rule as proposed. No changes to this rule were made as a result of the comment.

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.

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Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
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For further information, please call: (737) 363-2333



### 22 TAC §114.3

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.3, pertaining to dental assistants applying pit and fissure sealants. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7991) and will not be republished. This rule was recently reviewed in accordance with the Board's rule review plan. As a result of the review, the Board adopts changes that correct punctuation and typo errors.

The Texas Academy of General Dentistry (TAGD) submitted a written comment in support of adoption of the rule as proposed. No changes to this rule were made as a result of the comment.

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 February 20, 2026.

TRD-202600829

Lauren Studdard  
General Counsel

State Board of Dental Examiners

Effective date: March 12, 2026

Proposal publication date: December 12, 2025

For further information, please call: (737) 363-2333



### 22 TAC §114.7

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §114.7, pertaining to exemption from registration for certain military service members and military spouses. The purpose of the adoption is to implement House Bill 5629 and Senate Bill 1818, 89th Legislature, Regular Session (2025), which amended Texas Occupations Code Chapter 55, Licensing of Military Service Members, Military Veterans, and Military Spouses with the following changes: (1) defines good standing; (2) removes the three-year limit to practice as long as the applicant is stationed at a military installation; (3) allows for an authorization to practice if the applicant holds a current registration issued by another state that is similar in scope of practice to the registration in this state and is in good standing with that state's licensing authority; and (4) requires the Board to process applications within 10 business days. The adoption also clarifies that a registration is issued to dental assistants, not a license.

The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7992) 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 February 20, 2026.

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Lauren Studdard

General Counsel

State Board of Dental Examiners

Effective date: March 12, 2026

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For further information, please call: (737) 363-2333



## CHAPTER 115. EXTENSION OF DUTIES OF AUXILIARY PERSONNEL--DENTAL HYGIENE

### 22 TAC §115.4

The State Board of Dental Examiners (Board) adopts this amendment to 22 TAC §115.4, pertaining to placement of site specific subgingival medicaments. The adopted rule simply updates the applicable section of the Texas Occupations Code pertaining to the practice of dental hygiene and a hygienist being able to topically apply drugs. The amendment is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 7993) 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 February 20, 2026.

TRD-202600828

Lauren Studdard  
General Counsel

State Board of Dental Examiners

Effective date: March 12, 2026

Proposal publication date: December 12, 2025

For further information, please call: (737) 363-2333



## TITLE 25. HEALTH SERVICES

### PART 11. CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

#### CHAPTER 703. GRANTS FOR CANCER PREVENTION AND RESEARCH

##### 25 TAC §703.24

The Cancer Prevention and Research Institute of Texas ("CPRIT" or "the Institute") adopts amendments to 25 Texas Administrative Code §703.24 without changes to the proposed amendments as published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7866); therefore, the rule will not be republished.

Reasoned Justification

CPRIT requires all of its grant recipients to report grant expenditures on quarterly Financial Status Reports (FSR). In general, CPRIT conducts these reviews in accordance with standards set in the Texas Grant Management Standards (TxGMS), as published by the office of the Texas Comptroller of Public Accounts. When necessary, and as allowed by TxGMS, CPRIT establishes variations from TxGMS through the official rulemaking process. TxGMS standards include a 21-day deadline for a state agency to review a request for payment and notify a grantee of any errors in the request. This 21-day deadline applies to FSR. However, the volume, complexity, and timing of FSR reviews make it impossible for CPRIT to review all FSR submissions within 21 days. CPRIT is in the process of revising its business processes and developing new technology tools to shorten these review times but lacks sufficient data to determine the necessary review times at present. As a result, CPRIT must clarify that it can only guarantee payment within 30 days of receiving a complete and correct FSR. CPRIT expects to revise this rule again in the future to specify predictable review timelines once it has new processes and new technology tools in place and has obtained sufficient data to make accurate predictions. CPRIT is adding the current language permitting the institute to waive those eventual review timelines to ensure grantees receive notice if any deadlines for review or payment will not be met going forward.

#### Summary of Public Comments and Staff Recommendation

CPRIT received no public comments regarding the proposed amendments to §703.24. CPRIT staff recommends moving forward with adoption of the amendments.

The rule changes are adopted under the authority of the Texas Health and Safety Code Annotated, § 102.108, which provides the Institute with broad rule-making authority to administer the chapter, including rules for awarding grants.

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 February 20, 2026.

TRD-202600832

Heidi McConnell

Deputy Executive Officer / Chief Operating Officer  
Cancer Prevention and Research Institute of Texas

Effective date: March 12, 2026

Proposal publication date: December 5, 2025

For further information, please call: (512) 463-3190



## TITLE 26. HEALTH AND HUMAN SERVICES

### PART 1. HEALTH AND HUMAN SERVICES COMMISSION

#### CHAPTER 511. LIMITED SERVICES RURAL HOSPITALS

##### SUBCHAPTER C. OPERATIONAL REQUIREMENTS

###### 26 TAC §511.85

The executive commissioner of the Texas Health and Human Services Commission (HHSC) adopts new §511.85, concerning Miscellaneous Policies and Protocols.

Section 511.85 is adopted without changes to the proposed text as published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8038). This rule will not be republished.

#### BACKGROUND AND JUSTIFICATION

The new section is necessary to comply with House Bill (HB) 4076, 89th Legislature, Regular Session, 2025. HB 4076 amended Texas Health and Safety Code (THSC) Chapter 161 by adding §161.474, which prohibits a health care provider from discriminating based on vaccination status for services related to organ transplants.

The new section increases consistency between the limited services rural hospital (LSRH) licensing rules and similar rules for other HHSC-regulated health care facilities.

#### COMMENTS

The 31-day comment period ended January 12, 2026.

During this period, HHSC did not receive any comments regarding the proposed rule.

#### 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 agencies, and THSC §241.302(b), which provides that the executive commissioner of HHSC shall adopt rules to establish minimum standards for limited services rural hospitals.

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 February 18, 2026.

TRD-202600751

Karen Ray

Chief Counsel

Health and Human Services Commission

Effective date: March 10, 2026

Proposal publication date: December 12, 2025

For further information, please call: (512) 834-4591



## TITLE 37. PUBLIC SAFETY AND CORRECTIONS

### PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

#### CHAPTER 341. GENERAL STANDARDS FOR JUVENILE PROBATION DEPARTMENTS

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §341.202, Policies and Procedures, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8500). This rule will be republished. TJJD also adopts amendments to 37

TAC, Part 11, §341.302, Participation in Community Resources Coordination Groups, and §341.502, Risk and Needs Assessment, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8500). These rules will not be republished.

## SUMMARY OF CHANGES

As required due to statutory changes, amendments to §341.202 include: 1) adding a subparagraph titled *Diversion of Juveniles in a General Residential Operation* to the list of topics that departments must address in their policies and procedures and provide information related to including each of those specific topics; 2) removing the subparagraph titled *Deferred Prosecution* related to fees from the list of topics that departments must address in their policies and procedures; 3) providing that, if a probation department uses volunteers or interns, the juvenile board must establish policies that include a requirement to conduct criminal history searches and non-criminal background searches in accordance with 37 TAC, Part 11, Chapter 344 for volunteers and interns who will have direct, unsupervised access to juveniles or direct contact with a juvenile and prohibiting such contact if the person does not meet the requirements in Chapter 344; and 4) adding a subparagraph titled *Training Requirements* to the list of topics that departments must address in their policies and procedures and providing information related to including each of those specific topics. (The topics that must be trained are related to maintaining professional relationships with children and recognizing and reporting suspected physical and sexual abuse.)

In addition, §341.202 now correctly identifies the Health and Human Services Commission (rather than the Department of Family and Protective Services) as the agency that licenses, certifies, and registers general residential operations, as provided by Chapter 42, Human Resources Code.

As required due to a non-substantive statutory revision, amendments to §341.302 include modifying a statutory reference related to participation in a community resources coordination group.

As required due to statutory changes, amendments to §341.502 include adding that, prior to the disposition of a juvenile's case, a probation department must screen the juvenile for risk of commercial sexual exploitation.

## PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking actions.

## SUBCHAPTER B. JUVENILE BOARD RESPONSIBILITIES

### 37 TAC §341.202

#### STATUTORY AUTHORITY

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion

and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

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

#### §341.202. *Policies and Procedures.*

(a) Personnel Policies. The juvenile board must establish written personnel policies.

(b) Department Policies. The juvenile board must establish written department policies and procedures. These policies and procedures must address the following topics if they apply.

(1) Diversion of Juveniles in a General Residential Operation.

(A) As required by §152.00145, Human Resources Code, the juvenile board must establish policies that prioritize:

(i) the diversion from referral to a prosecuting an attorney under Chapter 53, Family Code, juveniles residing in a general residential operation, particularly children alleged to have engaged in conduct constituting a misdemeanor involving violence to a person; and

(ii) the limitation of detention to such juveniles to circumstances of last resort.

(B) To monitor the success of policies implemented under subparagraph (A) of this paragraph, a juvenile board shall track:

(i) the number of juveniles residing in a general residential operation who are referred to the juvenile probation department or other intake entity for the juvenile court;

(ii) the number of juveniles described by clause (i) of this subparagraph who are placed on deferred prosecution; and

(iii) the general residential operation where each child tracked under this section resided at the time of the conduct that result in the referral.

(C) For purposes of this subsection, a "general residential operation" is a child-care facility that provides care for seven or more children for 24 hours a day, including facilities known as residential treatment centers and emergency shelters. General residential operations are licensed, certified, or registered by the Health and Human Services Commission, as provided by Chapter 42, Human Resources Code.

(2) Volunteers and Interns. If a juvenile probation department uses volunteers or interns, the juvenile board must establish policies for the volunteer and/or internship program that include:

(A) a description of the scope, responsibilities, and limited authority of volunteers and interns who work with the department;

(B) selection and termination criteria, including disqualification based on specified criminal history;

(C) a requirement to conduct criminal history searches and non-criminal background searches as described in Chapter 344 of this title for volunteers and interns who will have direct, unsupervised access to juveniles or direct contact with a juvenile, as defined in Chapter 344 of this title;

(D) a prohibition on having unsupervised contact with juveniles for volunteers and interns whose history does not meet the requirements in Chapter 344 of this title;

(E) the orientation and training requirements, including training on recognizing and reporting abuse, neglect, and exploitation;

(F) a requirement that volunteers and interns meet minimum professional requirements if serving in a professional capacity; and

(G) a requirement to maintain a sign-in log that documents the name of the volunteer or intern, the purpose of the visit, the date of the service, and the beginning and ending time of the service performed for the department.

(3) Zero-Tolerance for Sexual Abuse. The juvenile board must establish zero-tolerance policies and procedures regarding sexual abuse as defined in Chapter 358 of this title. The policies and procedures must:

(A) prohibit sexual abuse of juveniles under the jurisdiction of the department by department staff, volunteers, interns, and contractors;

(B) establish the actions department staff must take in response to allegations of sexual abuse and TJJD-confirmed incidents of sexual abuse; and

(C) provide for administrative disciplinary sanctions and referral for criminal prosecution.

(4) Pretrial Detention for Certain Juveniles. As required by §152.0015, Human Resources Code, the juvenile board must establish a policy that specifies whether a person who has been transferred for criminal prosecution under §54.02, Family Code, and is younger than 17 years of age may be detained in a juvenile facility pending trial.

(5) Juveniles Younger Than 12 Years of Age. As required by §152.00145, Human Resources Code, the juvenile board must establish policies that prioritize:

(A) the diversion of children younger than 12 years of age from referral to a prosecuting attorney under Chapter 53, Family Code; and

(B) the limitation of detention of children younger than 12 years of age to circumstances of last resort.

(6) Taking Juveniles into Custody. The juvenile board must establish a policy that specifies whether juvenile probation officers may take a juvenile into custody as allowed by §§52.01(a)(4), 52.01(a)(6), or 52.015, Family Code.

(A) If the policy allows juvenile probation officers to take a juvenile into custody, the policy must specify whether the officers are allowed to use force in doing so.

(B) If the policy allows juvenile probation officers to use force in taking a juvenile into custody, the policy must:

(i) address prohibited conduct, circumstances under which force is authorized, and training requirements;

(ii) require each use of force to be documented, except when the only force used is the placement of mechanical restraints on the juvenile.

(7) Training Requirements.

(A) The juvenile board must establish a policy that requires training to each employee, volunteer, or independent contractor who may be placed in direct contact with a juvenile receiving services from the department or facility. The training must include:

(i) recognition of the signs of physical and sexual abuse and reporting requirements for suspected physical and sexual abuse;

(ii) the department's or facility's policies related to reporting physical and sexual abuse; and

(iii) methods for maintaining professional and appropriate relationships with children.

(B) For purposes of this paragraph, a person may be placed in direct contact with a juvenile receiving services from the department or facility if the person's position potentially requires the person to:

(i) provide care, supervision, or guidance to a child;

(ii) exercise any form of control over a child; or

(iii) routinely interact with a child.

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 February 19, 2026.

TRD-202600789

Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

Effective date: April 1, 2026

Proposal publication date: December 26, 2025

For further information, please call: (512) 490-7130



## SUBCHAPTER C. CHIEF ADMINISTRATIVE OFFICER RESPONSIBILITIES

### 37 TAC §341.302

#### STATUTORY AUTHORITY

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article 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.

