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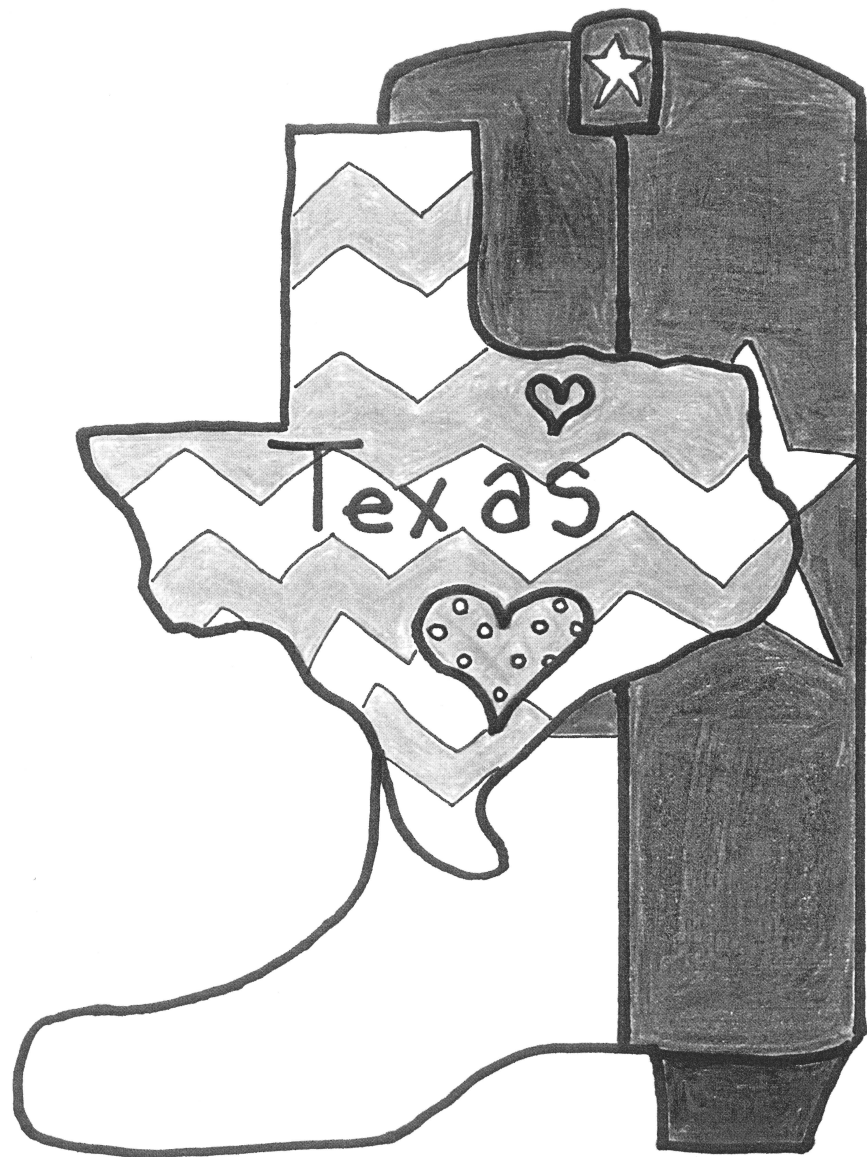
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THE GOVERNOR

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

Appointments

Appointments for May 18, 2026

Appointed to the TexNet Technical Advisory Committee for a term to expire at the pleasure of the Governor, Baishali Roy, Ph.D. of Katy, Texas (replacing Philip M. "Mark" Boyd, Ph.D. of Houston).

Appointed to the Texas State Board of Plumbing Examiners for a term to expire September 5, 2031, Thomas J. "Justin" MacDonald of Kerrville, Texas (Mr. MacDonald is being reappointed).

Designating as presiding officer of the Texas State Board of Plumbing Examiners for a term to expire at the pleasure of the Governor, Thomas J. "Justin" MacDonald of Kerrville, Texas (Mr. MacDonald is replacing Frank S. Denton of Conroe as presiding officer).

Appointments for May 19, 2026

Designating Kathy G. Comer of Tyler as presiding officer of the Texas Council on Alzheimer's Disease and Related Disorders for a term to expire at the pleasure of the Governor. Ms. Comer is replacing Marc I. Diamond, Jr., M.D. of Dallas as presiding officer.

Appointed as the presiding officer of the Camino Real Regional Mobility Authority for a term to expire February 1, 2027, Joyce A. Wilson of El Paso, Texas (Ms. Wilson is being reappointed).

Appointments for May 20, 2026

Appointed as the Student Representative for the Texas Higher Education Coordinating Board for a term to expire May 31, 2027, Eli Heath of Lubbock, Texas (replacing Lisa D. Cantu of College Station whose term expired).

Appointed as the Student Regent for the Texas Southern University Board of Regents for a term to expire May 31, 2027, Joseph Carter of Houston, Texas (replacing Kohl E. Crawford of Garland whose term expired).

Appointed as the Student Regent for the Texas A&M University System Board of Regents for a term to expire May 31, 2027, Lisa D. Cantu of College Station, Texas (replacing Jaquavous S. Doucette of Prairie View whose term expired).

Appointed as the Student Regent for Texas Woman's University Board of Regents for a term to expire May 31, 2027, Jenna L. Crocker of Sanger, Texas (replacing David Jennings of Sanger whose term expired).

Appointed as the Student Regent for the Texas State University System Board of Regents for a term to expire May 31, 2027, Elizabeth Diaz Arreola of Dayton, Texas (replacing Donavan J. Brown of San Marcos whose term expired).

Appointed as the Student Regent for the Texas Tech University System Board of Regents for term to expire May 31, 2027, Rachel A. McLelland of Lubbock, Texas (replacing Eli Heath of Lubbock whose term expired).

Appointed as the Student Regent for the University of North Texas System Board of Regents for a term to expire May 31, 2027, Ronald Makumbi of Fort Worth, Texas (replacing Hayden B. Wochele of Waxahachie whose term expired).

Appointed as the Student Regent for the University of Texas System Board of Regents for a term to expire May 31, 2027, Jeremiah S. Clarke of San Antonio, Texas (replacing Lucas B. "Luke" Schwartz of Tyler whose term expired).

Appointed to the Advisory Council on Emergency Medical Services for a term to expire January 1, 2032, Trevor J. Stokes of Liberty Hill, Texas (replacing Michael S. "Mike" Clements of Cypress whose term expired).

Greg Abbott, Governor

TRD-202602140



Proclamation 41-4283

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on May 31, 2021, certifying under Section 418.014 of the Texas Government Code that the surge of individuals unlawfully crossing the Texas-Mexico border posed an ongoing and imminent threat of disaster for a number of Texas counties and for all state agencies affected by this disaster; and

WHEREAS, I amended the aforementioned proclamation in a number of subsequent proclamations, including to modify the list of affected counties and therefore declare a state of disaster for those counties and for all state agencies affected by this disaster; and

WHEREAS, the certified conditions continue to exist and pose an ongoing and imminent threat of disaster as set forth in the prior proclamations; and

WHEREAS, a disaster has been declared at the local level by Willacy County;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the aforementioned proclamation and declare a disaster for Aransas, Atascosa, Bee, Brewster, Brooks, Caldwell, Calhoun, Cameron, Chambers, Coleman, Colorado, Crane, Crockett, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Galveston, Goliad, Gonzales, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kenedy, Kerr, Kimble, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Mason, Matagorda, Maverick, McCulloch, McLennan, McMullen, Medina, Menard, Midland, Pecos, Presidio, Real, Refugio, San Jacinto, San Patricio, Schleicher, Shackelford, Starr, Sutton, Terrell, Throckmorton, Upton, Uvalde, Val Verde, Victoria, Webb, Wharton, Wilbarger, Willacy, Wilson, Zapata, and Zavala Counties and for all state agencies affected by this disaster. All orders, directions, suspensions, and authorizations provided in the Proclamation of May 31, 2021, as amended and renewed in subsequent proclamations, are in full force and effect.

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

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 17th day of May, 2026.

Greg Abbott, Governor
TRD-202602093



Proclamation 41-4284

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation on July 8, 2022, as amended and renewed in a number of subsequent proclamations, certifying that exceptional drought conditions posed a threat of imminent disaster in several counties; and

WHEREAS, the Texas Division of Emergency Management has confirmed that those same drought conditions persist in certain counties in Texas and that the presence of drought conditions in certain counties contributes to increased wildfire danger;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Anderson, Andrews, Aransas, Armstrong, Atascosa, Bailey, Bandera, Bastrop, Bee, Bell, Bexar, Blanco, Borden, Bowie, Brewster, Briscoe, Burnet, Caldwell, Calhoun, Cameron, Camp, Carson, Cass, Castro, Childress, Clay, Cochran, Collingsworth, Comal, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Delta, DeWitt, Dickens, Dimmit, Donley, Duval, Fayette, Fisher, Floyd, Foard, Franklin, Freestone, Frio, Gaines, Galveston, Garza, Gillespie, Goliad, Gonzales, Gray, Grayson, Gregg, Guadalupe, Hale, Hall, Hansford, Hardeman, Hardin, Harrison, Hartley, Hays, Hemphill, Henderson, Hidalgo, Hockley, Hopkins, Howard, Hutchinson, Jackson, Jasper, Jefferson, Jim Hogg, Jim Wells, Karnes, Kendall, Kent, Kerr, King, Kleberg, La Salle, Lamar, Lamb, Lavaca, Lee, Lipscomb, Live Oak, Llano, Lubbock, Lynn, Marion, Martin, Matagorda, Maverick, McMullen, Medina, Midland, Moore, Morris, Motley, Navarro, Newton, Nueces, Ochiltrie, Oldham, Orange, Panola, Parmer, Polk, Potter, Presidio, Rains, Randall, Real, Red River, Refugio, Roberts, Robertson, Rusk, Sabine, San Augustine, San Jacinto, San Patricio, Scurry, Shelby, Sherman, Smith, Starr, Stonewall, Swisher, Terry, Titus, Travis, Tyler, Upshur, Uvalde, Van Zandt, Victoria, Webb, Wharton, Wheeler, Wilbarger, Willacy, Williamson, Wilson, Wood, Yoakum, Zapata, and Zavala Counties.

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

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

suspension of such statutes and rules for the duration of this declared disaster.

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

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 17th day of May, 2026.

Greg Abbott, Governor
TRD-202602094



Proclamation 41-4285

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, GREG ABBOTT, Governor of the State of Texas, issued a disaster proclamation on July 4, 2025, as amended and renewed in subsequent proclamations, certifying that the heavy rainfall and flooding event that began on July 2, 2025, that included heavy rainfall and flash flooding, and caused widespread and severe property damage, injury, or loss of life in several counties;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby amend and renew the aforementioned proclamation and declare a disaster in Bandera, Bexar, Burnet, Caldwell, Coke, Comal, Concho, Edwards, Gillespie, Guadalupe, Hamilton, Kendall, Kerr, Kimble, Kinney, Lampasas, Llano, Mason, Maverick, McCulloch, Menard, Real, Reeves, San Saba, Schleicher, Sutton, Tom Green, Travis, Uvalde, and Williamson Counties;

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

Pursuant to Section 418.016 of the Texas Government Code, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. Any statutes that might prevent the transfer of bodies to families as soon as possible are hereby suspended, including Sections 264.514 and 264.515 of the Texas Family Code and Articles 49.04, 49.05, 49.10, and 49.25 of the Texas Code of Criminal Procedure. Further, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to protect life or property threatened by this declared disaster, I hereby authorize the suspension of such statutes and rules for the duration of this declared disaster.

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

IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 17th day of May, 2026.

Greg Abbott, Governor
TRD-202602095



TEXAS ETHICS COMMISSION

The Texas Ethics Commission is authorized by the Government Code, §571.091, to issue advisory opinions in regard to the following statutes: the Government Code, Chapter 302; the Government Code, Chapter 305; the Government Code, Chapter 572; the Election Code, Title 15; the Penal Code, Chapter 36; and the Penal Code, Chapter 39. Requests for copies of the full text of opinions or questions on particular submissions should be addressed to the Office of the Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070, (512) 463-5800.

Ethics Advisory Opinions

EAO-639 (revised): Whether a video recorded with students at a charter school is political advertising for the purposes of Sections 255.003 and 255.001 of the Election Code. (AOR-741).

SUMMARY

Section 255.003 applies to officers and employees of a political subdivision. For purposes of Section 255.003 of the Election Code, a charter school is not a political subdivision. Therefore, the use of a charter school's resources would not implicate Section 255.003. However, a political advertisement video recorded at a charter school would raise concerns of violations of Section 253.094 of the Election Code, and possibly Sections 36.08 and 39.02 of the Penal Code.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on May 13, 2026.

TRD-202602050
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: May 15, 2026



EAO-643: Whether, under Section 572.070 of the Government Code, a state employee is required to report certain contacts with an employee of a university owned or controlled by the People's Republic of China? What are the reporting requirements for frequent contacts? (AOR-747).

SUMMARY

Advisory opinions cannot adjudicate disputed facts. For the sake of the opinion, we assume that the contacts employed by state-owned or state-controlled universities are working on behalf of foreign adversaries.

In cases of frequent contacts with the same person, one report may be submitted every thirty days covering contacts during that time.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305,

Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on May 13, 2026.

TRD-202602051
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: May 15, 2026



EAO-644: Regarding the application of the revolving door provision of Section 572.054(b) of the Texas Government Code to a former employee of Texas Department of Transportation ("TXDOT") (AOR-748).

SUMMARY

The former TXDOT employee would not be barred from representing the requestor on the indicated projects, as they are not the same "particular matter" that the employee participated in while employed by TXDOT.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on May 13, 2026.

TRD-202602052
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: May 15, 2026



EAO-645: Does paying a social media company's users for engaging with political advertising content (viewing advertisements, watching videos, completing surveys, etc.) constitute bribery of a voter under Section 36.02(a)(1) of the Penal Code?

Does paying a social media company's users to complete a survey that includes questions about the user's voting intentions where compensation is identical regardless of the user's answers constitute prohibited vote-buying under Texas law?

What disclaimer and disclosure requirements under Chapter 255 of the Election Code apply to political advertisements posted on social media?

May candidates, political parties, and political committees use the requestor's social media platform to deliver political advertisements and compensate users for engagement with the advertisements without violating Texas election laws? (AOR-749).

SUMMARY

Paying the requestor's users for engaging with political advertising content through its advertising marketplace does not constitute bribery under Section 36.02(a)(1) of the Penal Code under the facts presented.

Payment of compensation to the requestor's users to complete a survey that includes questions about the user's voting intentions - where compensation is identical regardless of the user's answers does not constitute bribery under Section 36.02(a)(1) of the Penal Code.

Chapter 255 of the Election Code requires specific disclaimers and disclosures on political advertisements.

Use of the requestor's advertising marketplace by candidates, political parties, and political committees does not violate Section 36.02(a)(1) of the Penal Code.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on May 13, 2026.

TRD-202602053
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: May 15, 2026



EAO-646: Whether public resources were unlawfully used for a candidate's campaign video. (AOR-750).

SUMMARY

Because all of the images used in the requestor's campaign video that relate to the school district at issue were obtained through publicly accessible means, the video does not violate Section 255.003(a) of the Election Code or Section 39.02(a)(2) of the Penal Code.

The Texas Ethics Commission is authorized by section 571.091 of the Government Code to issue advisory opinions in regard to the following statutes: (1) Chapter 572, Government Code; (2) Chapter 302, Government Code; (3) Chapter 303, Government Code; (4) Chapter 305, Government Code; (5) Chapter 2004, Government Code; (6) Title 15, Election Code; (7) Chapter 159, Local Government Code; (8) Chapter 36, Penal Code; (9) Chapter 39, Penal Code; (10) Section 2152.064, Government Code; and (11) Section 2155.003, Government Code.

Questions on particular submissions should be addressed to the Texas Ethics Commission, P.O. Box 12070, Capitol Station, Austin, Texas 78711-2070, (512) 463-5800.

Issued in Austin, Texas, on May 13, 2026.

TRD-202602054
Amanda Arriaga
General Counsel
Texas Ethics Commission
Filed: May 15, 2026



EMERGENCY RULES

Emergency Rules include new rules, amendments to existing rules, and the repeals of existing rules. A state agency may adopt an emergency rule without prior notice or hearing if the agency finds that an imminent peril to the public health, safety, or welfare, or a requirement of state or federal law, requires adoption of a rule on fewer than 30 days' notice. An emergency rule may be effective for not longer than 120 days and may be renewed once for not longer than 60 days (Government Code, §2001.034).

TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 11. TEXAS JUVENILE JUSTICE DEPARTMENT

CHAPTER 380. RULES FOR STATE-OPERATED PROGRAMS AND FACILITIES SUBCHAPTER F. SECURITY AND CONTROL

37 TAC §380.9723

The Texas Juvenile Justice Department (TJJD) adopts, on an emergency basis, amendments to 37 TAC, Part 11, §380.9723, Use of Force. The amended section establishes the procedures for staff intervention when youth behavior threatens safety and order.

The section is adopted on an emergency basis to allow for the use of oleoresin capsicum (OC) spray in both high-restriction *and* medium-restriction facilities.

Pursuant to §2001.034, Government Code, TJJD finds that an imminent peril to the public health, safety, or welfare requires adoption of this section on fewer than 30 days' notice.

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

No other statute, code, or article is affected by the emergency adoption.

§380.9723. *Use of Force.*

(a) Purpose. This rule establishes the procedures for staff intervention when youth behavior threatens safety and order.

(b) Applicability.

(1) This rule applies to all facilities, offices, and programs operated by the Texas Juvenile Justice Department (TJJD), unless specifically stated otherwise in this rule.

(2) This rule does not apply to peace officers employed and commissioned by TJJD or by the TJJD Office of Inspector General.

(3) This rule does not apply to the use of four-point mechanical restraints for medical or mental health purposes. See §380.9198 of this title.

(c) General Provisions.

(1) Non-physical interventions are preferred and must be used to the extent practical to manage youth behavior.

(2) TJJD authorizes its staff to use reasonable force as a last resort to maintain safety and order. Only staff who are trained in agency-approved techniques are authorized to use force.

(3) The use of force as punishment or for convenience of staff is strictly prohibited.

(4) Approved use of force techniques are those determined by TJJD to minimize risk of harm to youth and staff.

(5) Staff must release youth from manual or mechanical restraint as soon as the purpose for the restraint has been achieved.

(6) If a staff member observes a use of force in violation of policy, he/she must take action, as practical, to protect the youth from harm.

(7) Staff must report any violations of this policy as soon as possible, but no later than the end of the current shift.

(8) Violations of this policy may result in disciplinary action up to and including termination of employment.

(9) After any manual restraint or use of oleoresin capsicum (OC) spray in a high restriction facility, a youth must be assessed by medical staff as soon as reasonably possible under the totality of the circumstances. After any manual restraint in a medium restriction facility, medical staff must be consulted as soon as reasonably possible. Any injuries must be documented in the medical record along with an explanation from the youth describing how the injuries occurred. Photographs must be taken of all injuries.

(10) Only restraint equipment approved by the executive director or his/her designee may be used in TJJD facilities. All restraint equipment must be used in a manner consistent with its design and intended purpose.

(11) Only the facility administrator, staff having authority to act as the facility administrator, or a higher-level authority in the facility administrator's chain of supervision may declare that a particular situation is a riot, consistent with the definition of a riot.

(d) References.

(1) For procedures and programs designed to allow youth time to regain self-control, see §§380.9520, 380.9739, and 380.9740 of this title.

(2) For criteria and procedures on administering a psychotropic drug in a psychiatric emergency when a youth will not give consent for the administration, see §380.9192 of this title.

(3) For procedures relating to youth searches, see §380.9709 of this title.

(e) Definitions.

(1) Barricade--any of the following, if used by a youth to prevent and/or obstruct staff from gaining access to the youth: a locked, jammed, or blocked door, dorm furniture, boxes, desks, chairs, com-

puters, folding tables, stacked mattresses, or any other similar item that obstructs passage.

(2) Handle With Care®--an agency-trained physical intervention system.

(3) Imminent Harm--a reasonable belief that harm to persons or property is about to occur, unless immediate action is taken.

(4) Medical Provider--has the meaning assigned by §380.9175 of this title.

(5) Positional Asphyxia--the reduction in oxygen in the bloodstream and tissues due to an impairment of a person's respiratory system caused by body positioning or the application of external weight/pressure.

(6) Practical--a reasonable belief that something is capable of being done.

(7) Reasonable Belief--a belief that would be held by a similarly trained staff considering the totality of the circumstances.

(8) Reasonable Force--the least amount of force that a trained staff, in like circumstances, would reasonably believe to be necessary to maintain order and safety as authorized under this rule.

(9) 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.

(10) Substantial Property Damage--at least \$500 in damage to state property or another's personal property.

(11) Totality of the Circumstances--facts and circumstances known by the actor at the time of the incident.

(12) Use of Force--physical measures used to direct, compel, or restrain bodily movement of a non-compliant youth.

(13) Riot--a situation in which three or more youths intentionally participate in conduct that threatens imminent harm to persons or property and that substantially obstructs the performance of facility operations or a program therein.

(f) Non-Physical Interventions. Alternatives to force must be used whenever practical to assist a youth in maintaining or regaining self-control. Staff are prohibited from using humiliating punishment, including verbal harassment to manage youth behavior. Staff are trained in the use of the following non-physical intervention techniques:

(1) Staff presence--this includes mere presence of staff to include non-verbal gestures made with eyes, hands, head, or body utilizing proximity, standing, eye contact and/or facial expressions; and/or involving additional staff to intervene.

(2) Verbal de-escalation--this includes verbal prompting, directive statements, and redirecting youth attention and/or behavior.

(3) Use of problem-solving groups.

(g) Physical Interventions. When reasonable force is necessary, staff are authorized to use the following methods:

(1) Physical Escort--touching of the arm, elbow, shoulder, or back for the purpose of directing the youth from one location to another.

(2) Mechanical Restraint--use of a mechanical device applied to a youth as a means of restricting a youth's freedom of action.

(3) Manual Restraint--use of hands-on techniques as a means of restricting a youth's freedom of action.

(4) Planned Team Restraint--restraint of a youth who is in a locked or barricaded room or security vehicle by a pre-assembled team.

(5) OC Spray--oleoresin capsicum spray, also known as pepper spray. Oleoresin capsicum is a mixture of essential oil and resin found in nature and derived from any plant of the genus capsicum, such as jalapeño, cayenne, or habanero.

(h) Criteria for Use of Force. Except as otherwise indicated in this rule, reasonable force is authorized under the following circumstances:

(1) protection of youth from imminent self-harm;

(2) protection of self from imminent harm;

(3) protection of other youth or third parties from imminent harm;

(4) protection of property from imminent, substantial damage;

(5) prevention of escape or fleeing apprehension;

(6) movement of a youth referred to the security unit, other temporary isolation room, or alternative classroom;

(7) movement of a resistant youth within the security unit when the youth's behavior is substantially disruptive and the youth refuses to stop the behavior;

(8) movement of a resistant youth from a dangerous situation;

(9) to conduct a search of a resistant youth reasonably believed to be in possession of a weapon, an item that can be adapted for use as a weapon, a controlled substance, or other item(s) that breach the security of the facility;

(10) to conduct a search of a resistant youth entering the security unit; or

(11) to administer medical treatment to a resistant youth when failure to do so could have serious health implications and a medical provider has ordered a restraint.

(i) Determining the Intervention or the Reasonable Force to be Used. In determining the type of intervention or the reasonable force to be used, staff must consider whether action needs to be taken immediately or can be delayed until additional staff can organize a team response. However, only a medical provider may determine the type of intervention or the reasonable force to be used in administering medical treatment to a resistant youth.

(j) Approved Use of Force Techniques. Use of force techniques that may be used are limited to:

(1) agency-trained:

(A) physical escort;

(B) Handle With Care® methods of manual restraint;

(C) mechanical restraints;

(D) OC spray, under certain limited circumstances; and

(2) other non-prohibited methods of manual restraint that under the totality of circumstances existing at the time:

(A) are more practical than the agency-trained Handle With Care® methods of restraint, taking into account the youth's and staff's particular vulnerability to harm;

(B) involve a use of force that is measured and progressive to a degree no greater than that reasonably believed necessary to achieve the objective; and

(C) do not unduly risk serious harm or needless pain to the youth or staff.

(k) Prohibited Restraint Techniques.

(1) Prohibited restraint techniques include the following:

(A) restricting respiration in any way, such as applying a chokehold or pressure to a youth's back or chest or placing a youth in a position that is capable of causing positional asphyxia;

(B) using any method that is capable of causing loss of consciousness or harm to the neck;

(C) pinning down with knees to the torso, head, and/or neck;

(D) slapping, punching, kicking, or hitting;

(E) using pressure-point, pain-compliance, and joint-manipulation techniques other than an approved Handle With Care® method for release of a chokehold, bite, or hair pull;

(F) modifying restraint equipment;

(G) applying any cuffing technique that connects handcuffs behind the back to ankle restraints;

(H) dragging or lifting of the youth by the hair or ear or by any type of mechanical restraints;

(I) lifting a youth's arms behind the back, while in mechanical restraints, in a manner that is capable of causing injury to the shoulder;

(J) using other youth or untrained staff to assist with the restraint;

(K) securing a youth to another youth or to a fixed object, other than to an agency-approved full-body restraint device; or

(L) administering a drug for controlling acute episodic behavior as a means of physical restraint, except when the youth's behavior is attributable to mental illness and the drug is authorized by a licensed psychiatric provider or physician and administered by a licensed medical professional.

(2) A physical contact that would otherwise be prohibited by subsection (k)(1) of this section, does not include one that is only accidental and momentary.

(l) Requirements for Planned Team Restraint Situations.

(1) Criteria for Use. Planned team restraint is authorized only to:

(A) stop the youth from engaging in self-harm;

(B) prevent substantial property damage; or

(C) recover a weapon or item that has been adapted for use as a weapon and is capable of causing death or serious bodily injury.

(2) Requirements for Use.

(A) Prior to approval of planned team restraint, the facility administrator or administrative duty officer must personally observe the situation. Only the facility administrator or administrative duty officer may authorize a planned team restraint.

(B) All planned team restraints must be videotaped when practical, including a recording of a verbal description of the

youth's conduct and all warnings provided the youth according to the agency-approved script.

(C) Only staff trained in planned team restraint may participate in the team that is assembled for the room entry.

(D) The youth must be warned to discontinue the misconduct at least two times after the team is assembled and before the room entry. The team must provide continuous opportunities for compliance during the room entry.

(E) Use of the riot shield during a planned team restraint is limited to cases in which a youth has a weapon or a youth's behavior indicates there is a significant risk of harm to the staff members involved in the restraint.

(m) Requirements for Use of Mechanical Restraints.

(1) Guidelines for Use.

(A) Mechanical restraint equipment must not be secured so tightly as to interfere with circulation or so loosely as to permit chafing of the skin.

(B) When mechanical restraints are employed on a youth in a prone position, the youth is placed on his/her side as soon as practical in order to help ensure adequate respiration and circulation. The youth must be allowed to sit up as soon as his/her behavior is under control.

(C) A mechanical restraint for other than transportation, riot control, or medical purposes must be terminated as soon as the purpose for which the youth was restrained under subsection (h) of this section has been achieved, but in any event within 30 minutes, unless an extension is granted. Extensions may be granted by the facility administrator or designee for up to two-hour intervals until termination of restraint.

(D) A mechanical restraint for medical purposes must be terminated as soon as the purpose for which the youth was restrained has been achieved or upon expiration of the medical provider's order, whichever occurs first.

(E) When mechanical restraints are applied, staff must:

(i) check the youth for adequate respiration and circulation every 15 minutes;

(ii) provide regularly scheduled meals and drinks;

(iii) provide opportunity for elimination of bodily waste at least once every two hours; and

(iv) provide continuous visual supervision and appropriate assistance until the mechanical restraint is terminated.

(F) Mechanical ankle and wrist restraints attached to a waist belt by a lead chain may be used when transporting a youth to a security unit, within a security unit, and from a security unit in order to prevent harm to the youth or others. These restraints may not be attached in a manner that prevents the youth from being able to stand upright. Mechanical restraints may remain on the youth for the duration of the activity if circumstances warrant such restraints.

(2) Restrictions on Use During or After Childbirth.

(A) TJJ staff may not use mechanical restraints to control the movement of a youth who is in labor, during delivery, or during recovery from delivery unless the executive director or designee determines that the use of restraints is necessary to:

(i) ensure the safety and security of the youth, the infant, a staff member, or a member of the public; or

(ii) prevent a substantial risk that the youth will attempt to escape.

(B) If restraint is approved by the executive director or designee, staff must use the least restrictive type and method of restraint necessary to achieve the purpose of the restraint.

(3) Mechanical Restraint Use by TJJD Transportation Staff. Mechanical ankle and wrist restraints attached to a waist belt by a lead chain must be used during secure transportation by designated TJJD transportation staff. Exceptions may be made for youth being transported following release on parole from a residential facility or when medically necessary.

(4) Mechanical Restraint Use by Other Transporters.

(A) Mechanical ankle and wrist restraints attached to a waist belt by a lead chain must be used during transportation when a youth is being transported to a high restriction facility.

(B) Mechanical ankle and wrist restraints attached to a waist belt by a lead chain may be used when transporting a youth off-campus.

(n) Requirements for Use of OC Spray.

(1) Authorization and Training for Use of OC Spray.

(A) OC spray is permitted only in TJJD-operated high-restriction and medium-restriction [~~high restriction~~] facilities.

(B) Unless reasonably believed necessary to prevent loss of life or serious bodily injury, authorization to use OC spray must be obtained from the facility administrator, assistant superintendent, or administrative duty officer prior to each use.

(C) The only staff authorized to routinely carry OC spray on-person are the facility administrator, assistant superintendent, administrative duty officer, juvenile correctional officer shift supervisor (one per shift), dorm supervisor, and security personnel whose primary responsibility is to patrol the campus and respond to security-related incidents. Any staff positions in addition to those listed must be authorized in writing by the executive director or his/her designee.

(D) Only staff who have been trained by TJJD in the use of OC spray are authorized to use it. TJJD's OC spray training curriculum must include a requirement that each staff member be sprayed with OC if:

(i) the staff member is receiving his/her first OC spray training as a TJJD employee; and

(ii) exposure to OC is not medically contraindicated.

(2) Criteria for Use.

(A) Except as provided in subparagraph (B) of this paragraph, OC spray is authorized for use only when non-physical

interventions and other physical interventions have failed or are not practical, and it is reasonably believed necessary to:

(i) quell a riot or major campus disruption;

(ii) resolve a hostage situation;

(iii) remove youth from behind a barricade in a riot or self-harm situation;

(iv) secure an object that is being used as a weapon and that is capable of causing serious bodily injury;

(v) protect youth, staff, or others from imminent serious bodily injury; or

(vi) prevent escape.

(B) Unless reasonably believed necessary to prevent loss of life or serious bodily injury, OC spray is not authorized for use on a youth when a medical provider has diagnosed the youth with a chronic, serious respiratory problem or other serious health condition identified by TJJD (e.g., significant eye problems, known history of severe allergic reaction to OC, or severe dermatological problems).

(3) Guidelines for Use.

(A) OC spray canisters must be carefully controlled at all times.

(B) Any youth affected by OC spray must be decontaminated with cool water as soon as the purpose of the restraint has been achieved.

(C) Immediately following decontamination from OC spray, medical staff must be contacted to examine and, if necessary, treat and monitor all youth and staff affected by OC spray.

(D) Each individually assigned canister of OC must be weighed at the time it is assigned and after each use.

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

Filed with the Office of the Secretary of State on May 15, 2026.

TRD-202602061

Jana Jones

General Counsel

Texas Juvenile Justice Department

Effective date: May 15, 2026

Expiration date: September 11, 2026

For further information, please call: (512) 490-7130

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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 16. ECONOMIC REGULATION

PART 4. TEXAS DEPARTMENT OF LICENSING AND REGULATION

CHAPTER 60. PROCEDURAL RULES OF THE COMMISSION AND THE DEPARTMENT

The Texas Department of Licensing and Regulation (Department) proposes amendments to existing rules at 16 Texas Administrative Code (TAC), Chapter 60, Subchapter C, §60.32; Subchapter F, §60.82; and Subchapter I, §60.301 and §60.302, regarding the Procedural Rules of the Commission and the Department. These proposed changes are referred to as the "proposed rules."

EXPLANATION OF AND JUSTIFICATION FOR THE RULES

The rules under 16 TAC, Chapter 60 implement Texas Occupations Code, Chapter 51, the enabling statute of the Texas Commission of Licensing and Regulation (Commission) and the Department, and other laws applicable to the Commission and the Department.

The Chapter 60 rules are the procedural rules of the Commission and the Department. These rules apply to all of the agency's programs and to all license applicants and licensees, except where there is a conflict with the statutes and rules of a specific program.

The proposed rules are necessary to implement Senate Bill (SB) 2443, 89th Legislature, Regular Session (2025), which amends certain provisions under Texas Occupations Code, Chapter 51, including §51.207, Use of Technology.

Background

Prior to the passage of SB 2443, provisions of the Administrative Procedure Act (Texas Government Code, Chapter 2001) and several of the Department's program statutes required the Department to use certified mail or personal delivery to provide pleadings, notices, or orders to contested case respondents. While previous legislation and agency rules authorized the Department to require an applicant or license holder to provide an e-mail address for purposes of receiving licensing-related correspondence, the Department remained unable to use electronic means to provide documents to contested case respondents. SB 2443 addressed this conflict by specifically authorizing the Department to use electronic methods of notice for all purposes, regardless of conflicting provisions in program statutes or the Administrative Procedure Act.

The Department is currently working with a vendor to develop a modern licensing system that will allow customers to interact with the agency via an online portal similar to those provided by

a bank or medical office. SB 2443 and the proposed rules will thus allow the Department to develop its system in a manner that will provide increased access and convenience to customers, as well as cost savings for the agency.

Explanation of Proposed Rules

The proposed rules will modernize the delivery of contested case pleadings, notices, and orders by allowing applicants and license holders to opt in to receiving those notices electronically, and to opt out of electronic service if desired. Pursuant to previous legislation and agency rules, the Department may send other types of correspondence (such as communications related to a license application or renewal) to applicants and license holders without their explicit consent.

Additionally, consistent with SB 2443, the proposed rules clarify that the Department's authority to require e-mail addresses extends only to applicants and license holders. The proposed rules also amend the rules concerning dishonored payment fees, notices of alleged violation and continued license restrictions, and notices of proposed denial, to allow electronic service of these notices. Lastly, the proposed rules provide that the presumption of receipt, which currently applies to certain documents sent through certified mail, also applies to electronically served documents and that it is the recipient's responsibility to view electronically served documents, including those that may have been directed to a "spam" or "junk" folder.

SECTION-BY-SECTION SUMMARY

The proposed rules amend §60.32 by changing the title from "E-mail Communications and Requirements" to "Electronic Communications and Requirements." Existing subsection (a) has been modified to clarify who may be required to provide the Department with an e-mail address for purposes of receiving general correspondence. New subsection (c) is added to provide that an applicant or license holder may consent to receive contested case pleadings, notices, and orders through electronic means including e-mail, an online portal, or another electronic method authorized by the Department. Subsection (c) also provides that a person may opt out of electronic service of these documents. New subsection (d) provides that once the applicant or license holder consents to electronic delivery, the Department may serve contested case-related documents to the person electronically.

The proposed rules amend §60.82, Dishonored Payment Fee. Existing subsection (c) has been modified to include electronic service as a way for the Department to notify an applicant, license holder, or other person if a payment has been dishonored.

The proposed rules amend §60.301, Contested Cases. Existing subsection (c) has been amended to include electronic service as an option when the Department sends notices under this rule.

Existing subsection (d) has been modified by adding language to clarify proper service of notices under existing subsection (c). New subsection (e) has been added to clarify how the presumption of receipt applies to electronically served documents. The remaining subsections have been re-lettered.

The proposed rules amend §60.302, Notice of Proposed Denial. Existing subsection (b) has been modified to include electronic service as an option when the Department sends notices of proposed denials under this rule. Existing subsection (c) has been modified by adding language to clarify proper service of notices under existing subsection (b). New subsection (d) has been added to clarify how the presumption of receipt applies to electronically served documents. The remaining subsections are re-lettered.

FISCAL IMPACT ON STATE AND LOCAL GOVERNMENT

Tony Couvillon, Senior Policy Research and Fiscal 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 also 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 reduction in postage costs by decreasing certified mail costs and thereby reducing costs for the State. Additionally, the electronic delivery of correspondence would allow the recipients of that correspondence to receive agency notices and documents in a more convenient, modern manner.

PROBABLE ECONOMIC COSTS TO PERSONS REQUIRED TO COMPLY WITH PROPOSAL

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

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

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

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

The proposed rules do not have a fiscal note that imposes a cost on regulated persons, including another state agency, a special

district, or a local government. Therefore, the agency is not required to take any further action under Texas Government Code §2001.0045.

GOVERNMENT GROWTH IMPACT STATEMENT

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

1. The proposed rules do not create or eliminate a government program.
2. Implementation of the proposed rules does not require the creation of new employee positions or the elimination of existing employee positions.
3. Implementation of the proposed rules does not require an increase or decrease in future legislative appropriations to the agency.
4. The proposed rules do not require an increase or decrease in fees paid to the agency.
5. The proposed rules do not create a new regulation.
6. The proposed rules expand, limit, or repeal an existing regulation. The proposed rules expand an existing regulation by authorizing applicants and license holders to consent to electronic delivery of contested case-related notices and notices of dishonored payment.
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/Ch60_Rule_Making; by facsimile to (512) 475-3032; or by mail to Monica Nuñez, Legal Assistant, Texas Department of Licensing and Regulation, P.O. Box 12157, Austin, Texas 78711. The deadline for comments is 30 days after publication in the *Texas Register*.

SUBCHAPTER C. LICENSE APPLICATIONS AND RENEWALS

16 TAC §60.32

STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code §51.201 and §51.203, which authorize the Texas Commission of Licensing and Regulation (Commission), the Department's governing body, to adopt rules as necessary to implement its own procedures, Chapter 51, and any other law establishing a program regulated by the Department; and §51.207, which authorizes the Commission by rule to require an applicant or license holder to provide an e-mail address to the Department and to provide that any correspondence sent or received by the Department be delivered electronically. In addition, the proposed rules are proposed under Texas Government Code §2001.004, which requires a state agency to adopt rules of practice stating the nature and requirements of all available formal and informal procedures.

