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In This Issue

THE GOVERNOR

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

Appointments

Appointments for August 27, 2026

Appointed as the District Attorney of the 84th Judicial District, Hansford and Hutchinson Counties for a term to expire December 31, 2028, Jonathan C. "Clay" Carr of Borger, Texas (replacing Mark W. Snider of Stinnett who resigned).

Appointed as Judge of the 523rd Judicial District, Montgomery County for a term to expire December 31, 2028, Donna Sellen Hansen of Conroe, Texas.

Appointments for August 28, 2026

Appointed to the Specialty Courts Advisory Council for a term to expire February 1, 2031, Carlos Y. Benavides, IV of Edinburg, Texas (Mr. Benavides is being reappointed).

Appointed to the Specialty Courts Advisory Council for a term to expire February 1, 2031, Laura D. Figueroa of Brenham, Texas (replacing Keta R. Dickerson of Richardson whose term expired).

Appointed to the Specialty Courts Advisory Council for a term to expire February 1, 2031, Leslie Kay Ritchie of Fort Worth, Texas (Ms. Ritchie is being reappointed).

Appointed as the Judge of the 513th Judicial District, Harris County for a term to expire December 31, 2028, Jacqueline R. "Jackie" Franklin of Bellaire, Texas.

Appointments for August 31, 2026

Appointed to the Lone Star Workforce of the Future Fund Advisory Board for a term to expire September 1, 2027, Manuel "Manny" Salazar, III of Kingsville, Texas (Mr. Salazar is being reappointed).

Appointments for September 1, 2026

Appointed to the Gulf Coast Authority Board of Directors for a term to expire August 31, 2028, Kevin M. Scott of Santa Fe, Texas.

Appointed to the Gulf Coast Authority Board of Directors for a term to expire August 31, 2028, Daniel W. "Dan" Syphrett, III of Stowell, Texas.

Greg Abbott, Governor

TRD-202603801

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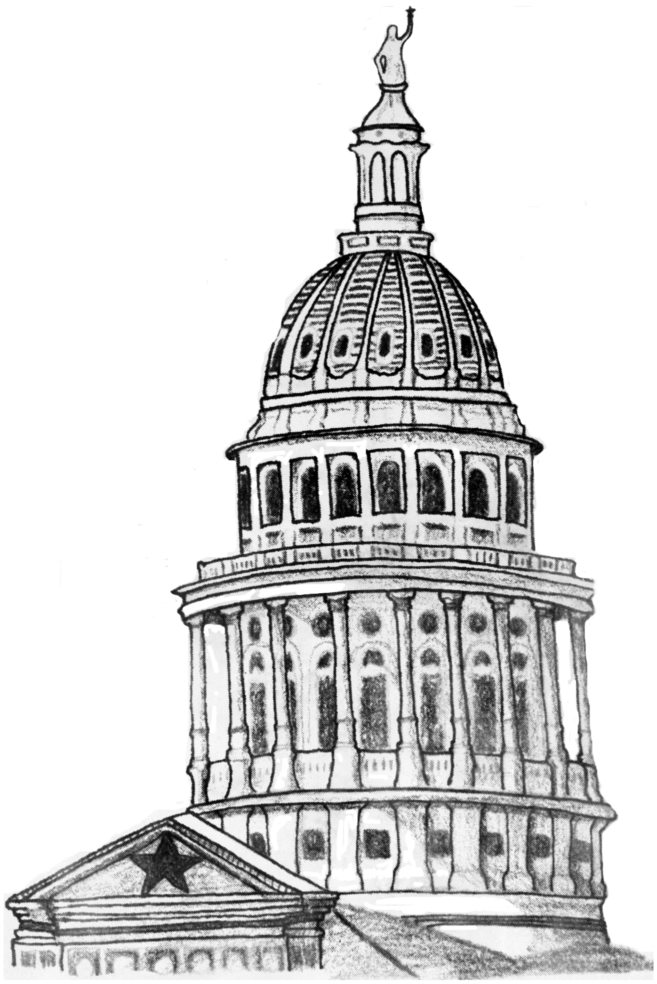

Proposed rules include new rules, amendments to existing rules, and repeals of existing rules. A state agency shall give at least 30 days' notice of its intention to adopt a rule before it adopts the rule. A state agency shall give all interested persons a reasonable opportunity to submit data, views, or arguments, orally or in writing (Government Code, Chapter 2001).