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Kaci Singer  
Deputy General Counsel  
Texas Juvenile Justice Department  
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Proposal publication date: December 26, 2025  
For further information, please call: (512) 490-7130

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**SUBCHAPTER E. CASE MANAGEMENT**

**37 TAC §341.502**

**STATUTORY AUTHORITY**

The amended section is adopted under the following: 1) §221.003, Human Resources Code (as amended by HB 451, 89th Legislature, Regular Session), which requires a juvenile probation department to use a validated, evidence-informed tool as part of a youth's risk and needs assessment to screen for the risk of commercial sexual exploitation; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) §152.00145, Human Resources Code (as amended by HB 16, 89th Legislature, Regular Session), which clarifies the diversion and detention policy for certain juveniles; and §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

No other statute, code, or article 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.

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Kaci Singer  
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Texas Juvenile Justice Department  
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For further information, please call: (512) 490-7130

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**CHAPTER 342. STANDARDS FOR HOUSING  
NON-TEXAS JUVENILES IN TEXAS  
CORRECTIONAL FACILITIES**

**37 TAC §342.1**

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §342.1, Authority to House Out-of-State Juveniles, without changes to the proposed text as published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8185). The rule will not be republished.

**SUMMARY OF CHANGES**

Amendments to §342.1 include clarifying the phrase *juveniles convicted of offenses committed against the laws of another*

*state of the United States* (instead of *or the United States*); and removing references to pre-adjudication, secure detention facilities.

**PUBLIC COMMENTS**

TJJD received no public comments on the proposed rulemaking action.

**STATUTORY AUTHORITY**

The amended section is adopted under §221.053, Human Resources Code, which requires the Board to develop rules, procedures, and minimum standards applicable to county or private correctional facilities housing out-of-state juvenile inmates

No other statute, code, or article 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.

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**CHAPTER 343. SECURE JUVENILE  
PRE-ADJUDICATION DETENTION AND  
POST-ADJUDICATION CORRECTIONAL  
FACILITIES**

**SUBCHAPTER E. RESTRAINTS**

**37 TAC §§343.800, 343.816, 343.817**

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §343.800, Definitions, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will be republished. TJJD also adopts amendments to 37 TAC, Part 11, §343.816, Chemical Restraints, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will not be republished. TJJD also adopts new 37 TAC, Part 11, §343.817, Use of Force Review Board, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8503). This rule will not be republished.

**SUMMARY OF CHANGES**

Amendments to §343.800 include adding definitions of *approved chemical restraint device*, *detention supervisor*, *dorm supervisor*, *reasonable belief*, *serious bodily injury*, *security personnel*, and *shift supervisor*.

In addition, the definitions of *security personnel* and *serious bodily injury* now appear in correct alphabetical order.

Amendments to §343.816 include specifying that the use of chemical restraints is governed by this section as well as by

§§343.802, 343.804, and 343.806 of this chapter, and adding that: 1) chemical restraints may be used only if the juvenile board has given approval; 2) if the board gives approval to use a chemical restraint, board policies must specify the approved chemical restraint device, which staff are authorized to use the device, which staff are authorized to carry the device, the training curriculum required for staff to be authorized to carry the device, the procedures for controlling the device, and the procedures to follow after the use of chemical restraints; 3) only approved chemical restraint devices may be used and devices must be stored in a locked, controlled area; 4) only certified juvenile supervision officers who have been trained in the chemical restraint device may use it; 5) as part of the training curriculum, juvenile supervision officers must be sprayed with the device if the juvenile supervision officer is being trained in chemical restraint for the first time and exposure to the oleoresin capsicum spray is not medically contraindicated for the juvenile supervision officer; 6) the only staff who may be authorized to routinely carry the chemical restraint device are the facility administrator, assistant facility administrator, shift supervisor, detention supervisor, dorm supervisor, and security personnel; 7) except for the exceptions provided, the use of chemical restraints is authorized only for those instances when other interventions have failed or are not practical and chemical restraints are reasonably believed necessary to quell a riot or major disruption; resolve a hostage situation; remove residents from behind a barricade during a riot or a situation involving self-harm; secure an object that is being used as a weapon and is capable of causing serious injury; protect residents, staff, or others from serious injury; or prevent escape; 8) any resident affected by a chemical restraint must be decontaminated as soon as the purpose of the restraint is achieved and that, after decontamination, a health care professional must examine, treat, and monitor any resident or staff member affected by the restraint; 9) authorization to use a chemical restraint must be obtained prior to each use, except in instances when it is reasonably believed necessary to prevent the loss of life or serious bodily injury; 10) standing orders authorizing chemical restraints are prohibited; 11) chemical restraints are not authorized for use on a resident when a medical provider has diagnosed the resident as having a chronic, serious respiratory problem or other serious health condition known to the facility, except in instances when it is reasonably believed necessary to prevent the loss of life or serious bodily injury; and 12) a facility that is authorized to use chemical restraints and that accepts residents from other counties is required to make those counties aware that the facility authorizes the use of chemical restraints.

The new §343.817 includes that: 1) each facility authorized to use chemical restraints must have a use of force review board comprising the facility administrator and other designated staff; 2) no later than 14 calendar days after a restraint, the review board reviews each use of force incident involving chemical restraints; 3) the review board uses all available resources to determine whether policy was followed, to determine whether documentation was completed correctly, to identify training needs, and to identify ways to expand prevention efforts; and 4) for each meeting of the review board, written documents of the names of all attendees, a list of each incident reviewed, and any corrective actions recommended must be created and saved.

#### PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking actions.

#### STATUTORY AUTHORITY

The new and amended sections are adopted under §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities.

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

#### §343.800. Definitions.

The following words and terms, when used in this subchapter, shall have the following meanings unless otherwise expressly defined within the chapter.

(1) **Approved Personal Restraint Technique**--A professionally trained, curriculum-based, and competency-based restraint technique that uses a person's physical exertion to completely or partially constrain another person's body movement without the use of mechanical restraints.

(2) **Approved Mechanical Restraint Devices**--A professionally manufactured and commercially available mechanical device designed to aid in the restriction of a person's bodily movement. TJJD-approved mechanical restraint devices are limited to the following:

(A) **Ankle Cuffs**--A metal band designed to be fastened around the ankle to restrain free movement of the legs.

(B) **Handcuffs**--Metal devices designed to be fastened around the wrist to restrain free movement of the hands and arms.

(C) **Plastic Cuffs**--Plastic devices designed to be fastened around the wrists or legs to restrain free movement of hands, arms, or legs. Plastic cuffs must be designed specifically for use in human restraint.

(D) **Restraint Bed**--A professionally manufactured and commercially available bed or integrated bed attachments that are specifically designed to facilitate safe human restraint.

(E) **Restraint Chair**--A professionally manufactured and commercially available restraint apparatus specifically designed for safe human restraint. The device restrains a subject in an upright, sitting position by restricting the subject's extremities, upper leg area, and torso with soft restraints. The apparatus may be fixed or wheeled for relocation.

(F) **Waist Belt**--A cloth, leather, or metal band designed to be fastened around the waist and used to secure the arms to the sides or front of the body.

(G) **Wristlets**--A cloth or leather band designed to be fastened around the wrist that may be secured to a waist belt or used in a non-ambulatory mechanical restraint.

(3) **Approved Chemical Restraint Device**--A professionally manufactured and commercially available defense spray containing Oleoresin Capsicum (i.e., OC pepper spray) that has been approved by TJJD for use as allowed by this chapter.

(4) **Chemical Restraint**--The application of a chemical agent on one or more residents.

(5) **Detention Supervisor**--Regardless of title, the certified juvenile supervision officer serving as the assistant to the shift supervisor during the current shift.

(6) **Dorm Supervisor**--Regardless of title, the highest ranking certified juvenile supervision officer assigned to a dorm during the current shift.

(7) Four-Point Restraint--The use of approved mechanical restraint devices on each of a resident's wrists and ankles to secure the resident in a supine position to a restraint bed.

(8) Mechanical Restraint--The application of an approved mechanical restraint device.

(9) Non-Ambulatory Mechanical Restraint--A method of prohibiting a resident's ability to stand upright and walk with the use of a combination of approved mechanical restraint devices, cuffing techniques, and the subject's body positioning. The four-point restraint and restraint chair are examples of acceptable non-ambulatory mechanical restraints.

(10) Personal Restraint--The application of an approved personal restraint technique.

(11) Physical Escort--Touching or holding a resident with a minimum use of force for the purpose of directing the resident's movement from one place to another. A physical escort is not considered a personal restraint.

(12) Protective Devices--Professionally manufactured devices used for the protection of residents or staff that do not restrict the movement of a resident. Protective devices are not considered mechanical restraint devices.

(13) Reasonable Belief--A belief that would be held by a similarly trained staff considering the facts and circumstances known by the actor at the time of the incident.

(14) Restraint--The application of an approved personal restraint technique, an approved mechanical restraint device, or a chemical agent to a resident so as to restrict the individual's freedom of movement.

(15) Riot--A situation in which three or more persons in the facility intentionally participate in conduct that constitutes a clear and present danger to persons or property and substantially obstructs the performance of facility operations or a program therein. Rebellion is a form of riot.

(16) Security Personnel--Staff persons whose primary responsibility is to patrol the facility and respond to security-related incidents.

(17) Serious Bodily Injury--An injury that creates a substantial risk of death, serious permanent disfigurement, or extended loss or impairment of the function of any bodily member or organ.

(18) Shift Supervisor--The highest-ranking certified juvenile supervision officer below the facility administrator working at the facility during the current shift.

(19) Soft Restraints--Non-metallic wristlets and anklets used as stand-alone restraint devices or in conjunction with a restraint bed or restraint chair. These devices are designed to reduce the incidence of skin, nerve, and muscle damage to the subject's extremities.

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 344. EMPLOYMENT,  
CERTIFICATION, AND TRAINING

The Texas Juvenile Justice Department (TJJD) adopts amendments to 37 TAC, Part 11, §344.100, Definitions; §344.300, Criminal History Checks; §344.400, Disqualifying Criminal History; §344.430, Arrest or Conviction of Currently Certified or Employed Individuals; §344.690, Credit for Training Hours for Military Service Members, Spouses, and Veterans; and §344.864, Certification Renewal Process, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). These rules will not be republished. TJJD also adopts new 37 TAC, Part 11, §344.350, Non-Criminal History Background Checks, with changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). This rule will be republished. TJJD also adopts new §344.360, Review of Applicant's Prior History, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8506). This rule will not be republished.

SUMMARY OF CHANGES

Amendments to §344.100 include adding definitions of *direct contact with a juvenile* and *search engine for multi-agency reportable conduct (SEMARC)*.

Amendments to §344.300 include adding that criminal history checks must be done for those who may have direct contact with a juvenile in a juvenile justice facility and who is an employee, volunteer, intern, or individual providing goods or services under contract on the premises of a juvenile justice facility or program.

Amendments to §344.400 include: 1) adding that a person convicted of or placed on deferred adjudication for conviction for an offense under §§21.02, 22.011, 22.021, or 25.05, Penal Code, is prohibited from holding any position that allows direct contact with a juvenile; 2) specifying this does not apply retroactively to those certified before the effective date of the changes unless the certification expires; and 3) modifying language related to inapplicability dates.

Amendments to §344.430 include: 1) clarifying that a police report must be provided as soon as practicable when reporting an arrest, in addition to any other information available; and 2) adding that, in addition to removing a person from unsupervised access to juveniles, those with direct contact with juveniles must also be removed if convicted or placed on deferred adjudication.

Amendments to §344.690 include: 1) modifying language regarding certification for military service members, military veterans, and military spouses eligible for certification if they hold a current license in another state, to be consistent with changes to Chapter 55, Occupations Code; 2) adding that the military provisions apply to a juvenile probation officer certification; 3) adding a requirement for the applicant seeking certification under this section to provide the statutorily required documents; 4) adding a requirement for TJJD to maintain a list of states

with similar-in-scope licenses and to post the information on its website, as provided in Chapter 55, Occupations Code; and 5) adding a requirement for TJJD to maintain a record of each complaint made against military service members, military veterans, and military spouses certified under this section, as provided in Chapter 55, Occupations Code

Amendments to §344.864 include adding a requirement to provide verification that a SEMARC check was conducted no earlier than 14 days before a certification renewal application was submitted and that the person did not appear in a search result

New §344.350 and §344.360 modify and republish information contained in the previous versions of §§344.350, 344.360, and 344.370, which are simultaneously adopted for repeal.