The statutory provisions affected by the proposed rules are those set forth in Texas Occupations Code, Chapter 51; Texas Government Code, Chapter 2001; and the program statutes for all of the Department programs: Agriculture Code, Chapter 301 (Weather Modification and Control); Education Code, Chapter 1001 (Driver and Traffic Safety Education); Government Code, Chapters 171 (Court-Ordered Programs); and 469 (Elimination of Architectural Barriers); Health and Safety Code, Chapters 401, Subchapter M (Laser Hair Removal); 466 (State Lottery); 754 (Elevators, Escalators, and Related Equipment); and 755 (Boilers); Labor Code, Chapter 91 (Professional Employer Organizations); Occupations Code, Chapters 202 (Podiatrists); 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 403 (Dyslexia Practitioners and Therapists); 451 (Athletic Trainers); 455 (Massage Therapy); 506 (Behavioral Analysts); 605 (Orthotists and Prosthetists); 701 (Dietitians); 802 (Dog or Cat Breeders); 1151 (Property Tax Professionals); 1152 (Property Tax Consultants); 1202 (Industrialized Housing and Buildings); 1302 (Air Conditioning and Refrigeration Contractors); 1304 (Service Contract Providers and Administrators); 1305 (Electricians); 1603 (Barbers and Cosmetologists); 1802 (Auctioneers); 1806 (Residential Solar Retailers); 1901 (Water Well Drillers); 1902 (Water Well Pump Installers); 1952 (Code Enforcement Officers); 1953 (Sanitarians); 1958 (Mold Assessors and Remediators); 2001 (Charitable Bingo); 2052 (Combative Sports); 2303 (Vehicle Storage Facilities); 2308 (Vehicle Towing and Booting); 2309 (Used Automotive Parts Recyclers); 2310 (Motor Fuel Metering and Quality); 2311 (Electric Vehicle Charging Stations); and 2402 (Transportation Network Companies); and Transportation Code, Chapters 551A (Off-Highway Vehicle Training and Safety); and 662 (Motorcycle Operator Training and Safety). 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 2443, 89th Legislature, Regular Session (2025).

§60.32. *Electronic [E-mail] Communications and Requirements.*

(a) The department may require an applicant or license holder, [licensee, or other person who regularly receives communications from the department,] to provide an e-mail address for purposes of receiving correspondence. The department may send any correspondence to the e-mail address furnished by the person unless another form of notice is required by law.

(b) (No change.)

(c) An applicant or license holder may consent to receive service of contested case-related notices, pleadings, or orders via e-mail, an online portal maintained by the department, or other electronic means authorized by the department. Consent remains effective unless revoked in a manner prescribed by the department.

(d) Upon receiving an applicant or license holder's consent to electronic service, the department may serve documents on the person in a manner consistent with subsection (c).

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 May 18, 2026.

TRD-202602088

Deanne Rienstra

General Counsel

Texas Department of Licensing and Regulation

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 463-3306



SUBCHAPTER F. FEES

16 TAC §60.82

STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code §51.201 and §51.203, which authorize the Texas Commission of Licensing and Regulation (Commission), the Department's governing body, to adopt rules as necessary to implement its own procedures, Chapter 51, and any other law establishing a program regulated by the Department; and §51.207, which authorizes the Commission by rule to require an applicant or license holder to provide an e-mail address to the Department and to provide that any correspondence sent or received by the Department be delivered electronically. In addition, the proposed rules are proposed under Texas Government Code §2001.004, which requires a state agency to adopt rules of practice stating the nature and requirements of all available formal and informal procedures.

The statutory provisions affected by the proposed rules are those set forth in Texas Occupations Code, Chapter 51; Texas Government Code, Chapter 2001; and the program statutes for all of the Department programs: Agriculture Code, Chapter 301 (Weather Modification and Control); Education Code, Chapter 1001 (Driver and Traffic Safety Education); Government Code, Chapters 171 (Court-Ordered Programs); and 469 (Elimination of Architectural Barriers); Health and Safety Code, Chapters 401, Subchapter M (Laser Hair Removal); 466 (State Lottery); 754 (Elevators, Escalators, and Related Equipment); and 755 (Boilers); Labor Code, Chapter 91 (Professional Employer Organizations); Occupations Code, Chapters 202 (Podiatrists); 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 403 (Dyslexia Practitioners and Therapists); 451 (Athletic Trainers); 455 (Massage Therapy); 506 (Behavioral Analysts); 605 (Orthotists and Prosthetists); 701 (Dietitians); 802 (Dog or Cat Breeders); 1151 (Property Tax Professionals); 1152 (Property Tax Consultants); 1202 (Industrialized Housing and Buildings); 1302 (Air Conditioning and Refrigeration Contractors); 1304 (Service Contract Providers and Administrators); 1305 (Electricians); 1603 (Barbers and Cosmetologists); 1802 (Auctioneers);

1806 (Residential Solar Retailers); 1901 (Water Well Drillers); 1902 (Water Well Pump Installers); 1952 (Code Enforcement Officers); 1953 (Sanitarians); 1958 (Mold Assessors and Remediators); 2001 (Charitable Bingo); 2052 (Combative Sports); 2303 (Vehicle Storage Facilities); 2308 (Vehicle Towing and Booting); 2309 (Used Automotive Parts Recyclers); 2310 (Motor Fuel Metering and Quality); 2311 (Electric Vehicle Charging Stations); and 2402 (Transportation Network Companies); and Transportation Code, Chapters 551A (Off-Highway Vehicle Training and Safety); and 662 (Motorcycle Operator Training and Safety). 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 2443, 89th Legislature, Regular Session (2025).

§60.82. Dishonored Payment Fee.

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

(c) The department will notify the applicant, license holder, or other person by certified mail, or by electronic service in accordance with §60.32, that the payment has been dishonored. The applicant, license holder, or other person must pay the required processing fee and the amount of the original payment submitted to the department within 15 days after receipt of notice of the dishonored payment.

(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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Deanne Rienstra

General Counsel

Texas Department of Licensing and Regulation

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For further information, please call: (512) 463-3306



SUBCHAPTER I. CONTESTED CASES

16 TAC §60.301, §60.302

STATUTORY AUTHORITY

The proposed rules are proposed under Texas Occupations Code §51.201 and §51.203, which authorize the Texas Commission of Licensing and Regulation (Commission), the Department's governing body, to adopt rules as necessary to implement its own procedures, Chapter 51, and any other law establishing a program regulated by the Department; and §51.207, which authorizes the Commission by rule to require an applicant or license holder to provide an e-mail address to the Department and to provide that any correspondence sent or received by the Department be delivered electronically. In addition, the proposed rules are proposed under Texas Government Code §2001.004, which requires a state agency to adopt rules of practice stating the nature and requirements of all available formal and informal procedures.

The statutory provisions affected by the proposed rules are those set forth in Texas Occupations Code, Chapter 51; Texas Government Code, Chapter 2001; and the program statutes for all of the Department programs: Agriculture Code, Chapter 301

(Weather Modification and Control); Education Code, Chapter 1001 (Driver and Traffic Safety Education); Government Code, Chapters 171 (Court-Ordered Programs); and 469 (Elimination of Architectural Barriers); Health and Safety Code, Chapters 401, Subchapter M (Laser Hair Removal); 466 (State Lottery); 754 (Elevators, Escalators, and Related Equipment); and 755 (Boilers); Labor Code, Chapter 91 (Professional Employer Organizations); Occupations Code, Chapters 202 (Podiatrists); 203 (Midwives); 401 (Speech-Language Pathologists and Audiologists); 402 (Hearing Instrument Fitters and Dispensers); 403 (Dyslexia Practitioners and Therapists); 451 (Athletic Trainers); 455 (Massage Therapy); 506 (Behavioral Analysts); 605 (Orthotists and Prosthetists); 701 (Dietitians); 802 (Dog or Cat Breeders); 1151 (Property Tax Professionals); 1152 (Property Tax Consultants); 1202 (Industrialized Housing and Buildings); 1302 (Air Conditioning and Refrigeration Contractors); 1304 (Service Contract Providers and Administrators); 1305 (Electricians); 1603 (Barbers and Cosmetologists); 1802 (Auctioneers); 1806 (Residential Solar Retailers); 1901 (Water Well Drillers); 1902 (Water Well Pump Installers); 1952 (Code Enforcement Officers); 1953 (Sanitarians); 1958 (Mold Assessors and Remediators); 2001 (Charitable Bingo); 2052 (Combative Sports); 2303 (Vehicle Storage Facilities); 2308 (Vehicle Towing and Booting); 2309 (Used Automotive Parts Recyclers); 2310 (Motor Fuel Metering and Quality); 2311 (Electric Vehicle Charging Stations); and 2402 (Transportation Network Companies); and Transportation Code, Chapters 551A (Off-Highway Vehicle Training and Safety); and 662 (Motorcycle Operator Training and Safety). 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 2443, 89th Legislature, Regular Session (2025).

§60.301. Notice of Alleged Violation; Notice of Continued License Restrictions.

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

(c) The department shall send the notices under subsections (a) and (b) by certified mail with electronic return receipt, or by electronic service in accordance with §60.32.

(d) A notice under subsection (c) is served properly if it is:

(1) mailed to the person's last known address as shown by the department's records; or

(2) provided to the person electronically in accordance with §60.32.

~~[(d) Any notice or document served upon a person is prima facie evidence of receipt if it is directed to the person's last known complete, correct address as shown by the department's records. This presumption is rebuttable. Failure to claim properly addressed certified or registered mail will not support a finding of non-delivery.]~~

(e) Proper service is rebuttably presumed if the notice is sent in accordance with subsection (d). A person's failure to claim properly addressed mail, or to monitor their e-mail account - including "junk" or "spam" folders - will not justify a finding of non-delivery.

(f) ~~[(e)]~~ Within twenty days after receiving a notice of alleged violation or notice of continued license restrictions, the person may either: accept the department's determination and recommended administrative penalty, sanction, or both; or make a written request for a hearing on the department's determination. There is a rebuttable presumption that notice is received three days after the notice was mailed.

(g) [(f)] If the person accepts the department's determination, the department and the person shall enter into an agreement as prescribed under §60.304. If a timely written request for a hearing is made, the department shall refer the department's determination to SOAH for a hearing.

(h) [(g)] If the person fails to accept the department's determination or fails to request a hearing, the department may propose entry of a default order against the person, unless otherwise provided by applicable law.

(1) - (3) (No change.)

§60.302. *Notice of Proposed Denial.*

(a) (No change.)

(b) The department shall send the notice of proposed denial under subsection (a) by certified mail with electronic return receipt, or by electronic service in accordance with §60.32.

(c) A notice under subsection (b) is served properly if it is:

(1) mailed to the person's last known address as shown by the department's records; or

(2) provided to the person electronically in accordance with §60.32.

[(e) Any notice or document served upon a person is prima facie evidence of receipt if it is directed to the person's last known complete, correct address as shown by the department's records. This presumption is rebuttable. Failure to claim properly addressed certified or registered mail will not support a finding of non-delivery.]

(d) Proper service is rebuttably presumed if the notice is sent in accordance with subsection (c). A person's failure to claim properly addressed mail, or to monitor their e-mail account - including "junk" or "spam" folders - will not justify a finding of non-delivery.

(e) [(d)] After receiving a notice of proposed denial, the person must request a hearing in writing within twenty days of receipt of the notice or forfeit the right to a hearing, unless otherwise provided by applicable law. There is a rebuttable presumption that notice is received three days after the notice was mailed.

(f) [(e)] If a timely written request is made, the department shall refer the proposed denial to SOAH for a hearing. If a timely written request is not made, the proposed denial is final.

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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Deanne Rienstra

General Counsel

Texas Department of Licensing and Regulation

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TITLE 22. EXAMINING BOARDS

PART 22. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY

CHAPTER 501. RULES OF PROFESSIONAL CONDUCT

SUBCHAPTER D. RESPONSIBILITIES TO THE PUBLIC

22 TAC §501.81

The Texas State Board of Public Accountancy (Board) proposes an amendment to §501.81 concerning Firm Licensing.

Background, Justification and Summary

CPAs providing accounting services in a non-licensed firm may use their CPA designation so long as they provide the disclaimer that the firm they are practicing in is not a CPA firm. The proposed revision reduces the location of the disclaimer and the font size of the disclaimer.

Fiscal Note

William Treacy, Executive Director of the Board, has determined that for the first five-year period the proposed amendment is in effect, there will be no additional estimated cost to the state, no estimated reduction in costs to the state and to local governments, and no estimated loss or increase in revenue to the state, as a result of enforcing or administering the amendment.

Public Benefit

The adoption of the proposed rule amendment will continue to provide adequate information regarding a CPAs licensing status while providing services in a non-licensed firm without being as onerous.

Probable Economic Cost and Local Employment Impact

Mr. Treacy, Executive Director, has determined that there will be no probable economic cost to persons required to comply with the amendment and a Local Employment Impact Statement is not required because the proposed amendment will not affect a local economy.

Small Business, Rural Community and Micro-Business Impact Analysis

William Treacy, Executive Director, has determined that the proposed amendment will not have an adverse economic effect on small businesses, rural communities or micro-businesses because the amendment does not impose any duties or obligations upon small businesses, rural communities or micro-businesses; therefore, an Economic Impact Statement and a Regulatory Flexibility Analysis are not required.

Government Growth Impact Statement

William Treacy, Executive Director, has determined that for the first five-year period the amendment is in effect, the proposed rule: does not create or eliminate a government program; does not create or eliminate employee positions; does not increase or decrease future legislative appropriations to the Board; does not increase or decrease fees paid to the Board; does not create a new regulation; limits the existing regulation; does not increase or decrease the number of individuals subject to the proposed rule's applicability; and does not positively or adversely affect the state's economy.

Takings Impact Assessment

No takings impact assessment is necessary because there is no proposed use of private real property as a result of the proposed rule revision.

The requirement related to a rule increasing costs to regulated persons does not apply to the Texas State Board of Public Accountancy because the rule is being proposed by a self-directed semi-independent agency. (§2001.0045(c)(8))

Public Comment

Written comments may be submitted to J. Randel (Jerry) Hill, General Counsel, Texas State Board of Public Accountancy, 505 E. Huntland Dr., Suite 380, Austin, Texas 78752 or faxed to his attention at (512) 305-7854, no later than noon on June 29, 2026.

The Board specifically invites comments from the public on the issues of whether or not the proposed amendment will have an adverse economic effect on small businesses. If the proposed rule is believed to have an adverse effect on small businesses, estimate the number of small businesses believed to be impacted by the rule, describe and estimate the economic impact of the rule on small businesses, offer alternative methods of achieving the purpose of the rule; then explain how the Board may legally and feasibly reduce that adverse effect on small businesses considering the purpose of the statute under which the proposed rule is to be adopted; and finally, describe how the health, safety, environmental, and economic welfare of the state will be impacted by the various proposed methods. See Texas Government Code, §2006.002(c).

Statutory Authority

The amendment is proposed under the Public Accountancy Act ("Act"), Texas Occupations Code §901.151, which authorizes the Board to adopt rules deemed necessary or advisable to effectuate the Act.

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

§501.81. Firm Licensing.

(a) A firm, may not provide or offer to provide attest services or use the title "CPA," "CPAs," "CPA Firm," "Certified Public Accountants," "Certified Public Accounting Firm," or "Auditing Firm" or any variation of those titles unless the firm holds a firm license issued by the board or qualifies under a practice privilege. A firm license is not valid for any date or for any period prior to the date it is issued by the board and it automatically expires and is no longer valid after the end of the period for which it is issued. A firm license does not expire when the application for license renewal is received by the board prior to its expiration date. An expiration date for a firm license may be extended by the board, in its sole discretion, upon a demonstration of extenuating circumstances that prevented the firm from timely applying for or renewing a firm license.

(b) A firm is required to hold a license issued by the board if the firm establishes or maintains an office in this state.

(c) An individual licensee may use the designation "certified public accountant" or the abbreviation "CPA" in referring to himself or herself, regardless of his or her employer. However, a licensee employed by an unlicensed entity that references the individual CPA's designation in advertisements or written promotional statements relating to the client practice of public accountancy must disclose that the firm is not a CPA firm and its services are not regulated by the Texas State Board of Public Accountancy. [Each advertisement or written promotional statement that refers to a CPA's designation and his or her association with an unlicensed entity in the client practice of public accountancy must include the disclaimer: "This firm is not a CPA firm and these services are not regulated by the Texas State Board of Public Accountancy." The disclaimer must be included in conspicuous proximity to the name of the unlicensed entity and be printed in a size at

least equal to, and a type not less bold than that contained in the body of the advertisement or written statement. If the advertisement is in audio format only, the disclaimer shall be clearly declared at the conclusion of each such presentation.]

(d) The requirement [requirements] of subsection (c) of this section does [do] not apply to a licensee [with regard to a person] performing services:

(1) as a licensed attorney at law of this state while in the practice of law or as an employee of a licensed attorney when acting within the scope of the attorney's practice of law;

(2) as an employee, officer, or director of a federally-insured depository institution, when lawfully acting within the scope of the legally permitted activities of the institution's trust department; or

(3) pursuant to a practice privilege.

(e) On the determination by the board that a person has practiced without a license or through an unlicensed firm in violation of subsection (c) of this section, the person's certificate shall be subject to revocation and may not be reinstated for at least 12 months from the date of the revocation.

(f) Interpretive Comment: A person who is employed by an unlicensed firm that offers services that fall within the definitions of the client practice of public accountancy as defined in §501.52(8) and (22) of this chapter (relating to Definitions) and §901.003 of the Act (relating to Practice of Public Accountancy) must comply with the disclaimer requirement found in subsection (c) of this section.

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

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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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CHAPTER 515. LICENSES

22 TAC §515.8

The Texas State Board of Public Accountancy (Board) proposes an amendment to §515.8 concerning Retired or Disability Status.

Background, Justification and Summary

The proposed revised language clarifies that a faculty member of an educational institution providing accounting services to the public is associated with accounting services and therefore does not qualify for the CPA retired status.

Fiscal Note

William Treacy, Executive Director of the Board, has determined that for the first five-year period the proposed amendment is in effect, there will be no additional estimated cost to the state, no estimated reduction in costs to the state and to local governments, and no estimated loss or increase in revenue to the state, as a result of enforcing or administering the amendment.

Public Benefit

The adoption of the proposed rule amendment clarifies that a faculty member of an educational institution who uses the CPA designation must be licensed as an individual and a firm when providing accounting services to the public.

Probable Economic Cost and Local Employment Impact

Mr. Treacy, Executive Director, has determined that there will be no probable economic cost to persons required to comply with the amendment and a Local Employment Impact Statement is not required because the proposed amendment will not affect a local economy.

Small Business, Rural Community and Micro-Business Impact Analysis

William Treacy, Executive Director, has determined that the proposed amendment will not have an adverse economic effect on small businesses, rural communities or micro-businesses because the amendment does not impose any duties or obligations upon small businesses, rural communities or micro-businesses; therefore, an Economic Impact Statement and a Regulatory Flexibility Analysis are not required.

Government Growth Impact Statement

William Treacy, Executive Director, has determined that for the first five-year period the amendment is in effect, the proposed rule: does not create or eliminate a government program; does not create or eliminate employee positions; does not increase or decrease future legislative appropriations to the Board; does not increase or decrease fees paid to the Board; does not create a new regulation; limits the existing regulation; does not increase or decrease the number of individuals subject to the proposed rule's applicability; and does not positively or adversely affect the state's economy.

Takings Impact Assessment

No takings impact assessment is necessary because there is no proposed use of private real property as a result of the proposed rule revision.

The requirement related to a rule increasing costs to regulated persons does not apply to the Texas State Board of Public Accountancy because the rule is being proposed by a self-directed semi-independent agency. (§2001.0045(c)(8))

Public Comment

Written comments may be submitted to J. Randel (Jerry) Hill, General Counsel, Texas State Board of Public Accountancy, 505 E. Huntland Dr., Suite 380, Austin, Texas 78752 or faxed to his attention at (512) 305-7854, no later than noon on June 29, 2026.

The Board specifically invites comments from the public on the issues of whether or not the proposed amendment will have an adverse economic effect on small businesses. If the proposed rule is believed to have an adverse effect on small businesses, estimate the number of small businesses believed to be impacted by the rule, describe and estimate the economic impact of the rule on small businesses, offer alternative methods of achieving the purpose of the rule; then explain how the Board may legally and feasibly reduce that adverse effect on small businesses considering the purpose of the statute under which the proposed rule is to be adopted; and finally, describe how the health, safety, environmental, and economic welfare of the state will be impacted by the various proposed methods. See Texas Government Code, §2006.002(c).

Statutory Authority

The amendment is proposed under the Public Accountancy Act ("Act"), Texas Occupations Code §901.151, which authorizes the Board to adopt rules deemed necessary or advisable to effectuate the Act.

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

§515.8. Retired or Disability Status.

(a) Retired status. A licensee who is at least 60 years old and has affirmed that the licensee has no association with accounting may be granted retired status at the time of license renewal. A licensee in retired status is exempt from the fingerprinting required in §515.1(d) of this chapter (relating to License). A licensee who has been granted retired status and who reenters the workforce in a position that has an association with accounting automatically loses the retired status [except as provided for in subsection (a)(1) of this section,] and must provide the fingerprinting required in §515.1(d) of this chapter unless previously submitted to the board.

(1) A licensee who serves without compensation on a Board of Directors, or Board of Trustees, or provides volunteer tax preparation services, participates in a government sponsored business mentoring program such as the Internal Revenue Service's Volunteer Income Tax Assistance (VITA) program or the Small Business Administration's SCORE program or participates in an advisory role for a similar charitable, civic or other non-profit organization continues to be eligible for retired status.

(2) Licensees providing [such] uncompensated volunteer services have the responsibility to maintain professional competence relative to the volunteer services they provide even though exempted from CPE requirements.

(3) The board shall require licensees to affirm in writing their understanding of the limited types of activities in which they may engage while in retired status and their understanding that they have a professional duty to ensure that they hold the professional competencies necessary to offer these limited volunteer services.

(4) Licensees may only convert to retired status if they hold a license in good standing and not be subject to any sanction or disciplinary action.

(5) Compensated services do not include routine reimbursement for travel costs and meals associated with the volunteer services or de minimis per diem amounts paid to cover such expenses.

(6) A retired licensee shall place the word "retired" adjacent to the retired licensee's CPA or Public Accountant title on any business card, letterhead or any other document. A licensee may be held responsible for a third party incorrectly repeating the CPA's title and shall make reasonable efforts to assure that the word "retired" is used in conjunction with CPA. Any of these terms must not be applied in such a manner that could likely confuse the public as to the current status of the licensee. The licensee will not be required to have a certificate issued with the word "retired" on the certificate.

(7) A licensee in "retired" status is not required:

(A) to maintain CPE; and

(B) provide fingerprinting in accordance with §515.1(d) of this chapter unless the retired status is removed.

(8) A retired licensee shall not offer or render professional services that require the retired licensee's signature and use of the CPA title either with or without "retired" attached, except a retired licensee may sign the work experience form of an applicant for CPA certification if the supervision occurred prior to retirement.

(9) Upon reentry into the workforce, the licensee must notify the board and request a new license renewal notice and:

- (A) pay the license fee established by the board for the period since the licensee became employed;
- (B) complete a new license renewal notice; and
- (C) meet the CPE requirements for the period since the licensee was granted the retired status as required by §523.113(3) of this title (relating to Exemptions from CPE).

(b) Disability status. Disability status may be granted to an individual who submits to the board a statement and an affidavit from the licensee's physician which identifies the disability and states that the individual is unable to work because of a severe ongoing physical or mental impairment or medical condition that is not likely to improve within the next 12 consecutive months. This status may be granted only at the time of license renewal.

(1) Disability status is immediately revoked upon:

- (A) the CPA reentering the workforce in a position that has an association with accounting work for which the CPA receives compensation; or
- (B) the CPA serving on a Board of Directors, Board of Trustees, or in a similar governance position unless the service is for a charity, civic, or similar non-profit organization.

(2) Upon reentry into the workforce under such conditions, the individual must notify the board and request a new license renewal notice and:

- (A) pay the license fee established by the board for the period since the individual became employed;
- (B) complete a new license renewal notice;
- (C) meet the CPE requirements for the period pursuant to §523.113(3) of this title; and
- (D) provide the fingerprinting required in §515.1(d) of this chapter unless previously submitted.

(c) For purposes of this section the term "association with accounting" shall include any of the following:

- (1) working or providing oversight of accounting or supervising work performed in the areas of financial accounting and reporting; tax compliance, planning or advice; management advisory services; accounting information systems; treasury, finance, or audit; [ø]
- (2) representing to the public, including an employer, that the individual is a CPA or public accountant in connection with the sale of any services or products involving accounting services or work, as provided for in §501.52(22) of this title (relating to Definitions) including such designation on a business card, letterhead, proxy statement, promotional brochure, advertisement, or office; [ø]
- (3) offering testimony in a court of law purporting to have expertise in accounting and reporting, auditing, tax, or management services; [ø]
- (4) A faculty member of an educational institution offering accounting services to the public; [providing instruction in accounting courses; ø]
- (5) for purposes of making a determination as to whether the individual fits one of the categories listed in this section the questions shall be resolved in favor of including the work as an "association with accounting."

(d) Nothing herein shall be construed to limit the board's disciplinary authority with regard to a license in retired or disabled status. All board rules and all provisions of the Act apply to an individual in retired or disability status.

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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J. Randal (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
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CHAPTER 518. UNAUTHORIZED PRACTICE OF PUBLIC ACCOUNTANCY

22 TAC §518.5

The Texas State Board of Public Accountancy (Board) proposes an amendment to §518.5 concerning Unlicensed Entities.

Background, Justification and Summary

Eliminates the font size and locations of the disclaimer advising the public that the licensed CPA is providing accounting services in a non-licensed firm.

Fiscal Note

William Treacy, Executive Director of the Board, has determined that for the first five-year period the proposed amendment is in effect, there will be no additional estimated cost to the state, no estimated reduction in costs to the state and to local governments, and no estimated loss or increase in revenue to the state, as a result of enforcing or administering the amendment.

Public Benefit

The adoption of the proposed rule amendment will continue to protect the public without being unnecessarily burdensome.

Probable Economic Cost and Local Employment Impact

Mr. Treacy, Executive Director, has determined that there will be no probable economic cost to persons required to comply with the amendment and a Local Employment Impact Statement is not required because the proposed amendment will not affect a local economy.

Small Business, Rural Community and Micro-Business Impact Analysis

William Treacy, Executive Director, has determined that the proposed amendment will not have an adverse economic effect on small businesses, rural communities or micro-businesses because the amendment does not impose any duties or obligations upon small businesses, rural communities or micro-businesses; therefore, an Economic Impact Statement and a Regulatory Flexibility Analysis are not required.

Government Growth Impact Statement

William Treacy, Executive Director, has determined that for the first five-year period the amendment is in effect, the proposed rule: does not create or eliminate a government program; does

not create or eliminate employee positions; does not increase or decrease future legislative appropriations to the Board; does not increase or decrease fees paid to the Board; does not create a new regulation; limits the existing regulation; does not increase or decrease the number of individuals subject to the proposed rule's applicability; and does not positively or adversely affect the state's economy.

Takings Impact Assessment

No takings impact assessment is necessary because there is no proposed use of private real property as a result of the proposed rule revision.

The requirement related to a rule increasing costs to regulated persons does not apply to the Texas State Board of Public Accountancy because the rule is being proposed by a self-directed semi-independent agency. (§2001.0045(c)(8))

Public Comment

Written comments may be submitted to J. Randal (Jerry) Hill, General Counsel, Texas State Board of Public Accountancy, 505 E. Huntland Dr., Suite 380, Austin, Texas 78752 or faxed to his attention at (512) 305-7854, no later than noon on June 29, 2026.

The Board specifically invites comments from the public on the issues of whether or not the proposed amendment will have an adverse economic effect on small businesses. If the proposed rule is believed to have an adverse effect on small businesses, estimate the number of small businesses believed to be impacted by the rule, describe and estimate the economic impact of the rule on small businesses, offer alternative methods of achieving the purpose of the rule; then explain how the Board may legally and feasibly reduce that adverse effect on small businesses considering the purpose of the statute under which the proposed rule is to be adopted; and finally, describe how the health, safety, environmental, and economic welfare of the state will be impacted by the various proposed methods. See Texas Government Code, §2006.002(c).

Statutory Authority

The amendment is proposed under the Public Accountancy Act ("Act"), Texas Occupations Code §901.151, which authorizes the Board to adopt rules deemed necessary or advisable to effectuate the Act.

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

§518.5. *Unlicensed Entities.*

(a) An unlicensed entity is permitted to state that it has an ownership interest and a business affiliation with a registered CPA firm provided each such statement complies with subsection (b) of this section.

(b) In any letterhead, or in any advertising or promotional statements by an unlicensed entity that refers to accounting, auditing or attest services or any derivative terms associated with those services, there must be a statement that such services are only performed by the affiliated registered CPA firm. [This statement must be included in conspicuous proximity to the name of the unlicensed entity and be printed in type not less bold than that contained in the body of the letterhead, advertisement or promotional statement. If the advertisement is in audio format, the statement must be clearly declared in each such presentation.]

(c) An unlicensed entity [using restricted terms and/or] performing attest services is in the unauthorized practice of public accountancy and in violation of the Act and the board's rules except a

firm authorized to practice in this state pursuant to §901.461 of the Act (relating to Practice by Certain Out-of-State Firms).

(d) Interpretative Comment: This section clarifies that the mere mention of a business and ownership affiliation with a registered CPA firm on the letterhead, or in advertising or promotional statements, of an unlicensed entity does not violate the Act when done in compliance with the provisions of this section. This section also clarifies that the letterhead, advertising or promotional statements of the unlicensed entity may refer to accounting, auditing or attest services, or any derivative terms associated with those services, without violating §901.453 of the Act (relating to Use of Other Titles or Abbreviations). It also clarifies that all attest services must still be performed exclusively by registered CPA firms in accordance with the Act and all board rules. The definition of "attest services" is set forth in §501.52 of this title (relating to Definitions).

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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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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CHAPTER 523. CONTINUING PROFESSIONAL EDUCATION

SUBCHAPTER B. CONTINUING PROFESSIONAL EDUCATION RULES FOR INDIVIDUALS

22 TAC §523.113

The Texas State Board of Public Accountancy (Board) proposes an amendment to §523.113 concerning Exemptions from CPE.

Background, Justification and Summary

Section 901.003(c)(2) of the Public accountancy Act provides that faculty members of an educational institution, are not in the practice of public accountancy when they are performing duties as a faculty member. They may refer to themselves as a CPA if they are in fact a CPA of another state without the need for an individual license or firm license and are not required to obtain Continuing Professional Education.

Fiscal Note

William Treacy, Executive Director of the Board, has determined that for the first five-year period the proposed amendment is in effect, there will be no additional estimated cost to the state, no estimated reduction in costs to the state and to local governments, and no estimated loss or increase in revenue to the state, as a result of enforcing or administering the amendment.

Public Benefit

The adoption of the proposed rule amendment will help the public to understand the requirements of a CPA faculty member of an educational institution.

Probable Economic Cost and Local Employment Impact

Mr. Treacy, Executive Director, has determined that there will be no probable economic cost to persons required to comply with the amendment and a Local Employment Impact Statement is not required because the proposed amendment will not affect a local economy.

Small Business, Rural Community and Micro-Business Impact Analysis

William Treacy, Executive Director, has determined that the proposed amendment will not have an adverse economic effect on small businesses, rural communities or micro-businesses because the amendment does not impose any duties or obligations upon small businesses, rural communities or micro-businesses; therefore, an Economic Impact Statement and a Regulatory Flexibility Analysis are not required.

Government Growth Impact Statement

William Treacy, Executive Director, has determined that for the first five-year period the amendment is in effect, the proposed rule: does not create or eliminate a government program; does not create or eliminate employee positions; does not increase or decrease future legislative appropriations to the Board; does not increase or decrease fees paid to the Board; does not create a new regulation; limits the existing regulation; does not increase or decrease the number of individuals subject to the proposed rule's applicability; and does not positively or adversely affect the state's economy.

Takings Impact Assessment

No takings impact assessment is necessary because there is no proposed use of private real property as a result of the proposed rule revision.

The requirement related to a rule increasing costs to regulated persons does not apply to the Texas State Board of Public Accountancy because the rule is being proposed by a self-directed semi-independent agency. (§2001.0045(c)(8))

Public Comment

Written comments may be submitted to J. Randel (Jerry) Hill, General Counsel, Texas State Board of Public Accountancy, 505 E. Huntland Dr., Suite 380, Austin, Texas 78752 or faxed to his attention at (512) 305-7854, no later than noon on June 29, 2026.

The Board specifically invites comments from the public on the issues of whether or not the proposed amendment will have an adverse economic effect on small businesses. If the proposed rule is believed to have an adverse effect on small businesses, estimate the number of small businesses believed to be impacted by the rule, describe and estimate the economic impact of the rule on small businesses, offer alternative methods of achieving the purpose of the rule; then explain how the Board may legally and feasibly reduce that adverse effect on small businesses considering the purpose of the statute under which the proposed rule is to be adopted; and finally, describe how the health, safety, environmental, and economic welfare of the state will be impacted by the various proposed methods. See Texas Government Code, §2006.002(c).

Statutory Authority

The amendment is proposed under the Public Accountancy Act ("Act"), Texas Occupations Code §901.151, which authorizes the Board to adopt rules deemed necessary or advisable to effectuate the Act.

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

§523.113. Exemptions from CPE.

The board shall not issue or renew a license to an individual who has not earned the required CPE credits unless an exemption has been granted by the board.

(1) The board may consider granting an exemption from the CPE requirement during the period for which the exemption is requested on a case-by-case basis if:

(A) a licensee completes and forwards to the board an affidavit indicating that the licensee is not employed; or

(B) a licensee completes and forwards to the board an affidavit indicating no association with accounting. The affidavit shall include, as a minimum, a brief description of the duties performed, job title, and verification by the licensee's immediate supervisor. For purposes of this section, the term "association with accounting" shall include the following:

(i) working, providing oversight of accounting, or supervising work performed in the areas of financial accounting and reporting; tax compliance, planning or advice; management advisory services; accounting information systems; treasury, finance, or audit; or

(ii) representing to the public, including an employer, that the licensee is a CPA or public accountant in connection with the sale of any services or products involving professional accounting services as defined in the Rules of Professional Conduct, §501.52(22) of this title (relating to Definitions), including such designation on a business card, letterhead, proxy statement, promotional brochure, advertisement, or office; or

(iii) offering testimony in a court of law purporting to have expertise in accounting and reporting, auditing, tax, or management services; or

(iv) for purposes of making a determination as to whether the licensee fits one of the categories listed in this clause and clauses (i) - (iii) of this subparagraph, the questions shall be resolved in favor of including the work as having an association with accounting.

(C) a licensee not residing in Texas, who submits an affidavit to the board that the licensee does not serve Texas clients from out of state;

(D) a licensee shows reasons of health, certified by a medical doctor, that prevent compliance with the CPE requirement. A licensee must petition the board for the exemption and provide documentation that clearly establishes the period of disability and the resulting physical limitations;

(E) a licensee who is a military service member during the period for which the exemption is requested, and files a copy of orders to active military duty with the board; or

(F) a licensee shows reason which prevents compliance that is acceptable to the board.

(2) A licensee who has been granted the retired or disability status under §515.8 of this title (relating to Retired or Disability Status) is not required to report any CPE credits.

(3) A licensee who no longer meets the eligibility requirements for an exemption under this section or no longer qualifies for retired or disability status under §515.8 of this title shall be required to report sufficient CPE credits to be in compliance with §523.112 of this chapter (relating to Required CPE Participation). CPE credits shall be

earned in the technical area as described in §523.102 of this chapter (relating to CPE Purpose and Definitions) and §523.130 of this chapter (relating to Ethics Course Requirements).

(4) A faculty member may be exempt from CPE requirements as long as they do not provide accounting services to the public. [A faculty member of an educational institution may be exempt from CPE only when offering accounting services as a faculty member.]

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

Filed with the Office of the Secretary of State on May 14, 2026.

TRD-202602049

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 305-7848



TITLE 25. HEALTH SERVICES

PART 1. DEPARTMENT OF STATE HEALTH SERVICES

CHAPTER 229. FOOD AND DRUG SUBCHAPTER W. LICENSING OF WHOLESALE DISTRIBUTORS OF PRESCRIPTION DRUGS--INCLUDING GOOD MANUFACTURING PRACTICES

25 TAC §229.420

The executive commissioner of the Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes an amendment to §229.420, concerning Medical Gases.

BACKGROUND AND PURPOSE

The proposed amendment to Title 25 of the Texas Administrative Code (TAC) Chapter 229, Subchapter W, relating to Licensing of Wholesale Distributors of Prescription Drugs--Including Good Manufacturing Practices (GMP) is required to continue adherence with applicable federal laws pertaining to medical gases. Specifically, the proposed amendment aligns the minimum standards in the current rule with new Medical Gases GMP requirements under 21 Code of Federal Regulations (CFR) Part 213 and 21 CFR Part 230, which are already in effect. The proposed amendment will adopt the new 21 CFR Part 213 and 21 CFR Part 230 in 25 TAC §229.420(a).

SECTION-BY-SECTION SUMMARY

The proposed amendment to §229.420 updates federal reference citations and updates numbering for consistency throughout this section.

FISCAL NOTE

Christy Havel Burton, Chief Financial Officer, has determined that for each year of the first five years that the rule will be in effect, enforcing or administering the rule does not have fore-

seeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

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

- (1) the proposed rule will not create or eliminate a government program;
- (2) implementation of the proposed rule will not affect the number of DSHS employee positions;
- (3) implementation of the proposed rule will result in no assumed change in future legislative appropriations;
- (4) the proposed rule will not affect fees paid to DSHS;
- (5) the proposed rule will not create a new regulation;
- (6) the proposed rule will not expand, limit, or repeal existing regulations;
- (7) the proposed rule will not change the number of individuals subject to the rule; and
- (8) the proposed rule will not affect the state's economy.

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

Christy Havel Burton has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities because the rule does not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rule.

LOCAL EMPLOYMENT IMPACT

The proposed rule will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to this rule because the rule is necessary to protect the health, safety, and welfare of the residents of Texas, does not impose a cost on regulated persons, and is necessary to receive a source of federal funds or comply with federal law.

PUBLIC BENEFIT AND COSTS

Timothy Stevenson, Deputy Commissioner, Consumer Protection Division, has determined that for each year of the first five years the rule is in effect, the public benefit will include improved rule clarity and greater compliance with updated Good Manufacturing Practices, which help ensure that medical gases produced in the state are safe and effective for their intended use.

Christy Havel Burton has also determined that for the first five years the rule is in effect, there are no anticipated economic costs to persons who are required to comply with the proposed rule because the amendment is adopting federal regulations that will not have additional costs.

TAKINGS IMPACT ASSESSMENT

DSHS has determined that the proposal does not restrict or limit an owner's right to the owner's property that would otherwise exist in the absence of government action and, therefore, does not constitute a taking under Texas Government Code §2007.043.

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed rule, as

well as any applicable data, research, or analysis, may be submitted to Rules Coordination Office, P.O. Box 13247, Mail Code 4102, Austin, Texas 78711-3247, or street address 4601 West Guadalupe Street, Austin, Texas 78751; or emailed to HHSRulesCoordinationOffice@hhs.texas.gov.

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R054" in the subject line.