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

TITLE 1. ADMINISTRATION

PART 15. TEXAS HEALTH AND HUMAN SERVICES COMMISSION

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

SUBCHAPTER B. ADVISORY COMMITTEES

DIVISION 1. COMMITTEES

1 TAC §351.817, §351.833

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes the repeal of §351.817, concerning Texas Council on Consumer Direction; and §351.833, concerning STAR Kids Managed Care Advisory Committee.

BACKGROUND AND PURPOSE

The proposed repeals remove rules in the Texas Administrative Code (TAC) that established the Texas Council on Consumer Direction (TCCD) and the STAR Kids Managed Care Advisory Committee (SKMCAC). In accordance with program rules, TCCD was abolished on July 31, 2024, and SKMCAC was abolished on December 31, 2023.

SECTION-BY-SECTION SUMMARY

The proposed repeal of §351.817 removes an obsolete rule as the content of the rule expired July 31, 2024.

The proposed repeal of §351.833 removes an obsolete rule as the content of the rule expired on December 31, 2023.

FISCAL NOTE

Victoria Grady, Deputy Chief, Finance, has determined that for each year of the first five years the rules are repealed, enforcing or administering the repeals does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

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

(6) the proposed rules will repeal existing regulations;

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The proposed repeals do not impose any costs on small businesses, micro-businesses, or rural communities because the committees have been discontinued.

LOCAL EMPLOYMENT IMPACT

The proposed repeals will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these proposed repeals because the proposed repeals do not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Emily Zalkovsky, Chief Medicaid and CHIP Services Officer, has determined that for each year of the first five years the rules are repealed, the public benefit will be easier navigation and understanding of the TAC with the removal of expired rules.

Victoria Grady has also determined that for the first five years the rules are repealed, there are no anticipated economic costs to persons who are required to comply with the proposed rules because the repeals remove obsolete rules for committees that were discontinued.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed repeals, 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 26R073" in the subject line.

STATUTORY AUTHORITY

The repeals are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The repeals affect Texas Government Code §524.0151 and Texas Human Resources Code §32.021.

§351.817. Texas Council on Consumer Direction.

§351.833. STAR Kids Managed Care Advisory Committee.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603748
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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CHAPTER 353. MEDICAID MANAGED CARE

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes the repeal of Subchapter L, Texas Dual Eligibles Integrated Care Demonstration Project, consisting of §353.1101, concerning Purpose; §353.1103, concerning General Provisions; §353.1105, concerning Eligibility; §353.1107, concerning Member Enrollment and Disenrollment; §353.1109, concerning Participating Providers; §353.1111, concerning Benefits; §353.1113, concerning Appeals and Fair Hearings; and §353.1115, concerning Network Adequacy for Certain Service Providers. The executive commissioner of HHSC also proposes the repeal of §353.1303, concerning Quality Incentive Payment Program for Nursing Facilities before September 1, 2019, in Subchapter O, Delivery System and Provider Payment Initiatives.

BACKGROUND AND PURPOSE

The purpose of the proposal is to repeal rules related to the Texas Dual Eligibles Integrated Care Demonstration Project (Dual Demonstration) and the Quality Incentive Payment Program for Nursing Facilities (QIPP) before September 1, 2019.

In accordance with the Centers for Medicare & Medicaid Services Contract Year 2023 Medicare Advantage and Part D Final Rule, HHSC ended the Dual Demonstration on December 31, 2025, and implemented integrated Dual Eligible Special Needs Plans on January 1, 2026. Additionally, the QIPP rule expired September 1, 2019.

SECTION-BY-SECTION SUMMARY

The proposed repeal of §§353.1101, 353.1103, 353.1105, 353.1107, 353.1109, 353.1111, 353.1113, and 353.1115 removes obsolete rules for the Dual Demonstration.

The proposed repeal of §353.1303 removes an obsolete rule that applied to QIPP before September 1, 2019.

FISCAL NOTE

Victoria Grady, Deputy Chief, Finance, has determined that for each year of the first five years the rules are repealed, enforcing or administering the repeals does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

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

(6) the proposed rules will repeal existing regulations;

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The proposed repeals do not impose any costs on small businesses, micro-businesses, or rural communities because the Dual Demonstration was discontinued and the content of the QIPP rule is expired.