Key additions and revisions to §344.350 include: 1) reorganizing existing criminal background check requirements and adding that they also apply to any person who may have direct contact with a juvenile; 2) adding a requirement to conduct checks using the soon-to-be implemented SEMARC for all persons in positions requiring certification or otherwise having direct contact with or unsupervised access to a juvenile; 3) specifying that, if a person is found in TJJD's registry, the person may not be placed in the position; 4) requiring subsequent checks when certification is renewed or, for those without a certification, every two years, consistent with the statutory requirement to establish in rule a requirement for periodic search queries of existing employees and others who have contact with juveniles; 5) adding a requirement to conduct an employment verification, as required by new Chapter 811, Health and Safety Code, for any person who may have unsupervised access to or direct contact with a juvenile in a facility, for the purpose of determining whether the person has a history of harassment in the workplace or abuse, neglect, or exploitation of a child or member of another vulnerable population; 6) establishing that, if employment verification reveals that a person engaged in physical or sexual abuse of a child constituting the offenses of continuous sexual abuse of a young child or disabled individual, sexual assault, aggravated sexual assault, or prohibited sexual conduct, even if not convicted, the person is prohibited from having direct contact with a juvenile in a facility; 7) establishing that, if employment verification reveals that a person engaged in harassment in the workplace or any other type of abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population, the person is prohibited from having direct contact with a juvenile in a facility; 8) establishing that, even though the employment verification check is only required for people who will provide services in a facility, it is required before any person may do so, even if the person is already serving in a role that required the other checks; 9) modifying the current requirement to conduct a check related to a required self-disclosure form related to a history of abuse, neglect, exploitation, or mistreatment and certain actions on a certification to provide that portions of the disclosed history that have been checked through SEMARC or the employment verification check do not need to be duplicated; and 10) adding a requirement that all verifications under this section be performed using the person's current name and all former names, establishing requirements to maintain records, and adding a requirement to report to TJJD discrepancies between what the person reports and what is discovered through the background checks.

In addition, several sentences throughout §344.350 have been changed from the passive voice to the active voice.

Key additions and revisions to §344.360 include providing additional information on the review process by the juvenile board or

designee, to include the purpose of the review and the use of a form promulgated by TJJD, which must be maintained.

## PUBLIC COMMENTS

TJJD received no public comments on the proposed rulemaking actions.

## SUBCHAPTER A. DEFINITIONS AND APPLICABILITY

### 37 TAC §344.100

#### STATUTORY AUTHORITY

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article 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.

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## SUBCHAPTER C. CRIMINAL HISTORY AND BACKGROUND CHECKS

### 37 TAC §§344.300, 344.350, 344.360

#### STATUTORY AUTHORITY

The new and amended sections are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as

amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

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

*§344.350. Non-Criminal History Background Checks.*

(a) Checks Using TJJJ's Certification System.

(1) A department or facility must use TJJJ's certification system before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to verify that the person:

(A) has not had a TJJJ certification revoked;

(B) has not been designated as ineligible for certification by TJJJ;

(C) is not currently under an order of active suspension issued by TJJJ; and

(D) is not currently ineligible to take the certification exam due to repeated failures to pass the exam as described in §344.700 of this chapter.

(2) A person who has had a TJJJ certification revoked, has been designated as ineligible for TJJJ certification, or is currently under an order of active suspension issued by TJJJ may not hold a position that requires certification or that allows for direct contact with a juvenile or have direct, unsupervised access to a juvenile in a juvenile facility or program. The person is not eligible for a review under §344.360 of this chapter.

(3) A person who is currently ineligible to take the certification exam may not hold a position that requires certification. The person is not eligible for a review under §344.360 of this chapter.

(b) Checks Using the Search Engine for Multi-Agency Reportable Conduct (SEMARC).

(1) A department or facility must use the search engine for multi-agency reportable conduct (SEMARC) before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, to determine if the person has been included in any do-not-hire or similar registry of TJJJ or the other participating state agencies.

(2) A person who is included in TJJJ's registry is not eligible for certification and is not eligible to serve in a position in which the person may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile. The person is not eligible for review under §344.360 of this chapter.

(3) A person who is included in the registry of any other SEMARC-participating agency is not eligible for certification and is not eligible to serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile unless

a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(4) The department or facility must conduct a SEMARC check as part of the certification renewal process for each person with a certification. The department or facility must conduct a SEMARC check every two years for all persons who do not have a TJJJ certification. The department or facility must immediately remove a person who appears in any agency's registry, except for those previously reviewed and approved under §344.360 of this chapter, from having any contact with juveniles and must immediately notify TJJJ's certification office of the SEMARC result. TJJJ will conduct a review and determine if it will take action on the certification or, if the person is not certified, if it will take action to make the person ineligible for certification. The person may not return to a position having any contact with juveniles until TJJJ informs the department or facility that such is permissible.

(5) As provided by Chapter 810, Health and Safety Code, authorized users may use SEMARC only for the purpose of making decisions about certification, employment, or other service. Information received through SEMARC is confidential and excepted from disclosure under Chapter 552, Government Code.

(c) Employment Verification.

(1) A facility must conduct an employment verification with all previous employers, which includes contacting the previous employers, to the extent possible, in accordance with Chapter 811, Health and Safety Code, before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position in a facility that may be placed in direct contact with a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter.

(2) The purpose of the employment verification is to determine if the person was terminated or otherwise disciplined for conduct that included harassment in the workplace or abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or, if the employer is one that serves children or other vulnerable populations, if any of the criteria in subsection (d)(1) of this section exist.

(3) If the employment verification reveals that a person engaged in physical or sexual abuse of a child constituting an offense under §21.02 (Continuous Sexual Abuse of Young Child or Disabled Individual), §22.011 (Sexual Assault), §22.021 (Aggravated Sexual Assault), or §25.02 (Prohibited Sexual Conduct), Penal Code, even if not convicted, the person is not eligible to serve in any position in a facility that may be placed in direct contact with a juvenile. The person is not eligible for a review under §344.360 of this chapter.

(4) A person is not eligible for certification and may not serve in a position in a facility that may allow the person to be placed in direct contact with a juvenile if the employment verification reveals that a person engaged in harassment in the workplace or any other type of abuse, neglect, exploitation, or other mistreatment of a child or member of another vulnerable population or that any of the criteria in subsection (d)(1) of this section exist unless a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(5) The employment verification under this section applies only to individuals who will provide services in a facility. However, the employment verification is required before any person may begin

service in a facility in a role described in paragraph (1) of this subsection, even if the person is already serving in a role not in a facility that required the other checks and verifications in this chapter.

(d) Self-Disclosure Form and Checks.

(1) A department or facility, before employing, contracting with, or allowing a person to volunteer, intern, or otherwise serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile, regardless of whether or not the position requires or is eligible for certification under this chapter, must require the person to complete a form promulgated by TJJJ that requires the applicant to disclose and provide additional information, if applicable, regarding whether the applicant ever:

(A) worked, contracted, volunteered, interned, or otherwise served at or held an occupational license with a child-serving entity or entity that serves other vulnerable populations, such as elderly persons, persons with disabilities, persons in mental health facilities, or persons who were incarcerated;

(B) had the employment, contract, volunteer, or other status suspended or terminated;

(C) had the occupational license revoked or suspended;

(D) had a finding of abuse, neglect, exploitation, or mistreatment made against the applicant; or

(E) had the applicant's name placed on a do-not-hire or similar registry with an entity that provides services to or regulation of services for children or members of other vulnerable populations.

(2) Except as provided by paragraph (3) of this subsection, the department or facility must, to the extent possible, contact all entities identified on the form completed in accordance with paragraph (1) of this subsection and verify whether or not the person's history includes one or more of the criteria in paragraph (1)(B) - (E) of this subsection.

(3) The department or facility does not have to contact entities that are identified on the form if the entity is a state agency with a registry that is searchable through SEMARC or is an entity that is contacted as part of the employment verification check required under subsection (c) of this section.

(4) The person is not eligible for certification and may not serve in a position that may be placed in direct contact with a juvenile or have direct, unsupervised access to a juvenile if the check indicates that the person's history includes one or more of the criteria in paragraph (1)(B) - (E) unless a review is requested under §344.360 of this chapter and that review results in a determination that the person should not be prevented from being certified or from serving in such a position.

(e) Rules of General Applicability.

(1) The person(s) conducting all checks and verifications required by this subsection must do so using the applicant's current name and all prior names.

(2) The person(s) conducting each check or verification required by this section, with the exception of a search using SEMARC, must maintain a written record of the check or verification, to include the name of the person(s) conducting the check or verification, the date the check or verification was conducted, and the information received as a result of the check or verification, to include the name of each person who provided such information. SEMARC search histories will automatically be created in the system.

(3) The department or facility must report to TJJJ any discrepancies revealed between any check or verification conducted under

this chapter and the information the person reported regarding the person's history. A person's failure to accurately disclose the information requested on the form referenced in subsection (a) of this section is considered a violation of the Code of Ethics and may result in termination of service in the position, denial of certification, designation of ineligibility for certification, and/or revocation of certification.

(4) If the department or facility wishes to select the person despite the history, a review must be requested as provided in §344.360 of this chapter, if such a review is allowable based on the history. The person may not be hired or otherwise approved to serve in a position until the review process is completed and the outcome is a determination that the person will not be prevented from being certified or from serving in the position, as applicable.

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 D. DISQUALIFYING CRIMINAL HISTORY

### 37 TAC §344.400, §344.430

#### STATUTORY AUTHORITY

The amended sections are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article 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.

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**SUBCHAPTER E. TRAINING AND  
CONTINUING EDUCATION**

**37 TAC §344.690**

**STATUTORY AUTHORITY**

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

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

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**SUBCHAPTER G. CERTIFICATION**

**37 TAC §344.864**

**STATUTORY AUTHORITY**

The amended section is adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for

certain facilities to prevent physical and sexual abuse of children; 3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article 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 February 19, 2026.

TRD-202600799  
Kaci Singer  
Deputy General Counsel  
Texas Juvenile Justice Department  
Effective date: April 1, 2026  
Proposal publication date: December 26, 2025  
For further information, please call: (512) 490-7130

◆ ◆ ◆  
**CHAPTER 344. EMPLOYMENT,  
CERTIFICATION, AND TRAINING**  
**SUBCHAPTER C. CRIMINAL HISTORY AND  
BACKGROUND CHECKS**

**37 TAC §§344.350, 344.360, 344.370**

The Texas Juvenile Justice Department (TJJD) adopts the repeal of 37 TAC, Part 11, §344.350, Background Checks; §344.360, Disclosure and Review of Applicant's Prior History; and §344.370, Review by TJJD Regarding Eligibility for Certification, without changes to the proposed text as published in the December 26, 2025, issue of the *Texas Register* (50 TexReg 8515). The rules will not be republished.

**SUMMARY OF REPEAL**

The repeal of §344.350 and §344.360 allows the content to be revised and republished as new §344.350 and §344.360. The repeal of §344.370 allows the substance of the section to be moved to new §344.360.

**PUBLIC COMMENTS**

TJJD received no public comments on the proposed rulemaking action.

**STATUTORY AUTHORITY**

The repeals are adopted under the following: 1) Chapter 810, Health and Safety Code (as added by SB 1849, 89th Legislature, Regular Session), which clarifies the rules requiring a search engine for multi-agency reportable conduct; 2) Chapter 811, Health and Safety Code (as added by HB 3153, 89th Legislature, Regular Session), which institutes requirements for certain facilities to prevent physical and sexual abuse of children;

3) Chapter 55, Occupations Code (as amended by HB 5629 and SB 1818, 89th Legislature, Regular Session), which clarifies the rules pertaining to the licensing of military service members, military veterans, and military spouses; 4) §221.002, Human Resources Code, which requires the board to adopt rules to govern juvenile boards, probation departments, probation officers, programs, and facilities; and 5) §221.002(a)(3), Human Resources Code, which requires the board to adopt reasonable rules that provide appropriate educational, training, and certification standards for juvenile probation and detention officers and court-supervised community-based program personnel.

No other statute, code, or article 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 February 19, 2026.

TRD-202600794

Kaci Singer

Deputy General Counsel

Texas Juvenile Justice Department

Effective date: April 1, 2026

Proposal publication date: December 26, 2025

For further information, please call: (512) 490-7130





# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

## Proposed Rule Reviews

Texas Appraiser Licensing and Certification Board

### Title 22, Part 8

The Texas Appraiser Licensing and Certification Board (TALCB) files this notice of intention to review 22 TAC Chapter 159, Rules Relating to the Provisions of the Texas Appraisal Management Company Registration and Regulation Act. This review is undertaken pursuant to Government Code, §2001.039.

During the review process, TALCB may determine whether a specific rule requires amendments to refine TALCB's legal and policy considerations; whether the rules reflect current TALCB procedures; that no changes to a rule as currently in effect are necessary; or that a rule is no longer valid or applicable. Rules may also be combined or reduced for simplification and clarity when feasible. Any proposed amendments or repeal of a rule or chapter as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period before final adoption or repeal. Final consideration of this rule review is expected at the TALCB meeting in August 2026.

Any questions or comments pertaining to this notice of intention to review should be directed to Kathleen Santos, General Counsel, Texas Appraiser Licensing and Certification Board, P.O. Box 12188, Austin, Texas 78711-2188 or emailed to [general.counsel@talcb.texas.gov](mailto:general.counsel@talcb.texas.gov) within 30 days of publication.

TRD-202600901  
Kathleen Santos  
General Counsel  
Texas Appraiser Licensing and Certification Board  
Filed: February 24, 2026



Texas Optometry Board

### Title 22, Part 14

The Texas Optometry Board (Board) proposes to review and consider for readoption, revision, or repeal 22 Texas Administrative Code Part 14 - Chapter 277 Practice and Procedure, in its entirety.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies to assess every four years whether the initial reasons for adopting a rule continue to exist.

During the review process, the Board may determine whether a specific rule requires amendments to refine the Board's rules that govern the certification and practice of therapeutic optometry; whether the rules

reflect current practice interpretations; whether the rules reflect current procedures; that no changes to a rule as currently in effect are necessary; or that a rule is no longer valid or applicable. Rules may also be combined or reduced for simplification and clarity when feasible.