STATUTORY AUTHORITY

The amendment is authorized by Texas Government Code §524.0151 and Texas Health and Safety Code (HSC) §1001.075, which authorize the executive commissioner of HHSC to adopt rules for the operation and provision of health and human services by DSHS and for the administration of Texas Health and Safety Code Chapter 1001, and by Texas Health and Safety Code §431.241 and §431.244 which provide the executive commissioner of HHSC with authority to adopt rules enforcing the Texas Food, Drug, and Cosmetic Act, and adopt specific rules under the Code of Federal Regulations, Title 21, as a rule under chapter 431.

The amendment affects Texas Government Code §524.0151 and HSC Chapters 1001 and 431.

§229.420. *Applicable Laws and Regulations.*

(a) The department adopts by reference the following laws and regulations:

- (1) Federal Food, Drug, and Cosmetic Act, 21 United States Code (USC) §301 et seq., as amended;
- (2) 9 Code of Federal Regulations (CFR) Part 113, Standard Requirements, as amended;
- (3) 21 CFR Part 70, Color Additives, as amended;
- (4) 21 CFR Part 71, Color Additive Petitions, as amended;
- (5) 21 CFR Part 73, Listing of Color Additives Exempt From Certification, as amended;
- (6) 21 CFR Part 74, Listing of Color Additives Subject to Certification, as amended;
- (7) 21 CFR Part 80, Color Additive Certification, as amended;
- (8) 21 CFR Part 81, General Specifications and General Restrictions for Provisional Color Additives for Use in Foods, Drugs, and Cosmetics, as amended;
- (9) 21 CFR Part 82, Listing of Certified Provisionally Listed Colors and Specifications, as amended;
- (10) 21 CFR Part 200, General, as amended;
- (11) 21 CFR Part 201, Labeling, as amended;
- (12) 21 CFR Part 202, Prescription Drug Advertising, as amended;

(13) 21 CFR Part 203, Prescription Drug Marketing, as amended;

(14) 21 CFR Part 205, Guidelines for State Licensing of Wholesale Prescription Drug Distributors, as amended;

(15) 21 CFR Part 206, Imprinting of Solid Oral Dosage Form Drug Products for Human Use, as amended;

(16) 21 CFR Part 207, Requirements for Foreign and Domestic Establishment Registration and Listing for Human Drugs, Including Drugs That Are Regulated Under a Biologics License Application, and Animal Drugs, and the National Drug Code, as amended;

(17) 21 CFR Part 210, Current Good Manufacturing Practice in Manufacturing, Processing, Packing, or Holding of Drugs; General, as amended;

(18) 21 CFR Part 211, Current Good Manufacturing Practice for Finished Pharmaceuticals, as amended;

(19) 21 CFR Part 212, Current Good Manufacturing Practice for Positron Emission Tomography Drugs, as amended;

(20) 21 CFR Part 213, Current Good Manufacturing Practice for Medical Gases, as amended;

(21) [~~20~~] 21 CFR Part 216, Human Drug Compounding, as amended;

(22) [~~21~~] 21 CFR Part 225, Current Good Manufacturing Practice for Medicated Feeds, as amended;

(23) [~~22~~] 21 CFR Part 226, Current Good Manufacturing Practice for Type A Medicated Articles, as amended;

(24) 21 CFR Part 230, Certification and Postmarketing Reporting for Designated Medical Gases, as amended;

(25) [~~23~~] 21 CFR Part 250, Special Requirements For Specific Human Drugs, as amended;

(26) [~~24~~] 21 CFR Part 251, §804, Importation Program, as amended;

(27) [~~25~~] 21 CFR Part 290, Controlled Drugs, as amended;

(28) [~~26~~] 21 CFR Part 299, Drugs; Official Names and Established Names, as amended;

(29) [~~27~~] 21 CFR Part 300, General, as amended;

(30) [~~28~~] 21 CFR Part 310, New Drugs, as amended;

(31) [~~29~~] 21 CFR Part 312, Investigational New Drug Application, as amended;

(32) [~~30~~] 21 CFR Part 314, Applications for FDA Approval to Market a New Drug, as amended;

(33) [~~31~~] 21 CFR Part 315, Diagnostic Radiopharmaceuticals, as amended;

(34) [~~32~~] 21 CFR Part 316, Orphan Drugs, as amended;

(35) [~~33~~] 21 CFR Part 320, Bioavailability and Bioequivalence Requirements, as amended;

(36) [~~34~~] 21 CFR Part 361, Prescription Drugs for Human Use Generally Recognized as Safe and Effective and Not Misbranded: Drugs Used in Research, as amended;

(37) [~~35~~] 21 CFR Part 500, General, as amended;

(38) [~~36~~] 21 CFR Part 510, New Animal Drugs, as amended;

(39) [(37)] 21 CFR Part 511, New Animal Drugs for Investigational Use, as amended;

(40) [(38)] 21 CFR Part 514, New Animal Drug Applications, as amended;

(41) [(39)] 21 CFR Part 515, Medicated Feed Mill License, as amended;

(42) [(40)] 21 CFR Part 516, New Animal Drugs for Minor Use and Minor Species, as amended;

(43) [(41)] 21 CFR Part 520, Oral Dosage Form New Animal Drugs, as amended;

(44) [(42)] 21 CFR Part 522, Implantation or Injectable Dosage Form New Animal Drugs, as amended;

(45) [(43)] 21 CFR Part 524, Ophthalmic and Topical Dosage Form New Animal Drugs, as amended;

(46) [(44)] 21 CFR Part 526, Intramammary Dosage Form New Animal Drugs, as amended;

(47) [(45)] 21 CFR Part 528, Intentional Genomic Alterations in Animals [New Animal Drugs in Genetically Engineered Animals], as amended;

(48) [(46)] 21 CFR Part 529, Certain Other Dosage Form New Animal Drugs, as amended;

(49) [(47)] 21 CFR Part 530, Extralabel Drug Use in Animals, as amended;

(50) [(48)] 21 CFR Part 556, Tolerances for Residues of New Animal Drugs in Food, as amended;

(51) [(49)] 21 CFR Part 558, New Animal Drugs for Use in Animal Feeds, as amended;

(52) [(50)] 21 CFR Part 589, Substances Prohibited From Use in Animal Food or Feed, as amended;

(53) [(51)] 21 CFR Part 600, Biological Products: General, as amended;

(54) [(52)] 21 CFR Part 601, Licensing, as amended;

(55) [(53)] 21 CFR Part 610, General Biological Products Standards, as amended;

(56) [(54)] 21 CFR Part 660, Additional Standards for Diagnostic Substances for Laboratory Tests, as amended;

(57) [(55)] 21 CFR Part 680, Additional Standards for Miscellaneous Products, as amended;

(58) [(56)] 21 CFR Part 700, General, as amended;

(59) [(57)] 21 CFR Part 701, Cosmetic Labeling, as amended;

(60) [(58)] 21 CFR Part 740, Cosmetic Product Warning Statements, as amended;

(61) [(59)] 21 CFR Part 1271, Human Cells, Tissues, and Cellular and Tissue-Based Products, as amended;

(62) [(60)] 21 CFR Part 1300, Definitions, as amended;

(63) [(61)] 21 CFR Part 1301, Registration of Manufacturers, Distributors, and Dispensers of Controlled Substances, as amended;

(64) [(62)] 21 CFR Part 1302, Labeling and Packaging Requirements For Controlled Substances, as amended;

(65) [(63)] 21 CFR Part 1304, Records and Reports of Registrants, as amended;

(66) [(64)] 21 CFR Part 1305, Orders for Schedule I and [Schedule] II Controlled Substances, as amended;

(67) [(65)] 21 CFR Part 1306, Prescriptions, as amended;

(68) [(66)] 21 CFR Part 1307, Miscellaneous; and

(69) [(67)] 21 CFR Part 1317, Disposal, as amended.

(b) Copies of these laws and regulations are indexed and filed at the Texas Department of State Health Services, 1100 West 49th Street, Austin, Texas 78756, and are available for inspection during normal working hours. Electronic copies of these laws and regulations are available online at www.dshs.texas.gov.

(c) Nothing in this subchapter relieves any person of the responsibility for complying with other applicable Texas and federal laws and regulations.

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 May 15, 2026.

TRD-202602056

Cynthia Hernandez

General Counsel

Department of State Health Services

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 834-6755



TITLE 28. INSURANCE

PART 1. TEXAS DEPARTMENT OF INSURANCE

CHAPTER 3. LIFE, ACCIDENT, AND HEALTH INSURANCE AND ANNUITIES

SUBCHAPTER X. PREFERRED AND EXCLUSIVE PROVIDER PLANS

DIVISION 1. GENERAL REQUIREMENTS

28 TAC §3.3704, §3.3707

The Texas Department of Insurance (TDI) proposes to amend 28 TAC §3.3704 and §3.3707, concerning network adequacy requirements and other requirements for preferred and exclusive provider benefit plans. The amendments implement House Bill 3359, 88th Legislature, 2023, and Senate Bill 926, 89th Legislature, 2025, and address issues raised in *Texas Ass'n of Health Plans v. Texas Dept. of Insurance*, Travis County District Court No. D-1-GN-26-000178 (TAHP Lawsuit).

EXPLANATION.

In April 2024, TDI adopted rules (2024 Rules) that implemented HB 3359 by amending multiple sections in Subchapter X of 28 TAC Chapter 3, including §3.3704 and §3.3707. HB 3359 provided extensive new network adequacy standards and expanded the requirements for waivers for a deviation from those standards. The 2024 Rules amended §3.3704 to align with HB 3359 and clarify that preferred provider plans must comply

with the new standards, provide sufficient choice and number of providers, monitor compliance, report material deviations to TDI, and promptly take corrective action. Amendments also deleted the previous network adequacy standards, consistent with the changes to statute in HB 3359.

The 2024 Rules also amended §3.3707 to (1) update the requirements for granting a waiver from network adequacy standards, subject to statutory limits; (2) require that a waiver request include certain information, including information demonstrating a good faith effort to contract and describing any exclusivity arrangements or other external factors impacting the ability of the parties to contract; and (3) clarify the commissioner's consideration of an access plan for waiver requests.

On January 9, 2026, the Texas Association of Health Plans (TAHP) filed the TAHP Lawsuit, which alleges that TDI engaged in ad hoc rulemaking in its implementation of HB 3359's waiver and sufficient access requirements and that certain 2024 Rules are contrary to the bill. In its petition to the court, TAHP stated that its members require additional guidance from TDI to comply with applicable regulations. Based on TAHP's claims and TDI's experience with network filings and waiver requests submitted since the adoption of the 2024 Rules, TDI has determined that additional rule amendments are necessary to implement HB 3359 in order to provide further guidance to health plans and adjust certain network requirements.

Accordingly, TDI proposes to amend §3.3704 to adjust and clarify minimum access standards. Amendments to §3.3704 are also necessary to implement SB 926, which expands provisions related to health plans that use steering or tiering to encourage enrollees to use certain network physicians and providers. TDI also proposes to amend §3.3707 to add guidance on how plans may demonstrate "good faith efforts" and "good cause" in waiver requests. TDI declines to define "good faith efforts" because the term is already defined in Insurance Code §1301.00565(a). In addition, form updates are needed to align the forms for network filings with the proposed rule amendments.

Descriptions of the sections' proposed amendments follow.

Section 3.3704.

A proposed amendment to subsection (b) of §3.3704 adds a catchline, to make the structure of the subsection consistent with the other subsections in the section. Proposed amendments to subsection (e) implement SB 926 and broaden the subsection to conform with both Insurance Code §1301.0047 and §1458.101(i). These include amendments to add a reference to new Insurance Code §1301.0047 and to apply the provisions in subsection (e) to an insurer that encourages an insured to obtain care from a particular "physician or health care provider," consistent with the terminology in §1301.0047, rather than "provider, as defined under Insurance Code Chapter 1458." To avoid duplicating language in Insurance Code §1301.0047(d), paragraphs (1) - (3) of subsection (e) are deleted.

Proposed amendments in subsection (f) implement HB 3359 by updating network adequacy standards. An obsolete date reference in subsection (f)(1)(E) relating to maximum appointment wait time standards is deleted. Although the TAHP Lawsuit raised concerns about the applicability of such standards to all provider types, TDI does not assess appointment wait time standards for services other than routine and preventive services. As described in subsequent paragraphs, recent updates to the forms for waiver applications prevent insurers from continuing to input appointment wait time data for nonroutine or nonpreven-

tive services. In subsections (f)(2) and (f)(4), the minimum standards for sufficient choice and access to preferred providers are changed to require that all insureds have access to at least one preferred provider of each type within time and distance standards and at least 90% of insureds have access to at least two preferred providers.

TDI's review of network filings in 2024 and 2025 indicate that the current minimum standards requiring all insureds to have access to at least two preferred providers may be overly burdensome, especially in counties with provider shortages. The proposed standards would still allow consumers "sufficient choice" as required under Insurance Code §1301.0055(b) because at least 90% of insureds would have a choice between multiple preferred providers within the time and distance standards while the remaining 10% of insureds may need to travel farther to reach an alternative provider. TDI has also amended §3.3707(m) to make clear that insureds in this circumstance will be able to gain access to a choice of providers at the preferred provider benefit level through the insurer's access plan. TDI declines to apply less restrictive federal standards as argued by TAHP in the TAHP Lawsuit; unlike HB 3359, federal standards do not include "sufficient choice" requirements. The proposed amendments also confirm that the minimum standards require preferred providers within the network's service area, consistent with the express requirements of HB 3359.

Similarly, TDI proposes to amend subsection (f)(3) to require at least one preferred provider, instead of two preferred physicians, of each specialty and diagnostic type listed in Insurance Code §1301.0055(b)(4) at a preferred hospital, ambulatory surgical center, or freestanding emergency medical care facility. Consistent with the proposed changes in subsection (f)(2), a network provides sufficient choice of preferred facilities if all insureds can access at least one preferred facility within the time and distance standards and at least 90% of insureds can access two or more preferred facilities. Clarifying that networks may include at least "one preferred provider" better aligns with Insurance Code §1301.0055(b)(4), which uses the term "preferred providers" and with longstanding TDI review standards. This change also reflects that in some cases licensure standards permit covered benefits to be delivered by a variety of provider types.

In addition to revised minimum standards for sufficient choice, subsection (f)(4) provides a 75-mile minimum distance standard for specialty care and specialty hospitals for which time and distance standards are not specified in statute. In the reporting forms under the current rule, TDI measures compliance with optometry and therapeutic optometry services, prescription drugs, durable medical equipment, and home health services. TDI will not assess network compliance with respect to optometrists and therapeutic optometrists for a plan that does not cover non-medical vision services. If a plan has a sufficient number of in-network ophthalmologists within network adequacy standards who can provide covered basic vision services, TDI will not consider the plan to be deficient based on an insufficient number of optometrists or therapeutic optometrists. Subsection (f)(4) implements Insurance Code §1301.0055(b)(3) to require that the network ensure sufficient access to covered services. The minimum distance standard is necessary for specialty care and specialty hospital services that consumers may need to access within a reasonable distance. As described in subsequent paragraphs, TDI proposes to remove home health from the list of specialty services assessed in the forms submitted as part of the network configuration filing.

Section 3.3707.

Proposed amendments to subsection (a) of §3.3707 add new paragraphs (1) - (5) listing nonexclusive factors that TDI will consider when determining whether there is good cause to grant a waiver. TDI will consider whether the waiver is needed due to an insufficient number of uncontracted physicians or provider or because the insurer has failed to contract with available providers. If providers are available, TDI will consider whether the insurer made good faith efforts to contract, and whether physicians and providers declined to contract. TDI will also consider whether granting a waiver will serve the public interest by maintaining health plan availability and competition or whether the waiver may harm the public interest by allowing a plan to be sold that does not provide reasonable access to covered services.

Proposed amendments reorganize and expand subsection (b) to address how TDI will evaluate whether an insurer has made a good faith effort to contract with available physicians or providers. Subsection (b)(1) expands the information that must be included in the attempt to contract form to describe the insurer's efforts to contract with available providers. Subsection (b)(1)(B) clarifies that the form should include all attempts to contract that the insurer made during the reporting period. Current subsection (b)(1)(C) is redesignated as (b)(1)(B)(iii) to align with the organization of the data within the attempt to contract form, and amended to remove the examples of reasons that may be given for declining to contract with an insurer since a longer list of examples is provided in new subsection (b)(5). New clauses (iv) and (v) are added to subsection (b)(1)(B) to align with new fields in the attempt to contract form and require the insurer to identify whether it offered commercially reasonable rates and contractual terms, and offered a different rate or contractual term after an initial offer was rejected. New subparagraph (C) in subsection (b)(1) aligns with a new field added to the cover page of the attempt to contract form and requires the insurer to explain the methodology they use to ensure the rate and contractual terms offered are commercially reasonable.

The current text of subsection (b)(2), which requires the insurer's waiver request to state if there are no providers or physicians available to resolve a network gap, is removed because it duplicates a requirement for information that must be provided within the network compliance and waiver request form under 28 TAC §3.3712(c)(2)(C)(i). New text in subsection (b)(2) requires the insurer to maintain documentation that substantiates the information submitted in the attempt to contract form, and provide that documentation to TDI on request.

New subsection (b)(3) specifies that, to demonstrate a good faith effort to contract, an insurer must attempt to contract with each available physician or provider that would allow the insurer to meet the standard or increase the percentage of enrollees for whom the standard is met. Contract attempts must meet the statutory definition of a good faith effort. New subsection (b)(4) specifies nonexclusive factors that TDI will consider in evaluating whether an insurer has made a good faith effort to contract. New subsection (b)(5) provides examples of circumstances when the insurer may be considered to have demonstrated a good faith effort. New subsection (b)(6) explains how TDI determinations about good faith efforts to contract will impact the statutory limits on waivers under Insurance Code §1301.0055(a)(5). New subsection (b)(7) provides definitions for the terms "commercially reasonable" and "similarly situated." New subsection (b)(8) requires issuers to review determinations and notify TDI within 15

calendar days if a correction is needed based on a clear factual error made by TDI.

Proposed amendments to subsections (c) and (m) clarify the instruction to file the access plan within the network configuration filing, and provide a more general rule citation, since §3.3712 references access plan requirements in multiple locations. Subsection (m) is also amended to require the insurer's access plan to demonstrate how the plan will facilitate access to care and a choice of physicians or providers for any insured that does not have access to at least two preferred providers within the network's service area and the applicable time and distance requirements under §3.3704(f)(2) or (4). Such an insured can request a network gap exception and receive the protections under §.3707(j) and (k).

Nonsubstantive amendments in subsections (d), (j), and (k) respectively add a section symbol to a statute citation, correct punctuation, and update a reference to "physician or provider" for clarity.

The 2024 Rules require insurers to use electronic forms published on TDI's website at www.tdi.texas.gov to provide the information specified in the rules. The required forms include the attempt to contract (ATC), network compliance and waiver request (NCWR), annual network adequacy report (LHL706), and provider listing forms. TDI proposes updates to the forms to align them with the proposed rule amendments and to improve clarity and ease of use. Some changes have been implemented to improve the instructions, formatting, layout, and utility of the forms to insurers.

The ATC form documents an insurer's good faith efforts to contract and is used by TDI to evaluate whether good cause for a waiver is shown. TDI proposes the following changes to the ATC form:

- adding a field in the "Cover Page" tab for a description of the insurer's methodology for ensuring that offered reimbursement rates and other contractual terms are commercially reasonable, consistent with new §3.3707(b)(1)(C);
- renaming the "Providers Attempted to Contract" tab as "Attempts to Contract";
- adding a "Drop-down" reference tab to list the options in the drop-down menus for the columns for specialty types, counties, provider reasons for declining to contract, and contact methods; and
- updating the "Attempts to Contract" tab with the following changes:
 - removing the "SERFF tracking No." column;
 - removing the "Deficient county waiver is being requested for" column;
 - removing "County type" column and associated County Designation tab;
 - adding "Major Medical or FB Physician and Provider?" and "NCWR row number where deficiency is reported" columns to allow staff to identify the waiver request that the attempts to contract relate to and prevent overreporting of attempts to contract, such as attempts that are unrelated to a waiver request;
 - renaming "Phone number" column as "Telephone";

- renaming the "Additional information demonstrating that the insurer made a good faith effort to contract, as defined in Insurance Code TIC 1301.00565(a)" column as "Comments";

- renaming the "The reason given for declining to contract" column as "Provider's reason for declining to contract" and changing the column to allow selection from a drop-down menu instead of free-text entry, consistent with the examples specified in new §3.3707(b)(5);

- adding a column for information on whether the offered rates and contractual terms were commercially reasonable, consistent with new §3.3707(b)(1)(B)(iv); and

- adding a column for information on whether the insurer offered different rates or contractual terms after its initial offer was rejected by the provider, consistent with new §3.3707(b)(1)(B)(v).

The NCWR form documents network compliance and summarizes network waiver requests and associated access plans. TDI proposes the following changes to the NCWR form:

- applying conditional formatting and macros automation functionalities throughout the form;

- adding interdependent "Facilities" tab to auto-populate certain fields in the "FB Physician & Provider" tab;

- removing the "County Designation" tab;

- adding the "Reference" tab that includes lists that populate drop-down options within the "Major Medical" and "FB Physician & Provider" tabs, such as county and county designations, specialty types, compliance statuses, deficiency reasons, and access plan summaries. Previously, open-ended responses were permitted in most columns, with drop-down options provided only for specialty types and compliance statuses;

- adding the "Help" tab to provide additional technical guidance for completing the NCWR form;

- updating the "Cover Page" tab with the following changes:

- Adding a field for the insurer to include a hyperlink to its access plan, consistent with §3.3705(d) and §3.3712(c)(2)(C)(iv); and

- Relabeling "Counties in Service Area" section to "Service area designation instructions" and adding instructions and checkboxes to the list of counties;

- updating the "Major Medical" tab with the following changes:

- restricting the "Compliant with appointment wait time" field to only the specialties providing routine and preventive care (e.g., diagnostic radiology, gastroenterology, gynecology and obstetrics, inpatient or residential behavioral health facility services, mammography, outpatient clinical behavioral health, adult or pediatric primary care, and psychiatry). The field defaults to "N/A" for all other specialty types. Related to this update, a note is added to the "NA Standards" tab to clarify that specialty types subject to appointment wait time reporting are shown in green text. Since the applicable specialties are not relevant for vision plans, the "Compliant with appointment wait time" column is removed from the "Vision" tab of the NCWR form for vision care plans; and

- replacing "Percentage of insureds with sufficient choice (at least two)" column with two new columns: "Percentage of enrollees with access to at least 1 preferred provider" and "Percentage of enrollees with access to 2 or more preferred providers," consistent with proposed amended §3.3704(f)(2); and

- updating the "Major Medical" and "FB Physician & Provider" tabs with the following changes:

- expanding or renaming the agency-locked columns that display data that is auto-populated or added by TDI;

- removing the "Reason preferred providers not available" column and replacing it with a "Reason for deficiency" column; and

- removing "Is waiver needed because there are no physicians or providers available to contract within the service area and applicable time and distance standards?" and "Comments" columns; and

- updating the NCWR Instructions Guide with the following changes:

- add instructions to specify that for the purposes of measuring compliance with Insurance Code §1301.0055(b)(4), an insurer should report the number of individual physicians and providers, rather than the number of organizations or groups of physicians or providers; and

- add instructions to clarify that for the purposes of measuring compliance with the time and distance standards for the permitted licensure types specified in Insurance Code §1301.00553, an insurer should report the number of individual physicians or providers as applicable, rather than the number of organizations or groups. For example, for the purposes of measuring compliance for the physician specialty for "Primary Care: Adults," an insurer should only report the number of physicians, even though many advanced practice registered nurses also provide primary care services.

The LHL706 form provides additional demographic and utilization data related to network adequacy. TDI proposes the following changes to the LHL706 form:

- updating the "Network Info and Checklist" tab with the following changes:

- removing the Life and Health Transmittal Form LAH310 from the list of filing requirements;

- adding a field to capture the number of counties within the service area; and

- adding a field to allow an insurer to indicate if they are "Accredited per §3.3706(c)," because §3.3706(c) allows an insurer to be presumed to be in compliance with credentialing requirements; and

- updating the "Claims Data" tab by adding rows for the following additional specialty types: durable medical equipment, optometrists, pharmacy, and therapeutic optometrists.

The provider listing form lists the physicians and health care providers in the plan's network. TDI proposes the following changes to the provider listings form:

- replacing the "Individual" tab with a "Physician" tab and a "Non-Physician" tab to provide separate lists of physicians and non-physician providers;

- adding drop-down options to list each applicable specialty type, including 27 physician specialty types, 11 non-physician specialty types, 12 facility types, and 10 facility-based physician and provider types;

- adding an "Additional Providers" tab to allow reporting of other provider types that are in the network but are not subject to spe-

cific network adequacy standards or constrained to a drop-down listing of specialty types;

- adding an "Instructions" section within the "Cover Page" tab to provide instructions explaining which providers should be reported on each tab.

TDI also proposes the following changes to the specialty type lists and "NA Standards" tab in the ATC, NCWR, and provider listing forms:

- reorganizing the specialty type lists and NA standards to separate physicians, non-physicians, and facilities;
- removing "Home Health;" and
- modifying the list of "Facility types for evaluating facility-based providers" by removing "Critical Care Services - Intensive Care Units (ICU)" and adding "Hospitals (other)," since facility-based providers would be evaluated across the facility as a whole.

FISCAL NOTE AND LOCAL EMPLOYMENT IMPACT STATEMENT. Rachel Bowden, director of the Regulatory Initiatives Office in the Life and Health Division, has determined that during each year of the first five years the proposed amendments are in effect, there will be no measurable fiscal impact on state and local governments as a result of enforcing or administering the amendments, other than that imposed by statute. Ms. Bowden made this determination because the proposed amendments do not add to or decrease state revenues or expenditures, and because local governments are not involved in enforcing or complying with the proposed amendments.

Ms. Bowden does not anticipate any measurable effect on local employment or the local economy as a result of this proposal.

PUBLIC BENEFIT AND COST NOTE.

For each year of the first five years the proposed amendments are in effect, Ms. Bowden expects that administering the proposed amendments will have the public benefit of ensuring that TDI's rules conform to Insurance Code §§1301.0047, 1301.0055, 1301.00553, 1301.00554, 1301.00555, 1301.0056, 1301.00565, and 1301.00566. The proposed rules will also help regulated entities understand the criteria that TDI will use to evaluate waiver requests for health plan networks, including good cause and good faith efforts, and how statutory limits on the ability to renew a waiver may apply if the insurer does not demonstrate good faith efforts.

Ms. Bowden expects that the proposed amendments will not increase the cost of compliance with Insurance Code Chapter 1301 because they do not impose requirements beyond those in statute. Insurance Code §1301.0055 requires TDI to adopt rules for network adequacy that ensure enrollees can access all covered services from preferred providers within the service area, allow waivers for good cause, and limit renewal of waivers if an insurer does not make good faith efforts to contract. Insurance Code §1301.0056 requires TDI to adopt a process for evaluating network adequacy before a plan can be offered, and for insurers to submit all information necessary for TDI to evaluate compliance. Insurance Code §1301.00565 provides a definition of "good faith effort" and requires TDI to hold a hearing before granting a waiver and to consider all pertinent information submitted by the insurer and the public. As a result, the cost associated with the additional information required within the waiver request filings that supports evaluation of good faith efforts does not result from the enforcement or administration of the proposed amendments.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS.

TDI has determined that the proposed amendments will not have an adverse economic effect on small or micro businesses, or on rural communities. As a result, and in accordance with Government Code §2006.002(c), TDI is not required to prepare a regulatory flexibility analysis.

EXAMINATION OF COSTS UNDER GOVERNMENT CODE §2001.0045.

TDI has determined that this proposal does not impose a possible cost on regulated persons. However, even if the proposal did impose a cost on regulated persons, no additional rule amendments are required under Government Code §2001.0045 because the proposed amendments are necessary to implement legislation. The proposed rule implements Insurance Code §1301.0047 as added by SB 926, and §§1301.0055 - 1301.00565 as added and amended by HB 3359.

GOVERNMENT GROWTH IMPACT STATEMENT.

TDI has determined that for each year of the first five years that the proposed amendments are in effect, the proposed rule:

- will not create or eliminate a government program;
- will not require the creation of new employee positions or the elimination of existing employee positions;
- will not require an increase or decrease in future legislative appropriations to the agency;
- will not require an increase or decrease in fees paid to the agency;
- will not create a new regulation;
- will limit an existing regulation;
- will not increase or decrease the number of individuals subject to the rule's applicability; and
- will not positively or adversely affect the Texas economy.

TAKINGS IMPACT ASSESSMENT.

TDI has determined that no private real property interests are affected by this proposal and that this proposal does not restrict or limit an owner's right to property that would otherwise exist in the absence of government action. As a result, this proposal does not constitute a taking or require a takings impact assessment under Government Code §2007.043.

REQUEST FOR PUBLIC COMMENT.

TDI will consider any written comments on the proposal that are received by TDI no later than 5:00 p.m., central time, on June 29, 2026. Consistent with Government Code §2001.024(a)(8), TDI requests public comments on the proposal, including information related to the cost, benefit, or effect of the proposal and any applicable data, research, and analysis. Send your comments to ChiefClerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030.

The commissioner of insurance will also consider written and oral comments on the proposal in a public hearing under Docket No. 2868. This proposal will be part of a rule hearing docket that will begin at 1:00 p.m., central time, on June 15, 2026. TDI will hold the public hearing remotely using online resources and in person at the Barbara Jordan State Office Building, 1601

Congress Avenue, Austin Texas 78701 in Room 2.029. Visit www.tdi.texas.gov/alert/event/index.html for more information on the proposed rule, hearing, and comment submission.

STATUTORY AUTHORITY. TDI proposes amendments to §3.3704 and §3.3707 under Insurance Code §§1301.0055, 1301.0056, 1301.007, and 36.001.

Insurance Code §1301.0055 requires the commissioner to adopt network adequacy standards that include requirements set out in the section.

Insurance Code §1301.0056 requires the commissioner to adopt rules establishing a process for examining a preferred provider benefit plan before an insurer offers the plan for delivery.

Insurance Code §1301.007 requires that the commissioner adopt rules necessary to implement Insurance Code Chapter 1301 and to ensure reasonable accessibility and availability of preferred provider services.

Insurance Code §36.001 provides that the commissioner may adopt any rules necessary and appropriate to implement the powers and duties of TDI under the Insurance Code and other laws of this state.

CROSS-REFERENCE TO STATUTE.

The proposed amendments to §3.3704 and §3.3707 implement HB 3359 and SB 926.

§3.3704. *Freedom of Choice; Availability of Preferred Providers.*

(a) Fairness requirements. A preferred provider benefit plan is not considered unjust under Insurance Code Chapter 1701, concerning Policy Forms, or to unfairly discriminate under Insurance Code Chapter 542, Subchapter A, concerning Unfair Claim Settlement Practices, or Chapter 544, Subchapter B, concerning Other General Prohibitions Against Discrimination by Insurers, or to violate Insurance Code Chapter 1451, Subchapter A, concerning General Provisions; Subchapter B, concerning Designation of Practitioners Under Accident and Health Insurance Policy; or Subchapter C, concerning Selection of Practitioners, provided that:

(1) in accordance with Insurance Code §§1251.005, concerning Payment of Benefits; 1251.006, concerning Policy May Not Specify Service Provider; 1301.003, concerning Preferred Provider Benefit Plans and Exclusive Provider Benefit Plans Permitted, 1301.006, concerning Availability of and Accessibility to Health Care Services; 1301.051, concerning Designation as Preferred Provider; 1301.053, concerning Appeal Relating to Designation as Preferred Provider; 1301.054, concerning Notice to Practitioners of Preferred Provider Benefit Plan; 1301.055, concerning Complaint Resolution; 1301.057 - 1301.062, concerning Termination of Participation; Expedited Review Process, Economic Profiling, Quality Assessment, Compensation on Discounted Fee Basis, Preferred Provider Networks, and Preferred Provider Contracts Between Insurers and Podiatrists; 1301.064, concerning Contract Provisions Relating to Payment of Claims; 1301.065, concerning Shifting of Insurer's Tort Liability Prohibited; 1301.151, concerning Insured's Right to Treatment; 1301.156, concerning Payment of Claims to Insured; and 1301.201, concerning Contracts with and Reimbursement for Nurse First Assistants, the preferred provider benefit plan does not require that a service be rendered by a particular hospital, physician, or practitioner;

(2) insureds are provided with direct and reasonable access to all classes of physicians and practitioners licensed to treat illnesses or injuries and to provide services covered by the preferred provider benefit plan;

(3) insureds have the right to treatment and diagnostic techniques as prescribed by a physician or other health care provider included in the preferred provider benefit plan;

(4) insureds have the right to continuity of care as set forth in Insurance Code §§1301.152 - 1301.154, concerning Continuing Care in General, Continuity of Care, and Obligation for Continuity of Care of Insurer, respectively;

(5) insureds have the right to emergency care services as set forth in Insurance Code §1301.0053, concerning Exclusive Provider Benefit Plans: Emergency Care; and §1301.155, concerning Emergency Care; and §3.3708 of this title (relating to Payment of Certain Out-of-Network Claims and Related Disclosures);

(6) the out-of-network (basic) level of coverage, excluding a reasonable difference in deductibles, is not more than 50% less than the higher level of coverage, except as provided under an exclusive provider benefit plan. A reasonable difference in deductibles is determined considering the benefits of each individual policy;

(7) the rights of an insured to exercise full freedom of choice in the selection of a physician or provider, or in the selection of a preferred provider under an exclusive provider benefit plan, are not restricted by the insurer, including by requiring an insured to select a primary care physician or provider or obtain a referral before seeking care;

(8) if the insurer is issuing other health insurance policies in the service area that do not provide for the use of preferred providers, the out-of-network level of coverage of a plan that is not an exclusive provider benefit plan is reasonably consistent with other health insurance policies offered by the insurer that do not provide for a different level of coverage for use of a preferred provider;

(9) any actions taken by an insurer engaged in utilization review under a preferred provider benefit plan are taken under Insurance Code Chapter 4201, concerning Utilization Review Agents, and Chapter 19, Subchapter R, of this title (relating to Utilization Reviews for Health Care Provided Under a Health Benefit Plan or Health Insurance Policy) and the insurer does not penalize an insured solely on the basis of a failure to obtain a preauthorization;

(10) a preferred provider benefit plan that is not an exclusive provider benefit plan may provide for a different level of coverage for use of a nonpreferred provider if the referral is made by a preferred provider only if full disclosure of the difference is included in the plan and the written description as required by §3.3705(b) of this title (relating to Nature of Communications with Insureds; Readability, Mandatory Disclosure Requirements, and Plan Designations);

(11) both preferred provider benefits and out-of-network level benefits are reasonably available to all insureds within a designated service area; and

(12) if medically necessary covered services are not reasonably available through preferred physicians or providers, insureds have the right to receive care from a nonpreferred provider in accordance with Insurance Code §1301.005, concerning Availability of Preferred Providers, and §1301.0052, concerning Exclusive Provider Benefit Plans: Referrals for Medically Necessary Services, and §3.3708 of this title, as applicable.

(b) Exclusive provider benefit plans. Notwithstanding subsection (a)(11) of this section, an exclusive provider benefit plan is not considered unjust under Insurance Code Chapter 1701; or to unfairly discriminate under Insurance Code Chapter 542, Subchapter A, or Chapter 544, Subchapter B; or to violate Insurance Code Chapter 1451, Subchapter C, provided that:

(1) the exclusive provider benefit plan complies with subsection (a)(1) - (10) and (12) of this section; and

(2) for the purposes of subsection (a)(11) of this section, an exclusive provider benefit plan must ~~[only]~~ ensure only that preferred provider benefits are reasonably available to all insureds within a designated service area.

(c) Payment of nonpreferred providers. Payment by the insurer must be made for covered services of a nonpreferred provider in the same prompt and efficient manner as to a preferred provider.

(d) Retaliatory action prohibited. An insurer is prohibited from engaging in retaliatory action against an insured, including cancellation of or refusal to renew a policy, because the insured or a person acting on behalf of the insured has filed a complaint with the department or the insurer against the insurer or a preferred provider or has appealed a decision of the insurer.

(e) Steering and tiering. An insurer that ~~encourages uses steering or a tiered network to encourage~~ an insured to obtain a health care service from a particular physician or health care provider~~;~~ as defined under Insurance Code Chapter 1458, concerning Provider Network Contract Arrangements,~~]~~ must comply ~~[do so in a manner that complies]~~ with the requirements of the Insurance Code, including the fiduciary duty imposed by Insurance Code §1301.0047, concerning Incentives to Use Certain Physicians or Health Care Providers, and §1458.101(i), concerning Contract Requirements, to act only for the primary benefit of the insured or policyholder. ~~[For the purposes of this section:]~~

~~[(1) "steering" refers to offering incentives to encourage enrollees to use specific providers;]~~

~~[(2) a "tiered network" refers to a network of preferred providers in which an insurer assigns preferred providers to tiers within the network that are associated with different levels of cost sharing; and]~~

~~[(3) violations of the fiduciary duty under Insurance Code §1458.101(i) will be determined by TDI based on assessment of the insurer's conduct. Examples of conduct that would violate the insurer's fiduciary duty include, but are not limited to:]~~

~~[(A) using a steering approach or a tiered network to provide a financial incentive as an inducement to limit medically necessary services, to encourage receipt of lower quality medically necessary services, or in violation of state or federal law;]~~

~~[(B) failing to implement reasonable processes to ensure that the preferred providers that insureds are encouraged to use within any steering approach or tiered network are not of a materially lower quality as compared with preferred providers that insureds are not encouraged to use;]~~

~~[(C) failing to implement reasonable processes to ensure that the insurer does not make materially false statements or representations about a physician's or health care provider's quality of care or costs; or]~~

~~[(D) failing to use objectively and verifiably accurate and valid information as the basis of any encouragement or incentive under this subsection.]~~

(f) Network requirements.

(1) Each preferred provider benefit plan must include a health care service delivery network that complies with:

(A) Insurance Code §1301.005;

(B) Insurance Code §1301.0055, concerning Network Adequacy Standards;

(C) Insurance Code §1301.00553, concerning Maximum Travel Time and Distance Standards by Preferred Provider Type, which applies maximum travel time in minutes and maximum distance in miles for a county based on the county's classification as specified in the network compliance and waiver request form available at www.tdi.texas.gov;

(D) Insurance Code §1301.00554, concerning Other Maximum Distance Standard Requirements; Commissioner Authority;

(E) Insurance Code §1301.00555, concerning Maximum Appointment Wait Time Standards~~;~~ ~~effective for a policy delivered, issued for delivery, or renewed on or after September 1, 2025~~; and

(F) Insurance Code §1301.006.

(2) An adequate network must, for each insured residing in the service area, ensure that all insureds can access at least one preferred provider and 90% of insureds can access a choice of at least two preferred providers for each physician specialty and each class of health care provider, in both cases within the network's service area and within the time and distance standards specified in Insurance Code §1301.00553 and §1301.00554 and this section.