LOCAL EMPLOYMENT IMPACT

The proposed repeals will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these proposed repeals because the repeals do not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Emily Zalkovsky, Chief Medicaid and CHIP Services Officer, has determined that for each year of the first five years the rules are repealed, the public benefit will be easier navigation and understanding of the Texas Administrative Code with the removal of obsolete rules.

Victoria Grady has also determined that for the first five years the rules are repealed, there are no anticipated economic costs to persons who are required to comply with the proposed rules because the repeals remove obsolete rules for the Dual Demonstration, which was discontinued, and for the QIPP prior to September 1, 2019.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed repeals, 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 26R073" in the subject line.

SUBCHAPTER L. TEXAS DUAL ELIGIBLES INTEGRATED CARE DEMONSTRATION PROJECT

1 TAC §§353.1101, 353.1103, 353.1105, 353.1107, 353.1109, 353.1111, 353.1113, 353.1115

STATUTORY AUTHORITY

The repeals are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The repeals affect Texas Government Code §524.0151 and Texas Human Resources Code §32.021.

§353.1101. Purpose.

§353.1103. General Provisions.

§353.1105. Eligibility.

§353.1107. Member Enrollment and Disenrollment.

§353.1109. Participating Providers.

§353.1111. Benefits.

§353.1113. Appeals and Fair Hearings.

§353.1115. Network Adequacy for Certain Service Providers.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603751
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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SUBCHAPTER O. DELIVERY SYSTEM AND PROVIDER PAYMENT INITIATIVES

1 TAC §353.1303

STATUTORY AUTHORITY

The repeal is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The repeal affects Texas Government Code §524.0151 and Texas Human Resources Code §32.021.

§353.1303. Quality Incentive Payment Program for Nursing Facilities before September 1, 2019.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603752
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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CHAPTER 354. MEDICAID HEALTH SERVICES

SUBCHAPTER A. PURCHASED HEALTH SERVICES

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes the repeal of Division 26, Coordinated Care, consisting of §354.1351, concerning Coordinated Care Pilot Project; and the repeal of Division 32, Texas Medicaid Wellness Program, consisting of §354.1415, concerning Vendor Requirements and Conditions for Participation; §354.1416, concerning Eligibility Criteria; and §354.1417, concerning Definitions for Wellness Services.

BACKGROUND AND PURPOSE

The purpose of the proposal is to repeal rules that established the Coordinated Care Pilot Project and the Texas Medicaid Wellness Program (TMWP).

HHSC completed the Coordinated Care Pilot Project on December 1, 1995. The TMWP, a Medicaid waiver program, ended on

September 1, 2017, following implementation and expansion of managed care.

SECTION-BY-SECTION SUMMARY

The proposed repeal of §354.1351 removes an obsolete rule for the Coordinated Care Pilot Project.

The proposed repeal of §§354.1415 - 354.1417 removes obsolete rules for the TMWP.

FISCAL NOTE

Victoria Grady, Deputy Chief, Finance, has determined that for each year of the first five years the rules are repealed, enforcing or administering the repeals does not have foreseeable implications relating to costs or revenues of state or local governments.

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

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

(6) the proposed rules will repeal existing regulations;

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The proposed repeals do not impose any costs on small businesses, micro-businesses, or rural communities because the programs have been discontinued.

LOCAL EMPLOYMENT IMPACT

The proposed repeals will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these proposed repeals because the repeals do not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Emily Zalkovsky, Chief Medicaid and CHIP Services Officer, has determined that for each year of the first five years the rules are repealed, the public benefit will be easier navigation and understanding of the Texas Administrative Code with the removal of obsolete rules.

Victoria Grady has also determined that for the first five years the rules are repealed, there are no anticipated economic costs to persons who are required to comply with the proposed rules because the repeals remove obsolete rules for programs that were discontinued.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

Written comments on the proposal, including information related to the cost, benefit, or effect of the proposed repeals, 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 26R073" in the subject line.

DIVISION 26. COORDINATED CARE

1 TAC §354.1351

STATUTORY AUTHORITY

The repeal is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The repeal affects Texas Government Code §524.0151 and Texas Human Resources Code §32.021.