Any proposed amendments or repeal of a rule or chapter as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period before final adoption or repeal.

Comments on the review of 22 Texas Administrative Code Part 14 - Chapter 277 Practice and Procedure, may be submitted to Texas Optometry Board, Attn: Janice McCoy at 1801 Congress Avenue, Suite 9.300, Austin, Texas 78701 or [janice.mccoy@tob.texas.gov](mailto:janice.mccoy@tob.texas.gov). The deadline for comments is thirty days after the date this notice is published in the *Texas Register*.

TRD-202600871  
Janice McCoy  
Executive Director  
Texas Optometry Board  
Filed: February 24, 2026



The Texas Optometry Board (Board) proposes to review and consider for readoption, revision, or repeal 22 Texas Administrative Code Part 14 - Chapter 279 Interpretations, in its entirety.

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies to assess every four years whether the initial reasons for adopting a rule continue to exist.

During the review process, the Board may determine whether a specific rule requires amendments to refine the Board's rules that govern the certification and practice of therapeutic optometry; whether the rules reflect current practice interpretations; whether the rules reflect current procedures; that no changes to a rule as currently in effect are necessary; or that a rule is no longer valid or applicable. Rules may also be combined or reduced for simplification and clarity when feasible.

Any proposed amendments or repeal of a rule or chapter as a result of the review will be published in the Proposed Rules section of the *Texas Register* and will be open for an additional 30-day public comment period before final adoption or repeal.

Comments on the review of 22 Texas Administrative Code Part 14 - Chapter 279 Interpretations, may be submitted to Texas Optometry Board, Attn: Janice McCoy at 1801 Congress Avenue, Suite 9.300, Austin, Texas 78701 or [janice.mccoy@tob.texas.gov](mailto:janice.mccoy@tob.texas.gov). The deadline for comments is thirty days after the date this notice is published in the *Texas Register*.

TRD-202600872  
Janice McCoy  
Executive Director  
Texas Optometry Board  
Filed: February 24, 2026



Texas Health and Human Services Commission

**Title 26, Part 1**

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 560, Denial or Refusal of License

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 560, Denial or Refusal of License, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to *HH-SCRulesCoordinationOffice@hhs.texas.gov*. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 560" 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 26, 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](http://www.sos.texas.gov)).

TRD-202600811  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: February 20, 2026



**Adopted Rule Reviews**

Office of Consumer Credit Commissioner

**Title 7, Part 5**

The Finance Commission of Texas (commission) has completed the rule review of Texas Administrative Code, Title 7, Part 5, Chapter 83, Subchapter A, concerning Rules for Regulated Lenders, in its entirety. The rule review was conducted under Texas Government Code, §2001.039.

Notice of the review of 7 TAC Chapter 83, Subchapter A was published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7925). The commission received no comments in response to that notice. The commission believes that the reasons for initially adopting the rules contained in this chapter continue to exist.

As a result of the rule review, the commission finds that the reasons for initially adopting the rules in 7 TAC Chapter 83, Subchapter A continue to exist, and readopts this chapter in accordance with the requirements of Texas Government Code, §2001.039.

TRD-202600814

Matthew Nance  
General Counsel  
Office of Consumer Credit Commissioner  
Filed: February 20, 2026



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 114, Extension of Duties of Auxiliary Personnel--Dental Assistants;

Chapter 115, Extension of Duties of Auxiliary Personnel--Dental Hygiene; and

Chapter 116, Dental Laboratories.

Notice of the review of these chapters was published in the November 21, 2025 issue of the *Texas Register* (50 TexReg 7585).

As indicated below, the Board received 3 written comments in response to the rule review notice of Chapters 114 through 116:

(1) The Texas Academy of General Dentistry (TAGD) recommends changing Board rule 114.12 to allow registered dental assistants (RDA) to have the option to complete the required 6 hours of clinical continuing education through Board-approved self-study, interactive computer courses, or lecture courses. TAGD states that while the current language in rule 114.12(b) would suggest that RDAs may take all continuing education through self-study, interactive computer courses or lecture courses, it has been the Board's current practice to require clinical hours to only be taken through interactive computer courses or lecture courses. While six of the twelve required continuing education hours are currently available on demand, the remaining live or interactive requirement can create access challenges for many RDAs. TAGD is concerned this structure may unintentionally limit participation, particularly for those balancing professional and personal responsibilities or with limited access to live education. Allowing all continuing education hours to be completed through self-paced or online formats would improve accessibility, efficiency, and affordability while maintaining educational quality and supporting stronger dental teams.

Board Response: The Board agrees with allowing RDAs to complete their continuing education hours (12 hours), including clinical hours, through Board-approved self-study, interactive computer course, or lecture courses. The Board plans to propose this change to rule 114.12 in a future issue of the *Texas Register*.

(2) The Texas Dental Assistants Association (TDAA) recommends changing Board rules 114.3 and 114.5 to require an individual to be a RDA before applying pit and fissure sealants or performing coronal polishing. The association's rationale is: (1) registration ensures that only qualified dental assistants can perform advanced functions that involve direct patient care and carry inherent risks if those procedures are performed incorrectly, thus allowing for overall efficiency and safety for both the patient and the operator; (2) standardized education and competency ensure a consistent quality of care for all patients; (3) requiring a registration prior to performing expanded functions gives the Board additional authority to take disciplinary action and hold the dental assistant accountable, thus establishing patient confidence in their abilities; (4) the registration process clarifies the boundaries of the assistant's role and the primary level of supervision required to perform those functions; and (5) infection control and other patient safety protocols remain intact.

Board Response: The Board does not plan on changing Board rules 114.3 or 114.5 to require a dental assistant registration prior to applying pit and fissure sealants or performing coronal polishing. In accordance with Senate Bill 313 (85th Legislature), the Board removed the registration requirement. However, to ensure public safety, the Board maintained the education and training requirements.

(3) Ronda Lane, BS, CDA, RDA, FADAA, recommends changing Board rule 114.3 to require an individual to be a RDA before applying pit and fissure sealants. Her rationale is: (1) because registration ensures that only qualified individuals performing advanced tasks or expanded functions involve more direct patient care and carry inherent risks if performed incorrectly, allowing overall efficiency and safety for both patient and operator; (2) requiring the RDA credential prior to expanded functions such as pit & fissure sealants gives the Board the authority to take disciplinary action and holds the assistant accountable for actions and helps build patient trust; (3) the registration process clarifies the boundaries of the assistant's role and level of supervision; (4) the RDA requires continuing education, and pit & fissure sealants and coronal polishing do not; and (5) requiring registration prior to performing pit & fissure sealants would be a good way for dental assistants to learn and be familiar with Board rules through the RDA requirements.

Board Response: The Board does not plan on changing Board rule 114.3 to require a dental assistant registration prior to applying pit and fissure sealants. In accordance with Senate Bill 313 (85th Legislature), the Board removed the registration requirement. However, to ensure public safety, the Board maintained the education and training requirements.

The Board has reviewed Chapters 114 through 116 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 114 through 116.

This concludes the Board's review of 22 TAC Chapters 114 through 116 as required by the Texas Government Code §2001.039.

TRD-202600831  
Lauren Studdard  
General Counsel  
State Board of Dental Examiners  
Filed: February 20, 2026



Department of State Health Services

**Title 25, Part 1**

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 181, Vital Statistics

Notice of the review of this chapter was published in the December 5, 2025, issue of the *Texas Register* (50 TexReg 7925). HHSC received no comments concerning this chapter.

DSHS has reviewed Chapter 181 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 181. Any amendments, if applicable, to Chapter 181 identified by DSHS in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes DSHS's review of 25 TAC Chapter 181 as required by Texas Government Code §2001.039.

TRD-202600833  
Jessica Miller  
Director, Rules Coordination Office  
Department of State Health Services  
Filed: February 23, 2026



Texas Health and Human Services Commission

**Title 26, Part 1**

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 262 - Texas Home Living (TxHmL) Program and Community First Choice (CFC)

Notice of the review of this chapter was published in the November 21, 2025, issue of the *Texas Register* (50 TexReg 7586). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 262 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 262. Any amendments, if applicable, to Chapter 262 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 262 as required by Texas Government Code §2001.039.

TRD-202600834  
Jessica Miller  
Director, Rules Coordination Office  
Texas Health and Human Services Commission  
Filed: February 23, 2026



The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 565, Home and Community-Based (HCS) Program and Community First Choice (CFC) Certification Standards

Notice of the review of this chapter was published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8343). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 565 in accordance with Texas Government Code §2001.039, which requires state agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist.

The agency determined that the original reasons for adopting all rules in the chapter continue to exist and readopts Chapter 565. Any amendments, if applicable, to Chapter 565 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 26 TAC Chapter 565 as required by Texas Government Code §2001.039.

TRD-202600771

Jessica Miller

Director, Rules Coordination Office

Texas Health and Human Services Commission

Filed: February 19, 2026



Texas Commission on Jail Standards

**Title 37, Part 9**

The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 251, General, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8075).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 251 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 251.

TRD-202600772

Ricky Armstrong

Interim Executive Director

Texas Commission on Jail Standards

Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 253, Definitions, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8075).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 253 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 253.

TRD-202600773

Ricky Armstrong

Interim Executive Director

Texas Commission on Jail Standards

Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 255, Rulemaking Procedures, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025 issue of the *Texas Register* (50 TexReg 8075).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules

in Chapter 255 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 255.

TRD-202600774

Ricky Armstrong

Interim Executive Director

Texas Commission on Jail Standards

Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 257, Construction Approval Rules, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 257 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 257.

TRD-202600775

Ricky Armstrong

Interim Executive Director

Texas Commission on Jail Standards

Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 259, New Construction Rules, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025 issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 259 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 259.

TRD-202600776

Ricky Armstrong

Interim Executive Director

Texas Commission on Jail Standards

Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 260, County Correctional Centers, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 260 are needed, reflect current legal and policy consider-

ations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 260.

TRD-202600777  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 261, Existing Construction Rules, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 261 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 261.

TRD-202600778  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 263, Life Safety Rules, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 263 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 263.

TRD-202600779  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 265, Admission, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8076).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 265 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The rea-

sons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 265.

TRD-202600780  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 267, Release, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 267 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 267.

TRD-202600781  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 269, Records and Procedures, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 269 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 269.

TRD-202600782  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 271, Classification and Separation of Inmates, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or readopting the rules continue to exist. The Commission finds that the rules in Chapter 271 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The rea-

sons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 271.

TRD-202600783  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 273, Health Services, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or re-adopting the rules continue to exist. The Commission finds that the rules in Chapter 273 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 273.

TRD-202600784  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 275, Supervision of Inmates, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or re-adopting the rules continue to exist. The Commission finds that the rules in Chapter 275 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 275.

TRD-202600785  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 277, Clothing, Personal Hygiene and Bedding, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8077).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or re-adopting the rules continue to exist. The Commission finds that the rules in Chapter 277 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 277.

TRD-202600786  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 279, Sanitation, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8078).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or re-adopting the rules continue to exist. The Commission finds that the rules in Chapter 279 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 279.

TRD-202600787  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



The Texas Commission on Jail Standards (Commission) adopts the review of Chapter 281, Food Services, in accordance with Texas Government Code §2001.039. The proposed notice of intent to review rules was published in the December 12, 2025, issue of the *Texas Register* (50 TexReg 8078).

No comments were received on the proposed rule review.

The Commission has assessed whether the reasons for adopting or re-adopting the rules continue to exist. The Commission finds that the rules in Chapter 281 are needed, reflect current legal and policy considerations, and reflect current procedures of the Commission. The reasons for initially adopting the rules continue to exist. The Commission, therefore, readopts Chapter 281.

TRD-202600788  
Ricky Armstrong  
Interim Executive Director  
Texas Commission on Jail Standards  
Filed: February 19, 2026



# TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 19 TAC Chapter 231-Preamble

<b>Original Division</b>	<b>New Division</b>
Division 23. Marketing, Grades 9-12 Assignments	Consolidated in its entirety into Division 12. Business, Marketing, and Finance, Grades 9-12 Assignments
Division 15. Finance, Grades 9-12 Assignments	Consolidated in its entirety into Division 12. Business, Marketing, and Finance, Grades 9-12 Assignments
Division 24. Science, Technology, Engineering, and Mathematics, Grades 9-12	Consolidated in its entirety into Division 15. Engineering, Grades 9-12 Assignments
Division 16. Government and Public Administration, Grades 9-12 Assignments	Consolidated in its entirety into Division 20. Law, and Public Service, Grades 9-12 Assignments



# 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.

## Comptroller of Public Accounts

### Certification of the Average Closing Price of Gas and Oil - January 2026

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period January 2026 is \$35.23 per barrel for the three-month period beginning on October 1, 2025, and ending December 31, 2025. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of January 2026, from a qualified low-producing oil lease, is not eligible for credit on the oil production tax imposed by Tax Code, Chapter 202.