(3) To provide a sufficient number of the specified types of preferred providers with the specialty and diagnostic types listed in Insurance Code §1301.0055(b)(4), a network must include at least one preferred provider ~~[two preferred physicians]~~ for each applicable specialty and diagnostic type at each preferred hospital, ambulatory surgical center, or freestanding emergency medical care facility that credentials the particular specialty.

(4) For specialty care and specialty hospitals for which time and distance standards are not otherwise specified in Insurance Code §1301.00553, an adequate network must ensure that all insureds residing in the service area can access at least one preferred provider and 90% of insureds can access a choice of at least two preferred providers, in both cases within the network's service area and within a distance not greater than 75 miles.

(g) Network monitoring and corrective action. Insurers must monitor compliance with subsection (f) of this section on an ongoing basis, taking any needed corrective action as required to ensure that the network is adequate. Consistent with Insurance Code §1301.0055, an insurer must report any material deviation from the network adequacy standards to the department within 30 days of the date the material deviation occurred, by submitting a network configuration filing as specified in §3.3712 of this title (relating to Network Configuration Filings). Unless there are no uncontracted licensed physicians or providers within the service area to meet the standard in the affected county, or the insurer requests a waiver, the insurer must promptly take corrective action to ensure that the network is compliant not later than the 90th day after the date the material deviation occurred.

(h) Service areas. For purposes of this subchapter, a preferred provider benefit plan may have one or more contiguous or noncontiguous service areas~~;~~ but may not divide a county. Any service areas that are smaller than statewide must be defined in terms of one or more Texas counties.

§3.3707. *Waiver Due to Failure to Contract in Local Markets.*

(a) Consistent with Insurance Code §1301.0055(a)(3), concerning Network Adequacy Standards, where necessary to avoid a violation of the network adequacy requirements of §3.3704 of this title (relating to Freedom of Choice; Availability of Preferred Providers) in

a county that the insurer wishes to include in its service area, an insurer may apply for a waiver from one or more of the network adequacy requirements in §3.3704(f) of this title. After considering all pertinent evidence in a public hearing under Insurance Code §1301.00565, concerning Public Hearing on Network Adequacy Standards Waivers, the commissioner may grant the waiver if the requestor shows good cause, subject to the limits on waivers provided in Insurance Code §1301.0055(a)(5). The commissioner may deny a waiver request if good cause is not shown and may impose reasonable conditions on the grant of the waiver. In determining whether there is good cause to grant the waiver, the commissioner will consider the factors specified in Insurance Code §1301.00565(d) and all pertinent information, including whether:

(1) there is an insufficient number of uncontracted physicians or health care providers in the area to meet the specific standard for a county in a service area;

(2) the insurer has made a good faith effort to contract with physicians and health care providers that could fill any network gaps, as determined under subsection (b) of this section;

(3) physicians or health care providers necessary for an adequate network have declined to contract with the insurer;

(4) the waiver would serve the public interest by maintaining health plan availability and competition in a local market; and

(5) the waiver would harm the public interest by allowing a health plan to be sold that fails to ensure enrollees reasonable access to covered services.

(b) An insurer seeking a waiver under subsection (a) of this section must submit waiver and access plan information required under §3.3712(c) of this title (related to Network Configuration Filings) and information justifying the waiver request as specified in this subsection using the attempt to contract form available at www.tdi.texas.gov. An insurer must submit the network compliance and waiver request form and the attempt to contract form to the department using SERFF or another electronic method that is acceptable to the department.

(1) For each waiver requested with respect to a type of physician or provider in a given service area where there are uncontracted physicians or providers available that could help fill a network gap, as reported in the network compliance and waiver request form [county], the insurer must provide [either] the information specified by this paragraph [(+) of this subsection or the information specified by paragraph (2) of this subsection, as appropriate.]

[(+)] [If providers or physicians are available within the relevant service area for the covered service or services for which the insurer requests a waiver, the insurer's request for waiver must include,] within the attempt to contract form:

(A) a list of the providers or physicians within the relevant service area that the insurer attempted to contract with, identified by name and specialty or facility type, and including the physician or provider's address and county; national provider identifier, contact name, email, and phone number; and for facility-based physicians or providers, the group name and associated facility;

(B) a description, including the date and contact method, of all attempts to contract that the insurer made during the reporting period with [how and when the insurer last contacted] each provider or physician that demonstrates that the insurer made a good faith effort to contract, as defined in Insurance Code §1301.00565(a), including:

(i) in the case of a waiver that is being requested more than two consecutive times for the same network adequacy stan-

dard in the same county, evidence that the insurer made multiple good faith attempts during each of the prior consecutive waiver periods;

(ii) in the case of a waiver that is being requested more than four times within a 21-year period for the same network adequacy standard in the same county, evidence that the insurer has been unable to remedy the issue through good faith efforts;

(iii) ~~[(C)] a description of any reason each provider or physician gave for declining to contract with the insurer [; such as the provider's or physician's participation in any exclusivity arrangement or other external factors that affect the ability of the parties to contract];~~

(iv) whether the insurer offered commercially reasonable rates and contractual terms; and

(v) whether the insurer offered a different rate or contractual term after an initial offer was rejected;

(C) the methodology the insurer uses to ensure the rate and contractual terms offered are commercially reasonable;

(D) a description of all steps the insurer will take to attempt to improve its network to make future requests to renew the waiver unnecessary;

(E) a description of the source or sources the insurer uses to identify physicians and providers that are available in the service area, and how often the insurer monitors these sources for new physicians and providers entering the service area; ~~[and]~~

(F) a description of the insurer's policies and procedures for reaching out to available physicians and providers, including how many attempts the insurer makes and if different policies and procedures apply for different specialty types.

(2) The insurer must maintain documentation that substantiates the information submitted in the network configuration filing and make that documentation available to TDI upon request. [If there are no providers or physicians available within the relevant service area with whom a contract would allow the insurer to meet the specific standard for the covered service or services for which the insurer requests a waiver, the insurer's request for waiver must state this fact.]

(3) To demonstrate a good faith effort to contract, an insurer must attempt to contract with each available physician or provider that would allow the insurer to meet the specific standard or increase the percentage of enrollees for whom the time and distance standard is met. Contract attempts must meet the definition of "good faith effort" in Insurance Code §1301.00565(a).

(4) In evaluating whether an insurer has made a good faith effort to contract, TDI will consider all pertinent evidence, including evidence concerning:

(A) whether the insurer offered to contract at a commercially reasonable rate, taking into account how the offered rate compares with rates accepted by similarly situated physicians and providers;

(B) whether the insurer offered commercially reasonable contractual terms, taking into account how the terms compare with those accepted by similarly situated physicians and providers;

(C) whether the insurer agreed to change a rate or contractual term after an initial offer was rejected;

(D) the extent of the insurer's efforts to find and contact all available physicians and providers;

(E) the physician's or provider's reason for declining;

(F) whether the physician or provider has agreed to contract with other insurers and how the accepted rates and contractual terms compare with the rates and terms offered by the insurer;

(G) the physician's or provider's efforts to contact the insurer about contracting;

(H) whether the insurer timely responded to concerns raised by the physician or provider; and

(I) whether the lack of contract is related to any credentialing issues.

(5) The following list provides examples of circumstances when the insurer may be considered to have demonstrated a good faith effort to contract with a physician or provider during a particular waiver period.

(A) The insurer has documented confirmation that the physician or provider declined the insurer's initial offer to contract with a clear indication that the physician or provider was not interested in contracting on any terms. Examples of circumstances when an insurer is not expected to make a subsequent offer include:

(i) the physician or provider has stated to the insurer that the physician or provider does not intend to enter any new contract on any terms; or

(ii) the physician or provider was not able to contract because the physician or provider participates in an exclusivity arrangement.

(B) The insurer has documented confirmation that the insurer offered commercially reasonable rates and contractual terms, the physician or provider declined the insurer's initial offer to contract, and the insurer subsequently made at least one additional attempt to contract offering a different rate or term. Examples of circumstances when the insurer is expected to make at least two offers include when the physician or provider declined the initial offer because:

(i) the insurer and the physician or provider were unable to agree on rates;

(ii) the physician or provider were unable to agree on contractual terms; or

(iii) the insurer is too new or unknown.

(C) The insurer was unable to make contact with the physician or provider, despite making a reasonable search for contact information and using at least two different documented contact methods.

(D) The insurer's offer to contract was accepted but credentialing has not yet been completed, or the physician or provider failed to meet credentialing standards.

(6) A limit on the issuance of a waiver under Insurance Code §1301.0055(a)(5) may apply if, during the applicable waiver periods under review, considering all pertinent evidence, TDI determines that the insurer did not demonstrate a good faith effort to contract.

(A) A waiver that is requested more than twice consecutively will be granted only if the insurer demonstrates multiple good faith attempts to bring the plan into compliance with the network adequacy standard during each of the prior consecutive waiver periods.

(B) A waiver that is requested more than four times within a 21-year period will be granted only if the insurer demonstrates that it made good faith efforts to bring the plan into compliance with the network adequacy standard during the prior year and that the issue could not be remedied through good faith efforts.

(7) For the purposes of this section:

(A) "commercially reasonable" means that a rate or contractual term is at least as favorable as a rate or contractual term accepted by similarly situated physicians or providers; and

(B) "similarly situated" means that physicians or providers are similar across key factors that are relevant for the purposes of determining commercially reasonable rates and terms. Relevant factors include experience, credentials, performance standards, services provided, hours of operation, and geographic region. A comparable geographic region may be the same county or the same geographic rating area as defined in §3.504 of this title (relating to Geographic Regions), or a county or rating area with similar market conditions.

(8) An insurer must carefully review a determination issued under this section. If the determination is based on a clear factual error by TDI, the insurer must notify TDI that a correction is needed no later than 15 calendar days from the date the determination is issued.

(c) At the same time an insurer files a request for waiver or a request to renew a waiver, it must file an access plan, to be taken into consideration by the commissioner in deciding whether to grant or deny a waiver request, subject to Insurance Code §1301.00566, concerning Effect of Network Adequacy Standards Waiver on Balance Billing Prohibitions. The insurer must:

(1) develop access plan procedures consistent with subsection (j) of this section; and

(2) file the access plan within the network configuration filing as addressed in §3.3712 [as required in §3.3712(e)(2)(C)(iv)] of this title.

(d) If the insurer believes that the information provided under subsection (b) of this section in the attempt to contract form includes proprietary information that is confidential and not subject to disclosure as public information under Government Code Chapter 552, concerning Public Information, the insurer must mark the document as confidential in SERFF. If the insurer marks the document as confidential, it must include in the filing an explanation of which information contained in the document is proprietary, and which information is not. However, consistent with Insurance Code §1301.00565(g), [1301.00565(e),] certain information is subject to release regardless of marking, and the department may publish or otherwise release such information. The insurer is not permitted to mark the entire filing as confidential. When scheduling a hearing related to a waiver request, the department will send a notice of the hearing to any provider or physician named in the waiver request.

(e) Any provider or physician may elect to provide a response to an insurer's request for waiver by sending an email to network-waivers@tdi.texas.gov within 15 days after receiving notice from the department. The response, if filed, must indicate whether the provider or physician consents to being identified at a hearing related to the waiver request and may include evidence that is pertinent to the waiver request for the commissioner's consideration.

(f) If the department grants a waiver under subsection (a) of this section, the department will post on the department's website information relevant to the grant of a waiver, consistent with Insurance Code §1301.0055(a)(3).

(g) An insurer may apply for renewal of a waiver described in subsection (a) of this section annually.

(1) Application for renewal of a waiver must be filed in the manner described in subsection (d) of this section and submitted

at the time the insurer files its annual report under §3.3709 of this title (relating to Annual Network Adequacy Report).

(2) At the same time the insurer files an application for renewal of a waiver, the insurer must develop and file any applicable access plan the insurer uses in accordance with the waiver, in the manner specified by subsection (c) of this section.

(h) When granting a waiver, the department will specify the one-year period for which the waiver will apply. A waiver will expire at the end of the period specified by the department unless the insurer requests a renewal under subsection (g) of this section and the department approves the insurer's request for renewal.

(i) If the status of a network utilized in any preferred provider benefit plan changes so that the health benefit plan no longer complies with the network adequacy requirements specified in §3.3704 of this title for a specific county, the insurer must establish an access plan within 30 days of the date on which the network becomes noncompliant and, within 90 days of the date on which the network becomes noncompliant, apply for a waiver in accordance with subsection (a) of this section requesting that the department approve the continued use of the access plan.

(j) An insurer must establish and implement documented procedures, as specified in this subsection, for use in all service areas for which an access plan is submitted, as required by subsections (c), (i), or (m) of this section. These procedures must be made available to the department upon request. When a preferred provider is not available within the network adequacy standards under §3.3704(f) of this title (relating to Freedom of Choice; Availability of Preferred Providers) to provide a medically necessary covered service, the insurer must use a documented procedure to:

(1) identify requests for preauthorization of services for insureds that are likely to require the rendition of services by physicians or providers that do not have a contract with the insurer;

(2) upon request by an insured or an individual acting on behalf of an insured, and within the time appropriate to the circumstances relating to the delivery of the services and the condition of the patient but in no event to exceed five business days, approve a network gap exception and facilitate access to care by recommending at least two physicians or providers that:

(A) have expertise in the necessary specialty;

(B) are reasonably available considering the medical condition and location of the insured; and

(C) the insured may choose to use without being liable for any amount charged by the physician or provider that exceeds the insured's cost-sharing responsibilities under the preferred provider benefit level;

(3) furnish to insureds, prior to the services being rendered, an explanation of their rights, consistent with §3.3708(b)(1)(B) of this title (relating to Payment of Certain Out-of-Network Claims);

(4) except when a physician or provider is prohibited from balance billing, as specified in §3.3708(a)(1) - (4) of this title, notify insureds that they may be liable for any amounts charged by the physician or provider that are more than the insurer's reimbursement rate, unless the insured uses a physician or provider recommended by the insurer;[-]

(5) identify claims filed by nonpreferred providers in instances in which no preferred provider was available to the insured; and

(6) make initial and, if required, subsequent payment of the claims in the manner required by this subchapter.

(k) For the purposes of subsection [paragraph] (j)(2) of this section, a network gap exception means an insurer's approval for an insured to receive care from a nonpreferred provider under the preferred provider benefit level because access to care through a preferred provider is not available within network adequacy standards. When facilitating care as required under subsection [paragraph] (j)(2) of this section, a recommended physician or provider is reasonably available if the physician or provider is [they are]:

(1) a nonpreferred provider within the network adequacy standards in §3.3704(f) of this title; or

(2) a preferred or nonpreferred provider outside of the network adequacy standards in §3.3704(f) of this title, only if the distance to reach the recommended physician or provider is not more than 15% farther than the distance to reach the nearest available physician or provider.

(l) An access plan may include a process for negotiating with a nonpreferred provider prior to services being rendered, when feasible.

(m) As a contingency, and to protect insureds from any unforeseen circumstance in which an insured is unable to reasonably access covered health care services within the network adequacy standards provided in §3.3704 of this title, an insurer must submit an access plan that applies broadly to all counties within the service area and all types of physicians and providers, consistent with §3.3712 [and includes the information specified in §3.3712(c)(2)(C)(iv)] of this title. With respect to the requirements in §3.3704(f)(2) and (f)(4) of this title, the access plan must demonstrate how the plan will facilitate access to care and a choice of physicians or providers as required under subsections (j) and (k) of this section for any insured that does not have access at least two preferred providers within the network's service area and the applicable time and distance requirements.

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 May 15, 2026.

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Jessica Barta

General Counsel

Texas Department of Insurance

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 676-6555



TITLE 34. PUBLIC FINANCE

PART 1. COMPTROLLER OF PUBLIC ACCOUNTS

CHAPTER 9. PROPERTY TAX ADMINISTRATION

SUBCHAPTER I. VALUATION PROCEDURES

34 TAC §9.4001

The Comptroller of Public Accounts proposes amendments to §9.4001, concerning valuation of open-space and agricultural lands.

Legislation enacted within the last four years that provides the statutory authority for this section is House Bill 1244, 89th Legislature, R.S., 2025 and House Bill 260, 88th Legislature, R.S., 2023. Pursuant to Tax Code, §23.52(d), these rules have been approved by the comptroller with the review and counsel of the Department of Agriculture.

These amendments are to reflect updates and revisions to the manual for the appraisal of agricultural land. The proposed updated manual may be viewed at <https://comptroller.texas.gov/taxes/property-tax/docs/96-300p.pdf>.

The manual sets forth the methods to apply and the procedures to use in qualifying and appraising land used for agriculture and open-space land under Tax Code, Chapter 23, Subchapters C and D. The amendments update and revise the October 2024 manual for the appraisal of agricultural land including updating footnotes, years and values. The amendments also incorporate legislative changes regarding change for ownership and late application for special appraisal.

Brad Reynolds, Chief Revenue Estimator, has determined that during the first five years that the proposed amendment is in effect, the amended rule: will not create or eliminate a government program; will not require the creation or elimination of employee positions; will not require an increase or decrease in future legislative appropriations to the agency; will not require an increase or decrease in fees paid to the agency; will not increase or decrease the number of individuals subject to the rule's applicability; and will not positively or adversely affect this state's economy. This proposal amends an existing rule.

Mr. Reynolds also has determined that the proposed amendment would have no significant fiscal impact on the state government, units of local government, or individuals. The proposed amendment would benefit the public by improving the clarity and implementation of the section. There would be no anticipated significant economic cost to the public. The proposed amendment would have no significant fiscal impact on small businesses or rural communities.

You may submit comments on the proposal or information related to the cost, benefit, or effect of the proposal, including any applicable data, research or analysis, to Shannon Murphy, Director, Property Tax Assistance Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: ptad.rulecomments@cpa.texas.gov. The comptroller must receive your comments or other information no later than 30 days from the date of publication of the proposal in the *Texas Register*.

These amendments are proposed under Tax Code, §§5.05 (Appraisal Manuals and Other Materials); 23.41 (Appraisal); and 23.52 (Appraisal of Qualified Agricultural Land), which provide the comptroller with the authority to prepare and issue publications relating to the appraisal of property and to promulgate rules specifying the methods to apply and the procedures to use in appraising qualified agricultural and open-space land for ad valorem tax purposes.

These amendments implement Tax Code, Chapter 23, Subchapters C and D.

§9.4001. Valuation of Open-Space and Agricultural Lands.

Adoption of the "Manual for the Appraisal of Agricultural Land." This manual specifies the methods to apply and the procedures to use in qualifying and appraising land used for agriculture and open-space land under Tax Code, Chapter 23, Subchapters C and D. Appraisal districts are required to use this manual in qualifying and appraising

open-space land. The Comptroller of Public Accounts adopts by reference the Manual for the Appraisal of Agricultural Land dated January 2026 [October 2024]. The manual is accessible on the Property Tax Assistance Division website. [Copies of the manual can be obtained from the Comptroller of Public Accounts, Property Tax Assistance Division, P.O. Box 13528, Austin, Texas 78711-3528. Copies also may be requested by calling our toll-free number 1-800-252-9121. In Austin, call (512) 305-9999.]

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 May 18, 2026.

TRD-202602079

Victoria North

General Counsel for Fiscal and Agency Affairs

Comptroller of Public Accounts

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 475-2220



34 TAC §9.4011

The Comptroller of Public Accounts proposes amendments to §9.4011, concerning appraisal of timberlands.

Legislation enacted within the last four years that provides the statutory authority for these sections is House Bill 3370, 89th Legislature, R.S., 2025. Pursuant to Tax Code, §23.73(b), these rules have been approved by the comptroller with the review and counsel of the Texas A&M Forest Service.

These amendments are to reflect updates and revisions to the manual for the appraisal of timberland. The proposed updated manual may be viewed at <https://comptroller.texas.gov/taxes/property-tax/docs/96-357p.pdf>.

The manual sets forth the methods to apply and the procedures to use in qualifying and appraising timberland and restricted-use timberland under Tax Code, Chapter 23, Subchapters E and H. The amendments update and revise the October 2024 manual for the appraisal of timberland including updating footnotes, years and values. The amendments also incorporate legislative changes regarding the late application for appraisal as timberland.

Brad Reynolds, Chief Revenue Estimator, has determined that during the first five years that the proposed amendment is in effect, the amended rule: will not create or eliminate a government program; will not require the creation or elimination of employee positions; will not require an increase or decrease in future legislative appropriations to the agency; will not require an increase or decrease in fees paid to the agency; will not increase or decrease the number of individuals subject to the rule's applicability; and will not positively or adversely affect this state's economy. This proposal amends an existing rule.

Mr. Reynolds also has determined that the proposed amendment would have no significant fiscal impact on the state government, units of local government, or individuals. The proposed amendment would benefit the public by improving the clarity and implementation of the section. There would be no anticipated significant economic cost to the public. The proposed amendment would have no significant fiscal impact on small businesses or rural communities.

You may submit comments on the proposal or information related to the cost, benefit, or effect of the proposal, including any applicable data, research or analysis, to Shannon Murphy, Director, Property Tax Assistance Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: ptad.rulecomments@cpa.texas.gov. The comptroller must receive your comments or other information no later than 30 days from the date of publication of the proposal in the *Texas Register*.

These amendments are proposed under Tax Code, §§5.05 (Appraisal Manuals and Other Materials); 23.73 (Appraisal of Qualified Timber Land); and 23.9803 (Appraisal of Qualified Restricted-Use Timber Land), which authorize the comptroller to prepare and issue publications relating to the appraisal of property and to promulgate rules specifying the methods to apply and the procedures to use in appraising timberland and restricted-use timberland for ad valorem tax purposes.

These amendments implement Tax Code, Chapter 23, Subchapters E and H.

§9.4011. Appraisal of Timberlands.

Adoption of the Manual for the Appraisal of Timberland. This manual sets out both the eligibility requirements for timberland to qualify for productivity appraisal and the methodology for appraising qualified timberland and restricted use timberland. Appraisal districts are required by law to follow the procedures and methodology set out in this manual. The Comptroller of Public Accounts adopts by reference the Manual for the Appraisal of Timberland dated January 2026 [~~October 2024~~]. Copies of this manual [can be obtained from the Comptroller of Public Accounts, Property Tax Assistance Division, P.O. Box 13528, Austin, Texas 78711-3528 or from the Property Tax Assistance Division website. Copies may also be requested by calling our toll-free number 1-800-252-9121. In Austin, call (512) 305-9999. From a Telecommunications Device for the Deaf (TDD), call 1-800-248-4099, toll free. In Austin, the local TDD number is (512) 463-4621. This manual] and those that have been superseded are available from the Comptroller's office as well as the State Archives.

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 May 18, 2026.

TRD-202602081

Victoria North

General Counsel for Fiscal and Agency Affairs

Comptroller of Public Accounts

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 475-2220



PART 3. TEACHER RETIREMENT SYSTEM OF TEXAS

CHAPTER 41. HEALTH CARE AND INSURANCE PROGRAMS

SUBCHAPTER A. RETIREE HEALTH CARE BENEFITS (TRS-CARE)

34 TAC §41.17

The Board of Trustees of the Teacher Retirement System of Texas (TRS) proposes to amend §41.17 (relating to Limited-

time Enrollment Opportunity for Medicare-eligible Retirees) under Subchapter A (relating to Retiree Health Care Benefits (TRS-CARE)) of Chapter 41 in Part 3 of Title 34 of the Texas Administrative Code.

BACKGROUND AND PURPOSE

In 2024, the trust fund of the Texas Public School Retired Employees Group Benefits Program ("TRS-Care"), administered under Chapter 1575 of the Insurance Code, experienced growth stemming from federal changes to Medicare, TRS' improved contracts with Medicare Advantage and Part D drug benefits, and other factors. TRS received correspondence from legislative leadership directing TRS to use the growth in the TRS-Care fund to reduce premiums and allow for a one-time enrollment opportunity for eligible TRS-Care Medicare Advantage (TRS-Care MA) participants. Considering the legislators' request, TRS reduced the premiums of the TRS-Care MA plan for the 2025 plan year and enacted Rule 41.17.

Rule 41.17 offered a limited-time enrollment opportunity for Medicare-eligible retirees and their eligible dependents, surviving spouses, and surviving dependent children. The rule provided these individuals with an opportunity to take advantage of the reduced premiums under the TRS-Care MA plan. Rule 41.17 addressed the duration of the limited-time enrollment opportunity, eligibility and effective dates of coverage. This limited-time enrollment opportunity began on Oct. 1, 2024, and ended on March 31, 2026.

The TRS-Care trust fund continues to experience significant positive growth, which allows TRS to maintain the lower TRS-Care MA plan premiums. Therefore, TRS proposes offering another limited-time enrollment opportunity for the 2027 TRS-Care MA plan year by proposing to amend Rule 41.17 to offer a limited-time enrollment opportunity that will begin on Oct. 1, 2026, and end on March 31, 2028. The proposed amendments will change the original dates written in the rule to the new enrollment opportunity dates. The proposed amendment also makes a nonsubstantive change to correct a typographical spacing error in the existing rule language. These will be the only changes made.

FISCAL NOTE

Don Green, TRS Chief Financial Officer, has determined that for each year of the first five years the proposed amended rule will be in effect, there will be no foreseeable negative fiscal implications for state governments and no foreseeable fiscal implications for local governments as a result of administering the proposed amended rule. While opening the enrollment for otherwise eligible retirees, dependents, surviving spouses, and surviving dependent children increases the risk to the TRS-Care trust fund, that risk increase is offset by the premiums that amended and existing enrollees will be paying for their coverage and other sources of income of the trust fund. Because health benefit plans are inherently risk-based businesses, this limited-time enrollment opportunity does not pose a risk to the trust fund that is atypical for its nature.

PUBLIC COST/BENEFIT

For each year of the first five years the proposed amended rule will be in effect, Mr. Green has also determined that the public benefit anticipated as a result of adopting the proposed amended rule will be to provide guidance with respect to how the limited-time enrollment opportunity will be implemented. Mr. Green has also determined that entities required to comply with the proposed amended rule will not incur any economic cost. Further,

Mr. Green has determined the amendment will not impose a cost on regulated persons.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS

TRS has determined that proposed amended §41.17 will not have any adverse economic effect on small businesses, micro-businesses, or rural communities. As a result, the requirements for an economic impact statement or a regulatory flexibility analysis under Government Code §2006.002 do not apply in this case.

LOCAL EMPLOYMENT IMPACT STATEMENT

TRS has determined that there will be no effect on local employment because of the proposed amended rule. Therefore, no local employment impact statement is required under Government Code §2001.022.

GOVERNMENT GROWTH IMPACT STATEMENT

TRS has determined that for the first five years the proposed amended rule is in effect, the proposed amended rule will not create or eliminate any TRS programs; will not require the creation or elimination of employee positions; will not require an increase or decrease in future legislative appropriations to TRS; will not eliminate any fees currently paid to TRS; will not expand, limit or repeal the existing rule; will not increase or decrease the number of individuals subject to the rule's applicability; and will not affect the state's economy.

This proposal amends an existing regulation. TRS, as trustee of the Texas Public School Retired Employees Group Benefits Act created under Chapter 1575 of the Insurance Code, proposes to amend Rule 41.17 to provide a limited-time enrollment opportunity for eligible retirees, dependents, surviving spouses, and surviving dependent children who did not enroll when they had the opportunity to do so.

TAKINGS IMPACT ASSESSMENT

TRS has determined that there are no private real property interests affected by the proposed amended rule; therefore, a takings impact assessment is not required under Government Code §2007.043.

COSTS TO REGULATED PERSONS

TRS has determined that Government Code §2001.0045 does not apply to the proposed amended rule because it does not impose a cost on regulated persons.

COMMENTS

TRS requests written comments regarding the proposed amended rule. The comments may include information related to the costs, benefits or effects of the proposed amended rule, including any applicable data, research or analysis, from any person required to comply with the proposed amended rule or any other interested person.

Comments and information regarding the cost, benefit and effect of the rule may be submitted in writing to Brian Guthrie, TRS Executive Director, P.O. Box 149676, Austin, Texas 78714-0185. Written comments and cost/benefit information must be received by TRS no later than 30 days after publication of this notice in the *Texas Register*.

STATUTORY AUTHORITY

The proposed amended rule is authorized under Chapter 1575, Insurance Code, which establishes the Texas Public School Re-

tired Employees Group Benefits Act (TRS-CARE); §1575.052, which allows the trustee to adopt rules, plans, procedures, and orders reasonably necessary to implement Chapter 1575, including periods of enrollment and selection of coverage and procedures for enrolling and exercising options under the group program; Chapter 825 of the Government Code, which governs the administration of TRS; and Government Code §825.102, which authorizes the Board to adopt rules for the transaction of the business of the Board.

CROSS-REFERENCE TO STATUTE

The proposed amended rule is issued under the authority of Insurance Code §1575.052, related to Authority to Adopt Rules and Procedures; Other Authority, which authorizes the trustee to adopt rules, plans, procedures, and orders reasonably necessary to implement Chapter 1575, including periods of enrollment and selection of coverage and procedures for enrolling and exercising options under the group program.

§41.17. Limited-time Enrollment Opportunity for Medicare-eligible Retirees.

(a) Eligibility.

(1) Retiree. A retiree who is eligible to enroll in the Medicare Advantage plan offered under TRS-Care in accordance with Section 1575.1582(b), Insurance Code (hereinafter referred to as "MA plan") and who is not currently enrolled in the MA plan, may enroll in the MA plan if the retiree applies for enrollment during the limited-time enrollment period. For the purpose of this section, the limited-time enrollment period is the period that begins on October 1, 2026 [2024], and extends through March 31, 2028 [2026].

(2) Surviving spouses or surviving dependent children. If a retiree has passed away, the retiree's surviving spouse or the retiree's surviving dependent child may enroll under this section, as long as:

(A) The surviving spouse or surviving dependent child qualifies as such under Section 1575.003, Insurance Code, and

(B) The surviving spouse or surviving dependent child is eligible for Medicare and is eligible to enroll in the MA plan offered under TRS-Care in accordance with Section 1575.1582(b), [~~Section 1575.1582(b)~~], Insurance Code.

(3) Dependents. If the retiree's or surviving spouse's application to enroll under this section is approved, the retiree or surviving spouse may also enroll any eligible dependents.

(4) Single enrollment opportunity. A retiree, surviving spouse, or surviving dependent child may only enroll one time during the limited-time enrollment period.

(b) Effective Date of Coverage.

(1) January 1, 2027 [2025]. For those applications received and approved before January 1, 2027 [2025], coverage shall be effective on January 1, 2027 [2025].

(2) After January 1, 2027 [2025]. For those applications received after January 1, 2027 [2025], the effective date of coverage shall be the first day of the month after TRS receives and approves the request to enroll.

(3) Range. In no event shall the effective date be prior to January 1, 2027 [2025], or after April 1, 2028 [2026].

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 May 18, 2026.

TRD-202602065

Don Green

Chief Financial Officer

Teacher Retirement System of Texas

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 542-3528



SUBCHAPTER C. TEXAS SCHOOL EMPLOYEES GROUP HEALTH (TRS- ACTIVECARE)

34 TAC §41.38

The Board of Trustees of the Teacher Retirement System of Texas (TRS) proposes to amend §41.38 (relating to Termination Date of Coverage) under Subchapter C (relating to Texas School Employees Group Health (TRS-ACTIVECARE)) of Chapter 41 in Part 3 of Title 34 of the Texas Administrative Code.

BACKGROUND AND PURPOSE

TRS proposes to delete §41.38(a)(7) to eliminate participants' ability to voluntarily terminate their TRS-ActiveCare enrollment in the middle of the plan year. This change addresses the instability to the TRS-ActiveCare trust fund that this conduct creates, including disruptions to premium collection, rate setting, increased risk of adverse selection, and administrative burden. As trustee of the program, TRS is proposing this amendment to protect the fiscal health and stability of the trust fund, which in turn serves the best interests of all plan participants. The following factors support this proposal.

First, allowing a participant to leave TRS-ActiveCare mid-year is inconsistent with industry standards. Typically, individuals enrolled in a health plan are required to remain enrolled until the end of that plan year, absent a qualifying mid-year life event that, under HIPAA regulations, require health plans to permit enrollment changes, such as termination of employment, reduction in work hours, death, divorce, marriage, or the birth or adoption of a child.

Second, allowing TRS-ActiveCare enrollees to voluntarily drop coverage throughout the year adversely affects rate calculation and premium collection. For example, participants that drop coverage after high-cost services are received no longer contribute to the risk pool placing upward pressure on the remaining participants' premiums to cover those expenses. As another example, healthier participants that end their coverage as a way of managing mid-plan-year financial constraints shift claim burdens to higher-cost participants and drive premium increases in subsequent plan years.

Also, allowing individuals to leave the TRS-ActiveCare program in the middle of the plan year increases the administrative burden of managing the program driving up administrative costs.

Therefore, TRS proposes to remove §41.38(a)(7) from §41.38 and renumber the rest of the rule accordingly. It is TRS' fiduciary duty to administer the program in a fiscally responsible manner and to safeguard the TRS-ActiveCare trust fund from the adverse selection and administrative burden resulting from voluntary mid-year enrollment drops. Protecting the trust fund helps maintain stable rates and premiums and supports the interests of all members and dependents who participate in the plan.

FISCAL NOTE

Don Green, TRS Chief Financial Officer, has determined that for each year of the first five years the proposed amendments to §41.38 will be in effect, there will be no foreseeable negative fiscal implications for state governments and no foreseeable fiscal implications for local governments as a result of administering proposed amended §41.38. Requiring members to stay in the TRS-ActiveCare program through their plan year will save costs to the program, which will ultimately aid the health of the TRS-ActiveCare trust fund.

PUBLIC COST/BENEFIT

For each of the first five years proposed amended §41.38 is in effect, Mr. Green anticipates significant public benefit. The change will create stable rate calculation and premium collection while also saving costs to the TRS-ActiveCare trust fund, which could be used to lower rates and premiums. Mr. Green has also determined that entities required to comply with the proposed amended rule will not incur any economic cost.

Mr. Green has determined this rule amendment will not imply economic costs to persons required to comply with the rule. While continued participation in the plan would require participants pay the cost of the premiums through the end of the plan year, they will also avoid greater financial risk associated with going without coverage. Therefore, the future costs for individual participants who wish to drop coverage mid-year cannot be determined.

In contrast, this rule amendment promotes financial stability in the TRS-ActiveCare risk pool, helping public education employers (local government/regulated persons) avoid the additional costs of adverse selection that can occur when a health plan member who has coverage, seeks care generating claims cost, then drops coverage after the treatment to avoid individual premium contributions for the balance of the year. The TRS-ActiveCare trust fund operates as a pooled risk arrangement, with participant contributions priced on the assumption of stable enrollment for the full plan year to cover expected claims, volatility, and fixed administrative and reserve costs. As a fiduciary, TRS has a mandate to prudently administer the trust's resources to deliver reliable health benefits to Texas educators.

Allowing participants to exit mid-year ends their contributions without proportionally reducing the plan's risk, since claims remain unpredictable and fixed costs do not change. This shifts higher per-capita risk and volatility to remaining participants and exacerbates adverse selection. Depending on the extent of the claims cost incurred before the member drops, early exits may also contribute to future funding shortfalls, increasing contribution pressure in later years for both remaining participants and those who later re-enroll. Through this amendment, TRS seeks to balance individual flexibility with the collective benefit of a stable risk pool.

ECONOMIC IMPACT STATEMENT AND REGULATORY FLEXIBILITY ANALYSIS

TRS has determined that proposed amended §41.38 will not have any adverse economic effect on small businesses, micro-businesses, or rural communities. As a result, the requirements for an economic impact statement or a regulatory flexibility analysis under Government Code §2006.002 do not apply in this case.

LOCAL EMPLOYMENT IMPACT STATEMENT

TRS has determined that there will be no effect on local employment because of the proposed amended rule. Therefore, no local employment impact statement is required under Government Code §2001.022.

GOVERNMENT GROWTH IMPACT STATEMENT

TRS has determined that for the first five years proposed amended §41.38 is in effect, proposed amended §41.38 will not create or eliminate any TRS programs; will not require the creation or elimination of employee positions; will not require an increase or decrease in future legislative appropriations to TRS; will not eliminate any fees currently paid to TRS; will amend an existing regulation; will limit the existing rule by repealing a member's ability to terminate enrollment in the middle of the play year, without a special enrollment event, which is allowed by the existing rule; will not increase or decrease the number of individuals subject to the rule's applicability; and will not affect the state's economy.

This proposal amends an existing regulation. The proposed changes to §41.38 modify the rule through which TRS, as trustee of the Texas School Employees Uniform Group Health Coverage Act created under Chapter 1579 of the Insurance Code, will remove the ability for enrollees of the TRS-ActiveCare program to voluntarily drop coverage at the end of any month of their plan year. Specifically, by amending the rule to remove the option to leave mid-year, enrollees will be required to qualify for a special enrollment event under HIPAA to leave before the end of the plan year.

TAKINGS IMPACT ASSESSMENT

TRS has determined that there are no private real property interests affected by the proposed amended rule; therefore, a takings impact assessment is not required under Government Code §2007.043.

COSTS TO REGULATED PERSONS

TRS has determined that Government Code §2001.0045 does not apply to the proposed amended rule because it does not impose a cost on regulated persons.

COMMENTS

TRS requests written comments regarding the proposed amended rule. The comments may include information related to the costs, benefits or effects of the proposed amended rule, including any applicable data, research or analysis, from any person required to comply with the proposed amended rule or any other interested person.

Comments and information regarding the cost, benefit and effect of the rule may be submitted in writing to Brian Guthrie, TRS Executive Director, P.O. Box 149676, Austin, Texas 78714-0185. Written comments and cost/benefit information must be received by TRS no later than 30 days after publication of this notice in the *Texas Register*.

STATUTORY AUTHORITY

The proposed amended rule is authorized under Chapter 1579 of the Insurance Code, which establishes the Texas School Employees Uniform Group Health Coverage Act (TRS-ACTIVE-CARE). Specifically, §1579.052 grants the trustee the authority to adopt rules, plans, procedures, and orders reasonably necessary to implement Chapter 1579, including those related to enrollment periods coverage selection, and procedures for changing enrollment. Additionally, the proposed amended rule

is supported by Chapter 825 of the Government Code, which governs the TRS administration, and §825.102 of the Government Code, which authorizes the Board to adopt rules for the transaction of the business of the Board.

CROSS-REFERENCE TO STATUTE

The proposed amended rule implements the Insurance Code § 1579.052, related to Authority to Adopt Rules and Procedures; Other Authority, which authorizes the trustee to adopt rules, plans, procedures, and orders reasonably necessary to implement Chapter 1579, including periods of enrollment and coverage selection and outlines the procedures for enrolling and exercising options under the group program.

§41.38. Termination Date of Coverage.