The Comptroller of Public Accounts, administering agency for the collection of the Natural Gas Production Tax, has determined, as required by Tax Code, §201.059, that the average taxable price of gas for reporting period January 2026 is \$1.46 per mcf for the three-month period beginning on October 1, 2025, and ending December 31, 2025. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of January 2026, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of West Texas Intermediate crude oil for the month of January 2026 is \$60.26 per barrel. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall not exclude total revenue received from oil produced during the month of January 2026, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of January 2026 is \$3.23 per MMBtu. Therefore, pursuant to Tax Code, §171.1011(r), a taxable entity shall exclude total revenue received from gas produced during the month of January 2026, from a qualified low-producing gas well.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

Issued in Austin, Texas, on February 25, 2026.

TRD-202600930

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Filed: February 25, 2026

## Office of Consumer Credit Commissioner

### Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/02/26 - 03/08/26 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 03/02/26 - 03/08/26 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202600922

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: February 25, 2026

## Texas Education Agency

### Request for Literacy and Numeracy Instruments, Kindergarten-Grade 3

Filing Authority. Texas Education Code (TEC), §28.006 and §28.0063

Description. The Texas Education Agency (TEA) invites publishers and local educational agencies to submit literacy and numeracy instruments for review and consideration for inclusion on upcoming commissioner approved lists under TEC, §28.006 and §28.0063. Submitted instruments may be reviewed for one or more of the following purposes: designation as a commissioner approved Kindergarten reading readiness instrument, designation as a commissioner approved foundational literacy instrument for use in Kindergarten through Grade 3, and/or designation as a commissioner approved foundational numeracy instrument for use in Kindergarten through Grade 3.

The final lists of approved instruments are expected to be published in spring 2027 to support statewide implementation for the 2027-2028 school year. Instruments selected for a commissioner's list may remain approved for up to four school years, subject to continued compliance with TEA criteria and commissioner discretion.

TEC, §28.006(b) and (b-1), authorize the commissioner of education to adopt a list of up to three approved instruments to diagnose student reading development and comprehension for kindergarten readiness. Under TEC, §28.006(c-2), each school district and open-enrollment charter school must administer, at the beginning of Kindergarten, a commissioner-adopted reading readiness instrument to every Kindergarten student. Approved Kindergarten reading readiness instruments must be provided to local educational agencies at no cost, as required by TEC, §28.006(f).

TEC, §28.0063(a) authorizes the commissioner to adopt lists of reading and mathematics instruments for Kindergarten through Grade 3 to measure foundational literacy skills in reading development and comprehension and foundational numeracy skills in mathematics. Under TEC, §28.006(g), each school district and open enrollment charter school must administer commissioner approved foundational literacy and numeracy instruments in Grades K-3 in alignment with the administration schedule outlined in TEC, §28.0063(d). Foundational literacy and nu-

meracy instruments must be offered to local educational agencies at a price negotiated by TEA, as required by TEC, §28.0063(i).

**Eligible Applicants.** Eligible applicants include publishers and local educational agencies, including those currently represented on any commissioner's list of K-2 approved reading instruments. Applicants are responsible for submitting the instruments they wish to have reviewed for possible inclusion on the 2027-2031 Commissioner's List of Approved Kindergarten Reading Readiness Instruments, and/or the 2027-2031 Commissioner's List of Approved K-3 Foundational Literacy and Numeracy Instruments.

**Selection Criteria.** Detailed selection criteria and required technical specifications are included in the Request for Literacy and Numeracy Instruments Packet, available on the TEA Call for K-3 Literacy and Numeracy Instruments webpage (<https://tea.texas.gov/academics/early-childhood-education/early-learning-assessments/call-for-k-3-literacy-and-numeracy-instruments>).

TEA reserves the right not to approve any instrument submitted in response to this request.

**Informational Webinars.** TEA will host live webinars on Tuesday, March 10, 2026, from 1:00-2:00 p.m. CST and Wednesday, March 11, 2026, from 10:00-11:00 a.m. CST. Registration is available at <https://us02web.zoom.us/join/joinMeeting?meetingRef=QGbhb2H-Tnqb0B5pD0N8BA> for the 03/10/2026 webinar or at <https://us02web.zoom.us/join/joinMeeting?meetingRef=DVXWT07BTkaYIO6ogo54mw> for the 03/11/2026 webinar. The webinars are open to all prospective applicants and will provide an overview of the Request for Literacy and Numeracy Instruments and its requirements. Attendance is optional and not required for application submission.

**Application.** The full Request for Literacy and Numeracy Instruments, including application materials, forms, and detailed instructions, will be available on the TEA Call for K-3 Literacy and Numeracy Instruments webpage (<https://tea.texas.gov/academics/early-childhood-education/early-learning-assessments/call-for-k-3-literacy-and-numeracy-instruments>). Applicants must review all materials thoroughly to ensure they understand requirements, timelines, submission procedures, and evaluation criteria. Applications must be submitted electronically via [https://tea.co1.qualtrics.com/jfe/form/SV\\_dbrWlBh3YASGUQe](https://tea.co1.qualtrics.com/jfe/form/SV_dbrWlBh3YASGUQe).

**Further Information.** To ensure all prospective applicants have equal access to information, questions must be submitted in writing through the following survey: [https://tea.co1.qualtrics.com/jfe/form/SV\\_8pJ-CoSOuGGGF2B0](https://tea.co1.qualtrics.com/jfe/form/SV_8pJ-CoSOuGGGF2B0). Questions must be submitted no later than 12:00 p.m. (noon) CST on March 13, 2026. All questions and TEA's written responses will be posted publicly on the TEA Call for K-3 Literacy and Numeracy Instruments webpage as Frequently Asked Questions (FAQs) by March 20, 2026.

**Deadline for Receipt of Applications.** Completed applications must be submitted electronically via [https://tea.co1.qualtrics.com/jfe/form/SV\\_dbrWlBh3YASGUQe](https://tea.co1.qualtrics.com/jfe/form/SV_dbrWlBh3YASGUQe) no later than 11:59 p.m. CST on April 6, 2026. Late submissions will not be accepted. All applications must include submitting agency name, primary contact name, primary contact email address, and primary contact phone number.

The designated primary contact must be available to respond promptly to reviewer inquiries; delayed responses may result in an incomplete review and disqualification.

Issued in Austin, Texas, on February 25, 2026.

TRD-202600925

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Filed: February 25, 2026

## State Board for Educator Certification

### Correction of Error

The State Board for Educator Certification proposed new Title 19, Chapter 231, Subchapter E in the October 17, 2025, issue of the *Texas Register* (50 TexReg 6773). Due to an error by the Texas Register, some of the division names included in Subchapter E were published incorrectly in the print edition only. The correct division names for Subchapter E are:

Division 1. English Language Arts and Reading, Grades 9-12 Assignments

Division 2. Languages Other Than English, Grades 9-12 Assignments

Division 3. Social Studies, Grades 9-12 Assignments

Division 4. Mathematics, Grades 9-12 Assignments

Division 5. Science, Grades 9-12 Assignments

Division 6. Health and Physical Education, Grades 9-12 Assignments

Division 7. Fine Arts, Grades 9-12 Assignments

Division 8. Career Development, Grades 9-12 Assignments

Division 9. Agriculture, Food, and Natural Resources, Grades 9-12 Assignments

Division 10. Architecture and Construction, Grades 9-12 Assignments

Division 11. Arts, Audio Visual Technology, and Communications, Grades 9-12 Assignments

Division 12. Business, Marketing, and Finance, Grades 9-12 Assignments

Division 13. Education and Training, Grades 9-12 Assignments

Division 14. Energy, Grades 9-12 Assignments

Division 15. Engineering, Grades 9-12 Assignments

Division 16. Health Science, Grades 9-12 Assignments

Division 17. Hospitality and Tourism, Grades 9-12 Assignments

Division 18. Human Services, Grades 9-12 Assignments

Division 19. Information Technology, Grades 9-12 Assignments

Division 20. Law and Public Service, Grades 9-12 Assignments

Division 21. Manufacturing, Grades 9-12 Assignments

Division 22. Transportation, Distribution, and Logistics, Grades 9-12 Assignments

TRD-202600865

## 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 com-

mission 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 **April 6, 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 **April 6, 2026**. Written comments may also be sent to the enforcement coordinator by email to [ENFCOMNT@tceq.texas.gov](mailto: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: Atlas Operating LLC; DOCKET NUMBER: 2024-1951-AIR-E; IDENTIFIER: RN101966083; LOCATION: Levelland, Hockley County; TYPE OF FACILITY: tank battery; PENALTY: \$4875; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 3 - ABILENE.

(2) COMPANY: BARTON WATER SUPPLY CORPORATION; DOCKET NUMBER: 2022-1162-PWS-E; IDENTIFIER: RN101439172; LOCATION: Gordon, Erath County; TYPE OF FACILITY: public water supply; PENALTY: \$13,130; ENFORCEMENT COORDINATOR: De'Shaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(3) COMPANY: City of Angleton; DOCKET NUMBER: 2024-0539-MWD-E; IDENTIFIER: RN102179785; LOCATION: Angleton, Brazoria County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$27,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$21,600; ENFORCEMENT COORDINATOR: Derek Osborn, (512) 239-0353; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(4) COMPANY: City of Calvert; DOCKET NUMBER: 2023-0815-MWD-E; IDENTIFIER: RN102185972; LOCATION: Calvert, Robertson County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$42,675; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$34,140; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: City of Kaufman; DOCKET NUMBER: 2023-0536-MWD-E; IDENTIFIER: RN102410461; LOCATION: Kaufman, Kaufman County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$39,600; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$31,680; ENFORCEMENT COORDINATOR: Elizabeth Vanderwerken, (512) 239-5900; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(6) COMPANY: City of Marlin; DOCKET NUMBER: 2024-0833-MWD-E; IDENTIFIER: RN102915774; LOCATION: Marlin, Falls County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$22,400; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$17,920; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(7) COMPANY: City of Yorktown; DOCKET NUMBER: 2025-1393-PWS-E; IDENTIFIER: RN101386225; LOCATION: Yorktown, De Witt County; TYPE OF FACILITY: public water supply; PENALTY: \$2,750; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(8) COMPANY: Colorado County Water Control and Improvement District 2; DOCKET NUMBER: 2025-1102-PWS-E; IDENTIFIER: RN101185668; LOCATION: Garwood, Colorado County; TYPE OF FACILITY: public water supply; PENALTY: \$3,210; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(9) COMPANY: J7 Ready Mix, LLC; DOCKET NUMBER: 2024-0456-AIR-E; IDENTIFIER: RN111459707; LOCATION: Alvarado, Johnson County; TYPE OF FACILITY: concrete plant; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 3 - ABILENE.

(10) COMPANY: Magellan Processing, L.P.; DOCKET NUMBER: 2025-1240-AIR-E; IDENTIFIER: RN102536836; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: hydrocarbon condensate processing facility; PENALTY: \$21,300; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(11) COMPANY: PAMPA INVESTMENT GROUP LP; DOCKET NUMBER: 2025-1066-MWD-E; IDENTIFIER: RN110456951; LOCATION: Salado, Bell County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$81,250; ENFORCEMENT COORDINATOR: Madison Crawford, 512-239-4603; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(12) COMPANY: Phillips 66 Company; DOCKET NUMBER: 2024-1250-AIR-E; IDENTIFIER: RN101619179; LOCATION: Old Ocean, Brazoria County; TYPE OF FACILITY: oil refinery; PENALTY: \$23,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$11,875; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(13) COMPANY: Rafael Hernandez Perez and Virginia Perez; DOCKET NUMBER: 2025-0555-PWS-E; IDENTIFIER: RN102951894; LOCATION: Jones Creek, Brazoria County; TYPE OF FACILITY: public water supply; PENALTY: \$2,400;

ENFORCEMENT COORDINATOR: Ilia Perez Ramirez, (512) 239-2556; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(14) COMPANY: River House Development, LLC; DOCKET NUMBER: 2024-1797-WQ-E; IDENTIFIER: RN111941308; LOCATION: Hunt, Kerr County; TYPE OF FACILITY: construction site; PENALTY: \$16,238; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(15) COMPANY: Santo Special Utility District; DOCKET NUMBER: 2025-1518-PWS-E; IDENTIFIER: RN101451870; LOCATION: Palo Pinto, Palo Pinto County; TYPE OF FACILITY: public water supply; PENALTY: \$367; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(16) COMPANY: Terra Verde Utility Company, LLC; DOCKET NUMBER: 2025-1248-PWS-E; IDENTIFIER: RN108297334; LOCATION: Waller, Waller County; TYPE OF FACILITY: public water supply; PENALTY: \$3,025; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(17) COMPANY: Trinity Presbyterian Church (PCA) of Boerne, Texas; DOCKET NUMBER: 2025-1184-PWS-E; IDENTIFIER: RN108692708; LOCATION: Boerne, Kendall County; TYPE OF FACILITY: public water supply; PENALTY: \$5,400; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(18) COMPANY: Union Carbide Corporation; DOCKET NUMBER: 2023-1097-IWD-E; IDENTIFIER: RN102181526; LOCATION: Seadrift, Calhoun County; TYPE OF FACILITY: chemical facility; PENALTY: \$48,925; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$24,476; ENFORCEMENT COORDINATOR: Kolby Farren, (512) 239-2098; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(19) COMPANY: Wholesale Kings LLC; DOCKET NUMBER: 2025-1720-MLM-E; IDENTIFIER: RN112169628; LOCATION: Austin, Travis County; TYPE OF FACILITY: kratom extract manufacturing plant; PENALTY: \$26,796; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

TRD-202600873

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: February 24, 2026



### Enforcement Orders

An agreed order was adopted regarding City of Mobeetie, Docket No. 2023-0657-PWS-E on February 24, 2026 assessing \$1,275 in administrative penalties with \$255 deferred. Information concerning any aspect of this order may be obtained by contacting Ilia Perez Ramirez, 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 Corsicana Tiger Investment Inc dba Tiger Den 1, Docket No. 2023-0789-PST-E on February 24,

2026 assessing \$4,401 in administrative penalties with \$880 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 SHUJAT HOLDING COMPANY dba Bar-H Country Store & BBQ, Docket No. 2023-1214-PST-E on February 24, 2026 assessing \$9,367 in administrative penalties with \$1,873 deferred. Information concerning any aspect of this order may be obtained by contacting Elizabeth Vanderwerken, 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 A&E Xpress Mart, LLC, Docket No. 2023-1758-PST-E on February 24, 2026 assessing \$4,725 in administrative penalties with \$945 deferred. Information concerning any aspect of this order may be obtained by contacting Elizabeth Vanderwerken, 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 BOBCAT TRUCKING, INC., Docket No. 2024-0583-MSW-E on February 24, 2026 assessing \$3,750 in administrative penalties with \$750 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.

A field citation was adopted regarding Antoine CH Investments LLC, Docket No. 2024-0730-PST-E on February 24, 2026 assessing \$2,625 in administrative penalties. Information concerning any aspect of this citation 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 AIZEN & THEA LLC dba Luck Zone, Docket No. 2024-1552-PST-E on February 24, 2026 assessing \$8,266 in administrative penalties with \$1,653 deferred. Information concerning any aspect of this order may be obtained by contacting Lauren Little, 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 Amanda Whitespeare, trustee of MARIE GRACE LEGACY TRUST and Suzanne Eldridge Gore, trustee of MARIE GRACE LEGACY TRUST, Docket No. 2024-1557-PWS-E on February 24, 2026 assessing \$3,942 in administrative penalties with \$788 deferred. Information concerning any aspect of this order may be obtained by contacting Deshaune Blake, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Brian Sutton dba Atlas Septic and Grease, Docket No. 2024-1610-SLG-E on February 24, 2026 assessing \$6,500 in administrative penalties with \$1,300 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 J & H KADIWAL INC dba Eagle Food Mart, Docket No. 2024-1731-PST-E on February 24, 2026 assessing \$9,408 in administrative penalties with \$1,881 deferred. Information concerning any aspect of this order may be obtained by contacting Ramyia Wendt, 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 Shree Akala Devi Holdings LLC dba Eastside Chevron Gas Station, Docket No. 2024-1828-PST-E on February 24, 2026 assessing \$3,750 in administrative penalties with \$750 deferred. Information concerning any aspect of this order may be obtained by contacting Ramya Wendt, 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 HWY 29 GROCERY, INC. dba Jiffy Mart 3, Docket No. 2025-0039-PST-E on February 24, 2026 assessing \$7,750 in administrative penalties with \$1,550 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 Pilot Thomas Logistics LLC dba Pilot Thomas Logistics Card Lock 8630, Docket No. 2025-0194-MLM-E on February 24, 2026 assessing \$12,500 in administrative penalties with \$2,500 deferred. Information concerning any aspect of this order may be obtained by contacting Celia Garza, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Angleton MHP LLC, Docket No. 2025-0645-PWS-E on February 24, 2026 assessing \$1,037 in administrative penalties with \$207 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 Parkway Utility District, Docket No. 2025-0715-PWS-E on February 24, 2026 assessing \$550 in administrative penalties with \$110 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Fmr Texas Limited Partnership, Docket No. 2025-0759-PST-E on February 24, 2026 assessing \$1,750 in administrative penalties. Information concerning any aspect of this citation 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 Stonetown Telge Manor, LLC, Docket No. 2025-0763-PWS-E on February 24, 2026 assessing \$900 in administrative penalties with \$180 deferred. Information concerning any aspect of this order may be obtained by contacting Wyatt Throm, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jaime Lopez, Docket No. 2025-0858-WOC-E on February 24, 2026 assessing \$500 in administrative penalties with \$100 deferred. Information concerning any aspect of this order may be obtained by contacting Hilda Iyasele, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Webb County, Docket No. 2025-0861-PST-E on February 24, 2026 assessing \$6,425 in administrative penalties with \$1,285 deferred. Information concerning any aspect of this order may be obtained by contacting Eunice Adegele, 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 CR Permian Processing, LLC, Docket No. 2025-0921-AIR-E on February 24, 2026 assessing \$7,518 in administrative penalties with \$1,503 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 Gulf Coast Trades Center, Docket No. 2025-0974-MLM-E on February 24, 2026 assessing \$3,785 in administrative penalties with \$757 deferred. Information concerning any aspect of this order may be obtained by contacting Wyatt Throm, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding PRAIRIE VIEW A&M UNIVERSITY, Docket No. 2025-1030-PWS-E on February 24, 2026 assessing \$750 in administrative penalties with \$150 deferred. Information concerning any aspect of this order may be obtained by contacting Tessa Bond, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Water Utilities, L.P., Docket No. 2025-1053-PWS-E on February 24, 2026 assessing \$1,575 in administrative penalties with \$315 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 BASF Corporation, Docket No. 2025-1057-AIR-E on February 24, 2026 assessing \$4,575 in administrative penalties with \$915 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 Nabors Drilling Technologies USA, Inc. dba Canrig Drilling Technologies Ltd., Docket No. 2025-1175-PWS-E on February 24, 2026 assessing \$410 in administrative penalties with \$82 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.

A field citation was adopted regarding Texas Land Holdings I LLC, Docket No. 2025-1700-WR-E on February 24, 2026 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Sedberry, Jimmy J., Docket No. 2025-1764-WOC-E on February 24, 2026 assessing \$175 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Corinna Willis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202600929

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: February 25, 2026



Notice of a Public Meeting and Extension of Public Comment on a Proposed Renewal With Amendment of General Permit TXG870000 Authorizing the Discharge of Pesticides

The Texas Commission on Environmental Quality (TCEQ or commission) is proposing to renew and amend Texas Pollutant Discharge Elimination System General Permit TXG870000. This general permit authorizes the application of pesticides (including insecticides, nematocides, rodenticides, fungicides, and herbicides) into or over, including near, waters of the United States. The draft general permit applies to the entire state of Texas. This general permit is authorized by Section 402 of the Clean Water Act (CWA) and Chapter 26 of the Texas Water Code. **The commission will hold a second hybrid in person and virtual public meeting on March 17, 2026, and extend the deadline for receipt of written comments on the proposed general permit due to agency error.**

**DRAFT GENERAL PERMIT.** The executive director has prepared a draft pesticide general permit renewal with amendments and the pesticide use patterns covered under this permit include mosquito and other nuisance insect pests, vegetation and algae, nuisance animal, area-wide and forest canopy pest control. No significant degradation of high quality waters is expected and existing uses will be maintained and protected. The executive director proposes to require certain dischargers to submit a Notice of Intent to obtain authorization to discharge.

The executive director has reviewed this action for consistency with the goals and policies of the Texas Coastal Management Program (CMP) according to General Land Office regulations and has determined that the action is consistent with applicable CMP goals and policies. On the date that the original notice was published, January 23, 2026, a copy of the draft general permit and fact sheet will be available for a minimum of 30 days for viewing and copying at the TCEQ Office of the Chief Clerk located at the TCEQ Austin office, at 12100 Park 35 Circle, Building F. These documents will also be available at the TCEQ's 16 regional offices and on the TCEQ website at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

**PUBLIC COMMENT/PUBLIC MEETING.** You may submit public comments about this general permit. In addition, the TCEQ will hold an additional public meeting on this proposed general permit. The purpose of a public meeting is to provide the opportunity to submit written or oral comments or to ask questions about the draft general permit. A public meeting is not a contested case hearing.

**The second hybrid in-person and virtual public meeting will be held at 9:30 a.m., March 17, 2026 in TCEQ's complex at 12100 Park 35 Circle, Building F, Room 2210, Austin, Texas 78753.**

**Information for registering and attending the public meeting virtually is available at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.**

**Written public comments must be received by the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by March 17, 2026.**

**ALTERNATIVE LANGUAGE NOTICE.** Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/general/index.html>.

**APPROVAL PROCESS.** After the comment period, the executive director will consider all the public comments and prepare a written response. The response will be filed with the TCEQ Office of the Chief Clerk at least ten days before the scheduled commission meeting when

the commission will consider approval of the general permit. This commission meeting will be open to the public. The commission will consider all public comments in making its decision and will either adopt the executive director's response or prepare its own response. The commission will issue its written response on the general permit at the same time the commission issues or denies the general permit. A copy of any issued general permit and response to comments will be made available to the public for inspection at the agency's Austin office. A notice of the commissioners' action on the draft general permit and information on how to access the response to comments will be mailed to each person who submitted a comment. Also, a notice of the commission's action on the draft general permit and the text of its response to comments will be published in the *Texas Register*.

**MAILING LISTS.** In addition to submitting public comments, you may ask to be placed on a mailing list to receive future public notices mailed by the TCEQ Office of the Chief Clerk. You may request to be added to: 1) the mailing list for this specific general permit; 2) the permanent mailing list for a specific county; or 3) both. Clearly specify the mailing lists to which you wish to be added and send your request to the TCEQ Office of the Chief Clerk at the address previously mentioned. Unless you otherwise specify, you will be included only on the mailing list for this specific general permit.

**INFORMATION.** If you need more information about this general permit or the permitting process, please call the TCEQ Public Education Program, toll free, at 1 (800) 687-4040. General information about the TCEQ can be found at our website at: <https://www.tceq.texas.gov>.

Persons with disabilities who need special accommodations at the public meeting should call the Office of the Chief Clerk at (512) 239-3300 or 1 (800) RELAY-TX (TDD) at least one week prior to the meeting.

Further information may also be obtained by calling Mike Aplin, TCEQ Water Quality Division, at (512) 239-4314.

*Si desea información en español, puede llamar 1 (800) 687-4040.*

TRD-202600928

Amy L. Browning

Acting Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Filed: February 25, 2026



Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant With Enhanced Controls Proposed Air Quality Registration Number 151142

APPLICATION. Tex Mix Partners, LLC, P.O. Box 830, Leander, Texas 78646-0830, has applied to the Texas Commission on Environmental Quality (TCEQ) for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 151142 to authorize the modification of a permanent concrete batch plant with enhanced controls. The facility is proposed to be located at 534 Farm to Market Road 969, Bastrop, Bastrop County, Texas 78602. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. **AVISO DE IDIOMA ALTERNATIVO.** El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/air/newsourcerview/airpermits-pendingpermit-apps>. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMap-per/?marker=-97.380878,30.138093&level=13>. This application was submitted to the TCEQ on January 15, 2026. The primary function

of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on February 10, 2026.

**PUBLIC COMMENT / PUBLIC HEARING.** Public written comments about this application may be submitted at any time during the public comment period. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/). Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record.

A public hearing has been scheduled, that will consist of two parts, an informal discussion period and a formal comment period. During the informal discussion period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application, but comments made during the informal period will not be considered by the executive director before reaching a decision on the permit, and no formal response will be made to the informal comments. During the formal comment period, members of the public may state their comments into the official record. Written comments about this application may also be submitted at any time during the hearing. The purpose of a public hearing is to provide the opportunity to submit written comments or an oral statement about the application. The public hearing is not an evidentiary proceeding.

The Public Hearing is to be held:

Thursday, April 2, 2026, at 6:00 p.m.

Best Western Bastrop Pines Inn

107 Hunters Crossing Boulevard

Bastrop, Texas 78602

**RESPONSE TO COMMENTS.** A written response to all formal comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

**CENTRAL/REGIONAL OFFICE.** The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Austin Regional Office, located at 12100 Park 35 Circle, Building A, Room 179, Austin, Texas 78753-1808, during the hours of 8:00 a.m. to 5:00 p.m., Monday through Friday, beginning the first day of publication of this notice. The application, including any updates, is available electronically at the following webpage: <https://www.tceq.texas.gov/permitting/air/airpermit-applications-notices>.

**INFORMATION.** For more information about the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040. You can also view our website for public participation opportunities at [www.tceq.texas.gov/goto/participation](http://www.tceq.texas.gov/goto/participation).

Further information may also be obtained from Tex Mix Partners, LLC, P.O. Box 830, Leander, Texas 78646-0830, or by calling Mr. Josh Butler, Environmental Services Manager, Elm Creek Environmental, LLC, at (469) 946-8195.

Notice Issuance Date: February 18, 2026

TRD-202600889

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: February 24, 2026



### Notice of Opportunity to Comment on an Agreed Order of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Order (AO) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AO, the commission shall allow the public an opportunity to submit written comments on the proposed AO. TWC, §7.075, requires that notice of the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **April 6, 2026**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on April 6, 2026**. The designated attorney is available to discuss the AO and/or the comment procedure at the listed phone number; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: Leona Bullock dba Blue Ridge Mobile Home Park; DOCKET NUMBER: 2022-1030-PWS-E; TCEQ ID NUMBER: RN101226538; LOCATION: the north side of State Highway 27, 4.8 miles northeast of Kerrville, Kerr County; TYPE OF FACILITY: a public water system; PENALTY: \$11,160; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: San Antonio Regional Office, 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 490-3096.