(a) Unless otherwise required by law or this section, coverage shall terminate at the earliest of:

(1) 11:59 p.m. Austin Time on the last calendar day of the month in which the covered individual's employer, or the employer of the individual under whom a dependent qualified for coverage, ceases to be a participating entity;

(2) 11:59 p.m. Austin Time on the last calendar day of the month in which a covered individual, or the individual under whom a dependent qualified for coverage, terminates employment as determined by the participating entity, except as otherwise provided under §41.39 of this title (relating to Coverage for Individuals Changing Employers);

(3) 11:59 p.m. Austin Time on the last calendar day of the month in which a covered individual, or the individual under whom a dependent qualified for coverage, is no longer eligible for coverage under TRS-ActiveCare under §41.34 of this title (relating to Eligibility for Coverage under the Texas School Employees Uniform Group Health Coverage Program);

(4) 11:59 p.m. Austin Time on the date specified by the trustee if the covered individual, or the individual under whom a dependent qualified for coverage, is expelled from the program;

(5) 11:59 p.m. Austin Time on the last calendar day of the month immediately preceding the month in which TRS receives a notification from a participating entity, in the form prescribed by TRS, that a covered individual failed to make a required monthly premium payment to the participating entity;

(6) 11:59 p.m. Austin Time on the last calendar day of the month in which a covered individual enters into active, full-time military, naval, or air service, except as provided under the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) or other applicable law;

~~{(7) 11:59 p.m. Austin Time on the last calendar day of the month in which the administering firm or TRS receives notice, in a form acceptable to TRS, that a covered individual, or the individual under whom a dependent qualified for coverage, has chosen to voluntarily drop coverage under TRS-ActiveCare;}~~

(7) ~~[(8)]~~ 11:59 p.m. Austin Time on the last day of the month for which TRS-ActiveCare received payment if the participating entity employing the covered individual, or the individual under whom a dependent qualified for coverage, has failed to make all premium payments due for a period of 90 days or longer; or

(8) ~~[(9)]~~ the termination date and time that a health maintenance organization participating in TRS-ActiveCare provides for in its Evidence of Coverage for the reasons listed in that Evidence of Coverage.

(b) Notwithstanding subsection (a) of this section, a covered individual who resigns his employment position with a participating entity effective after the last day of an instructional year and who is in "good standing" with TRS-ActiveCare at the time of the effective date of resignation, is entitled to automatically remain enrolled in TRS-ActiveCare, through the earlier of (1) the first anniversary of the date participation in or coverage under TRS-ActiveCare was first made available to employees of that participating entity for the last instructional year in which the covered individual was employed by the participating entity, or (2) the last calendar day before the first day of the instructional year immediately following the last instructional year in which the employee was employed by the participating entity, provided none of the events described in provisions of subsection (a) of this section occur after the effective date of the covered individual's resignation. Consequently, if the employer of the covered individual became a participating entity in TRS-ActiveCare on or before the September 1st that immediately preceded the effective date of resignation by the covered individual, then the covered individual may automatically be entitled to coverage through the August 31st that immediately follows the effective date of resignation, assuming termination does not sooner occur due to the occurrence of an event described in provisions of subsection (a) of this section after the effective date of the covered individual's resignation. Alternatively, if the employer of the covered individual became a participating entity in TRS-ActiveCare after the September 1st that immediately preceded the effective date of resignation by the covered individual, then the covered individual may automatically be entitled to coverage through the end of the 12th month of that participating entity's participation in TRS-ActiveCare, assuming termination does not sooner occur due to the occurrence of an event described in provisions of subsection (a) of this section after the effective date of the covered individual's resignation. A dependent enrolled in TRS-ActiveCare under a covered individual who qualifies for continued coverage pursuant to this subsection is also automatically entitled to remain enrolled in TRS-ActiveCare only for such time as the covered individual remains enrolled in TRS-ActiveCare. For purposes of this subsection only, the following applies:

(1) A covered individual is in "good standing" with TRS-ActiveCare if, on the effective date of the individual's resignation:

(A) the covered individual has not been expelled from TRS-ActiveCare;

(B) TRS has not received a notification from the participating entity that employed the covered individual, in the form prescribed by TRS, that the covered individual failed to make a required monthly TRS-ActiveCare premium payment to the participating entity; and

(C) neither the participating entity that employed the covered individual, nor the covered individual under whom a dependent qualified for coverage, failed to make all premium payments due for a period of 90 days or longer.

(2) For each participating entity that provides instruction to students, the term "instructional year" shall be the locally established calendar period during which that participating entity holds classes, exclusive of summer school. In no event may this "instructional year" extend beyond June 30th.

(3) For each participating entity that does not provide instruction to students, the participating entity may establish an "instructional year" that begins no earlier than August 1st and does not extend beyond June 30th.

(4) If a participating entity does not establish an "instructional year," the "instructional year" shall be deemed to begin on September 1st and to extend through May 31st.

(5) Each participating entity shall have only one "instructional year," which shall be applicable to all covered individuals employed by the participating entity.

(c) For individuals receiving continuation coverage under the Consolidated Omnibus Budget Reconciliation Act of 1985 (Pub. L. 99-272) ("COBRA"), coverage shall terminate the earlier of:

(1) 11:59 p.m. Austin Time on the last calendar day of the month immediately preceding the date on which TRS fails to receive a timely and complete monthly premium payment from an individual receiving COBRA continuation coverage; or

(2) 11:59 p.m. Austin Time on the last calendar day of the month in which an individual's eligibility for COBRA continuation coverage expires or otherwise terminates.

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 May 18, 2026.

TRD-202602066

Don Green

Chief Financial Officer

Teacher Retirement System of Texas

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 542-3528

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TITLE 40. SOCIAL SERVICES AND ASSISTANCE

PART 19. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES

**CHAPTER 702. GENERAL ADMINISTRATION
SUBCHAPTER O. OFFICE OF INTERAGENCY
COORDINATION ON REPORTABLE CONDUCT
40 TAC §§702.1401, 702.1403, 702.1405**

The Department of Family and Protective Services (DFPS) proposes new rules in Title 40, Texas Administrative Code (TAC), Part 19, Chapter 702, Subchapter O, relating to the creation of the Office of Interagency Coordination on Reportable Conduct (OICRC) to support the Search Engine for Multi-Agency Reportable Conduct (SEMARC).

BACKGROUND AND PURPOSE

In the 88th Regular Legislative Session, Senate Bill 1849 passed establishing SEMARC. SEMARC is an interagency search engine to help participating state agencies identify individuals with a history of reportable work conduct. Reportable conduct is defined in Section 810.001 of the Health and Safety Code. This tool aims to prevent individuals from being present in work roles where they could harm vulnerable populations, such as DFPS clients.

SECTION-BY-SECTION SUMMARY

Proposed new §702.1401 describes the establishment and operation of the newly statutorily created DFPS Office of Interagency Coordination on Reportable Conduct (OICRC).

Proposed new §702.1403 defines reportable conduct, what constitutes a DFPS final determination, and who reportable conduct applies to.

Proposed new §702.1405 describes when DFPS will conduct search queries using SEMARC to determine whether a proposed employee, volunteer, contractor, or other individual as listed in the rule engaged in reportable conduct and what DFPS does when there is a SEMARC match.

FISCAL NOTE

Lea Ann Biggar, Chief Financial Officer, has determined that for each year of the first five years that the section(s) will be in effect, there will be fiscal implications to state government as a result of enforcing and administering the new sections. There will be no effect on local government.

GOVERNMENT GROWTH IMPACT STATEMENT

DFPS has determined that during the first five years that the section(s) will be in effect:

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

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

Ms. Biggar has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities as the rule does not apply to small or micro-businesses, or rural communities.

ECONOMIC COSTS TO PERSONS AND IMPACT ON LOCAL EMPLOYMENT

There are no anticipated economic costs to persons who are required to comply with the section(s) as proposed.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these new rules because DFPS is exempt per subsection (c) of §2001.0045.

PUBLIC BENEFIT

Vicki Kozikoujekian, DFPS General Counsel, has determined that for each year of the first five years the sections are in effect the public benefit anticipated as a result of enforcing the sections will be that the safety of children in care will be improved.

TAKINGS IMPACT ASSESSMENT

DFPS has determined that the proposal does not restrict or limit an owner's right to his or her property that would otherwise exist

in the absence of government action and, therefore, does not constitute a taking under Government Code, §2007.043.

PUBLIC COMMENT

DFPS invites comments on the new rule proposals. DFPS requests information related to the cost, benefit, or effect of the proposed new rules, including any applicable data, research, or analysis. To be considered, comments, questions, and information must be submitted no later than 30 days after the date of this issue to the *Texas Register*.

Electronic comments and questions may be submitted to Katharine Bradley, Policy Attorney at kathryn.bradley@dfps.texas.gov or RULES@dfps.texas.gov. Hard copy comments may be submitted to the DFPS Rules Coordinator, Legal Services Sanjuanita Maltos, Department of Family and Protective Services E-611, P.O. Box 149030, Austin, Texas 78714-9030.

STATUTORY AUTHORITY

The new rules are proposed under Human Resources Code §40.027, which provides that the Department of Family and Protective Services commissioner shall oversee the development of rules relating to the matter within the department's jurisdiction and notwithstanding any other law, shall adopt rules for the operation and provision of services by the department.

Additionally, Health and Safety Code Chapter 810 requires DFPS to create rules regarding the operation of the OICRC and periodic search queries using SEMARC.

CROSS REFERENCE TO STATUTES

The proposed new rules implement Texas Health and Safety Code Chapter 810.

§702.1401. What is the Office of Interagency Coordination on Reportable Conduct?

The Office of Interagency Coordination on Reportable Conduct (OICRC) within the Texas Department of Family and Protective Services (DFPS) is responsible for the administration and coordination of the Search Engine for Multi-Agency Reportable Conduct (SEMARC) program through the following actions:

(1) Implementing and coordinating a committee of participating state agencies through a Memorandum of Understanding (MOU) to strategize, plan activities, and resolve issues regarding the SEMARC program;

(2) Serving as a subject matter expert for the SEMARC program;

(3) Serving as the central point of contact to coordinate support for legislative, media, and general inquiries regarding SEMARC data, processes, and implementation;

(4) Coordinating the development and documentation of processes for data sharing and the exchange of records; and

(5) Partnering with DFPS Information Technology Services to ensure performance and ongoing management of the SEMARC program, in coordination with other participating agencies.

§702.1403. What is Reportable Conduct?

(a) Reportable Conduct means a participating state agency's determination:

(1) That an individual committed abuse, neglect, exploitation, or misconduct; and

(2) For which the participating state agency has issued a final determination.

(b) A DFPS final determination is when an individual has waived or exhausted all due process rights, including an administrative review and/or a due process hearing, and any subsequent right of appeal.

(c) Reportable Conduct does not apply to DFPS determinations resulting from investigations where the subject of the investigation is:

(1) A child's parent, guardian, managing or possessory conservator;

(2) A member of the child's family or household as defined in Texas Family Code, Chapter 71; or

(3) A person with whom the child's parent cohabits.

§702.1405. How will DFPS utilize information from SEMARC?

(a) DFPS Background Checks conducts Reportable Conduct searches through SEMARC for individuals seeking positions that have access to DFPS clients or resources under DFPS programs. Individuals include:

(1) Prospective and current DFPS employees;

(2) Prospective and current Single Source Continuum Contractors (SSCC) employees;

(3) Contractors or grantees who provide services to populations served by DFPS or who have direct access or direct contact to DFPS clients, participants, or resources;

(4) DFPS volunteers; and

(5) Individuals needing external access to DFPS data, systems and networks.

(b) A waiver of any Reportable Conduct search through SEMARC must be approved by the Commissioner, or the Commissioner's designee, to ensure the waiver does not conflict with state or federal law.

(c) DFPS Background Checks conducts Reportable Conduct renewal searches as follows:

(1) For contractors, no later than every 24 months from the request date of the previous background check; and

(2) For DFPS employees, volunteers, SSCC employees, and individuals with external access, no later than every 12 months from the date of the previous request.

(d) DFPS Background Checks will bar an individual and will not conduct a risk assessment under subsection (e) of this section if the individual described in subsection (a) of this section has Reportable Conduct identified through SEMARC that involves:

(1) Sexual abuse or sexual exploitation;

(2) Engaging in, soliciting, or attempting to engage in a romantic or sexual relationship with a student or minor;

(3) Inappropriate relationships or other conduct demonstrating boundary violations; and

(4) Physical abuse, including physical misconduct or the use of physical restraints that result in physical harm, within the last five years of the Reportable Conduct.

(e) If subsection (d) of this section does not apply and Reportable Conduct is identified in SEMARC, DFPS Background Checks will complete a risk assessment. Elements considered in a risk assessment include, but are not limited to:

(1) The type and severity of the Reportable Conduct;

(2) The length of time since the incident;

(3) Any prior history of misconduct;

(4) The roles and responsibilities of the position regarding clients and DFPS resources;

(5) Evidence of rehabilitation; and

(6) Potential safety risks to clients or resources.

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 May 13, 2026.

TRD-202602012

Sanjuanita Maltos

Rules Coordinator

Department of Family and Protective Services

Earliest possible date of adoption: June 28, 2026

For further information, please call: (512) 945-5978

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WITHDRAWN RULES

Withdrawn Rules include proposed rules and emergency rules. A state agency may specify that a rule is withdrawn immediately or on a later date after filing the notice with the Texas Register. A proposed rule is withdrawn six months after the date of publication of the proposed rule in the Texas Register if a state agency has failed by that time to adopt, adopt as amended, or withdraw the proposed rule. Adopted rules may not be withdrawn. (Government Code, §2001.027)

TITLE 28. INSURANCE

PART 2. TEXAS DEPARTMENT OF INSURANCE, DIVISION OF WORKERS' COMPENSATION

CHAPTER 128. BENEFITS--CALCULATION OF AVERAGE WEEKLY WAGE

28 TAC §§128.3, 128.5 - 128.7

The Texas Department of Insurance, Division of Workers' Compensation withdraws proposed amendments to §§128.3 and

128.5 - 128.7 which appeared in the November 14, 2025, issue of the *Texas Register* (50 TexReg 7404).

Filed with the Office of the Secretary of State on May 11, 2026.

TRD-202601999

Kara Mace

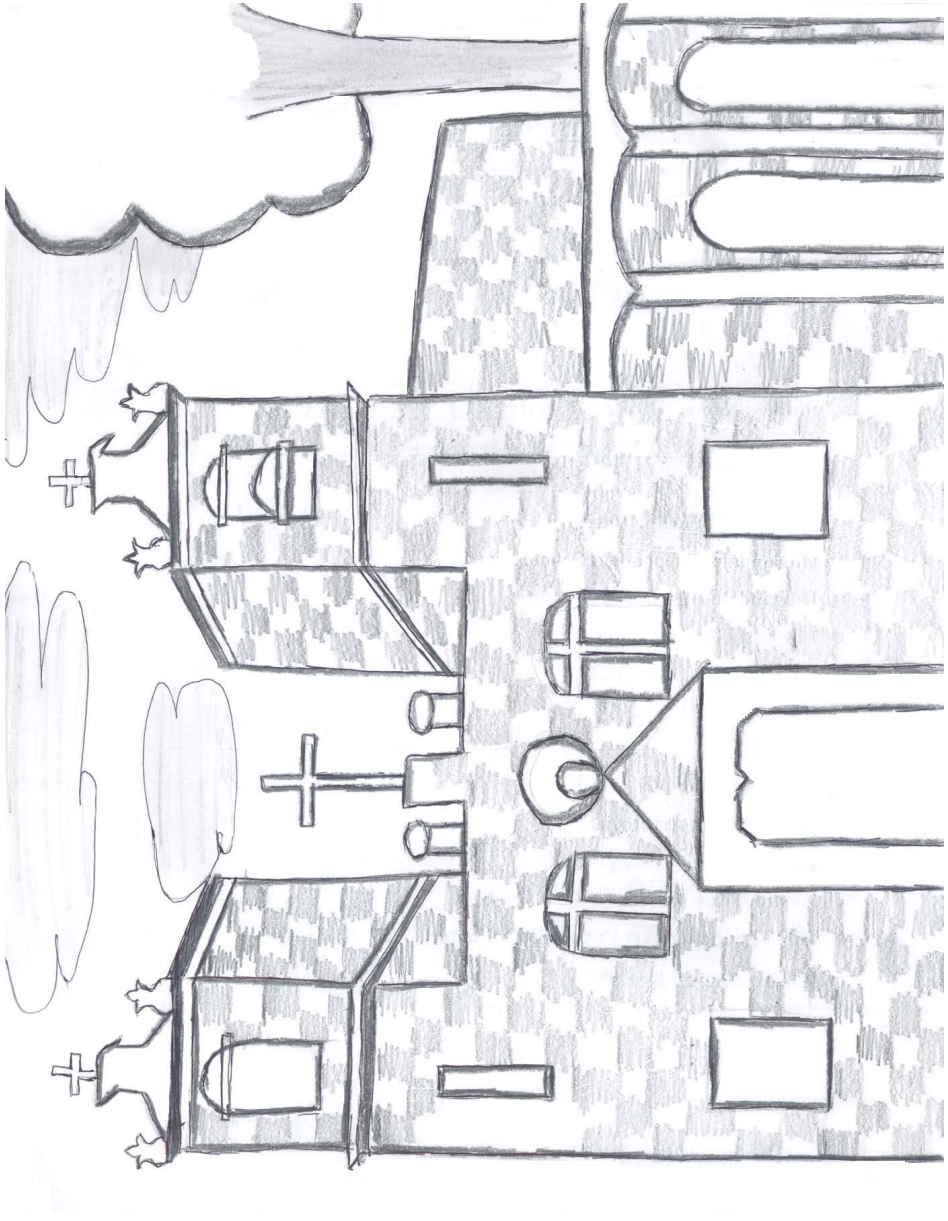
General Counsel

Texas Department of Insurance, Division of Workers' Compensation

Effective date: May 11, 2026

For further information, please call: (512) 804-4703





ADOPTED RULES

Adopted rules include new rules, amendments to existing rules, and repeals of existing rules. A rule adopted by a state agency takes effect 20 days after the date on which it is filed with the Secretary of State unless a later date is required by statute or specified in the rule (Government Code, §2001.036). If a rule is adopted without change to the text of the proposed rule, then the *Texas Register* does not republish the rule text here. If a rule is adopted with change to the text of the proposed rule, then the final rule text is included here. The final rule text will appear in the Texas Administrative Code on the effective date.

TITLE 1. ADMINISTRATION

PART 2. TEXAS ETHICS COMMISSION

CHAPTER 7. CONTRACTS

1 TAC §§7.1, 7.3, 7.5, 7.7, 7.9, 7.11, 7.55

The Texas Ethics Commission (the TEC) adopts new Chapter 7 in the TEC Rules, regarding Contracts. These new rules are adopted without changes to the proposed text as published in the February 27, 2026, issue of the *Texas Register* (51 TexReg 1223). The rules will not be republished.

Specifically, the Texas Ethics Commission (the TEC) adopts new Texas Ethics Commission Rules in Chapter 7 (relating to Contracts). The TEC adopts these new rules to codify Vendor Protest Procedures, Vendor Protest Procedures for Vendor Performance Reports, Contract Monitoring, Enhanced Contract Monitoring and Veteran Heroes United in Business (VetHUB) Procedures, including §7.1 regarding Application, §7.3 regarding Definitions, §7.5 regarding Vendor Protest Procedures, §7.7 regarding Contract Monitoring, §7.9 regarding Enhanced Contract Monitoring, and §7.11 Veteran heroes United in Businesses (VetHUB), §7.55 regarding Vendor Protest Procedures for Vendor Performance Reports,.

State law requires state agencies to "review and consider for readoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.*

The TEC is continuing its comprehensive review with the addition of Chapter 7, regarding Contracts. The addition of these rules seeks to provide clarity on the Commission's contract policies.

The TEC did not receive any public comments on these new rules.

The new rules are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Title 15 of the Election Code and Chapter 571 of the Government Code.

The adopted rules affect Chapter 571 of the Government Code.

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 May 18, 2026.

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Amanda Arriaga

General Counsel

Texas Ethics Commission

Effective date: June 7, 2026

Proposal publication date: February 27, 2026

For further information, please call: (512) 463-5800



CHAPTER 26. POLITICAL AND LEGISLATIVE ADVERTISING

1 TAC §26.1

The Texas Ethics Commission (the TEC) adopts an amendment to Texas Ethics Commission Rules in Chapter 26 (relating to Political and Legislative Advertising). Specifically, the TEC adopts an amendment to §26.1 regarding Disclosure Statement. This amended rule is adopted with changes to the proposed text as published in the April 3, 2026, issue of the *Texas Register* (51 TexReg 2161). The rule will be republished.

The changes are to §26.1(c)(4)(B) and §26.1(d), both of which are changing "Subsection" to "subsection" and adding "of this section".

State law requires state agencies to "review and consider for readoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.*

The TEC is continuing its comprehensive review with a review of the TEC's rules regarding political and legislative advertising, which are codified in Chapter 26.

The TEC did not receive any public comments on this amended rule.

The amended rule is adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Title 15 of the Election Code and Chapter 571 of the Government Code.

The adopted amended rule affects Chapter 255 of the Election Code.

§26.1. *Disclosure Statement.*

(a) A disclosure statement that is required by §255.001, Election Code must:

(1) appear on one line of text or on successive lines of text on the face of the political advertising; or

(2) be clearly spoken in the political advertising if the political advertising does not include written text.

(b) A disclosure statement is not required on political advertising printed on letterhead stationery if the letterhead contains the full name of one of the following:

(1) the person who paid for the political advertising;

(2) the political committee authorizing the political advertising; or

(3) the candidate authorizing the political advertising.

(c) A disclosure statement is not required on:

(1) campaign buttons, pins, or hats, or on objects whose size makes printing the disclosure impractical;

(2) political advertising posted or re-posted on an Internet website, as long as the person posting or re-posting the political advertising:

(A) is not an officeholder, candidate, or political committee;

(B) did not make an expenditure exceeding \$100 in a reporting period for political advertising beyond the basic cost of hardware messaging software and bandwidth; and

(C) did not post or re-post the political advertising in return for consideration.

(3) the Internet social media profile webpage of a candidate or officeholder, provided the webpage clearly and conspicuously displays the full name of the candidate or officeholder; or

(4) political advertising posted or re-posted by a person on an Internet website, provided the advertising is posted with a link to a publicly viewable Internet webpage that:

(A) contains the disclosure statement; or

(B) is exempt from containing the disclosure statement under subsection (c)(3) of this section.

(d) For the purposes of subsection (c) of this section, an "Internet social media profile webpage" is an Internet webpage on a website where members of the public may, for no charge, connect electronically with other members of the public and share text, images, videos, and similar forms of communications.

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 May 18, 2026.

TRD-202602091

Amanda Arriaga

General Counsel

Texas Ethics Commission

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Proposal publication date: April 3, 2026

For further information, please call: (512) 463-5800



1 TAC §26.2, §26.3

The Texas Ethics Commission (the TEC) adopts amendments to Texas Ethics Commission Rules in Chapter 26 (relating to Political and Legislative Advertising). Specifically, the TEC adopts

amendments to §26.2 regarding Newsletter of Public Officer of a Political Subdivision and §26.3 regarding Legislative Advertising. These amended rules are adopted with changes to §26.2 and without changes to §26.3 of the proposed text as published in the February 27, 2026, issue of the *Texas Register* (51 TexReg 1225). Section 26.2 will be republished with changes; §26.3, without changes, will not be republished.

State law requires state agencies to "review and consider for readoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.*

The TEC is continuing its comprehensive review with a review of the TEC's rules regarding political and legislative advertising, which are codified in Chapter 26.

The TEC did not receive any public comments on these amended rules.

The only change is to correct a typographical error in Rule 26.2(4) to change 60 days to 62 days.

The amended rules are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Title 15 of the Election Code and Chapter 571 of the Government Code.

The adopted amended rules affect Chapter 255 of the Election Code.

§26.2. *Newsletter of Public Officer of a Political Subdivision.*

For purposes of §255.003 of the Election Code, a newsletter of a public officer of a political subdivision is not political advertising if:

(1) It includes no more than two pictures of a public officer per page and if the total amount of area covered by the pictures is no more than 20 percent of the page on which the pictures appear;

(2) It includes no more than eight personally phrased references (such as the public officer's name, "I", "me", "the city council member") on a page that is 8 ½" x 11" or larger, with a reasonable reduction in the number of such personally phrased references in pages smaller than 8 ½" x 11";

(3) When viewed as a whole and in the proper context:

(A) is informational rather than self-promotional;

(B) does not advocate passage or defeat of a measure;

and

(C) does not support or oppose a candidate for nomination or election to a public office or office of political party, a political party, or a public officer; and

(4) Is published more than 62 days before the election.

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 May 18, 2026.

TRD-202602092

Amanda Arriaga
General Counsel
Texas Ethics Commission
Effective date: June 7, 2026
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For further information, please call: (512) 463-5800



CHAPTER 34. REGULATION OF LOBBYISTS

The Texas Ethics Commission (the TEC) adopts amendments to Texas Ethics Commission Rules in Chapter 34 (relating to Regulation of Lobbyists). These amended rules are adopted without changes to the proposed text as published in the February 27, 2026, issue of the *Texas Register* (51 TexReg 1225). The rules will not be republished.

Specifically, the TEC adopts an amendment in Subchapter A of Chapter 34 (regarding General Provisions), including §34.1 regarding Definitions.

The TEC also adopts amendments rules in Subchapter B of Chapter 34 (relating to Registration Required), including §34.41 regarding Expenditure Threshold and §34.43 regarding Compensation and Reimbursement Threshold.

State law requires state agencies to "review and consider for readoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.*

The TEC is continuing its comprehensive review with a review of the TEC's rules regarding regulation of lobbyists, which are codified in Chapter 34. These amendments seek to shorten, simplify, and reorganize the rules to eliminate surplusage and improve clarity on these restrictions.

The Commission received public comments from the Professional Advocacy Association of Texas (PAAT) after these rules were adopted by the Commission. PAAT supported the proposed changes to sections 34.41 and 34.43, stating that "PAAT members have supported a practical approach to registration and full disclosure" for many years. PAAT also suggested the repeal of section 34.5(b) regarding the exclusion of certain compensation from the registration threshold for certain communications. The Commission will review this request and may consider this repeal at a future date.

SUBCHAPTER A. GENERAL PROVISIONS

1 TAC §34.1

The amended rules are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Chapter 305 of the Government Code.

The adopted amended rules affect Chapter 305 of the Government Code.

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 May 18, 2026.
TRD-202602085

Amanda Arriaga
General Counsel
Texas Ethics Commission
Effective date: June 7, 2026
Proposal publication date: February 27, 2026
For further information, please call: (512) 463-5800



SUBCHAPTER B. REGISTRATION REQUIRED

1 TAC §34.41, §34.43

The amended rules are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Chapter 305 of the Government Code.

The adopted rules affect chapter 305 of the Government Code.

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

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TRD-202602086
Amanda Arriaga
General Counsel
Texas Ethics Commission
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For further information, please call: (512) 463-5800



CHAPTER 45. CONFLICTS OF INTEREST

1 TAC §45.3, §45.8

The Texas Ethics Commission (the TEC) adopts an amendment and new rule in Texas Ethics Commission Rules in Chapter 45 (relating to Conflicts of Interest). Specifically, the TEC adopts an amendment to §45.3 regarding Definitions and new §45.8 regarding Additional Disclosures for Texas Comptroller of Public Accounts. These amended and new rules are adopted without changes to the proposed text as published in the February 27, 2026, issue of the *Texas Register* (51 TexReg 1227). The rules will not be republished.

This adoption amends the rules regarding the additional disclosures for the Texas Comptroller.

State law requires state agencies to "review and consider for readoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.*

The TEC is continuing its comprehensive review with a review of the TEC's rules regarding conflicts of interest, which are codified in Chapter 45. These amendments seek to provide clarity to cross reference with 1 Texas Administrative Code §20.220.

The Commission did not receive any public comments on these amended and new rules.

The amended and new rules are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt

rules to administer Title 15 of the Election Code and Chapter 571 of the Government Code.

The adopted amended and new rules affect Section 2155.003 of the Government Code and 1 Texas Administrative Code §20.220.

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 May 18, 2026.

TRD-202602083

Amanda Arriaga
General Counsel

Texas Ethics Commission

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Proposal publication date: February 27, 2026

For further information, please call: (512) 463-5800



TITLE 4. AGRICULTURE

PART 2. TEXAS ANIMAL HEALTH COMMISSION

CHAPTER 51. ENTRY REQUIREMENTS

4 TAC §51.3

The Texas Animal Health Commission (Commission) in a duly noticed meeting on May 12, 2026, adopted amendments to Title 4, Texas Administrative Code, Chapter 51 titled "Entry Requirements." Specifically, the Commission adopted amendments to §51.3 regarding Exceptions without changes to the proposed text published in the March 13, 2026 issue of the *Texas Register* (51 TexReg 1480) and will not be republished.

JUSTIFICATION FOR RULE ACTION

The Texas Animal Health Commission adopts amendments to §51.3, concerning Exceptions. The purpose of the amendment is to eliminate duplicative regulation and expand the veterinary care permit exception to include cattle, bison, and camelids.

The Commission is tasked with creating and enforcing entry requirements for livestock, fowl, exotic livestock, and exotic fowl. The Commission requires all animals entering Texas to be accompanied by a certificate of veterinary inspection (CVI) unless specific exceptions apply. One such exception is the veterinary care exception found in §51.3(b)(1). This exception currently allows equine to enter Texas without a CVI if traveling directly to a veterinary clinic for treatment with a permit issued by the Commission. Equine must be returned immediately to their state of origin via the most direct route following treatment.

The amendments expand the veterinary care exception to include cattle, bison, and camelids. During road-side inspections, Commission staff stop ranchers from neighboring states crossing into Texas for routine preventative procedures like dehorning and castration. These entries are not permitted and result in compliance actions and ultimately represent gaps in TAHC's disease tracing efforts. The adopted amendments will allow and encourage expanded access to skilled Texas veterinarians while maintaining disease traceability.

Additionally, the adopted amendments eliminate language that allows equine entering for sale at a livestock market to first be consigned to a veterinary clinic for issuance of a CVI. This exception is duplicative of an exception found in §51.13(a)(5) which allows equine entering for sale at a livestock market to first move directly to an EIA approved lab/vet clinic for testing and CVI. Both exceptions require a permit prior to entry. And presently, §51.13 is the exception used by Commission staff rather than the exception found in §51.3. This amendment tidies Commission rules without changing procedure for staff or eliminating an existing exception for the public.

HOW THE RULE WILL FUNCTION

Section 51.3 includes exceptions to the Commission's entry requirements. The amendments expand the veterinary care exception for CVIs from equine-only to equine, cattle, bison, and camelids. The amendments also eliminate a duplicative CVI exception for equine entering for sale at a livestock market which may be consigned directly to a veterinary clinic for issuance of a CVI.

SUMMARY OF COMMENTS RECEIVED AND COMMISSION RESPONSE

The 30-day comment period ended April 13, 2026.

During this period, the Commission received one comment. A summary of the comment relating to the rule and the Commission's response follows.

Comment: The Livestock Marketing Association of Texas stated its support for the rule change noting that the change appears to simplify the process for moving equines interstate and eliminates unintended bureaucratic hassle. LMAT expressed its appreciation for the Commission's willingness to simplify requirements for all parties, including those participating in livestock markets.

Response: The Commission thanks the commenter for the feedback. No changes were made as a result of these comments.

STATUTORY AUTHORITY

The amendments are adopted under the following statutory authority as found in Chapter 161 of the Texas Agriculture Code. The Commission is vested by statute, §161.041(a), with the requirement to protect all livestock, domestic animals, and domestic fowl from disease. The Commission is authorized, through §161.041(b), to act to eradicate or control any disease or agent of transmission for any disease that affects livestock.

Pursuant to §161.006, entitled "Documents to Accompany Shipment", if required that a certificate or permit accompany animals or commodities moved in this state, the document must be in the possession of the person in charge of the animals or commodities, if the movement is made by any other means.

Pursuant to §161.046, entitled "Rules", the Commission may adopt rules as necessary for the administration and enforcement of this chapter.

Pursuant to §161.048, entitled "Inspection of Shipment of Animals or Animal Products", the Commission may require testing, vaccination, or another epidemiologically sound procedure before or after animals are moved. An agent of the Commission is entitled to stop and inspect a shipment of animals or animal products being transported in this state in order to determine if the shipment originated from a quarantined area or herd; or determine if the shipment presents a danger to the public health

or livestock industry through insect infestation or through a communicable or noncommunicable disease.

Pursuant to §161.054, titled "Regulation of Movement of Animals; Exception", the Commission, by rule, may regulate the movement of animals. The Commission may restrict the intrastate movement of animals even though the movement of the animals is unrestricted in interstate or international commerce. The Commission may require testing, vaccination, or another epidemiologically sound procedure before or after animals are moved. The Commission is authorized, through §161.054(b), to prohibit or regulate the movement of animals into a quarantined herd, premises, or area. The executive director of the Commission is authorized, through §161.054(d), to modify a restriction on animal movement, and may consider economic hardship.

Pursuant to §161.113, entitled "Testing or Treatment of Livestock", if the Commission requires testing or vaccination under this subchapter, the testing or vaccination must be performed by an accredited veterinarian or qualified person authorized by the commission. The state may not be required to pay the cost of fees charged for the testing or vaccination. The Commission may require the owner or operator of a livestock market to furnish adequate equipment or facilities or have access to essential equipment or facilities within the immediate vicinity of the livestock market.

Pursuant to §161.114, entitled "Inspection of Livestock", an authorized inspector may examine livestock consigned to and delivered on the premises of a livestock market before the livestock are offered for sale. If the inspector considers it necessary, the inspector may have an animal tested or vaccinated. Any testing or vaccination must occur before the animal is removed from the livestock market.

No other statutes, articles, or codes are 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 May 15, 2026.

TRD-202602060

Jeanine Coggeshall

General Counsel

Texas Animal Health Commission

Effective date: June 4, 2026

Proposal publication date: March 13, 2026

For further information, please call: (512) 839-0511



TITLE 22. EXAMINING BOARDS

PART 11. TEXAS BOARD OF NURSING

CHAPTER 217. LICENSURE, PEER ASSISTANCE AND PRACTICE

22 TAC §217.8

Introduction. The Texas Board of Nursing (Board) adopts new 22 Texas Administrative Code §217.8, relating to Verification of Legal Presence and License Eligibility, without changes to the proposed text as published in the January 23, 2026 edition of the *Texas Register* (51 TexReg 399). The rule will not be republished.

Reasoned Justification. The new section is necessary to clarify the process by which the Board ensures compliance with federal requirements governing eligibility for nursing licensure in Texas. Under 8 U.S.C. §1621, individuals who are not lawfully present in the United States are generally ineligible to receive certain state and local public benefits, including professional licenses. The adopted rule establishes a process for verifying that individuals seeking licensure to practice nursing in Texas are legally present and authorized to work in the United States in accordance with applicable federal law.

While the adopted rule permits an applicant to seek a preliminary determination of eligibility for licensure before final verification of legal presence, the rule requires applicants to submit documentation sufficient for the Board to verify legal presence before a license may be issued or renewed.

Section-by-Section Overview.

Adopted new §217.8 establishes requirements relating to verification of legal presence and employment authorization for applicants.

Subsection (a) identifies the forms of documentation the Board may accept to verify that an individual is legally present in the United States before a nursing license may be issued or renewed. The subsection includes various forms of state and federal identification and immigration documentation that may be used to establish legal presence and employment authorization.

Subsection (b) establishes a process allowing the Board to review an application and issue a preliminary certification of eligibility for licensure before final verification of legal presence has been completed. The subsection clarifies that the Board may complete other aspects of the application review process, including examinations and eligibility determinations, prior to receipt of final documentation establishing legal presence in the United States. The subsection further provides that a license or license renewal may not be issued until the Board has verified that the applicant possesses documentation sufficient to establish legal presence in the United States under federal law.

Public Comment.

Comment: The Texas House Democratic Caucus, Representative Barbara Gervin-Hawkins, and Representative John Bryant submitted similar comments expressing concern that the proposed changes to legal presence or residency requirements may increase administrative complexity and slow the Board's ability to process licensure applications efficiently. The commenters cite projections from the Texas Department of State Health Services indicating that, by 2032, demand for registered nurses will exceed supply by more than 57,000 positions, resulting in an approximate 16 percent workforce deficit. The commenters note that existing shortages have already contributed to reduced access to care and longer wait times for patients. Considering these conditions, the commenters assert that additional barriers or delays in licensure could further strain the healthcare system and urge the Board to avoid changes that may impede timely licensure, instead encouraging approaches that support and expedite workforce entry.

Response: The Board appreciates the commenters' concerns regarding nursing workforce shortages and the potential impact of licensure processing timelines on workforce availability. The Board does not agree that the rule will necessarily contribute to the projected nursing shortage and does not anticipate that the process will result in sustained delays to licensure. While

the Board acknowledges that implementation of the verification process may temporarily impact licensure timelines, the Board does not anticipate that implementation of the rule will hinder the timely processing and approval of applications or renewals in the long term. The adopted rule provides a broad range of documentation options for applicants to verify legal presence, which is intended to minimize administrative burden and avoid unnecessary delays while maintaining compliance with applicable law. Federal law precludes a state agency from issuing a license to an applicant who is not legally present, and the rule is necessary to ensure compliance with those requirements.

Comment: Jack Frazee, Director of Government Affairs and General Counsel, submitted a comment on behalf of the Texas Nurses Association. The comment acknowledges the Board's responsibility to verify legal presence and ensure compliance with federal requirements. The commenter raises concerns regarding implementation, noting that certain required documents, such as certified birth certificates and federal records, may be difficult and time-consuming to obtain, particularly for applicants with limited resources, those in rural areas, or those requesting records from other states, which may delay examination eligibility or licensure and impact workforce onboarding. The commenter also identifies potential issues with name discrepancies between documents, such as maiden and married names, and recommends clear guidance and an opportunity for applicants to cure deficiencies without significant delay. The commenter encourages the Board to apply documentation standards with flexibility where employment authorization is otherwise clear, maintain alignment with federal requirements, and avoid unintentionally delaying or excluding otherwise qualified applicants. The commenter further notes that provisions allowing portions of the application process to proceed while documentation is pending are beneficial and recommends additional clarity regarding timelines and deficiency notices to support efficient implementation.

Response: In response to concerns regarding the difficulty and time required to obtain certain documents identified in the adopted rule, the Board notes that the adopted rule provides a broad range of acceptable documentation options to establish legal authorization to work in the United States, which is intended to provide flexibility for applicants while maintaining compliance with federal law. With respect to concerns regarding name discrepancies between documents, including differences resulting from marriage or divorce, the Board agrees that clear guidance and an opportunity to cure deficiencies are important. The Board notes that such issues are addressed through existing application processes. The Board will continue to provide guidance regarding acceptable supporting documentation and allow applicants a reasonable opportunity to cure deficiencies without restarting the application process. In response to the commenter's recommendation regarding alignment with federal employment authorization standards, the Board agrees. The Board agrees with and appreciates the commenter's observation regarding subsection (b). As noted, subsection (b) allows the application process, including administration of required examinations and character review, to proceed prior to submission of documentation verifying legal presence. This provision is intended to minimize disruption to applicants and mitigate any potential impact on workforce entry.