TRD-202600877

Gitanjali Yadav  
Deputy Director, Litigation Division  
Texas Commission on Environmental Quality  
Filed: February 24, 2026

◆ ◆ ◆  
**General Land Office**

Coastal Boundary Survey: Doddridge Park-Ocean Drive,  
Nueces County

Surveying Services

Coastal Boundary Survey

Project: E Hall-Levi Jones Sec13 Div 1 & Div 4-West Bay at Terramar  
Beach

Project No: GLO Project No. CE20240133

Project Manager: Amy Nunez, Dianna Ramirez, Coastal Field Operations

Surveyor: William Merten, Licensed State Land Surveyor

Description: Coastal Boundary Survey, being the line of Mean High Water of West Bay of Galveston Bay and Texas Submerged Tract 38, and along a portion of Divisions 1 & 4, Section 13, Hall & Jones Survey, Abstract Number 121, in Galveston County, Texas, in connection with GLO ID# 20240133. Centroid coordinates 29.135905° N, 95.068585° W, WGS84. A copy of the survey has been filed under File No. SLS2025000004, County Surveyors Records of Galveston County, Texas.

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: Mark Neugebauer, Chief Surveyor

Date: February 9, 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: February 20, 2026

Filed as: Galveston County, NRC Article 33.136 Sketch No. 96

Tex. Nat. Res. Code §33.136

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202600869

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: February 24, 2026

◆ ◆ ◆  
Coastal Boundary Survey: Southerly Bank of West Galveston  
Bay - Isla Del Sol Subdivision

Surveying Services

Coastal Boundary Survey

Project: Southerly Bank of West Galveston Bay - Isla Del Sol Subdivision

Project No: GLO Project No. CE900116

Project Manager: Kristen Naz, Coastal Field Operations

Surveyor: Stephen C. Blaskey, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated October 24, 2025, delineating the Mean High Water line along a portion of Isla del Sol Subdivision, situated in the Edward Hall and Levi Jones Survey, Abstract 121, adjacent to West Galveston Bay and State Submerged Land Tract 38 in Galveston County, Texas, in connection with GLO No. CE900116. Centroid coordinates 29.140751° N, 95.057043° W, WGS84. A copy of the survey has been filed under Instrument No. SLS2026000001, Official Public Records of Galveston County, Texas.

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: Mark Neugebauer, Chief Surveyor

Date: February 9, 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: February 19, 2026

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202600866

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: February 24, 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 February 16, 2026 to February 20, 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, February 27, 2026. The public comment period for this project will close at 5:00 p.m. on Sunday, March 29, 2026.

Federal Agency Activities:

**Applicant:** U.S. Environmental Protection Agency, Region 6

**Location:** Corpus Christi Bay, Nueces and San Patricio County, Texas.

**Project Description:** Corpus Christi Ocean Dredged Material Disposal Sites Expansion Draft Environmental Assessment (EA). The purpose of the Proposed Action is to increase available capacity for ocean disposal of suitable dredged material (meeting the requirements of 40 C.F.R. Parts 220-228) from the Corpus Christi Ship Channels and vicinity. Historically, ocean disposal in the Corpus Christi area has been restricted to suitable maintenance dredged materials from federal dredging of the Entrance and Jetty Channels and the federally authorized Corpus Christi Ship Channel Improvement Project.

Modeling conducted by the USACE Galveston District since the approval of the CCSCIP showed future disposal capacity of the upland placement areas is limited and may not be available for non-federal dredging projects. In 2015, the USACE Galveston District requested that the EPA Region 6 modify the site use restrictions to make the ODMDSs available for disposal of suitable dredged material from the greater Corpus Christi vicinity, including non-federal dredging, but did not request the site be expanded. The USACE request was made based on the projected frequency of dredge events and projected dredge volumes from federal dredging at that time and did not include an increased demand associated with large, private development projects that are currently planned in the area.

**Type of Application:** EPA Draft EA on The Proposed Modification for Expansion of the Corpus Christi Ship Channel and Corpus Christi New Work Ocean Dredged Material Disposal Sites, Nueces and San Patricio Counties, Texas and Preliminary Finding of No Significant Impact.

**CMP Project No:** 26-1090-F2

Federal License and Permit Activities:

**Applicant:** Clayton Brashear

**Location:** The project would affect waters of the United States and navigable waters of the United States associated with the Laguna Madre, in South Padre Island, Cameron County, Texas.

**Latitude and Longitude:** 26.133207, -97.172538

**Project Description:** Improve navigation safety and maneuverability within an existing marina channel. The applicant requests authorization to reconfigure the bulkhead located at the terminus of an existing channel. Approximately 578 linear feet of vinyl sheet pile would be installed in a rectangular configuration. In areas where the existing concrete bulkhead and new vinyl sheet pile overlap, one existing wall panel would be removed, and any gaps would be sealed with plywood to eliminate seepage. Approximately 1,897 cubic yards of material would be excavated from 10,246 square feet of uplands located behind the existing bulkhead. Excavation would occur to a depth of approximately 4 feet mean high water. Approximately 778 cubic yards of excavated material would be deposited within 3,818 square feet of waters of the US as backfill behind the vinyl sheet pile. The remaining excavated material would be distributed within the upland property. Once excavation and backfill activities are complete, the existing concrete bulkhead would be removed.

The applicant has provided the following explanation why compensatory mitigation should not be required: Due to the minor nature of impacts, no compensatory mitigation is proposed.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2025-00664. This application will be reviewed pursuant Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 26-1086-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](mailto:pialegal@glo.texas.gov). Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at [federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov).

TRD-202600870

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: February 24, 2026



### Surveying Services Coastal Boundary Survey

Project: E Hall-Levi Jones Sec13 Div 1 & Div 4-West Bay at Terramar Beach

Project No: GLO Project No. CE20240133

Project Manager: Amy Nunez, Dianna Ramirez, Coastal Field Operations

Surveyor: William Merten, Licensed State Land Surveyor

Description: Coastal Boundary Survey, being the line of Mean High Water of West Bay of Galveston Bay and Texas Submerged Tract 38, and along a portion of Divisions 1 & 4, Section 13, Hall & Jones Survey, Abstract Number 121, in Galveston County, Texas, in connection with GLO ID# 20240133. Centroid coordinates 29.135905° N, 95.068585° W, WGS84. A copy of the survey has been filed under File No. SLS2025000004, County Surveyors Records of Galveston County, Texas.

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: Mark Neugebauer, Chief Surveyor

Date: February 9, 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: February 20, 2026

Filed as: Galveston County, NRC Article 33.136 Sketch No. 96

Tex. Nat. Res. Code §33.136

Filed as: Galveston County, NRC Article 33.136 Sketch No. 100

Tex. Nat. Res. Code §33.136

TRD-202600867

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: February 24, 2026

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**Office of the Governor**

**Notice of Available Funding Opportunities**

The Public Safety Office is announcing the following funding opportunities for State Fiscal Year 2027. Details for these opportunities, including the open and close date for the solicitation, can be found on the eGrants Calendar (<https://egrants.gov.texas.gov/fundingopp>).

- Urban Area Security Initiative: LETPA Projects (UASI-L) - Per Congressional mandate (911 Act), twenty-five percent (25%) of the combined Homeland Security Grant Program funding must be spent on Law Enforcement Terrorism Prevention Activities (LETPA). **FEMA has increased this requirement to 35%**. The purpose of this solicitation is to assist high-threat, high-density Urban Areas in efforts to build and sustain the capabilities necessary to prevent terrorist attacks and support critical prevention and protection activities. All LETPA investments must be consistent with capability targets set during the Threat and Hazard Identification and Risk Assessment (THIRA) process, and gaps identified in the State Preparedness Report (SPR).

- Urban Area Security Initiative: Regular Projects (UASI-R) - The purpose of this solicitation is to assist high-threat, high-density Urban Areas in efforts to build and sustain the capabilities necessary to prevent, protect against, mitigate, respond to, and recover from acts of terrorism. All investments must be consistent with capability targets set during the Threat and Hazard Identification and Risk Assessment (THIRA) process, and gaps identified in the Stakeholder Preparedness Review (SPR).

TRD-202600923

Angie Martin

Director, Grants Administration Division

Office of the Governor

Filed: February 25, 2026

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**Texas Department of Insurance**

**Company Licensing**

Application to do business in the state of Texas for GoAuto Casualty, A Reciprocal, a foreign Lloyds/reciprocal. The home office is in Baton Rouge, Louisiana.

Application to do business in the state of Texas for Orion180 Select Insurance Company, a foreign fire and/or casualty company. The home office is in Melbourne, Florida.

Application for incorporation in the state of Texas for Trilogy Specialty Reciprocal Insurance Exchange, a domestic Lloyds/reciprocal. The home office is in Austin, Texas.

Any objections must be filed with the Texas Department of Insurance, within twenty (20) calendar days from the date of the *Texas Register* publication, addressed to the attention of Andrew Guerrero, 1601 Congress Ave., Suite 6.900, Austin, Texas 78701.

TRD-202600924

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: February 25, 2026

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**Texas Department of Licensing and Regulation**

**Scratch Ticket Game Number 2730 "MILLIONAIRE'S CLUB"**

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2730 is "MILLIONAIRE'S CLUB". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2730 shall be \$30.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2730.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 2X SYMBOL, 5X SYMBOL, 10X SYMBOL, 20X SYMBOL, \$30.00, \$50.00, \$100, \$150, \$300, \$500, \$3,000 and \$2,000,000.

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. 2730 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH

34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
20X SYMBOL	WINX20
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$150	ONFF
\$300	THHN
\$500	FVHN
\$3,000	THTH
\$2,000,000	TPPZ

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 (2730), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 025 within each Pack. The format will be: 2730-0000001-001.

H. Pack - A Pack of the "MILLIONAIRE'S CLUB" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 025 while the other fold will show the back of Ticket 001 and front of 025.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation ("Texas Lottery") pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "MILLIONAIRE'S CLUB" Scratch Ticket Game No. 2730.

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 "MILLIONAIRE'S CLUB" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy-four (74) Play Symbols. CLUB BONUS PLAY INSTRUCTIONS: If a player reveals 2 matching prize amounts in the same CLUB BONUS play area, the player wins that amount. MILLIONAIRE'S CLUB PLAY INSTRUCTIONS: If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "20X" Play Symbol, the player wins 20 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly seventy-four (74) 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 seventy-four (74) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;

14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the seventy-four (74) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the seventy-four (74) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery ("Executive Director") may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or 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. CLUB BONUS: A non-winning Prize Symbol in a CLUB BONUS play area will never match a winning Prize Symbol in the other CLUB BONUS play area.

D. CLUB BONUS: A Ticket will not have matching non-winning Prize Symbols across the two (2) CLUB BONUS play areas.

E. MILLIONAIRE'S CLUB - Key Number Match: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., \$30 and 30).

F. MILLIONAIRE'S CLUB - Key Number Match: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

G. MILLIONAIRE'S CLUB - Key Number Match: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

H. MILLIONAIRE'S CLUB - Key Number Match: A non-winning Prize Symbol will never match a winning Prize Symbol.

I. MILLIONAIRE'S CLUB - Key Number Match: A Ticket may have up to six (6) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

J. MILLIONAIRE'S CLUB - Key Number Match: The "2X" (DBL) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

K. MILLIONAIRE'S CLUB - Key Number Match: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

L. MILLIONAIRE'S CLUB - Key Number Match: The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

M. MILLIONAIRE'S CLUB - Key Number Match: The "20X" (WINX20) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "MILLIONAIRE'S CLUB" Scratch Ticket Game prize of \$30.00, \$50.00, \$100, \$150, \$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 \$30.00, \$50.00, \$100, \$150, \$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 "MILLIONAIRE'S CLUB" Scratch Ticket Game prize of \$3,000 or \$2,000,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to

the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "MILLIONAIRE'S CLUB" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

- A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;
- B. if there is any question regarding the identity of the claimant;
- C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or
- D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "MILLIONAIRE'S CLUB" 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 "MILLIONAIRE'S CLUB" 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 8,040,000 Scratch Tickets in Scratch Ticket Game No. 2730. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2730 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$30.00	964,800	8.33
\$50.00	562,800	14.29
\$100	402,000	20.00
\$150	201,000	40.00
\$300	125,424	64.10
\$500	15,075	533.33
\$3,000	100	80,400.00
\$2,000,000	4	2,010,000.00

\*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 3.54. 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. 2730 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. 2730, 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-202600835  
 Deanne Rienstra  
 Interim General Counsel Lottery and Charitable Bingo  
 Texas Department of Licensing and Regulation  
 Filed: February 23, 2026



Scratch Ticket Game Number 2731 "DEEP POCKETS"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2731 is "DEEP POCKETS". The play style is "key symbol match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2731 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2731.