Statutory Authority. This new section is adopted under the authority of Texas Occupations Code §301.151, the Board's general rulemaking authority. The Board may adopt and enforce rules consistent with this chapter necessary to perform its du-

ties and conduct proceedings before the board and regulate the practice of nursing.

Cross Reference to Statute. The following statutes are affected by this adoption: Texas Occupations Code §301.151 & 8 U.S.C. §1621.

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 May 14, 2026.

TRD-202602019

James W. Johnston

General Counsel

Texas Board of Nursing

Effective date: June 3, 2026

Proposal publication date: January 23, 2026

For further information, please call: (512) 305-6879

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**PART 22. TEXAS STATE BOARD OF
PUBLIC ACCOUNTANCY**

**CHAPTER 511. ELIGIBILITY
SUBCHAPTER B. CERTIFICATION BY
EXAMINATION**

22 TAC §511.22

The Texas State Board of Public Accountancy adopts an amendment to §511.22 concerning Initial Filing of the Application of Intent, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1964) and will not be republished.

Applicants are required to submit an application of intent. If the two years pass (as required by statute) and they have not taken one section of the CPA exam, the application of intent is removed from the Board's database and the person is required to submit a new application of intent to begin the process again.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602020

J. Randel (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848

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22 TAC §511.26

The Texas State Board of Public Accountancy adopts an amendment to §511.26 concerning Applications under Prior Acts, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1966) and will not be republished.

The proposed rule revision makes it clear that an application to take the exam or to be certified prior to the revisions to the Act continues to be effective without the need for refiling. It also makes it clear that the examination referenced in the rule is the UCPAE examination.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602021
J. Randel (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848

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SUBCHAPTER C. EDUCATIONAL REQUIREMENTS

22 TAC §511.51

The Texas State Board of Public Accountancy adopts an amendment to §511.51 concerning Educational Definitions, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1967) and will not be republished.

Deleted no longer needed definitions, terms and acronyms and added new terms.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602022
J. Randel (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848

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22 TAC §511.53

The Texas State Board of Public Accountancy adopts an amendment to §511.53 concerning Evaluation of International Education Documents, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1968) and will not be republished.

The Board proposes one change to reflect the updated name of the office for validating international education documents. The second proposed revision is not substantive but is proposed for a better read.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

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J. Randel (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848

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22 TAC §511.54

The Texas State Board of Public Accountancy adopts an amendment to §511.54 concerning Recognized Texas Community Colleges, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1969) and will not be republished.

The Board required 30 hours of academic accounting courses in order to become certified up until this last legislative session. The Public Accountancy Act now permits licensure with a bachelor's degree and only 27 hours of academic accounting courses. Revision proposes to revise the Board rule to permit licensure with 150 hours of college coursework with 27 hours of academic accounting courses in order to be consistent with the bachelor's degree pathway to licensure.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602024

J. Randel (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.56

The Texas State Board of Public Accountancy adopts an amendment to §511.56 concerning Educational Qualifications under the Act to take the UCPAE, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1971) and will not be republished.

The proposed revision requires the applicant's official transcripts to evidence the completion of the required college course hours to be certified.

The proposed rule revisions also make it clear that in order to be certified the applicant must complete at least 21 semester hours of upper level business courses and a three semester hour ethics course regardless of whether they are being certified under 150 hours or with the bachelor's degree.

The coursework listed in subsection (c)(1) - (4) of this section identifies the coursework that will not satisfy the course work needed to be certified.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602025

J. Randel (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.57

The Texas State Board of Public Accountancy adopts a repeal to §511.57 concerning Courses in an Accounting Concentration to Take the UCPAE, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1977) and will not be republished.

The proposed repeal and new rule, also published in this issue, establishes that the applicant must take a minimum of 12 semester hours of the upper level accounting courses as listed with 3 semester hours of listed courses. In addition to those hours a minimum of 9 hours in the courses listed in the rule is required. Beginning on August 1, 2026 the applicant must take a minimum of 12 hours of additional courses listed in the rule. Courses that will not be accepted as coursework for certifications is specifically identified.

No comments were received regarding adoption of the repeal.

The repeal is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602026

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.57

The Texas State Board of Public Accountancy adopts a new rule to §511.57 concerning Courses in an Accounting Concentration to Take the UCPAE, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1972) and will not be republished.

The new rule establishes that the applicant must take a minimum of 12 semester hours of the upper level accounting courses as listed with 3 semester hours of listed courses. In addition to those hours a minimum of 9 hours in the courses listed in the rule is required. Beginning on August 1, 2026 the applicant must take a minimum of 12 hours of additional courses listed in the rule. Courses that will not be accepted as coursework for certifications is specifically identified.

No comments were received regarding adoption of the new rule.

The new rule is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602027

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.58

The Texas State Board of Public Accountancy adopts an amendment to §511.58 concerning Related Business Subjects, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1974) and will not be republished.

This proposed revision accepts an academic course in accounting/business software from an institution of higher education for purposes of satisfying the academic courses required to be certified.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602028

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.59

The Texas State Board of Public Accountancy adopts an amendment to §511.59 concerning Qualifications for Issuance of a Certificate with not Fewer than 120 Semester Hours, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1976) and will not be republished.

This proposed revision accepts an academic course in accounting/business software from an institution of higher education for purposes of satisfying the academic courses required to be certified.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602029

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



SUBCHAPTER D. CPA EXAMINATION

22 TAC §511.72

The Texas State Board of Public Accountancy adopts an amendment to §511.72 concerning Uniform Examination, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1978) and will not be republished.

The American Institute of CPAs has made some changes to the UCPAE. As a result, the disciplines included on the UCPAE have been revised. This proposed rule revision recognizes these revisions.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602030

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.73

The Texas State Board of Public Accountancy adopts an amendment to §511.73 concerning Notice to Applicant to Schedule Tak-

ing a CPA Exam Section, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1979) and will not be republished.

The effective date in paragraph (a) has expired and is no longer necessary in the rule.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602031

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.77

The Texas State Board of Public Accountancy adopts an amendment to §511.77 concerning Scoring, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1980) and will not be republished.

The UCPAE is no longer given quarterly. The proposed rule revision reflects that the testing as events. Replacing the word "communications" with "response" more accurately reflects the content of the UCPAE.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602032

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.80

The Texas State Board of Public Accountancy adopts an amendment to §511.80 concerning Granting of Credit, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1981) and will not be republished.

An applicant's passing score on any section of the UCPAE is good for 30 months from the notification date of passing the UCPAE but this period can be extended if the Executive Director extends the credit based upon unforeseeable or uncontrollable events. With the effective date of August 31, 2026 an applicant for CPA certification under §511.59 has 36 months to meet the education requirements for certification otherwise the exam results will expire.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602033

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

Effective date: June 3, 2026

Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.82

The Texas State Board of Public Accountancy adopts an amendment to §511.82 concerning Application for Transfer of Credits, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1983) and will not be republished.

An applicant wishing to transfer credits on the exam earned in another jurisdiction has 36 months to demonstrate that they have completed the education required to become licensed in Texas.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602034

J. Randal (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848



22 TAC §511.83

The Texas State Board of Public Accountancy adopts an amendment to §511.83 concerning Granting of Credit by Transfer of Credit, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1984) and will not be republished.

Clarifying that an applicant has 36 months after passing the CPA exam to meet the education requirements of 511.59 or 511.164.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602035
J. Randal (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848



22 TAC §511.87

The Texas State Board of Public Accountancy adopts an amendment to §511.87 concerning Loss of Credit, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1985) and will not be republished.

An applicant for certification whose exam credits have expired may seek reinstatement of those credits by demonstrating to the executor director uncontrollable and unforeseen circumstances caused those credits to expire. The applicant must seek reinstatement within 90 days of the credits expiration.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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 May 14, 2026.

TRD-202602036
J. Randal (Jerry) Hill
General Counsel
Texas State Board of Public Accountancy
Effective date: June 3, 2026
Proposal publication date: March 27, 2026
For further information, please call: (512) 305-7848



22 TAC §511.94

The Texas State Board of Public Accountancy adopts an amendment to §511.94 concerning Documentation of the Need for an Accommodation, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1986) and will not be republished.

A proposed revision to the rule to make it clear that an applicant, who qualifies, may seek an accommodation in taking the UCPAE from the Board.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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For further information, please call: (512) 305-7848



22 TAC §511.97

The Texas State Board of Public Accountancy adopts an amendment to §511.97 concerning Examination of Applicant Approved with Accommodation, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1988) and will not be republished.

An applicant to take the UCPAE upon having received an accommodation to take the UCPAE must reimburse the Board for any charges the Board incurs as a result of the accommodations if the applicant fails to appear or cancels, or reschedules the exam without providing at least four days notice.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



SUBCHAPTER E. VENDOR REQUIREMENTS

22 TAC §511.107

The Texas State Board of Public Accountancy adopts an amendment to §511.107 concerning No-Show, Late Arrival and Late Cancellation, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1989) and will not be republished.

An applicant to take the UCPAE will be charged a testing fee if the applicant makes a request to cancel or reschedule less than 60 days prior to the UCPAE. This in addition to being charged at testing fee if they provide less than 6 days prior to the scheduled testing.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



SUBCHAPTER F. EXPERIENCE REQUIREMENTS

22 TAC §511.122

The Texas State Board of Public Accountancy adopts an amendment to §511.122 concerning Acceptable Work Experience, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1990) and will not be republished.

Addresses the needs of acceptable work experience and requires the work experience necessary to be certified as supervised, evaluated and reviewed by a CPA. It also expresses the need to have received continuous independent thought on important accounting matters. There are also non-substantive grammatical changes proposed. It also addresses the expected work experience standards of an applicant reviewing accounting experiencing in a law firm providing accounting legal advices.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602040

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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Proposal publication date: March 27, 2026

For further information, please call: (512) 305-7848



22 TAC §511.123

The Texas State Board of Public Accountancy adopts an amendment to §511.123 concerning Reporting Work Experience, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1992) and will not be republished.

The proposed rule revision details the work experience provided by an applicant with 150 course work hours as opposed to an applicant seeking certification with a bachelor's degree. The applicant with 150 hours of course work requires 12 months of work experience and the applicant with a bachelor's degree and less than 150 hours, effective August 1, 2026, requires two years of work experience. Part time work for the applicant with a bachelor's degree must obtain 4,000 hours of work experience in no more than 48 months.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602041

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



22 TAC §511.124

The Texas State Board of Public Accountancy adopts an amendment to §511.124 concerning Acceptable Supervision, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1993) and will not be republished.

The proposed rule revision makes it clear that the firm the applicant is working for must be certified as a firm in order to provide acceptable work experience. It also clarifies that the firm the applicant works for may engage a CPA firm to supervise attest to an applicant's experience requirements when the firm does not directly employ a CPA to supervise the applicant. It makes it clear that it is the responsibility of the applicant and CPA to assure that the supervision was compliant with board requirements.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



SUBCHAPTER H. CERTIFICATION

22 TAC §511.161

The Texas State Board of Public Accountancy adopts an amendment to §511.161 concerning Qualifications for Issuance of a Certificate, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1994) and will not be republished.

The proposed rule implements the new legislation, effective August 1, 2026, that permits the certification of an applicant with a bachelor's degree and distinguishes those applicants from the applicants with 150 hours of coursework.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



22 TAC §511.163

The Texas State Board of Public Accountancy adopts an amendment to §511.163 concerning Examination on the Board's Rules of Professional Conduct Requirements, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1995) and will not be republished.

The proposed rule revision recognizes that an applicant for certification must pass a Board administered Rules of Professional Conduct exam and must wait at least 2 weeks before retaking that exam before retaking it.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602044

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



22 TAC §511.164

The Texas State Board of Public Accountancy adopts an amendment to §511.164 concerning Qualification for Issuance of a Certificate with not Fewer than 150 Semester Hours, without changes to the proposed text as published in March 27, 2026 issue of the *Texas Register* (51 TexReg 1996) and will not be republished.

The proposed rule eliminates the minimum of two semester credit hours in research and analysis and changes the 30 semester hours of upper level accounting courses to 27 semester hours of upper level accounting courses for those applicants with a Bachelor's degree. It requires a 3 semester hour ethics course.

No comments were received regarding adoption of the amendment.

The amendment is adopted under the Public Accountancy Act (Act), Texas Occupations Code, §901.151 and §901.655 which provides the agency with the authority to amend, adopt and repeal rules deemed necessary or advisable to effectuate the Act.

No other article, statute or code is affected by the 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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TRD-202602045

J. Randal (Jerry) Hill

General Counsel

Texas State Board of Public Accountancy

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For further information, please call: (512) 305-7848



TITLE 25. HEALTH SERVICES

PART 1. DEPARTMENT OF STATE HEALTH SERVICES

CHAPTER 228. RETAIL FOOD ESTABLISHMENTS

SUBCHAPTER H. REQUIREMENTS

APPLICABLE TO CERTAIN ESTABLISHMENTS

25 TAC §228.221

The executive commissioner of the Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts the repeal of §228.221 concerning Mobile Food Units.

Section 228.221 is adopted without changes to the proposed text as published in the April 24, 2026, issue of the *Texas Register* (51 TexReg 2584). The repeal will not be republished.

BACKGROUND AND JUSTIFICATION

The repeal is necessary to remove an outdated rule related to the regulation and permitting of mobile food units, roadside food vendors, and pushcarts. House Bill (HB) 2844, 89th Legislature, Regular Session, 2025, created Texas Health and Safety Code (HSC) Chapter 437B, concerning Mobile Food Vendors (MFVs).

HB 2844 made significant changes to how MFVs are regulated, licensed, and inspected in Texas. New rules were proposed in Texas Administrative Code (TAC) Title 25, Chapter 226, concerning Mobile Food Vendors. The new rules were published in the May 15, 2026, issue of the *Texas Register* (51 TexReg 3374) and became effective May 19, 2026.

COMMENTS

The 14-day comment period ended on May 8, 2026.

DSHS did not receive any comments regarding the proposed repeal.

STATUTORY AUTHORITY

The repeal is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, Texas Health and Safety Code (HSC) §1001.075, which authorizes the executive commissioner of HHSC to adopt rules and policies for the operation and provision of health and human services by DSHS and for the administration of HSC Chapter 1001, and HSC Chapters 437 and 437B.

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 May 15, 2026.

TRD-202602059

Cynthia Hernandez

General Counsel

Department of State Health Services

Effective date: June 4, 2026

Proposal publication date: April 24, 2026

For further information, please call: (512) 834-6753



CHAPTER 229. FOOD AND DRUG

The executive commissioner of the Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts amendments to §229.372, concerning Permitting Fees and Procedures, and §229.472, concerning Inspection Fees and Procedures.

Sections 229.372 and 229.472 are adopted without changes to the proposed text as published in the April 24, 2026, issue of the *Texas Register* (51 TexReg 2585). These rules will not be republished.

BACKGROUND AND JUSTIFICATION

The amendments are necessary to remove references to the regulation and permitting of mobile food units, roadside food vendors, and pushcarts in 25 Texas Administrative Code (TAC) Chapter 229, Subchapters U and Z as part of the implementation of House Bill (HB) 2844, 89th Legislature, Regular Session, 2025. HB 2844 added Texas Health and Safety Code (HSC) Chapter 437B, concerning mobile food vendors and made significant changes to how mobile food vendors are regulated, licensed, and inspected in Texas. DSHS proposed new rules in 25 TAC Chapter 226, concerning Mobile Food Vendors. The new rules were published in the May 15, 2026, issue of the *Texas Register* (51 TexReg 3374) and became effective May 19, 2026. The adoption complies with statutory requirements of HB 2844

regarding licensing and fees and refers to the changes in the proposed new Chapter 226. The adoption also updates references in rules.

COMMENTS

The 14-day comment period ended May 8, 2026. DSHS did not receive any comments regarding the proposed rules.

SUBCHAPTER U. PERMITTING RETAIL FOOD ESTABLISHMENTS

25 TAC §229.372

STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, HSC §1001.075, which authorizes the executive commissioner of HHSC to adopt rules and policies for the operation and provision of health and human services by DSHS and for the administration of HSC Chapter 1001, and HSC Chapters 437 and 437B.

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 May 15, 2026.

TRD-202602057

Cynthia Hernandez

General Counsel

Department of State Health Services

Effective date: June 4, 2026

Proposal publication date: April 24, 2026

For further information, please call: (512) 834-6753



SUBCHAPTER Z. INSPECTION FEES FOR RETAIL FOOD ESTABLISHMENTS

25 TAC §229.472

STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, HSC §1001.075, which authorizes the executive commissioner of HHSC to adopt rules and policies for the operation and provision of health and human services by DSHS and for the administration of HSC Chapter 1001, and HSC Chapters 437 and 437B.

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 May 15, 2026.

TRD-202602058

Cynthia Hernandez

General Counsel

Department of State Health Services

Effective date: June 4, 2026

Proposal publication date: April 24, 2026

For further information, please call: (512) 834-6753



TITLE 31. NATURAL RESOURCES AND CONSERVATION

PART 2. TEXAS PARKS AND WILDLIFE DEPARTMENT

CHAPTER 53. FINANCE

SUBCHAPTER A. FEES

DIVISION 1. LICENSE, PERMIT, AND BOAT AND MOTOR FEES

31 TAC §53.15

The Texas Parks and Wildlife Commission in a duly noticed meeting on January 22, 2026, adopted an amendment to 31 TAC §53.15, concerning Miscellaneous Fisheries and Wildlife Licenses and Permits, without change to the proposed text as published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8158). The rule will not be republished.

The amendment acknowledges and documents in department rules the fee of \$50 for field trial permits issued under the provisions of Parks and Wildlife Code, Chapter 43, Subchapter J.

The Texas Legislature during the most recent regular session enacted Senate Bill 2801, which added new Chapter 43, Subchapter J, to create a new type of field trial permit limited to the pursuit of squirrels, furbearing animals, and nongame wildlife on privately owned land or public lands authorized by the department by rule. The fee for the permit is set by statute at \$50; however, the department maintains by rule a list of fees for various permits and licenses and therefore wishes to add the new permit fee to keep that list contemporaneous and accurate.

The department received no comments opposing or supporting adoption of the rule as proposed.

The amendment is adopted under Parks and Wildlife Code, §43.0762, which authorizes the commission to adopt regulations necessary to administer that subchapter.

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 May 18, 2026.

TRD-202602069

James Murphy

General Counsel

Texas Parks and Wildlife Department

Effective date: June 7, 2026

Proposal publication date: December 19, 2025

For further information, please call: (512) 389-4775



CHAPTER 65. WILDLIFE
SUBCHAPTER H. PUBLIC HUNTING
PROCLAMATION

31 TAC §65.191, §65.194

The Texas Parks and Wildlife Commission in a duly noticed meeting on January 22, 2026, adopted amendments to 31 TAC §65.191, concerning Definitions, and §65.194, concerning Competitive Hunting Dog Events and Fees, without change to the proposed text as published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8180). The rules will not be republished.

The amendments remove all references to "field trial" and "field trial permits" and instead refer to those activities as "competitive hunting dog events," which is necessary to prevent confusion, as well as waive insurance and bond requirements for certain types of competitive hunting dog events conducted under the provisions of Parks and Wildlife Code, Chapter 43, Subchapter J.

Under Parks and Wildlife Code, §62.016, the department is authorized to issue a permit for "competitive hunting dog events" in an area designated by the commission as a public hunting area and places no restrictions on the species that such permits may be used to pursue. Department rules (§65.194) therefore provide for the issuance and use of such permits, and employ the term "field trial" as a useful shorthand. Under Parks and Wildlife Code, Chapter 43, Subchapter F, the department may issue a Private Bird Hunting Area Permit on private lands, and persons who hold such a permit may apply for a "field trial" permit as provided by Parks and Wildlife Code, §43.0763, which is limited to the pursuit of banded, pen-raised game birds.

The Texas Legislature during the most recent regular session enacted Senate Bill 2801, which added new Chapter 43, Subchapter J, to create another type of field trial permit limited to the pursuit of squirrels, furbearing animals, and nongame wildlife on privately owned land or public lands authorized by the department by rule. The department has determined that having three kinds of permits with the same or similar name that are valid for at least four different regulatory scenarios under multiple fee standards could create confusion; therefore, in rule adoptions published elsewhere in this issue of the *Texas Register* the department has created the "Field Trial Permit" explicitly required by S.B. 2801, while in this rulemaking eliminating references to "field trial permit," and instead referring to those activities as "competitive hunting dog events." The amendment also waives the insurance and bond requirements of the subchapter for events authorized under the provisions of S.B. 2801; requires all officials, participants, and spectators of events conducted under the provisions of S.B. 2801 to obtain and possess during all activities either a Limited Public Use (LPU) permit or Annual Public Hunting (APH) permit; makes changes to modernize program administration by requiring applicants to provide an email address as part of the contact information; and rephrases paragraph (9)(B) for clarification.

The department received no comments supporting or opposing adoption of the rules as proposed.

The amendments are adopted under Parks and Wildlife Code, §81.403, which authorizes the commission to issue a permit authorizing access to public hunting land or for specific hunting, fishing, recreational, or other use and to impose a fee, and under Parks and Wildlife Code, §81.404, which authorizes the com-

mission to adopt rules governing recreational activities in wildlife management areas.

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 May 18, 2026.

TRD-202602067

James Murphy

General Counsel

Texas Parks and Wildlife Department

Effective date: June 7, 2026

Proposal publication date: December 19, 2025

For further information, please call: (512) 389-4775



SUBCHAPTER W. SPECIAL PERMITS

31 TAC §65.908

The Texas Parks and Wildlife Commission in a duly noticed meeting on January 22, 2026, adopted new 31 TAC §65.908, concerning Field Trial Permit, without change to the proposed text as published in the December 19, 2025, issue of the *Texas Register* (50 TexReg 8182). The rule will not be republished.

The new rule implements provisions required or authorized under Senate Bill 2801, enacted during the Regular Session of the 89th Texas Legislature, which amended the Parks and Wildlife Code by adding new Chapter 43, Subchapter J, to create a field trial permit governing the pursuit of squirrels, furbearing animals, and nongame wildlife on privately owned land or public lands identified by commission rule. The fee for the permit is fixed by statute at \$50.

New subsection (a) explicitly identifies the field trial permit authorized by S.B. 2801 and clearly distinguishes it from other, similar types of permits already issued by the department under existing statutory and regulatory authority. The department wishes to eliminate, to the extent possible, any confusion with respect to various dog-related permits administered by the department.

New subsection (b) prescribes the process and content for applications for a field trial permit. The provision specifies that permits are to be issued to named individuals only, which is necessary to facilitate enforcement activities by providing for the clear identification of a responsible party with respect to conduct regulated under the rule. The provision also allows for the department to prescribe permit conditions necessary to manage and protect wildlife resources subject to permitted activities. Because Texas is a large state with many types of ecological systems and property conditions, the circumstances of any given permit cannot be anticipated and articulated by rule; therefore, the provision would allow the department to prescribe permit conditions unique to a given permit if necessary.

New subsection (c) requires the permittee or a designee to be present at all times during the period of validity of the permit, to possess a list of all participants present during the period of the validity of the permit (including identification and contact information), a map or boundary description of the property where the activity is taking place, and written landowner consent for permitted activities (if the permittee is not the landowner of the property where permitted activities are taking place), all of which are necessary to assist the department in determining regulatory

compliance. The new rule also requires all officials, participants, and spectators of events conducted on public hunting lands under the provisions of S.B. 2801 to obtain and possess during all activities either a Limited Public Use (LPU) permit or Annual Public Hunting (APH) permit, which provides an effective waiver of liability for the state in the absence of the liability insurance and bond requirements established by Chapter 65, Subchapter H for other types of hunting dog events.

New subsection (d) identifies the units of department-owned public lands where field trial permits under the provisions of the new section will be issued, which is required under the provisions of S.B. 2801; provided the activity does not occur during public hunting activities or interfere with research or management activities.

The department received nine comments opposing adoption of the rule as proposed. Of those comments, seven provided a reason or rationale for opposing adoption. Those comments, accompanied by the department's response to each, follow. The department notes that because most of the comments contained several components, the number of agency responses is greater than the total number of commenters.

Five commenters opposed adoption of the rule as proposed and stated that the department did not understand the intent of S.B. 2801. The department disagrees with the comments and responds that the rules were adopted in compliance with every directive and limitation imposed by the legislature in the bill as codified. No changes were made as a result of the comments.

One commenter opposed adoption of the rule as proposed and stated that the permit created by S.B. 2801 should be the only permit necessary for dog handlers to obtain, including for field trials conducted on public hunting lands. The department disagrees with the comment and responds that public lands, because they are owned in common by the public, are by their very nature shared, and in addition to the cost of maintaining and managing department-owned public hunting lands on behalf of the people of the state, the department is required by statute to ensure that opportunity for their enjoyment is distributed equitably, which is an administrative expense to the department that the department believes should be shared amongst user groups, irrespective of other permit and license requirements imposed by statute for various activities. Additionally, the LPU or APH permit functions as a waiver of liability that allows the department to exempt organizers of S.B. 2801 events from the liability insurance that would otherwise be required by rule for competitive hunting dog training events held on public hunting lands. Finally, the department issued 11,700 LPUs last year to persons participating in a wide variety of public hunting land utilization activities and does not believe the \$12 fee is onerous or unreasonable, especially since the permit can be used for many things on many units of public hunting lands and is valid for one year. No changes were made as a result of the comment.

Two commenters opposed adoption and stated that the intent of S.B. 2801 was for out-of-state field trial participants to be able to obtain a single permit to cover all activities in Texas on public or private lands. The department disagrees with the comment and responds that S.B. 2801 created a field trial permit allowing the pursuit of squirrels, furbearing animals, and nongame wildlife on privately owned land or public lands identified by commission rule, but did not exempt non-residents of Texas from the applicability of any regulations on public hunting lands that also apply to residents of Texas who engage in activities involving wildlife owned by the people of the state on lands owned by the peo-

ple of the state. The department further responds that the permit requirement for regulated activities on public hunting lands is necessary to provide an effective waiver of liability for the department in lieu of the liability insurance that would otherwise be required. No changes were made as a result of the comments.

One commenter opposed adoption and stated, "it was understood that there would be no costs for participants to visit private, public, and forest lands." The department disagrees with the comment and responds that the rules as adopted establish (as required under the provisions of S.B. 2801) a field trial permit for use on private property and selected public hunting lands administered by the department, for which a cost is explicitly established by S. B. 2801 (\$50). The department further responds that the rules as adopted affect only the selected public hunting lands under the control of the department and that the department does not regulate other public lands owned, administered, or controlled by other units of local, state, or federal government. The department also notes that it is unlawful to enter or use private property without landowner consent. No changes were made as a result of the comment.

One commenter opposed adoption and stated, "[T]hese are sanctioned hunts with their own HUNT RULES and regulations. These field trials are not an individual's event." The department neither agrees nor disagrees with the comment and responds that although private landowners may provide access to and opportunity for hunting, the regulation of hunting in the state of Texas as a legal matter is an exclusive power of the state. No changes were made as a result of the comment.

One commenter opposed adoption and stated, "The point of S.B. 2801 was to allow for field trials for small game without having each out of state person have to purchase a license," and the department has "completely changed that in here and require a license on public hunting land." The commenter also stated that such activities in other states are mostly conducted on public lands. The department disagrees with the comment and responds that S.B. 2801 is silent on the matter of non-residents and does not exempt any person from the applicability of permit requirements for public use of public hunting lands, which is discussed in a previous response to comment. Finally, the department responds that it has no control over how similar events are permitted or conducted in other states. No changes were made as a result of the comment.

Four commenters opposed adoption and stated that the requirement for insurance /security bond would prevent small clubs from being able to purchase a permit. The department disagrees with the comments and responds that the rules as proposed and adopted specifically exempt persons who have purchased the field trial permit created by S.B. 2801 from the surety bond and insurance requirements of current rules in effect on public hunting lands. No changes were made as a result of the comments.

Two commenters opposed adoption and stated that the rules as proposed will result in lost revenue to the state because non-residents will be prevented from participation and will therefore not patronize lodging and food establishments in Texas. The department disagrees with the comments and responds, first, that the rules as adopted do not prevent anyone from coming to Texas to engage in the regulated activity, and second, that revenue implications to the state from non-resident participants in field trials, although not non-existent, are believed to be minor. No changes were made as a result of the comments.

One commenter opposed adoption of the rules as proposed and stated that "TPWD was in the room when we spoke to the Senate committee about this the first time and no comment was made to object to this bill at that time." The department disagrees with the comment and responds that it does not object to or otherwise militate for or against the passage or defeat of any legislation. No changes were made as a result of the comment.

The department received two comments supporting adoption of the rule as proposed.

The rule is adopted under the provisions of Senate Bill 2801 (R.S. 2025), which amended Parks and Wildlife Code, Chapter 43, by adding new Subchapter J, to authorize the commission to prescribe by rule the manner of application for and issuance of the field trial permit authorized by the subchapter, rules necessary to administer the subchapter, and rules to specify public lands where field trial permits under the subchapter may be issued.

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 May 18, 2026.

TRD-202602068

James Murphy

General Counsel

Texas Parks and Wildlife Department

Effective date: June 7, 2026

Proposal publication date: December 19, 2025

For further information, please call: (512) 389-4775



TITLE 34. PUBLIC FINANCE

PART 1. COMPTROLLER OF PUBLIC ACCOUNTS

CHAPTER 9. PROPERTY TAX ADMINISTRATION

SUBCHAPTER M. LOCAL GOVERNMENT RELIEF FOR DISABLED VETERANS EXEMPTION

34 TAC §9.4321, §9.4323

The Comptroller of Public Accounts adopts amendments to §9.4321, concerning definitions and §9.4323, concerning application, without changes to the proposed text as published in the April 10, 2026, issue of the *Texas Register* (51 TexReg 2342). The rules will not be republished.

The amendments to §9.4321 update existing definitions for "local government" and "qualified local government."

The amendments to §9.4323 update the mapping requirement in subsection (b)(1), update the name of the report in subsection (b)(2)(B) and add a requirement for an applicant to provide the most recent decennial census data in subsection (b)(6).

The comptroller did not receive any comments regarding adoption of the amendments.

These amendments are adopted under Local Government Code, §140.011(i), which requires the comptroller to adopt rules necessary to implement Local Government, Code §140.011 (Local Governments Disproportionately Affected by Property Tax Relief for Disabled Veterans).

These amendments implement Local Government Code, §140.011 (Local Governments Disproportionately Affected by Property Tax Relief for Disabled Veterans).

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 May 18, 2026.

TRD-202602062

Victoria North

General Counsel for Fiscal and Agency Affairs

Comptroller of Public Accounts

Effective date: June 7, 2026

Proposal publication date: April 10, 2026

For further information, please call: (512) 475-2220



REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

Proposed Rule Reviews

Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 73, Laboratories

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 73, Laboratories, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 73" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202602118

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: May 19, 2026



The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for reoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 296, Texas Asbestos Health Protection

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 296, Texas Asbestos Health Protection, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov.

When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 296" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (www.sos.texas.gov).

TRD-202602075

Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: May 18, 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 87, Ombudsman Services

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 87, Ombudsman Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 87" 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).

TRD-202602096
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 284, Competitive and Integrated Employment Initiative for Certain Medicaid Recipients

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 284, Competitive and Integrated Employment Initiative for Certain Medicaid Recipients, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 284" 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).

TRD-202602070
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 350, Early Childhood Intervention Services

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 350, Early Childhood Intervention Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 350" 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).

TRD-202602073
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 363, County Indigent Health Care Program

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 363, County Indigent Health Care Program, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 363" 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).

TRD-202602074
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code (TAC):

Chapter 374, Mental Health Early Intervention and Treatment Grant

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 374, Mental Health Early Intervention and Treatment Grant, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 374" 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).

TRD-202602064
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



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 551, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions

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 551, Intermediate Care Facilities for Individuals with an Intellectual Disability or Related Conditions, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 551" 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).

TRD-202602076
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



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 553, Licensing Standards for Assisted Living Facilities

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 553, Licensing Standards for Assisted Living Facilities, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to hhsrulescoordinationoffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 553" 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).

TRD-202602077
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



Adopted Rule Reviews

Texas Health and Human Services Commission

Title 1, Part 15

The Texas Health and Human Services Commission (HHSC) adopts the review of the chapter below in Title 1, Part 15, of the Texas Administrative Code (TAC):

Chapter 386, Disaster Assistance Program

Notice of the review of this chapter was published in the March 27, 2026, issue of the *Texas Register* (51 TexReg 2073) for public comment.

The 31-day comment period ended April 27, 2026. During this period, HHSC did not receive any comments regarding the proposed rule review.

HHSC has reviewed Chapter 386 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 386. Any amendments, if applicable, to Chapter 386 identified by HHSC in the rule review will be proposed in a future issue of the *Texas Register*.

TRD-202602087
Jessica Miller
Director, Rules Coordination Office
Texas Health and Human Services Commission
Filed: May 18, 2026



Texas Education Agency

Title 19, Part 2

The State Board of Education (SBOE) adopts the review of 19 TAC Chapter 74, Curriculum Requirements, Subchapter A, Required Curriculum; Subchapter B, Graduation Requirements; Subchapter C, Other Provisions; Subchapter F, Graduation Requirements, Beginning with School Year 2007-2008; and Subchapter G, Graduation Requirements, Beginning with School Year 2012-2013, pursuant to Texas Government Code, §2001.039. The SBOE proposed the review of Chapter 74, Subchapters A-C, F, and G, in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6887).

The SBOE finds the reasons for adopting Chapter 74, Subchapters A-C, F, and G, continue to exist and readopts the rules.

The SBOE received four comments related to the review of Subchapters A-C, F, and G. Following are the comments received and the corresponding responses.

Comment: A parent expressed disagreement with the inclusion of religious literature in curriculum requirements.

Response: The agency provides the following clarification. Texas Education Code (TEC), §28.002(2)(G), identifies religious literature, including the Hebrew Scriptures (Old Testament) and New Testament, and its impact on history and literature, as part of the required curriculum. Section 74.36, Requirements for Elective Courses on the Bible's Hebrew Scriptures (Old Testament) and New Testament and Their Impact on the History and Literature of Western Civilization, implements TEC, §28.002(2)(G), and outlines the requirements for school districts.

Comment: A school counselor suggested clarifying the language related to endorsement requirements in the social studies content area to match similar language in math and science content areas.

Response: The agency disagrees and has determined that the language related to endorsement requirements in the social studies content area is appropriate for the subject area.

Comment: An administrator suggested replacing Mathematical Models with Applications with alternative math offerings to satisfy a graduation requirement in mathematics such as Algebraic Reasoning, Advanced Quantitative Reasoning, College Preparatory Mathematics, or Financial Mathematics. The commenter stated that this change would better align the mathematics requirements for graduation with the current science course requirements.

Response: The agency disagrees and has determined that the Mathematical Models with Applications course is an appropriate option to satisfy a graduation requirement in mathematics. The agency also provides the following clarification. The SBOE will have an opportunity to review all state-approved high school mathematics courses when it conducts the next review and revision of the Texas Essential Knowledge and Skills (TEKS) in mathematics at a later date.

Comment: A teacher expressed support for world culture studies, highlighting the impact it has on students in special education, in particular. The commenter expressed concerns that removing this content places students at risk for developmental and civic gaps.

Response: This comment is outside the scope of the proposed rule-making. At a future meeting, the SBOE will consider proposed amendments to Chapter 74, Subchapter B, to align graduation requirement rules with changes related to recently adopted legislation from the 89th Texas Legislature, Regular Session, 2025. Also at a future meeting, the SBOE will consider for approval revised charts adopted in 19 TAC §74.6, College and Career Readiness and Texas Essential Knowledge and Skills Alignment, to demonstrate the alignment of the science TEKS adopted in 2021 and 2022 and career and technical education TEKS adopted in 2023, 2024, and 2025, with the Texas College and Career Readiness Standards. The SBOE may also need to consider a proposed amendment to 19 TAC §74.35, Additional Requirements for High School Health Classes, to address new requirements added by Senate Bill 1207, 89th Texas Legislature, Regular Session, 2025, to the parenting and paternity awareness program districts must use.

TRD-202602071
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: May 18, 2026



The Texas Education Agency (TEA) adopts the review 19 TAC Chapter 74, Curriculum Requirements, Subchapter AA, Commissioner's Rules on College and Career Readiness; Subchapter BB, Commissioner's Rules Concerning High School Graduation; Subchapter CC, Commissioner's Rules Concerning Reading Practices; and Subchapter DD, Commissioner's Rules Concerning Mathematics Instruction,

pursuant to Texas Government Code, §2001.039. TEA proposed the review of Chapter 74, Subchapters AA-DD, in the October 17, 2025 issue of the *Texas Register* (50 TexReg 6887).

Relating to the review of 19 TAC Chapter 74, Subchapters AA-DD, TEA finds that the reasons for adopting these rules continue to exist and readopts the rules.

TEA received no comments related to the review of Subchapters AA-DD.

At a later date, TEA anticipates an amendment to Subchapter AA, §74.1003, Industry-Based Certifications for Public School Accountability, to align the rule with House Bill (HB) 8, 89th Texas Legislature, 2nd Called Session, 2025. TEA also anticipates making updates to Subchapter BB, §74.1025, Individual Graduation Committee Review, and §74.1027, Diplomas for Certain Individuals Who Entered Grade 9 Before 2011-2012 School Year, to remove the expiration date according to Texas Education Code §28.0259, as amended by HB 1603, 87th Texas Legislature, Regular Session, 2021.

This concludes the review of Chapter 74.

TRD-202602072
Cristina De La Fuente-Valadez
Director, Rulemaking
Texas Education Agency
Filed: May 18, 2026



Texas Optometry Board

Title 22, Part 14

The Texas Optometry Board (Board) has concluded the statutory review of 22 Texas Administrative Code, Part 14, Chapter 277 Practice and Procedure conducted in accordance with the requirements of Texas Government Code §2001.039. The Board's intent to review these chapters was published in the March 6, 2026, issue of the *Texas Register* (51 TexReg 1429). One comment regarding Chapter 277 was received regarding the Board's notice of review. The Board will propose amendments to Rule 277.7 in response to that comment.

The Board's review assessed and determined that the original reasons and justifications for adopting each rule in Chapter 277 continue to exist, reflect current legal and policy considerations, and the rules are within the agency's legal authority as certified by legal counsel. The Board readopts this chapter pursuant to the requirements of Texas Government Code.

Any revisions to these chapters identified by the Board during the rule review will be proposed in a future issue of the *Texas Register*.

This concludes the review of 22 TAC Chapter 277.

TRD-202602102
Janice McCoy
Executive Director
Texas Optometry Board
Filed: May 19, 2026



The Texas Optometry Board (Board) has concluded the statutory review of 22 Texas Administrative Code, Part 14, Chapter 279 - Interpretations conducted in accordance with the requirements of Texas Government Code §2001.039. The Board's intent to review these chapters was published in the March 6, 2026, issue of the *Texas Register* (51 TexReg 1429). Several comments were received regarding the Board's

notice of review. Those comments will be addressed when the Board proposes amendments to the rules.

The Board's review assessed and determined that the original reasons and justifications for adopting each rule in Chapter 279 continue to exist, reflect current legal and policy considerations, and the rules are within the agency's legal authority as certified by legal counsel. The Board readopts this chapter pursuant to the requirements of Texas Government Code.

Any revisions to these chapters identified by the Board during the rule review will be proposed in a future issue of the *Texas Register*.

This concludes the review of 22 TAC Chapter 279.

TRD-202602103

Janice McCoy

Executive Director

Texas Optometry Board

Filed: May 19, 2026



Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), in its own capacity and on behalf of the Texas Department of State Health Services (DSHS), adopts the review of the chapter below in Title 25, Part 1, of the Texas Administrative Code (TAC):

Chapter 229, Food and Drug

Notice of the review of this chapter was published in the February 20, 2026, issue of the *Texas Register* (51 TexReg 1175). HHSC received no comments concerning this chapter.

HHSC has reviewed Chapter 229 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 rules in the chapter continue to exist and readopts Chapter 229 except for:

§229.88, Certificates of Competency

§229.89, Examination

§229.90, Certification and Renewal Fees

§229.91, Suspension, Denial, or Revocation of Certificate

§229.372, Permitting Fees and Procedures

§229.472, Inspection Fees and Procedures

The repeals identified by HHSC in the rule review and any amendments, if applicable, to Chapter 229 will be proposed in a future issue of the *Texas Register*.

This concludes HHSC's review of 25 TAC Chapter 229 as required by Texas Government Code §2001.039.

TRD-202602063

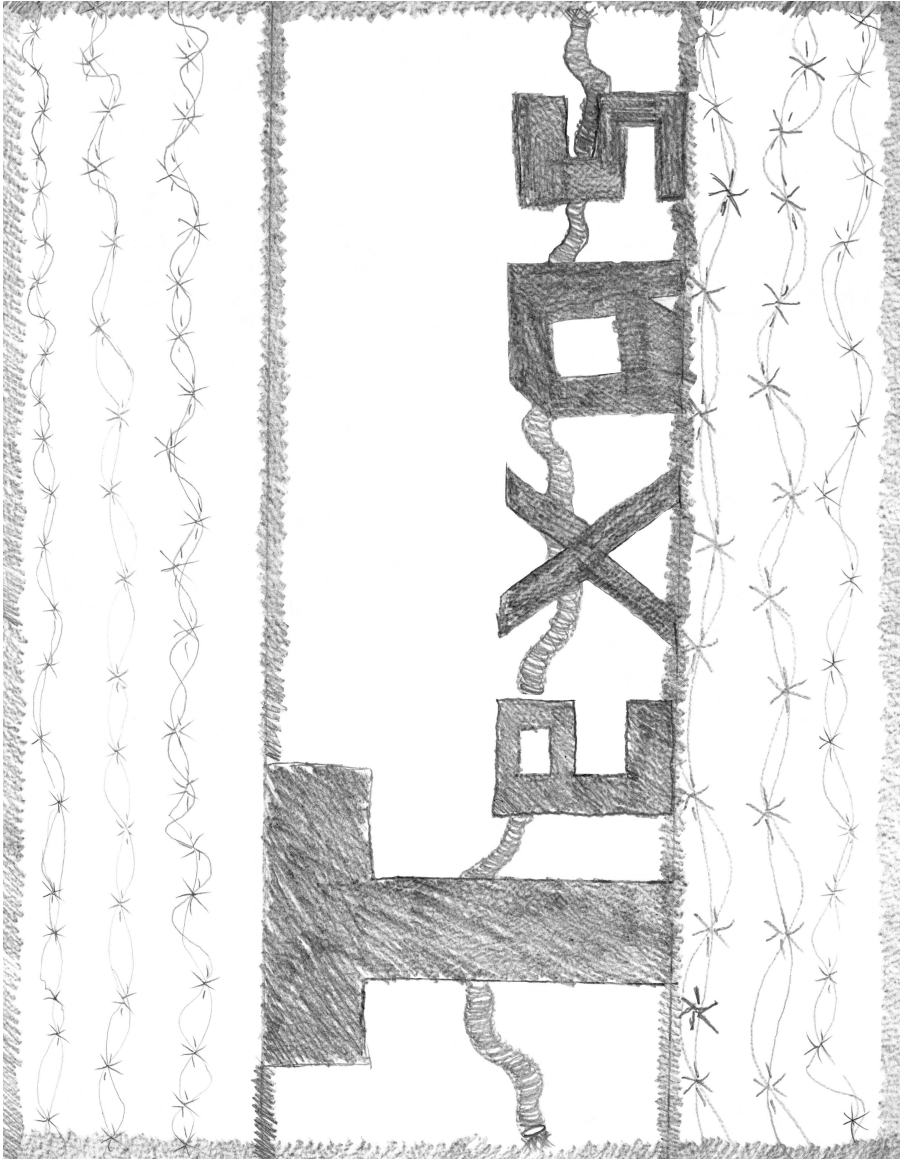
Jessica Miller

Director, Rules Coordination Office

Department of State Health Services

Filed: May 18, 2026





IN ADDITION

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Health and Safety Code, Texas Water Code, and Texas Administrative Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Jackie Reaves*; Cause No. D-1-GN-24-008139, in the 459th District Court of Travis County, Texas.

Background: Defendant Jackie Reaves ("Reaves") operates a cattle ranching operation located at 260 County Road 1791, Sunset, Texas 76528 (the "Facility"). Over the course of multiple investigations conducted by the Texas Commission on Environmental Quality ("TCEQ") from December 3, 2018, to September 23, 2020, Reaves was found to be in violation of 30 Texas Administrative Code §335.4 for his failure to prevent the unauthorized disposal of industrial solid waste ("ISW") consisting of cow carcasses and Tex. Water Code §§ 26.121(a)(1) and (c) for the failure to prevent the unauthorized discharge of waste into or adjacent to any water in the state. Reaves signed an Agreed Administrative Order with TCEQ on February 23, 2021. However, Reaves failed to complete the full terms of the Agreed Administrative Order. TCEQ continued to receive complaints alleging strong smells of decomposing cattle and the continued unauthorized and improper disposal of ISW at the Site from May 2021 to September 2024.

Proposed Settlement: The State and Reaves propose an Agreed Final Judgment ("AFJ") that requires Reaves to cease disposing of, storing, or accepting any ISW at the Site, including livestock carcasses, and immediately begin disposing of all ISW and livestock carcasses at a TCEQ-permitted facility authorized to accept such waste. Reaves must also remove any ISW in the form of cattle carcasses not properly buried on site and provide certification of such action to TCEQ. Further, the AFJ awards the State \$10,000.00 in civil penalties.

For a complete description of the proposed settlement, the AFJ should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Ian Lancaster, Assistant Attorney General, Office of the Texas Attorney General, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: Ian.Lancaster@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202602100
Justin Gordon
General Counsel
Office of the Attorney General
Filed: May 18, 2026

Texas Water Code and Texas Health and Safety Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and Texas Administrative Code. Before the State may enter into a voluntary settlement agreement, pursuant to section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Brook Ed Burnett, Burt Lee Burnett, and Shea Brock Burnett*; Cause No. D-1-GN-24-000114 in the 419th Judicial District Court of Travis County, Texas.

Background: This matter involves the unlawful disposal and discharge of approximately 343,000 scrap tires and other assorted waste at a site in Nolan County, Texas, in and adjacent to Sweetwater Creek. The State sued defendants for civil penalties and injunctive relief attributed to their unlawful disposal of the scrap tires and other waste at the site.

Proposed Final Judgment: The State, Brook Ed Burnett, and Shea Brock Burnett propose an Agreed Final Judgment and Permanent Injunction which includes the following: judgment against Brook Ed Burnett for civil penalties of \$104,550.00; judgment against Shea Brock Burnett for civil penalties of \$461,400.00; judgment against Brook Ed Burnett and Shea Brock Burnett for attorney's fees of \$80,000.00; and injunctive relief against Brook Ed Burnett and Shea Brock Burnett that enjoins them to remove the scrap tires and other waste from the site and Sweetwater Creek and properly dispose of the waste at an authorized disposal facility.

For a complete description of the proposed settlement, the complete proposed Agreed Final Judgment and Permanent Injunction should be reviewed in its entirety. Requests for copies of the proposed settlement, and written comments on the same, should be directed to Clark C. Reeder, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC-066, Austin, Texas 78711-2548, (512) 970-4847, facsimile (512) 320-0911; email: Clark.Reeder@oag.texas.gov. Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202602125
Justin Gordon
General Counsel
Office of the Attorney General
Filed: May 19, 2026

Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - April 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 April 2026 is \$42.26 per barrel for the three-month period beginning on January 1, 2026, and ending March 31, 2026. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of April 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 April 2026 is \$1.18 per mcf for the three-month period beginning on January 1, 2026, and ending March 31, 2026. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of April 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 April 2026 is \$98.06 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 April 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 April 2026 is \$2.67 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 April 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 May 20, 2026.

TRD-202602132

Jenny Burleson

General Counsel/Director, Tax Policy

Comptroller of Public Accounts

Filed: May 20, 2026

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Credit Union Department

Application for a Merger or Consolidation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration:

An application was received from My Credit Union (Haslet) seeking approval to merge with Texas Trust Credit Union (Mansfield), with the latter being the surviving credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days of the date of this publication. Any written comments must provide all information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202602128

Robert W. Etheridge
Commissioner
Credit Union Department
Filed: May 20, 2026

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Application to Amend Articles of Incorporation

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration.

An application was received from Galveston Government Employees Credit Union, La Marque, Texas. The credit union is proposing to a change in place of business.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days of the date of this publication. Any written comments must provide all the information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202602129

Robert W. Etheridge

Commissioner

Credit Union Department

Filed: May 20, 2026

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Application to Expand Field of Membership

Notice is given that the following application has been filed with the Credit Union Department (Department) and is under consideration.

An application was received from Education Credit Union, Amarillo, Texas, to expand its field of membership. The proposal would permit members of Cornerstone Credit Union Foundation in Texas to be eligible for membership in the credit union.

Comments or a request for a meeting by any interested party relating to an application must be submitted in writing within 30 days of the date of this publication. Credit unions that wish to comment on any application must also complete a Notice of Protest form. The form may be obtained by contacting the Department at (512) 837-9236 or downloading the form at <http://www.cud.texas.gov/page/bylaw-charter-applications>. Any written comments must provide all the information that the interested party wishes the Department to consider in evaluating the application. All information received will be weighed during consideration of the merits of an application. Comments or a request for a meeting should be addressed to the Credit Union Department, 914 East Anderson Lane, Austin, Texas 78752-1699.

TRD-202602127

Robert W. Etheridge

Commissioner

Credit Union Department

Filed: May 20, 2026

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Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Merger or Consolidation - Approved

America's Credit Union (Garland) and Everman Parkway Credit Union (Fort Worth) - See *Texas Register* dated on October 24, 2025.

My Credit Union (Haslet) and Peco Federal Credit Union (Mineral Wells) - See *Texas Register* dated on November 28, 2025.

Texans Credit Union (Richardson) and Las Colinas Federal Credit Union (Richardson) - See *Texas Register* dated on November 28, 2025.

TRD-202602126

Robert W. Etheridge

Commissioner

Credit Union Department

Filed: May 20, 2026

Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 29, 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 **June 29, 2026**. Written comments may also be sent to the enforcement coordinator by email to ENFCOMNT@tceq.texas.gov or by facsimile machine at (512) 239-2550. The commission enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed contact information; however, TWC, §7.075 provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: 7-Eleven, Inc.; DOCKET NUMBER: 2025-1742-PST-E; IDENTIFIER: RN102022829; LOCATION: Sonora, Sutton County; TYPE OF FACILITY: operator; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Rachel Murray, (903) 535-5149; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, REGION 5 - TYLER.

(2) COMPANY: ADRIAN TRAVEL STOP LLC and Anna Ter-Hovhannesian; DOCKET NUMBER: 2025-1631-PST-E; IDENTIFIER: RN102433364; LOCATION: Adrian, Oldham County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$8,625; ENFORCEMENT COORDINATOR: Eresha DeSilva, (713) 767-3669; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(3) COMPANY: Aqua Texas, Inc.; DOCKET NUMBER: 2026-0235-MLM-E; IDENTIFIER: RN102915451; LOCATION: Trinity, Trinity County; TYPE OF FACILITY: public water supply; PENALTY: \$8,550; ENFORCEMENT COORDINATOR: Iliia Perez-Ramirez, (512) 239-2556; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(4) COMPANY: ArcelorMittal Texas HBI LLC; DOCKET NUMBER: 2026-0101-AIR-E; IDENTIFIER: RN106597875; LOCATION: Portland, San Patricio County; TYPE OF FACILITY: direct reduced iron production plant; PENALTY: \$82,000; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: CITGO Refining and Chemicals Company L.P.; DOCKET NUMBER: 2023-1307-AIR-E; IDENTIFIER: RN102555166; LOCATION: Corpus Christi, Nueces County; TYPE OF FACILITY: petroleum refinery; PENALTY: \$195,300; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(6) COMPANY: Cargill, Incorporated; DOCKET NUMBER: 2026-0024-PWS-E; IDENTIFIER: RN103150603; LOCATION: Dalhart, Dallam County; TYPE OF FACILITY: public water supply; PENALTY: \$3,935; ENFORCEMENT COORDINATOR: Corinna Willis, (512) 239-2504; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(7) COMPANY: Chevron U.S.A. Inc.; DOCKET NUMBER: 2025-0920-AIR-E; IDENTIFIER: RN111037628; LOCATION: Pecos, Reeves County; TYPE OF FACILITY: tank battery; PENALTY: \$3,189; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(8) COMPANY: City of Bartlett; DOCKET NUMBER: 2022-0489-MWD-E; IDENTIFIER: RN100835487; LOCATION: Bartlett, Bell County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$23,550; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$18,840; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 4 - DALLAS-FORT WORTH.

(9) COMPANY: City of Florence; DOCKET NUMBER: 2024-1713-MWD-E; IDENTIFIER: RN101920502; LOCATION: Florence, Williamson County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$20,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$16,200; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(10) COMPANY: City of Fort Stockton; DOCKET NUMBER: 2025-1396-MWD-E; IDENTIFIER: RN103119053; LOCATION: Fort Stockton, Pecos County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$49,600; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$39,680; ENFORCEMENT

COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(11) COMPANY: City of Overton; DOCKET NUMBER: 2026-0129-PWS-E; IDENTIFIER: RN103934733; LOCATION: Overton, Rusk County; TYPE OF FACILITY: public water supply; PENALTY: \$3,550; ENFORCEMENT COORDINATOR: Obianuju Iyasele, (512) 239-5280; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(12) COMPANY: City of Plano; DOCKET NUMBER: 2025-1335-WQ-E; IDENTIFIER: RN103099156; LOCATION: Plano, Collin County; TYPE OF FACILITY: sanitary sewer collection system with a sewer manhole; PENALTY: \$9,375; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$9,375; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(13) COMPANY: City of Terrell; DOCKET NUMBER: 2023-0524-MWD-E; IDENTIFIER: RN102873049; LOCATION: Terrell, Kaufman County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$43,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$35,000; ENFORCEMENT COORDINATOR: Penny Wimberly, (512) 239-0538; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(14) COMPANY: City of Waller; DOCKET NUMBER: 2025-1650-MWD-E; IDENTIFIER: RN102844834; LOCATION: Waller, Waller County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$40,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$40,250; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(15) COMPANY: Colt G & P (North Texas) L.P.; DOCKET NUMBER: 2026-0216-AIR-E; IDENTIFIER: RN100226885; LOCATION: Stephenville, Erath County; TYPE OF FACILITY: oil and gas production facility; PENALTY: \$4,250; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 3 - ABILENE.

(16) COMPANY: Cowtown Gas Processing Partners L.P.; DOCKET NUMBER: 2026-0126-AIR-E; IDENTIFIER: RN105471551; LOCATION: Granbury, Hood County; TYPE OF FACILITY: oil and gas processing plant; PENALTY: \$16,250; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(17) COMPANY: DCP Operating Company, LP; DOCKET NUMBER: 2025-0734-AIR-E; IDENTIFIER: RN104203187; LOCATION: Imperial, Pecos County; TYPE OF FACILITY: natural gas pipeline site; PENALTY: \$4,688; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(18) COMPANY: Dobbin-Plantersville Water Supply Corporation, (A Non-Profit Corporation); DOCKET NUMBER: 2026-0163-PWS-E; IDENTIFIER: RN101437754; LOCATION: Plantersville, Montgomery County; TYPE OF FACILITY: public water supply; PENALTY: \$9,350; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(19) COMPANY: El Camino Bay Water Supply Corporation; DOCKET NUMBER: 2026-0089-PWS-E; IDENTIFIER:

RN101199560; LOCATION: Hemphill, Sabine County; TYPE OF FACILITY: public water supply; PENALTY: \$2,467; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(20) COMPANY: Enterprise Products Operating LLC; DOCKET NUMBER: 2025-1572-AIR-E; IDENTIFIER: RN109447722; LOCATION: Orla, Reeves County; TYPE OF FACILITY: natural gas processing plant; PENALTY: \$14,243; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$5,697; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(21) COMPANY: Espinoza Stone, Inc.; DOCKET NUMBER: 2025-1907-EAQ-E; IDENTIFIER: RN107591646; LOCATION: Jarrell, Williamson County; TYPE OF FACILITY: aggregate production operation; PENALTY: \$7,813; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(22) COMPANY: ExxonMobil Oil Corporation; DOCKET NUMBER: 2026-0346-AIR-E; IDENTIFIER: RN100542844; LOCATION: Beaumont, Jefferson County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: \$17,875; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$8,937; ENFORCEMENT COORDINATOR: Morgan Kopcho, (512) 239-4167; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(23) COMPANY: Gerdau Ameristeel US Inc.; DOCKET NUMBER: 2025-0616-AIR-E; IDENTIFIER: RN100216472; LOCATION: Midlothian, Ellis County; TYPE OF FACILITY: steel recycling plant; PENALTY: \$35,325; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(24) COMPANY: Global Energy Transfer Inc.; DOCKET NUMBER: 2025-1681-MLM-E; IDENTIFIER: RN110401965; LOCATION: Houston, Harris County; TYPE OF FACILITY: registered sludge transporter; PENALTY: \$17,126; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(25) COMPANY: Gulf Coast Fractionators; DOCKET NUMBER: 2026-0027-AIR-E; IDENTIFIER: RN100229319; LOCATION: Mont Belvieu, Chambers County; TYPE OF FACILITY: natural gas liquids processing plant; PENALTY: \$15,000; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(26) COMPANY: Himalayan Mart 2 LLC; DOCKET NUMBER: 2025-1176-PST-E; IDENTIFIER: RN103024287; LOCATION: Haltom City, Tarrant County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: \$12,020; ENFORCEMENT COORDINATOR: Eunice Adegelu, (512) 239-5082; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(27) COMPANY: J & W Farm and Ranch Inc; DOCKET NUMBER: 2025-0757-PST-E; IDENTIFIER: RN101755742; LOCATION: Garwood, Colorado County; TYPE OF FACILITY: operator; PENALTY: \$2,625; ENFORCEMENT COORDINATOR: Celia Garza, (210)

657-8422; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(28) COMPANY: LOPEZ, BRENDA L; DOCKET NUMBER: 2026-0051-PWS-E; IDENTIFIER: RN101275873; LOCATION: Canutillo, El Paso County; TYPE OF FACILITY: public water supply; PENALTY: \$1,103; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(29) COMPANY: Markwest Tornado GP, L.L.C.; DOCKET NUMBER: 2025-0203-AIR-E; IDENTIFIER: RN110481942; LOCATION: Mentone, Loving County; TYPE OF FACILITY: oil and gas manufacturing plant; PENALTY: \$7,500; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(30) COMPANY: Midland International Airport; DOCKET NUMBER: 2024-1671-WQ-E; IDENTIFIER: RN101236750; LOCATION: Midland, Midland County; TYPE OF FACILITY: industrial stormwater facility; PENALTY: \$13,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$10,800; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(31) COMPANY: OK PUMP SERVICE, INC.; DOCKET NUMBER: 2025-1590-SLG-E; IDENTIFIER: RN107193971; LOCATION: Socorro, El Paso County; TYPE OF FACILITY: registered sludge transporter business; PENALTY: \$14,101; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(32) COMPANY: OXY USA Inc.; DOCKET NUMBER: 2024-0634-AIR-E; IDENTIFIER: RN103758470; LOCATION: Seminole, Gaines County; TYPE OF FACILITY: oil and gas plant; PENALTY: \$25,000; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 4 - DALLAS-FORT WORTH.

(33) COMPANY: OXY USA WTP LP; DOCKET NUMBER: 2025-1575-AIR-E; IDENTIFIER: RN102533445; LOCATION: Denver City, Yoakum County; TYPE OF FACILITY: oil and gas extraction plant; PENALTY: \$31,030; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(34) COMPANY: Pilgrim's Pride Corporation; DOCKET NUMBER: 2025-1523-IWD-E; IDENTIFIER: RN102184041; LOCATION: Mount Pleasant, Titus County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: \$60,200; ENFORCEMENT COORDINATOR: Amy Lane, (512) 239-2614; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(35) COMPANY: Red River Authority of Texas; DOCKET NUMBER: 2025-1833-PWS-E; IDENTIFIER: RN101233062; LOCATION: Wichita Falls, Foard County; TYPE OF FACILITY: public water supply; PENALTY: \$3,500; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$3,500; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(36) COMPANY: Rust Oil Corporation; DOCKET NUMBER: 2025-1695-AIR-E; IDENTIFIER: RN102293339; LOCATION: Odessa, Ector County; TYPE OF FACILITY: sour crude oil collection site; PENALTY: \$6,250; ENFORCEMENT COORDINATOR:

Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 3 - ABILENE.

(37) COMPANY: SJRR Power LLC; DOCKET NUMBER: 2025-1381-AIR-E; IDENTIFIER: RN110723897; LOCATION: Channelview, Harris County; TYPE OF FACILITY: fossil fuel electric power generation facility; PENALTY: \$48,863; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$19,545; ENFORCEMENT COORDINATOR: Nicholas Lohret-Froio, (512) 239-2545; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(38) COMPANY: South Bay Gunitite Incorporated; DOCKET NUMBER: 2025-0886-EAQ-E; IDENTIFIER: RN100848084; LOCATION: Bulverde, Comal County; TYPE OF FACILITY: small business; PENALTY: \$6,924; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(39) COMPANY: Targa Pipeline Mid-Continent WestTex LLC; DOCKET NUMBER: 2025-1869-AIR-E; IDENTIFIER: RN111549861; LOCATION: Midland, Midland County; TYPE OF FACILITY: natural gas processing plant; PENALTY: \$5,000; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(40) COMPANY: Town of Quintana; DOCKET NUMBER: 2026-0209-PWS-E; IDENTIFIER: RN101242907; LOCATION: Quintana, Brazoria County; TYPE OF FACILITY: public water supply; PENALTY: \$2,425; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(41) COMPANY: Tran's Property Management, Inc.; DOCKET NUMBER: 2026-0052-PWS-E; IDENTIFIER: RN112313499; LOCATION: Santa Fe, Galveston County; TYPE OF FACILITY: public water supply; PENALTY: \$5,041; ENFORCEMENT COORDINATOR: Iliia Perez Ramirez, (512) 239-2556; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(42) COMPANY: Trinity Operating (USG), LLC; DOCKET NUMBER: 2026-0056-AIR-E; IDENTIFIER: RN111049383; LOCATION: Dilley, Frio County; TYPE OF FACILITY: oil and gas production facility; PENALTY: \$3,750; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, REGION 3 - ABILENE.

(43) COMPANY: Tyson Foods, Inc.; DOCKET NUMBER: 2025-1856-AIR-E; IDENTIFIER: RN102657905; LOCATION: Carthage, Panola County; TYPE OF FACILITY: food processing plant; PENALTY: \$12,500; ENFORCEMENT COORDINATOR: Desmond Martin, (512) 239-2814; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(44) COMPANY: Undine Texas, LLC; DOCKET NUMBER: 2026-0293-PWS-E; IDENTIFIER: RN102686292; LOCATION: Bryan, Brazos County; TYPE OF FACILITY: public water supply; PENALTY: \$802; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(45) COMPANY: Union Tank Car Company; DOCKET NUMBER: 2024-1702-AIR-E; IDENTIFIER: RN100212828; LOCATION: Houston, Harris County; TYPE OF FACILITY: railcar manufacturing plant; PENALTY: \$14,250; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk

Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(46) COMPANY: WES Operating Holdco LLC; DOCKET NUMBER: 2025-0883-AIR-E; IDENTIFIER: RN110261369; LOCATION: Menton, Loving County; TYPE OF FACILITY: oil and gas production plant; PENALTY: \$19,126; ENFORCEMENT COORDINATOR: Christina Ferrara, (512) 239-5081; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(47) COMPANY: WMK Business, LLC; DOCKET NUMBER: 2025-1291-PST-E; IDENTIFIER: RN101881183; LOCATION: Silsbee, Hardin County; TYPE OF FACILITY: temporarily out-of-service underground storage tank system; PENALTY: \$4,533; ENFORCEMENT COORDINATOR: Bryce Huck, (512) 239-4655; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(48) COMPANY: Zapata County; DOCKET NUMBER: 2023-0883-PWS-E; IDENTIFIER: RN101218949; LOCATION: San Ygnacio, Zapata County; TYPE OF FACILITY: public water supply; PENALTY: \$2,800; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: \$2,800; ENFORCEMENT COORDINATOR: Kadrienn Woodard, (713) 767-3602; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

TRD-202602101

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 19, 2026



Combined Notice of Public Meeting and Notice of Application and Preliminary Decision for TPDES Permit for Municipal Wastewater New Permit No. WQ0016849001

APPLICATION AND PRELIMINARY DECISION. Rick Wagner Farms LLC, 3553 U.S. Highway 190 West, Livingston, Texas 77351, has applied to the Texas Commission on Environmental Quality (TCEQ) for new Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0016849001, to authorize the discharge of treated domestic wastewater at a daily average flow not to exceed 60,000 gallons per day. TCEQ received this application on July 16, 2025.

The facility will be located approximately 79 feet northeast of the intersection of Farm-to-Market Road 2457 and Indian Hill Boulevard, in Polk County, Texas 77351. The treated effluent will be discharged directly to Lake Livingston in Segment No. 0803 of the Trinity River Basin. The designated uses for Segment No. 0803 are primary contact recreation, public water supply, and high aquatic life use. In accordance with 30 Texas Administrative Code Section 307.5 and the TCEQ's *Procedures to Implement the Texas Surface Water Quality Standards* (June 2010), an antidegradation review of the receiving waters was performed. A Tier 1 antidegradation review has preliminarily determined that existing water quality uses will not be impaired by this permit action. Numerical and narrative criteria to protect existing uses will be maintained. A Tier 2 review has preliminarily determined that no significant degradation of water quality is expected in Lake Livingston, which has been identified as having high aquatic life use. Existing uses will be maintained and protected. The preliminary determination can be reexamined and may be modified if new information is received. This link to an electronic map of the site or facility's general location

is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-95.08711,30.73685&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Friends of the Library, Livingston Municipal Library, 707 North Tyler Avenue, Livingston, in Polk County, Texas. The application and associated notices are available electronically for viewing and copying at the following webpage: <https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tpdes-applications>.

ALTERNATIVE LANGUAGE NOTICE. Alternative language notice in Spanish is available at <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>. El aviso de idioma alternativo en español está disponible en <https://www.tceq.texas.gov/permitting/wastewater/plain-language-summaries-and-public-notices>.

PUBLIC COMMENT / PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The TCEQ will hold a public meeting on this application because of significant public interest.

The purpose of a public meeting is to provide the public an opportunity to submit comments or ask questions about the application. A public meeting consists of two parts: an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask the applicant and TCEQ staff questions concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Oral responses will be provided during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may orally state their formal comments into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

The Public Meeting is to be held:

Tuesday, July 7, 2026, at 7:00 p.m.

VFW Hall Post 8568

4951 US Highway 190 W

Livingston, Texas 77351

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

OPPORTUNITY FOR A CONTESTED CASE HEARING. After the deadline for submitting public comments, the Executive Director

will consider all timely comments and prepare a response to all relevant and material or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting a contested case hearing or reconsideration of the Executive Director's decision.** A contested case hearing is a legal proceeding similar to a civil trial in a state district court.

TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST: your name, address, phone number; applicant's name and proposed permit number; the location and distance of your property/activities relative to the proposed facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period; and the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the proposed facility or activity; provide the information discussed above regarding the affected member's location and distance from the facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn. **If a hearing is granted, the subject of a hearing will be limited to disputed issues of fact or mixed questions of fact and law relating to relevant and material water quality concerns submitted during the comment period.**

EXECUTIVE DIRECTOR ACTION. The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the permit and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

MAILING LIST. If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and permit number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

All written public comments and public meeting requests must be submitted to the Office of the Chief Clerk, MC 105, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at www.tceq.texas.gov/goto/comment within 30 days from the date of newspaper publication of this notice, or by the date of the public meeting, whichever is later.

INFORMATION AVAILABLE ONLINE. For details about the status of the application, visit the Commissioners' Integrated Database at www.tceq.texas.gov/goto/cid. Search the database using the permit number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. Public comments and requests must be submitted either electronically at www.tceq.texas.gov/goto/comment, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC 105, P.O. Box 13087, Austin, Texas 78711-3087. Any personal information you submit to the TCEQ will become part of the agency's record; this includes email addresses. For more information about this permit application or 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. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Rick Wagner Farms LLC at the address stated above or by calling Mr. Rick Wagner, President, at (936) 223-9455.

Issuance Date: May 20, 2026

TRD-202602136

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Enforcement Orders

An agreed order was adopted regarding A & B BUSINESS LLC, Docket No. 2021-0082-PST-E on May 19, 2026 assessing \$4,625 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting David Keagle, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Seaport Lakes Water System, LLC, Docket No. 2021-0218-MLM-E on May 19, 2026 assessing \$11,375 in administrative penalties with \$11,375 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Shepherd, Docket No. 2023-0115-PWS-E on May 19, 2026 assessing \$10,750 in administrative penalties with \$2,150 deferred. Information concerning any aspect of this order may be obtained by contacting Ashley Adams, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Hillsboro, Docket No. 2023-0159-PWS-E on May 19, 2026 assessing \$1,700 in administrative penalties with \$340 deferred. Information concerning any aspect of this order may be obtained by contacting Katherine McKinney, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas Environmental, LLC, Docket No. 2023-0770-MWD-E on May 19, 2026 assessing \$8,625 in administrative penalties with \$1,725 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding RestorationCity, Docket No. 2023-0860-WQ-E on May 19, 2026 assessing \$12,500 in administrative penalties with \$2,500 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding J-3 Metals Recycling Center, LLC, Docket No. 2023-1584-IHW-E on May 19, 2026 assessing \$8,063 in administrative penalties with \$1,612 deferred. Information concerning any aspect of this order may be obtained by contacting Stephanie McCurley, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Ranger, Docket No. 2023-1748-PWS-E on May 19, 2026 assessing \$3,058 in administrative penalties with \$611 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 the City of Jersey Village, Docket No. 2024-0225-MWD-E on May 19, 2026 assessing \$10,125 in administrative penalties with \$2,025 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Kaura, Inc., Docket No. 2024-0460-PWS-E on May 19, 2026 assessing \$5,286 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting Taylor Pearson, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Texas Department of Criminal Justice, Docket No. 2024-1210-MWD-E on May 19, 2026 assessing \$8,925 in administrative penalties with \$1,785 deferred. Information concerning any aspect of this order may be obtained by contacting Samantha Smith, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation was adopted regarding Sita Ram LLC, Docket No. 2024-1317-PST-E on May 19, 2026 assessing \$2,625 in administrative penalties. Information concerning any aspect of this citation 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 Nanak Express LLC. dba Ricks Drive Inn, Docket No. 2024-1485-PST-E on May 19, 2026 assessing \$9,000 in administrative penalties with \$1,800 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.

A field citation was adopted regarding Racetrac, Inc., Docket No. 2024-1909-PST-E on May 19, 2026 assessing \$5,250 in administrative penalties. Information concerning any aspect of this citation 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 Robert N. Thompson, Docket No. 2024-1974-MSW-E on May 19, 2026 assessing \$3,937 in admin-

istrative penalties with \$2,737 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 North Texas Municipal Water District, Docket No. 2025-0034-AIR-E on May 19, 2026 assessing \$12,500 in administrative penalties with \$2,500 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 KING-COTTLE WATER SUPPLY CORPORATION, Docket No. 2025-0226-PWS-E on May 19, 2026 assessing \$6,425 in administrative penalties with \$1,285 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 Tovia Paul Grynewicz, Docket No. 2025-0445-MSW-E on May 19, 2026 assessing \$3,937 in administrative penalties with \$787 deferred. Information concerning any aspect of this order may be obtained by contacting Marilyn Norrod, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding R Jacoby Excavation, LLC, Docket No. 2025-0578-AIR-E on May 19, 2026 assessing \$2,250 in administrative penalties with \$450 deferred. Information concerning any aspect of this order may be obtained by contacting Michael Wilkins, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Eduardo Pablos Velez, Docket No. 2025-0752-IHW-E on May 19, 2026 assessing \$12,500 in administrative penalties with \$2,500 deferred. Information concerning any aspect of this order may be obtained by contacting Katie Phillips, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CRANE CO., Docket No. 2025-0837-MWD-E on May 19, 2026 assessing \$7,640 in administrative penalties with \$1,528 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Harris County Municipal Utility District No. 432, Docket No. 2025-1067-MWD-E on May 19, 2026 assessing \$8,364 in administrative penalties with \$1,672 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding TENNESSEE WATER SUPPLY CORPORATION, Docket No. 2025-1095-PWS-E on May 19, 2026 assessing \$515 in administrative penalties with \$103 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez, 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 Christian Tabernacle of Houston, Inc., Docket No. 2025-1192-MWD-E on May 19, 2026 assessing \$4,500 in administrative penalties with \$900 deferred. Informa-

tion concerning any aspect of this order may be obtained by contacting Madison Crawford, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Weston Water Supply Corporation, Docket No. 2025-1195-PWS-E on May 19, 2026 assessing \$1,605 in administrative penalties with \$321 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 Undine Development, LLC, Docket No. 2025-1302-MWD-E on May 19, 2026 assessing \$7,125 in administrative penalties with \$1,425 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Undine Texas LLC, Docket No. 2025-1311-PWS-E on May 19, 2026 assessing \$1,550 in administrative penalties with \$310 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 DBM Oil Services LLC, Docket No. 2025-1314-AIR-E on May 19, 2026 assessing \$7,402 in administrative penalties with \$1,480 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JGE Gas Solutions, LP, Docket No. 2025-1382-AIR-E on May 19, 2026 assessing \$5,750 in administrative penalties with \$1,150 deferred. Information concerning any aspect of this order may be obtained by contacting Christina Ferrara, 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 Woodgate, LLC, Docket No. 2025-1394-PWS-E on May 19, 2026 assessing \$700 in administrative penalties with \$140 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 7440 FM 306 Salazar, LLC, Docket No. 2025-1403-PWS-E on May 19, 2026 assessing \$500 in administrative penalties with \$100 deferred. Information concerning any aspect of this order may be obtained by contacting Corinna Willis, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Brookesmith Special Utility District, Docket No. 2025-1493-PWS-E on May 19, 2026 assessing \$1,425 in administrative penalties with \$285 deferred. Information concerning any aspect of this order may be obtained by contacting De'Shaune Blake, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding CSWR-Texas Utility Operating Company, LLC, Docket No. 2025-1494-PWS-E on May 19, 2026 assessing \$5,812 in administrative penalties with \$1,162 deferred. Information concerning any aspect of this order may be obtained by contacting De'Shaune Blake, Enforcement Coordinator at (512) 239-2545,

Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding JPG ADOBE VILLAGE LLC, Docket No. 2025-1522-PWS-E on May 19, 2026 assessing \$3,725 in administrative penalties with \$745 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 Arcanum Infrastructure, LLC, Docket No. 2025-1537-OSS-E on May 19, 2026 assessing \$6,625 in administrative penalties with \$1,325 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Harris County Water Control and Improvement District 21, Docket No. 2025-1564-PWS-E on May 19, 2026 assessing \$900 in administrative penalties with \$180 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Swenson Water Supply Corporation, Docket No. 2025-1602-PWS-E on May 19, 2026 assessing \$2,835 in administrative penalties with \$567 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 the City of Whitewright, Docket No. 2025-1605-PWS-E on May 19, 2026 assessing \$2,280 in administrative penalties with \$456 deferred. Information concerning any aspect of this order may be obtained by contacting Anjali Talpallikar, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding the City of Lone Star, Docket No. 2025-1759-PWS-E on May 19, 2026 assessing \$535 in administrative penalties with \$107 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 the City of Joaquin, Docket No. 2025-1785-PWS-E on May 19, 2026 assessing \$3,344 in administrative penalties with \$668 deferred. Information concerning any aspect of this order may be obtained by contacting Anjali Talpallikar, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Jamie Beck, Docket No. 2026-0030-OSI-E on May 19, 2026 assessing \$1,000 in administrative penalties with \$200 deferred. Information concerning any aspect of this order may be obtained by contacting Amy Lane, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

A field citation order was adopted regarding CML Exploration LLC, Docket No. 2026-0231-WR-E on May 19, 2026 assessing \$875 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Mabel Travis, 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 Nico Investment Properties, LLC, Docket No. 2026-0249-WR-E on May 19, 2026 assessing \$200 in administrative penalties. Information concerning any aspect of this citation may be obtained by contacting Amy Lane, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202602138

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Notice of Completion of Technical Review for Minor Amendment Radioactive Material License Number R04100

APPLICATION. Waste Control Specialists LLC (WCS) has applied to the Texas Commission on Environmental Quality (TCEQ) for a minor amendment to a radioactive material license that authorizes the commercial disposal of Low-Level Radioactive Waste (LLRW) and storage and processing of radioactive substances. The facility is located at 9998 State Highway 176 West, one mile north of State Highway 176 and 250 feet east of the Texas and New Mexico State Line (30 miles west of Andrews, Texas) in Andrews County, Texas. The application for a minor amendment was received on April 7, 2026.

The facility is located at 9998 State Highway 176 West in Andrews County, Texas. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application. <https://tceq.maps.arcgis.com/apps/webappviewer/index.html?id=db5bac44afbc468bbddd360f8168250f&marker=-103.063055%2C32.4425&level=12>.

PRELIMINARY DECISION. The TCEQ Executive Director has completed the technical review of the amendment application and prepared a draft license. The draft license, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this license, if issued, meets all statutory and regulatory requirements.