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: CANDY SYMBOL, SUNGLASSES SYMBOL, PHONE SYMBOL, LIPSTICK SYMBOL, WATCH SYMBOL, COMB SYMBOL, MONEYCLIP SYMBOL, PURSE SYMBOL, NECKLACE SYMBOL, KEY SYMBOL, CREDIT CARDS SYMBOL, HEART SYMBOL, MEDAL SYMBOL, WALLET SYMBOL, SHELL SYMBOL, CLOVER SYMBOL, POKER CHIPS SYMBOL, RING SYMBOL, MAP SYMBOL, GOLD SYMBOL, STAR SYMBOL, COINS SYMBOL, 5X SYMBOL, 10X SYMBOL, \$2, \$5, \$10, \$20, \$25, \$50, \$100, \$1,000 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. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2731 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
CANDY SYMBOL	CANDY
SUNGLASSES SYMBOL	GLASSES
PHONE SYMBOL	PHONE
LIPSTICK SYMBOL	LIPSTICK
WATCH SYMBOL	WATCH
COMB SYMBOL	COMB
MONEYCLIP SYMBOL	MONCLIP
PURSE SYMBOL	PURSE
NECKLACE SYMBOL	NECKLACE
KEY SYMBOL	KEY
CREDIT CARDS SYMBOL	CARDS
HEART SYMBOL	HEART
MEDAL SYMBOL	MEDAL
WALLET SYMBOL	WALLET
SHELL SYMBOL	SHELL
CLOVER SYMBOL	CLOVER
POKER CHIPS SYMBOL	CHIPS
RING SYMBOL	RING
MAP SYMBOL	MAP
GOLD SYMBOL	GOLD
STAR SYMBOL	STAR
COINS SYMBOL	COINS
5X SYMBOL	WINX5
10X SYMBOL	WINX10
\$2	TWO\$
\$5	FIV\$
\$10	TEN\$

\$20	TWY\$
\$25	TWV\$
\$50	FFTY\$
\$100	ONHN
\$1,000	ONTH
\$30,000	30TH

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 (2731), 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: 2731-000001-001.

H. Pack - A Pack of the "DEEP POCKETS" 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 and Charitable Bingo Division of the Texas Department of Licensing and Regulation ("Texas Lottery") pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "DEEP POCKETS" Scratch Ticket Game No. 2731.

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 "DEEP POCKETS" 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 SYMBOLS Play Symbols to either of the WINNING SYMBOLS Play Symbols, the player wins the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. 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;
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. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or 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. KEY SYMBOL MATCH: There will be no matching non-winning YOUR SYMBOLS Play Symbols on a Ticket.

D. KEY SYMBOL MATCH: There will be no matching WINNING SYMBOLS Play Symbols on a Ticket.

E. KEY SYMBOL MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol.

F. KEY SYMBOL MATCH: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

G. KEY SYMBOL MATCH: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

H. KEY SYMBOL MATCH: The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "DEEP POCKETS" Scratch Ticket Game prize of \$2.00, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00 or \$100, 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 \$25.00, \$50.00 or \$100 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 "DEEP POCKETS" Scratch Ticket Game prize of \$1,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "DEEP POCKETS" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "DEEP POCKETS" 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 "DEEP POCKETS" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 9,000,000 Scratch Tickets in Scratch Ticket Game No. 2731. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2731 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	936,000	9.62
\$5.00	576,000	15.63
\$10.00	144,000	62.50
\$20.00	72,000	125.00
\$25.00	90,000	100.00
\$50.00	26,250	342.86
\$100	3,450	2,608.70
\$1,000	15	600,000.00
\$30,000	5	1,800,000.00

\*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 4.87. 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. 2731 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. 2731, 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-202600863

Deanne Rienstra

Interim General Counsel Lottery and Charitable Bingo

Texas Department of Licensing and Regulation

Filed: February 24, 2026



## North Central Texas Council of Governments

### Request for Proposals for World Cup Rideshare Lot Operational Services

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from providers of parking and or traffic operation services to facilitate staffing and equipment for a rideshare lot for transportation network companies such as Uber/Lyft for use by fans attending the nine 2026 FIFA World Cup games in Arlington, Texas. The designated lot for TNC pick up/drop of is the Esports Stadium Arlington parking lot (adjacent to 1200 Ballpark Way, Arlington, Texas).

NCTCOG will be releasing this RFP on **Friday, March 6, 2026**, in the Bidnet Direct system and will accept electronic submissions through the Bidnet Direct system only. The Bidnet Direct submittal will count as the official submittal. Proposals must be submitted in Bidnet Direct no later than **5:00 p.m., Central Time, on Friday, March 20, 2026**. Proposals received after that time will not be accepted.

NCTCOG does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202600920

Todd Little

Executive Director

North Central Texas Council of Governments

Filed: February 25, 2026



### Request for Proposals for World Cup Wayfinding Signage

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from vendors capable of delivering an end-to-end wayfinding brand dressing for pedestrian routes during the scheduled nine FIFA World Cup 2026 events at Dallas Stadium in Arlington, Texas. Using FIFA approved branding and wayfinding signage materials, the vendor will fabricate the materials and install and remove the materials before and after the scheduled events during

June and July 2026. Materials will be installed in strategic locations along pedestrian routes surrounding Dallas Stadium and along routes to the stadium from transportation services including a bus transit lot, a ride share lot, and the designated shuttle service zone.

NCTCOG will be releasing this RFP on **Friday, March 6, 2026**, in the Bidnet Direct system and will accept electronic submissions through the Bidnet Direct system only. The Bidnet Direct submittal will count as the official submittal. Proposals must be submitted in Bidnet Direct no later than **5:00 p.m., Central Time, on Friday, March 20, 2026**. Proposals received after that time will not be accepted.

NCTCOG does not discriminate on the basis of age, race, color, religion, sex, national origin, or disability.

TRD-202600921

Todd Little

Executive Director

North Central Texas Council of Governments

Filed: February 25, 2026



## Public Utility Commission of Texas

### Notice of Application for Designation as an Eligible Telecommunications Carrier

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on February 19, 2026, for designation as an eligible telecommunications carrier (ETC) in the state of Texas under 47 U.S.C. §214(e) and 16 Texas Administrative Code §26.418.

Docket Title and Number: Application of LTE Wireless, Inc. for Designation as an Eligible Telecommunications Carrier, Docket Number 59397.

The Application: LTE Wireless, Inc. seeks an eligible telecommunications carrier designation in Texas.

Persons who wish to comment on this application should notify the Public Utility Commission by March 26, 2026. Requests for further information should be mailed to the Public Utility Commission of Texas, P.O. Box 13326, Austin, Texas 78711-3326, or you may call the PUCT Consumer Protection Division at (512) 936-7120 or (888) 782-8477. Hearing-and speech-impaired individuals may contact the commission through Relay Texas at (800) 735-2989. All comments should reference Docket Number 59397.

TRD-202600819

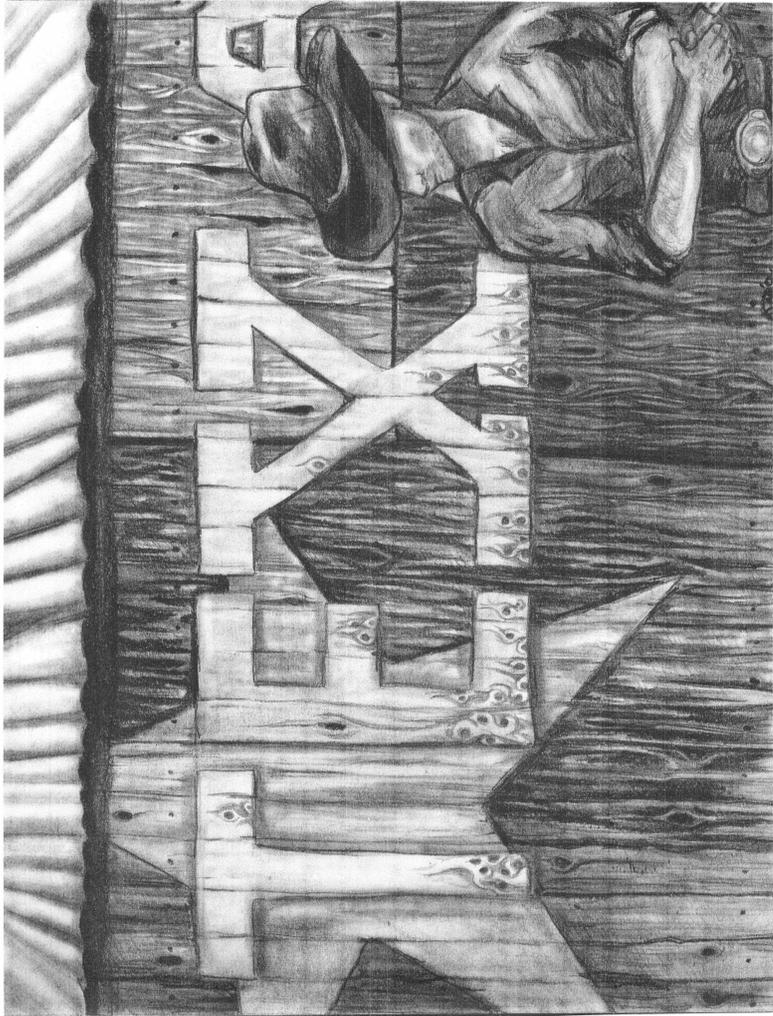
Andrea Gonzalez

Rules Coordinator

Public Utility Commission of Texas

Filed: February 20, 2026





## How to Use the Texas Register

**Information Available:** The sections of the *Texas Register* represent various facets of state government. Documents contained within them include:

**Governor** - Appointments, executive orders, and proclamations.

**Attorney General** - summaries of requests for opinions, opinions, and open records decisions.

**Texas Ethics Commission** - summaries of requests for opinions and opinions.

**Emergency Rules** - sections adopted by state agencies on an emergency basis.

**Proposed Rules** - sections proposed for adoption.

**Withdrawn Rules** - sections withdrawn by state agencies from consideration for adoption, or automatically withdrawn by the Texas Register six months after the proposal publication date.

**Adopted Rules** - sections adopted following public comment period.

**Texas Department of Insurance Exempt Filings** - notices of actions taken by the Texas Department of Insurance pursuant to Chapter 5, Subchapter L of the Insurance Code.

**Review of Agency Rules** - notices of state agency rules review.

**Tables and Graphics** - graphic material from the proposed, emergency and adopted sections.

**Transferred Rules** - notice that the Legislature has transferred rules within the *Texas Administrative Code* from one state agency to another, or directed the Secretary of State to remove the rules of an abolished agency.

**In Addition** - miscellaneous information required to be published by statute or provided as a public service.

Specific explanation on the contents of each section can be found on the beginning page of the section. The division also publishes cumulative quarterly and annual indexes to aid in researching material published.

**How to Cite:** Material published in the *Texas Register* is referenced by citing the volume in which the document appears, the words "TexReg" and the beginning page number on which that document was published. For example, a document published on page 2402 of Volume 51 (2026) is cited as follows: 51 TexReg 2402.

In order that readers may cite material more easily, page numbers are now written as citations. Example: on page 2 in the lower-left hand corner of the page, would be written "51 TexReg 2 issue date," while on the opposite page, page 3, in the lower right-hand corner, would be written "issue date 51 TexReg 3."

**How to Research:** The public is invited to research rules and information of interest between 8 a.m. and 5 p.m. weekdays at the *Texas Register* office, James Earl Rudder Building, 1019 Brazos, Austin. Material can be found using *Texas Register* indexes, the *Texas Administrative Code* section numbers, or TRD number.

Both the *Texas Register* and the *Texas Administrative Code* are available online at: <https://www.sos.texas.gov>. The *Texas Register* is available in an .html version as well as a .pdf version through the internet. For website information, call the Texas Register at (512) 463-5561.

## Texas Administrative Code

The *Texas Administrative Code (TAC)* is the compilation of all final state agency rules published in the *Texas Register*. Following its effective date, a rule is entered into the *Texas Administrative Code*. Emergency rules, which may be adopted by an agency on an interim basis, are not codified within the *TAC*.

The *TAC* volumes are arranged into Titles and Parts (using Arabic numerals). The Titles are broad subject categories into which the agencies are grouped as a matter of convenience. Each Part represents an individual state agency.

The complete *TAC* is available through the Secretary of State's website at <http://www.sos.state.tx.us/tac>.

The Titles of the *TAC*, and their respective Title numbers are:

1. Administration
4. Agriculture
7. Banking and Securities
10. Community Development
13. Cultural Resources
16. Economic Regulation
19. Education
22. Examining Boards
25. Health Services
28. Insurance
30. Environmental Quality
31. Natural Resources and Conservation
34. Public Finance
37. Public Safety and Corrections
40. Social Services and Assistance
43. Transportation

**How to Cite:** Under the *TAC* scheme, each section is designated by a *TAC* number. For example in the citation 1 TAC §91.1: 1 indicates the title under which the agency appears in the *Texas Administrative Code*; *TAC* stands for the *Texas Administrative Code*; §91.1 is the section number of the rule (91 indicates that the section is under Chapter 91 of Title 1; 1 represents the individual section within the chapter).

**How to Update:** To find out if a rule has changed since the publication of the current supplement to the *Texas Administrative Code*, please look at the *Index of Rules*.

The *Index of Rules* is published cumulatively in the blue-cover quarterly indexes to the *Texas Register*.

If a rule has changed during the time period covered by the table, the rule's *TAC* number will be printed with the *Texas Register* page number and a notation indicating the type of filing (emergency, proposed, withdrawn, or adopted) as shown in the following example.

### TITLE 1. ADMINISTRATION

#### Part 4. Office of the Secretary of State

#### Chapter 91. Texas Register

1 TAC §91.1.....950 (P)

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