The TCEQ Executive Director has determined that a minor amendment to the license is appropriate because it does not pose a detrimental impact and is in consideration of maintaining public health and safety, worker safety, and environmental health. The license will be amended to authorize an increase in the concentration values in Table 1 for procedure RS-5.0.0 for the nuclides Tc-99, Am-241, and Sr-90 for disposal in the Resource Conservation and Recovery Act (RCRA) facility under license condition (LC) 192.

The license application, the Executive Director's technical summary, and the amended draft license are available for viewing and copying at the TCEQ's central office in Austin, Texas and at the Andrews Public Library, 109 NW 1st Street, Andrews, Texas 79714.

PUBLIC COMMENT/PUBLIC MEETING. You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments.

EXECUTIVE DIRECTOR ACTION. The amendment is subject to Commission rules which direct the Executive Director to act on behalf of the Commission and provide authority to the Executive Director to issue final approval of the application for amendment after consideration of all timely comments submitted on the application.

MAILING LIST. If you submit public comments or a request for reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and license number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

INFORMATION AVAILABLE ONLINE: For details about the status of the application, visit the Commissioners' Integrated Database (CID) at www.tceq.texas.gov/goto/cid. Once you have access to the CID using the above link, enter the license number for this application, which is provided at the top of this notice.

AGENCY CONTACTS AND INFORMATION. All public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087 within 10 days from the date of this notice or 10 days from the date of publication in the *Texas Register*, whichever is later. 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. For more information about this license application or the licensing process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at www.tceq.texas.gov/goto/pep. Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from WCS at the facility address stated above or by calling Mr. Jay Cartwright at (432) 525-8698.

Issued: May 15, 2026

TRD-202602134

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Notice of District Petition - D-03032026-003

Notice issued May 20, 2026

TCEQ Internal Control No. D-03032026-003: Woodway 567, LTD., a Texas limited partnership (f/k/a Woodway 567, LLC, a Texas limited liability company), (Petitioner) filed a petition for creation of West Lake Village Municipal Management District of McLennan County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, Section 59 of the Constitution of the State of Texas; Chapter 375, Texas Local Government Code; Chapter 49 of the Texas Water Code; Title 30, Chapter 293 of the Texas Administrative Code; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 567 acres of land located within McLennan County, Texas; and (4) all of the land to be included

within the proposed District is wholly within the extraterritorial jurisdiction of the City of Waco. By Resolution No. 2025-700, passed and approved on October 7, 2025, the City of Waco, Texas, gave its consent to the creation of the proposed District, pursuant to Texas Water Code. The petition further states that the proposed District will: (1) purchase, construct, acquire, improve or extend inside or outside of its boundaries any and all works, improvements, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for domestic and commercial purposes; (2) collect, transport, process, dispose of, and control domestic and commercial wastes; (3) gather, conduct, divert, abate, amend, and control local storm water or other local harmful excesses of water in the proposed District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend, inside or outside of its boundaries such additional facilities, systems, plants, and enterprises as shall be consonant with all of the purposes for which the proposed District is created. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioner that the cost of said project will be approximately \$37,000,000 (\$25,255,000 for water, wastewater, and drainage and \$11,745,000 for roads).

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202602135

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Notice of District Petition - D-04212026-041

Notice issued May 14, 2026

TCEQ Internal Control No. D-04212026-041: TCCI Josephine Scott, LLC, a Texas limited liability company, and TCCI Griggs, LLC., a Texas limited liability company, (Petitioners) filed a petition for creation of Cross Creek East Municipal Utility District of Hunt County (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioners hold a majority in value of the land to be included in the proposed District; (2) there are lienholders on the property to be included in the proposed District, i.e., C2R Secured Debt Fund I, LP, a Texas limited partnership, and Grandview Bancshares, Inc., a Texas corporation, on the property to be included in the proposed District and information provided indicates the lienholders consent to the creation of the proposed District; (3) the proposed District will contain approximately 230.76 acres located within Hunt County, Texas; and (4) the proposed District lies entirely outside the corporate limits and extraterritorial jurisdiction of any city or town. The petition further states the proposed District will: (1) purchase, construct, acquire, improve, extend, improve, facilities, plants, equipment, and appliances necessary or helpful to supply and distribute water for municipal, domestic, and commercial purposes; (2) collect, transport, process, dispose of and control domestic, and commercial wastes; (3) gather, conduct, divert, abate, amend and control local storm water or other local harmful excesses of water in the District; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, graveled, or paved roads and turnpikes, or improvements in aid of those roads; and (5) purchase, construct, acquire, improve, or extend such additional facilities, systems, plants, and enterprises as shall be consonant with the purposes for which the District is created and organized. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$58,404,656 (\$51,241,821 for water, wastewater, and storm drainage plus \$7,162,835 for roads).

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a sched-

uled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202602131

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Notice of District Petition - D-04232026-058

Notice issued May 18, 2026

TCEQ Internal Control No. D-04232026-058: PLI I-C, LP, a Texas limited partnership, (Petitioner) filed a petition for creation of Travis County Municipal Utility District No. 42 (District) with the Texas Commission on Environmental Quality (TCEQ). The petition was filed pursuant to Article XVI, §59 of the Constitution of the State of Texas; Chapters 49 and 54 of the Texas Water Code; 30 Texas Administrative Code Chapter 293; and the procedural rules of the TCEQ. The petition states that: (1) the Petitioner holds title to a majority in value of the land to be included in the proposed District; (2) there are no lienholders on the property to be included in the proposed District; (3) the proposed District will contain approximately 233.697 acres located within Travis County, Texas; and (4) none of the land within the proposed District is within the corporate limits or extraterritorial jurisdiction of any city. The territory to be included in the proposed District is depicted in the vicinity map designated as Exhibit "A", which is attached to this document. The petition further states that the proposed District will: (1) provide a water supply for municipal uses, domestic uses, and commercial purposes; (2) collect, transport, process, dispose of and control all domestic, industrial, or communal wastes whether in fluid, solid, or composite state; (3) gather, conduct, divert and control local storm water or other local harmful excesses of water in the proposed District and the payment of organization expenses, operational expenses during construction, and interest during construction; (4) design, acquire, construct, finance, improve, operate, and maintain macadamized, gravelled, or paved roads, or improvements in aid of those roads; (5) purchase, construct, acquire, provide, operate, maintain, repair, improve, extend, and develop park and recreational facilities for the inhabitants of the proposed District; and, (6) to provide such other facilities, systems, plants and enterprises as shall be consonant with the purposes for which the proposed District is created and permitted under state law. According to the petition, a preliminary investigation has been made to determine the cost of the project, and it is estimated by the Petitioners that the cost of said project will be approximately \$32,647,000.

INFORMATION SECTION

To view the complete issued notice, view the notice on our website at www.tceq.texas.gov/agency/cc/pub_notice.html or call the Office of the Chief Clerk at (512) 239-3300 to obtain a copy of the complete notice. When searching the website, type in the issued date range shown at the top of this document to obtain search results. The TCEQ may grant a contested case hearing on the petition if a written hearing request is filed within 30 days after the newspaper publication of the notice. To request a contested case hearing, you must submit the follow-

ing: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) the name of the Petitioner and the TCEQ Internal Control Number; (3) the statement "I/we request a contested case hearing"; (4) a brief description of how you would be affected by the petition in a way not common to the general public; and (5) the location of your property relative to the proposed District's boundaries. You may also submit your proposed adjustments to the petition. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below. The Executive Director may approve the petition unless a written request for a contested case hearing is filed within 30 days after the newspaper publication of this notice. If a hearing request is filed, the Executive Director will not approve the petition and will forward the petition and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. If a contested case hearing is held, it will be a legal proceeding similar to a civil trial in state district court. Written hearing requests should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address. For additional information, individual members of the general public may contact the Districts Review Team, at (512) 239-4691. Si desea información en español, puede llamar al (512) 239-0200. General information regarding TCEQ can be found at our website at www.tceq.texas.gov.

TRD-202602133

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Notice of Opportunity to Comment on Agreed Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075, requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. 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 **June 29, 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 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 June 29, 2026**. The designated attorneys are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on an AO shall be submitted to the commission in **writing**.

(1) COMPANY: 130th and Upland, Inc.; DOCKET NUMBER: 2024-1022-PWS-E; TCEQ ID NUMBER: RN111299301; LOCATION: 13405 County Road near Wolfforth, Lubbock County; TYPE OF FACILITY: a public water system; PENALTY: \$29,460; STAFF ATTORNEY: Casey Kurnath, Litigation, MC 175, (512) 239-5932; REGIONAL OFFICE: Lubbock Regional Office, 5012 50th Street, Suite 100, Lubbock, Texas 79414-3426, (806) 796-7092.

(2) COMPANY: City of Mingus; DOCKET NUMBER: 2025-0120-PWS-E; TCEQ ID NUMBER: RN101394765; LOCATION: at the intersection of Smith Street and David Street near Mingus, Palo Pinto County; TYPE OF FACILITY: a public water supply; PENALTY: \$3,168; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas-Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: EXPLORER PIPELINE COMPANY; DOCKET NUMBER: 2024-1037-IHW-E; TCEQ ID NUMBER: RN101954394; LOCATION: 6300 West Port Arthur Road, Port Arthur, Jefferson County; TYPE OF FACILITY: a petroleum pipeline facility; PENALTY: \$2,750; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(4) COMPANY: KORRAL FUEL DISTRIBUTORS LLC; DOCKET NUMBER: 2023-1194-PST-E; TCEQ ID NUMBER: RN111782967; LOCATION: 108 Alamo Street in Eagle Pass, Maverick County; TYPE OF FACILITY: fuel distributor that physically transports and delivers regulated petroleum products into underground storage tanks directly from a cargo tank which is affixed or mounted to a self-propelled, towable, or pushable vehicle; PENALTY: \$4,511; STAFF ATTORNEY: A'twar Wilkins, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Laredo Regional Office, 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(5) COMPANY: WHITENER ENTERPRISES, INCORPORATED; DOCKET NUMBER: 2022-1683-PST-E; TCEQ ID NUMBER: RN100523935; LOCATION: 1016 East Houston Street, Cleveland, Liberty County; TYPE OF FACILITY: an underground storage tank system and a convenience store with retail sales of gasoline; PENALTY: \$3,600; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202602110
Gitanjali Yadav
Deputy Director, Litigation Division
Texas Commission on Environmental Quality
Filed: May 19, 2026



Notice of Opportunity to Comment on Default Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DO when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **June 29, 2026**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the DOs can be found online by using either the Chief Clerk's eFiling System at <https://www.tceq.texas.gov/goto/efilings> or the TCEQ Commissioners' Integrated Database at <https://www.tceq.texas.gov/goto/cid>, and searching either of those databases with the proposed DO's identifying information, such as its docket number. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on June 29, 2026**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission in **writing**.

(1) COMPANY: Carol Ann Norra; DOCKET NUMBER: 2023-1575-PWS-E; TCEQ ID NUMBER: RN101282572; LOCATION: 205 Reidland Road near Crosby, Harris County; TYPE OF FACILITY: a public water system; PENALTY: \$3,733; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Robert Sullivan and Joy Sullivan; DOCKET NUMBER: 2022-1023-PST-E; TCEQ ID NUMBER: RN102961786; LOCATION: 1869 State Highway 87 South in Center, Shelby County; TYPE OF FACILITY: an out-of-service underground storage tank system and a former convenience store; PENALTY: \$5,626; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Beaumont Regional Office, 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(3) COMPANY: Texcon Ready Mix Inc.; DOCKET NUMBER: 2024-0228-WQ-E; TCEQ ID NUMBER: RN109761759; LOCATION: approximately 0.3 miles east of the intersection of Old Hardy Road and Broadway Avenue on the north side of Broadway Avenue in Conroe, Montgomery County; TYPE OF FACILITY: a concrete batch plant; PENALTY: \$2,600; STAFF ATTORNEY: Jennifer Peltier, Litigation, MC 175, (512) 239-0544; REGIONAL OFFICE: Houston Regional

Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202602112

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: May 19, 2026



Notice of Water Quality Application - Minor Amendment WQ0004996000

The following notice was issued on May 15, 2026:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (30) DAYS FROM THE DATE OF THIS NOTICE BEING MAILED.

INFORMATION SECTION

The Texas Commission on Environmental Quality (TCEQ) has initiated a minor amendment of Texas Pollutant Discharge Elimination System (TPDES) Permit No. WQ0004996000 issued to North Texas Municipal Water District, which proposes to operate North Texas Municipal Water District Water Treatment Plant, a drinking water treatment facility, to correct Other Requirement No. 7.c. and add Other Requirement No. 8. The existing permit authorizes the discharge of desalination concentrate at a daily average flow not to exceed 9,300,000 gallons per day via Outfall 001.

TRD-202602130

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: May 20, 2026



Department of Family and Protective Services

Partners for Children and Families Committee Public Announcement

The Texas Department of Family and Protective Services (DFPS) is providing clarification regarding the Partners for Children and Families Committee (PCFC) membership announcement shared yesterday. The announcement did not include members of the PCFC Core Committee or individual subcommittees whose terms have not yet expired and who therefore remain active members of the committee. DFPS apologizes for the confusion caused by yesterday's announcement. The full Partners for Children and Families Committee (PCFC) - Core Committee and Subcommittees Membership Roster is provided below.

(* indicates term concluded - reappointed)

(^ indicates newly appointed)

(bold indicates core committee members)

Full Core Committee Roster:

- Ashleigh Wilkes, A World for Children*
- Brandon Logan, One Accord for Kids*
- Chelsea Churchill-Woodworth, Children's Advocacy Centers of Texas, Inc
- Hon. Delia Gonzales, Associate Judge^

- Denise Blakney, Building Future Families
- Fedora Galasso, Texas Network of Youth Services/ Lived Experience*
- Jamie Bernstein, Supreme Court of Texas Children's Commission
- Megan Ransom, Texas Alliance of Child and Family Services*
- Melanie Shannon, Region 4 Education Service Center / Lived Experience^
- Michael Redden, New Horizons Ranch & Center, Inc.
- Mike Maples, Blue Bonnet Trails Community Services*
- Robbie Callis, Casey Family Programs
- Scott Lundy, Arrow Child & Family Ministries^
- Dr. Tabitha Charlton, Kidsave TX
- Vicki Spriggs, Texas CASA

Full Subcommittee Rosters:

Community-Based Care Subcommittee:

- Brandon Logan, One Accord for Kids
- Dan Powers, Colin County CAC^
- Daniel Lund, CK Family Services
- Hon. David Barkley, Associate Judge
- Jessica Benavides, Lifeworks^
- Kate Murphy, Texans Care for Children
- Kathleen LaValle, Dallas CASA*
- Mackenzie Hughes, Baylor College of Medicine/Texas Children's Hospital^
- Megan Ransom, Texas Alliance of Child and Family Services
- Rocky Hensarling, Texas Family Care Network^
- Scott Lundy, Arrow Child & Family Ministries^
- Traci Wagner, Methodist Children's Home^

Contract Oversight and Regulatory Subcommittee:

- Amanda Boyd, The Sanctuary Foster Care Services*
- Ashleigh Wilkes, A World For Children
- Debbie Sceroler, Buckner Children and Family Services
- Hon. Elizabeth Watkins, Associate Judge^
- LeAnna McKinney, Boysville, Inc.^
- Melissa Opheim, ACH Child and Family Services
- Michael Redden, New Horizons Ranch & Center, Inc.
- Sandra Daniels, Youth in View*
- Tiffany Roper, Texas Alliance of Child & Family Services^

Foster Care and Kinship Policy Subcommittee:

- Andi Harrison, Buckner Children and Family Services^
- Angelica Hamm, Beacon of Hope - Brownsville^
- Brad Brush, Pathways Youth and Family Services^
- Carolyn Bishop, Arrow Child & Family Ministries^
- Jessica Hoskins, St. Francis Ministries Texas

- Joni Yount, Texas Family Care Network^
- Lucia Muniz, Wendy's Wonderful Kids^
- Robbie Callis, Casey Family Programs
- Robyn Gambrel, Boysville, Inc.^
- Sarah E. Borszich, Education Space, LLC-Child Care^
- Scott Cooley, Supreme Court of Texas Children's Commission^
- Teresa Andresen, Foster-Adopt Parent

Intake and Investigations Subcommittee:

- Anna Ford, SJRC Texas / Belong
- Chelci Wright, District Attorney*
- Chelsea Churchill-Woodworth, Children's Advocacy Centers of Texas, Inc
- Fiona Remko, Children's Advocacy Centers of Texas, Inc
- Lisa Bennett, Advent Health^
- Michael Martinez, Casey Family Programs^
- Michael Strickland, Jonathan's Place^
- Olivia Gibson, Tarleton State Instructor/ Foster- Adopt Parent^
- Rachel Mack, Family Alliance Network, LLC
- Renee Castillo-De La Cruz, Supreme Court of Texas Children's Commission^
- Vicki Spriggs, Texas CASA
- Whitney Nash, Foster Parent

Placement Subcommittee:

- Chelsey Castro, Wendy's Wonderful Kids^
- Hon. Delia Gonzales, Associate Judge^
- LaRhesa Moon, The Children's Shelter of San Antonio
- Lorra Lierly, CASA of Red River^
- Luevenia Chapman, Hearts with Hope Foundation^
- Mari Johnson, Community Network Alliance Group, LLC
- Megan Ransom, Texas Alliance of Child and Family Service
- Mike Bahnks, Acadia Healthcare*
- Scott Ryan, Educator-The University of Texas at Arlington School of Social Work^
- Shelda Anglin, Child Advocate, Lived Experience^
- Tara Roussett, SJRC Texas / Belong
- Wanda Davis, The Ark RTC, LLC.^

Services and Support Subcommittee:

- Amber White, Fostering Independence^
- Angela Rios, Southwest Key Programs, Inc.
- Hon. Cheryl Vaughan, Associate Judge^
- DeJuana Jernigan, Spaulding for Children- Arms Wide*
- Fedora Galasso, Texas Network of Youth Services/ Lived Experience*
- Gaetina Cummings-Stahl, Emerging Grace Ministries^

- Hilda Loria, UT Southwestern Medical Center/ Rees-Jones Center for Foster Care Excellence^
- Jaci Gonzales, SJRC Texas / Belong
- Jennifer Lisson, WHIT Program^
- Melanie Shannon, Region 4 Education Service Center / Lived Experience^
- Mercedes Bristol, Texas Grandparents Raising Grandchildren
- Mike Maples, Blue Bonnet Trails Community Services*

Next Meeting: The next core committee meeting is scheduled for May 14th, 2026, in the Brown Heatly Building Public Hearing Room (4900 N. Lamar Blvd, Austin, Texas 78756) starting at 9:00 a.m. The agenda is posted on the DFPS website. The meeting will be streamed live on the website.

Co-Chair Selection: The Co-Chairs will continue to be selected by committee member vote. Subcommittee chairs will be selected by the Chairs in consultation with DFPS staff.

Subcommittees: Subcommittees will meet as needed to accomplish the goals of the committee. DFPS will continue to work with subcommittee chairs to ensure membership reflects a balance of expertise, experience, and perspective.

Point of Contact: Roman Lomas serves as a liaison to the Committee. He can be reached at dfpspcfc@dfps.texas.gov.

TRD-202602018

Sanjuanita Maltos

Rules Coordinator

Department of Family and Protective Services

Filed: May 13, 2026



General Land Office

Coastal Boundary Survey - Anahuac GIWW, Chambers County Surveying Services

Coastal Boundary Survey

Project: Anahuac GIWW - Chambers County - Sunday

Project No: Project Number: CEPRA 1681

Project Manager: Abigail Richardson, Project Manager, General Land Office

Surveyor: Kyle C. Sunday, Licensed State Land Surveyor

Description: Coastal Boundary Survey dated September 19, 2025, delineating the littoral boundary line of Mean High Water (MHW) of East Bay Bayou and the Gulf Intracoastal Waterway, adjacent to the Levi Barrow Survey, Abstract No. 36 and the John Grogan Survey, Abstract No. 104, Chambers County, Texas, in connection with GLO Project CEPRA No. 1681. Centroid coordinates 29.565194°, -94.431485°, WGS84. A copy of the survey Recorded in Volume 4 at Pages 213 of the County Surveyor's Records of Chambers 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: David Klotz, Assistant Chief Surveyor

Date: November 12, 2025

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: May 18, 2026

Filed as: Chambers County, NRC Article 33.136 Sketch No. 17

Tex. Nat. Res. Code §33.136

TRD-202602098

Jennifer Jones

Chief Clerk and Deputy Land Commissioner

General Land Office

Filed: May 18, 2026

◆ ◆ ◆
Golden Crescent Workforce Development Board

Request for Proposals for Operation and Management of the Workforce Solutions Golden Crescent Centers System

The Golden Crescent Workforce Development Board (GCWDB), dba Workforce Solutions Golden Crescent is seeking Proposals for Operation and Management of the Workforce Center system in the Golden Crescent Area.

Deadline for Submission of Proposals is 5:00 p.m. CST Friday, June 19, 2026.

The Request for Proposals document is available on the GCWDB website at:

<http://www.gcworkforce.org/doing-business-with-us>

TRD-202602097

Henry Guajardo

Executive Director

Golden Crescent Workforce Development Board

Filed: May 18, 2026

◆ ◆ ◆
Texas Department of Insurance

Company Licensing

Application for incorporation in the state of Texas for OneGuard Insurance Company, a domestic fire and/or casualty company. The home office is in Westlake, Texas.

Application for incorporation in the state of Texas for Nimbus Property and Casualty Company, a domestic fire and/or casualty company. The home office is in Westlake, Texas.

Application to do business in the state of Texas for WCF Insurance Company, a foreign fire and/or casualty company. The home office is in Salt Lake City, Utah.

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-202602139

Justin Beam

Chief Clerk

Texas Department of Insurance

Filed: May 20, 2026

◆ ◆ ◆
Texas Department of Licensing and Regulation

Scratch Ticket Game Number 2748 "MEGA LOTERIA"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2748 is "MEGA LOTERIA". The play style is "row/column/diagonal".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2748 shall be \$10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2748.

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: ARMADILLO SYMBOL, BAT SYMBOL, BICYCLE SYMBOL, BLUEBONNET SYMBOL, BOAR SYMBOL, BUTTERFLY SYMBOL, CACTUS SYMBOL, CARDINAL SYMBOL, CHERRIES SYMBOL, CHILE PEPPER SYMBOL, CORN SYMBOL, COVERED WAGON SYMBOL, COW SYMBOL, COWBOY SYMBOL, COWBOY HAT SYMBOL, DESERT SYMBOL, FIRE SYMBOL, FOOTBALL SYMBOL, GEM SYMBOL, GUITAR SYMBOL, HEN SYMBOL, HORSE SYMBOL, HORSESHOE SYMBOL, JACKRABBIT SYMBOL, LIZARD SYMBOL, LONE STAR SYMBOL, MARACAS SYMBOL, MOCKINGBIRD SYMBOL, MOONRISE SYMBOL, MORTAR PESTLE SYMBOL, NEWSPAPER SYMBOL, OIL RIG SYMBOL, PECAN TREE SYMBOL, PIÑATA SYMBOL, RACE CAR SYMBOL, RATTLESNAKE SYMBOL, ROADRUNNER SYMBOL, SADDLE SYMBOL, SHIP SYMBOL, SHOES SYMBOL, SOCCER BALL SYMBOL, SPEAR SYMBOL, SPUR SYMBOL, STRAWBERRY SYMBOL, SUNSET SYMBOL, WHEEL SYMBOL, WINDMILL SYMBOL, \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$200, \$500, \$1,000 and \$5,000.

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. 2748 - 1.2D

PLAY SYMBOL	CAPTION
ARMADILLO SYMBOL	ARMADILLO
BAT SYMBOL	BAT
BICYCLE SYMBOL	BICYCLE
BLUEBONNET SYMBOL	BLUEBONNET
BOAR SYMBOL	BOAR
BUTTERFLY SYMBOL	BUTTERFLY
CACTUS SYMBOL	CACTUS
CARDINAL SYMBOL	CARDINAL
CHERRIES SYMBOL	CHERRIES
CHILE PEPPER SYMBOL	CHILE PEPPER
CORN SYMBOL	CORN
COVERED WAGON SYMBOL	COVERED WAGON
COW SYMBOL	COW
COWBOY HAT SYMBOL	COWBOY HAT
COWBOY SYMBOL	COWBOY
DESERT SYMBOL	DESERT
FIRE SYMBOL	FIRE
FOOTBALL SYMBOL	FOOTBALL
GEM SYMBOL	GEM
GITAR SYMBOL	GITAR
HEN SYMBOL	HEN
HORSE SYMBOL	HORSE
HORSESHOE SYMBOL	HORSESHOE
JACKRABBIT SYMBOL	JACKRABBIT
LIZARD SYMBOL	LIZARD
LONE STAR SYMBOL	LONE STAR
MARACAS SYMBOL	MARACAS
MOCKINGBIRD SYMBOL	MOCKINGBIRD
MOONRISE SYMBOL	MOONRISE
MORTAR PESTLE SYMBOL	MORTAR PESTLE

NEWSPAPER SYMBOL	NEWSPAPER
OIL RIG SYMBOL	OIL RIG
PECAN TREE SYMBOL	PECAN TREE
PIÑATA SYMBOL	PIÑATA
RACE CAR SYMBOL	RACE CAR
RATTLESNAKE SYMBOL	RATTLESNAKE
ROADRUNNER SYMBOL	ROADRUNNER
SADDLE SYMBOL	SADDLE
SHIP SYMBOL	SHIP
SHOES SYMBOL	SHOES
SOCCER BALL SYMBOL	SOCCER BALL
SPEAR SYMBOL	SPEAR
SPUR SYMBOL	SPUR
STRAWBERRY SYMBOL	STRAWBERRY
SUNSET SYMBOL	SUNSET
WHEEL SYMBOL	WHEEL
WINDMILL SYMBOL	WINDMILL
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$5,000	FVTH

E. Serial Number - A unique 13 (thirteen) 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 24 (twenty-four) 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 14 (fourteen) digit number consisting of the four (4) digit game number (2748), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 050 within each Pack. The format will be: 2748-0000001-001.

H. Pack - A Pack of the "MEGA LOTERIA" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). Ticket back 001 and 050 will both be exposed.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "MEGA LOTERIA" Scratch Ticket Game No. 2748.

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 Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. Each Scratch Ticket contains exactly 72 (seventy-two) Play Symbols. A prize winner in the "MEGA LOTERIA" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose Play Symbols as follows: PLAYBOARDS 1 & 2: 1) The player completely scratches the CALLER'S CARD area to reveal 28 symbols. 2) The player scratches ONLY the symbols on both PLAYBOARDS that exactly match the symbols revealed on the CALLER'S CARD. 3) If the player reveals a complete row, column or diagonal line on either PLAYBOARD, the player wins the prize for that line. BONUS GAMES: The player scratches ONLY the symbols on the BONUS GAMES that exactly match the symbols revealed on the CALLER'S CARD. If the player reveals 2 symbols in the same GAME, the player wins the PRIZE for that GAME. TABLAS DE JUEGO 1 Y 2: 1) El jugador raspa completamente la CARTA DEL GRITÓN para revelar 28 símbolos. 2) El jugador SOLAMENTE raspa los símbolos en las dos TABLAS DE JUEGO que son exactamente iguales a los símbolos revelados en la CARTA DEL GRITÓN. 3) Si el jugador revela una línea completa, horizontal, vertical o diagonal en cualquiera TABLA DE JUEGO, el jugador gana el premio para esa línea. JUEGOS DE BONO: El jugador SOLAMENTE raspa los símbolos en los JUEGOS DE BONO que son exactamente iguales a los símbolos revelados en la CARTA DEL GRITÓN. Si el jugador revela 2 símbolos en el mismo JUEGO, el jugador gana el PREMIO para ese JUEGO. 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 72 (seventy-two) 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 72 (seventy-two) 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 72 (seventy-two) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the 72 (seventy-two) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or

a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: A Ticket can win up to eight (8) times in accordance with the prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. PLAYBOARDS/TABLAS DE JUEGO: There will be no identical Play Symbols in the CALLER'S CARD/CARTA DEL GRITÓN play area.

D. PLAYBOARDS/TABLAS DE JUEGO: At least fourteen (14) but no more than twenty-six (26) CALLER'S CARD/CARTA DEL GRITÓN Play Symbols will match a Play Symbol on either PLAYBOARD/TABLA DE JUEGO play area.

E. PLAYBOARDS/TABLAS DE JUEGO: No identical Play Symbols are allowed on the same PLAYBOARD/TABLA DE JUEGO play area.

F. BONUS GAMES/JUEGOS DE BONO: Every BONUS GAME/JUEGO DE BONO Grid will match at least one (1) Play Symbol to the CALLER'S CARD/CARTA DEL GRITÓN play area.

2.3 Procedure for Claiming Prizes.

A. To claim a "MEGA LOTERIA" Scratch Ticket Game prize of \$10.00, \$15.00, \$20.00, \$30.00, \$50.00, \$100, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and 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, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "MEGA LOTERIA" Scratch Ticket Game prize of \$1,000, \$5,000 or \$250,000, the claimant must sign the winning Scratch Ticket and present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "MEGA LOTERIA" 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 Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the

claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

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 child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under \$600 from the "MEGA LOTERIA" Scratch Ticket Game, the Texas Lottery shall deliver to an adult member of the minor's family or the minor's guardian a check or warrant in the amount of the prize payable to the order of the minor.

2.6 If a person under the age of 18 years is entitled to a cash prize of \$600 or more from the "MEGA LOTERIA" 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 Ticket Prizes. There will be approximately 30,000,000 Scratch Tickets in Scratch Ticket Game No. 2748. The approximate number and value of prizes in the game are as follows:

Figure 2:16 TAC GAME NO. 2748 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$10	3,300,000	9.09
\$15	1,200,000	25.00
\$20	1,200,000	25.00
\$30	1,800,000	16.67
\$50	600,000	50.00
\$100	305,000	98.36
\$200	66,250	452.83
\$500	5,500	5,454.55
\$1,000	1,500	20,000.00
\$5,000	140	214,285.71
\$250,000	10	3,000,000.00

*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 Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2748 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 Instant 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. 2748, 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-202602137
 Deanne Rienstra
 General Counsel Lottery and Charitable Bingo
 Texas Department of Licensing and Regulation
 Filed: May 20, 2026



Scratch Ticket Game Number 2753 "\$1,000,000
CROSSWORD"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2753 is "\$1,000,000 CROSS-WORD". The play style is "crossword".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2753 shall be \$20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2753.

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: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, BLACKENED SQUARE SYMBOL, \$20.00, \$40.00, \$50.00, \$100, \$150, \$200, \$500 and \$1,000.

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. Crossword and Bingo style games do not typically have Play Symbol captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2753 - 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	

Z	
BLACKENED SQUARE SYMBOL	
\$20.00	TWY\$
\$40.00	FRTY\$
\$50.00	FFTY\$
\$100	ONHN
\$150	ONFF
\$200	TOHN
\$500	FVHN
\$1,000	ONTH

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 (2753), 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: 2753-000001-001.

H. Pack - A Pack of the "\$1,000,000 CROSSWORD" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fan-folded in pages of one (1). Ticket 001 will be shown on the front of the Pack; the back of Ticket 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery and Charitable Bingo Division of the Texas Department of Licensing and Regulation ("Texas Lottery") pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "\$1,000,000 CROSSWORD" Scratch Ticket Game No. 2753.

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 "\$1,000,000 CROSSWORD"

Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose the Play Symbols as indicated per the game instructions from the total of four hundred eighty-four (484) Play Symbols. \$1,000,000 CROSSWORD PLAY INSTRUCTIONS: The player completely scratches all of the YOUR 20 LETTERS. The player then scratches all the letters found in the \$1,000,000 CROSSWORD puzzle that exactly match the YOUR 20 LETTERS Play Symbols. If the player has scratched at least 2 complete WORDS, the player wins the prize found in the PRIZE LEGEND on the back of the Scratch Ticket. Only 1 prize paid in the \$1,000,000 CROSSWORD puzzle. Only letters within the \$1,000,000 CROSSWORD puzzle that are matched with the YOUR 20 LETTERS Play Symbols can be used to form a complete WORD. Every lettered square within an unbroken horizontal (left to right) or vertical (top to bottom) sequence must be matched with the YOUR 20 LETTERS Play Symbols to be considered a complete WORD. Words revealed in a diagonal sequence are not considered valid WORDS. Words within WORDS are not eligible for a prize. Words that are spelled from right to left or bottom to top are not eligible for a prize. A complete WORD must contain at least 3 letters. BONUS WORDS PLAY INSTRUCTIONS: The player scratches all the letters in BONUS WORD 1 and BONUS WORD 2 that exactly match the YOUR 20 LETTERS Play Symbols. If the player scratches a complete BONUS WORD, the player wins the PRIZE for that BONUS WORD. A completed BONUS WORD cannot be used to win in the \$1,000,000 CROSSWORD puzzle. The \$1,000,000 CROSSWORD puzzle and each BONUS WORD are played separately. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly four hundred eighty-four (484) 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. Crossword and Bingo style games do not typically have Play Symbol captions;

3. Each of the Play Symbols must be present in its entirety and be fully legible;
 4. Each of the Play Symbols must be printed in black ink except for dual image games;
 5. The Scratch Ticket shall be intact;
 6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
 7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
 8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
 9. The Scratch Ticket must not be counterfeit in whole or in part;
 10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
 11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
 12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
 13. The Scratch Ticket must be complete and not miscut, and have exactly four hundred eighty-four (484) 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 four hundred eighty-four (484) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
 17. Each of the four hundred eighty-four (484) 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: All parameters will be adhered to unless restricted by the prize structure, play action or other parameters.

B. CROSSWORD GENERAL: A Ticket can win one (1) time in the \$1,000,000 CROSSWORD puzzle and one (1) time per BONUS WORD for a total of up to three (3) times per Ticket, as dictated by the prize structure.

C. CROSSWORD GENERAL: Each Ticket consists of a \$1,000,000 CROSSWORD PUZZLE, a YOUR 20 LETTERS (CALLER AREA) play area, two (2) BONUS WORD play areas and a BONUS WORDS PRIZE play area.

D. CROSSWORD GENERAL: All words used will be different on the Ticket including in each BONUS WORD.

E. CROSSWORD GENERAL: All words used will be from TX_Aproved_Words_Vers.2.042321.doc.

F. YOUR 20 LETTERS (CALLER AREA): The YOUR 20 LETTERS area is defined as the CALLER AREA.

G. YOUR 20 LETTERS (CALLER AREA): The CALLER AREA will have twenty (20) different Play Symbols.

H. YOUR 20 LETTERS (CALLER AREA): There will be a minimum of three (3) vowels in the CALLER AREA. Vowels are considered to be A, E, I, O and U.

I. YOUR 20 LETTERS (CALLER AREA): Words from TX_Prohibited_Words_Vers.2.042321.docx, when read in a forward or reverse direction, will not appear horizontally, vertically or diagonally in the CALLER AREA.

J. YOUR 20 LETTERS (CALLER AREA): Any words from the \$1,000,000 CROSSWORD PUZZLE in the Ticket, when read in a forward or reverse direction, will not be found horizontally, vertically or diagonally in the CALLER AREA.

K. YOUR 20 LETTERS (CALLER AREA): At least fifteen (15) of the CALLER AREA Play Symbols will open at least one (1) letter in the \$1,000,000 CROSSWORD PUZZLE or in the BONUS WORDS.

L. YOUR 20 LETTERS (CALLER AREA): The presence or absence of any letter in the CALLER AREA will not be indicative of a winning or Non-Winning Ticket.

M. \$1,000,000 CROSSWORD PUZZLE: There will be at least one thousand (1,000) different GRIDS used in this game. A GRID is an empty 30 x 15 black and white pattern.

N. \$1,000,000 CROSSWORD PUZZLE: Each \$1,000,000 CROSSWORD PUZZLE will contain sixty (60) words. The breakdown of word size is as follows: a) Twelve (12) 3-letter words, b) Thirteen (13) 4-letter words, c) Ten (10) 5-letter words, d) Ten (10) 6-letter words, e) Five (5) 7-letter words, f) Five (5) 8-letter words and g) Five (5) 9-letter words.

O. \$1,000,000 CROSSWORD PUZZLE: No consonant will appear more than thirty (30) times in a \$1,000,000 CROSSWORD PUZZLE.

P. \$1,000,000 CROSSWORD PUZZLE: The minimum length of the words contained in a \$1,000,000 CROSSWORD PUZZLE will be three (3) letters.

Q. \$1,000,000 CROSSWORD PUZZLE: The maximum length of the words contained in a \$1,000,000 CROSSWORD PUZZLE will be nine (9) letters.

R. \$1,000,000 CROSSWORD PUZZLE: Words from TX_Prohibited_Words_Vers.2.042321.docx, when read in a forward or reverse direction, will not appear diagonally in the \$1,000,000 CROSSWORD PUZZLE.

S. \$1,000,000 CROSSWORD PUZZLE: All \$1,000,000 CROSSWORD PUZZLES will have at least one (1) completed word.

T. \$1,000,000 CROSSWORD PUZZLE: The \$1,000,000 CROSSWORD PUZZLE will not have more than ten (10) words completed.

U. BONUS WORDS: Each of the two (2) BONUS WORDS will contain exactly six (6) letters.

V. BONUS WORDS: Each BONUS WORD will have at least two (2) letters revealed by the CALLER AREA letters.

W. BONUS WORDS: The BONUS WORDS can be completed and won, as indicated by the prize structure.

X. BONUS WORDS: Non-winning BONUS WORDS Prize Symbols will be different and will not match a winning Prize Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "\$1,000,000 CROSSWORD" Scratch Ticket Game prize of \$20.00, \$40.00, \$50.00, \$100, \$150, \$200 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$40.00, \$50.00, \$100, \$150, \$200 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "\$1,000,000 CROSSWORD" Scratch Ticket Game prize of \$2,000, \$20,000 or \$1,000,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "\$1,000,000 CROSSWORD" 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 "\$1,000,000 CROSSWORD" 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 "\$1,000,000 CROSSWORD" 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 15,000,000 Scratch Tickets in Scratch Ticket Game No. 2753. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2753 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$20.00	2,000,000	7.50
\$40.00	700,000	21.43
\$50.00	800,000	18.75
\$100	700,000	21.43
\$150	65,625	228.57
\$200	125,000	120.00
\$500	10,625	1,411.76
\$2,000	260	57,692.31
\$20,000	20	750,000.00
\$1,000,000	6	2,500,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.41. 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. 2753 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. 2753, 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-202602109
 Deanne Rienstra
 General Counsel Lottery and Charitable Bingo
 Texas Department of Licensing and Regulation
 Filed: May 19, 2026

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North Central Texas Council of Governments

Request for Proposals for Rider 7 PM2.5 Modeling Consultant

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from qualified firms(s) to conduct a modeling exercise and develop a conceptual model for the DFW area of local PM_{2.5} dynamics related to NCTCOG's air quality planning activities.

NCTCOG will be releasing this RFP on **Friday, May 29, 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, June 26, 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-202602123
Todd Little
Executive Director
North Central Texas Council of Governments
Filed: May 19, 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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