§354.1351. Coordinated Care Pilot Project.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603753
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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DIVISION 32. TEXAS MEDICAID WELLNESS PROGRAM

1 TAC §§354.1415 - 354.1417

STATUTORY AUTHORITY

The repeals are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

The repeals affect Texas Government Code §524.0151 and Texas Human Resources Code §32.021.

§354.1415. Vendor Requirements and Conditions for Participation.

§354.1416. Eligibility Criteria.

§354.1417. Definitions for Wellness Services.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603754
Karen Ray
Chief Counsel
Texas Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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TITLE 4. AGRICULTURE

PART 2. TEXAS ANIMAL HEALTH COMMISSION

CHAPTER 33. FEES

4 TAC §§33.1 - 33.4

The Texas Animal Health Commission (Commission) proposes the repeal of existing Chapter 33, concerning Fees, in the Texas Administrative Code, Title 4, Part 2. This repeal is proposed concurrently with the proposal of a new Chapter 33, concerning Certificates of Veterinary Inspection, which is published simultaneously in this issue of the *Texas Register*.

BACKGROUND AND PURPOSE

The Commission underwent a comprehensive and collaborative rule review by the Texas Regulatory Efficiency Office (TREO). TREO made several recommendations to reduce unnecessary regulations and increase transparency. One such recommendation was repealing unused rules in Chapter 33 and updating certificate of veterinary inspection (CVI) rules to reflect the Commission's transition to electronic CVIs.

Specifically, the Commission proposes the repeal of §33.1, which contains unnecessary definitions. The Commission proposes the repeal of §33.2, which contains outdated rules related to purchasing paper CVIs. The Commission proposes the repeal of §33.3, which contains rules the Commission no longer uses relating to fees for inspection of foreign cattle. And finally, the Commission proposes the repeal of §33.4, containing enforcement and penalty rules.

The proposed repeals are made concurrently with a proposed new Chapter 33. The newly proposed Chapter 33, entitled Certificates of Veterinary Inspection, will contain a section detailing electronic CVIs and fees assessed by the Commission and a section establishing enforcement and penalty rules.

The Commission's goal in proposing the repeal and replacement of Chapter 33 is to reduce burdensome regulation and modernize rules.

SECTION-BY-SECTION SUMMARY

The proposed repeal will repeal the entirety of Chapter 33 to be replaced with a newly proposed Chapter 33.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years proposed repeal is in effect, enforcing or administering the repeal does not have foreseeable implications relating to costs or revenues of state or local governments.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the proposed repeal is in effect, the anticipated public benefit will be the reduction of unnecessary regulations and modernized rules that more accurately reflect current use.

TAKINGS IMPACT ASSESSMENT

The Commission determined that the proposed repeal does 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. Therefore, the proposed repeal is compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed repeal would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that this proposed repeal is not a "major environmental rule" as defined by Government Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposal would be in effect, the proposed repeal:

Will not create or eliminate a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will not create new regulation;

Will reduce existing regulation;

Will not change the number of individuals subject to the rule; and

Will not affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The repeal does not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the proposal.

COSTS TO REGULATED PERSONS

The proposed repeal of Chapter 33 does not impose additional costs on regulated persons and is designed to reduce regulatory burden. The proposal does not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed repeal may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas Register*. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 33, Fees" in the subject line.

STATUTORY AUTHORITY

The repeal is proposed under the following statutory authority as found in Chapter 161 of the Texas Agriculture Code.

The Commission is vested by statute, §161.041(a), titled "Disease Control," to protect all livestock, exotic livestock, domestic fowl, and exotic 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, exotic livestock, domestic fowl, or exotic fowl, even if the agent of transmission is an animal species that is not subject to the jurisdiction of the Commission.

Pursuant to §161.046, titled "Rules," the Commission may adopt rules as necessary for the administration and enforcement of this chapter.

Pursuant to §161.060, titled "Authority to Set and Collect Fees," the Commission may charge a fee for an inspection made by the Commission as provided by Commission rule.

Pursuant to §161.0601, titled "Certificates of Veterinary Inspection," the Commission may adopt rules providing for the issuance of electronic certificates of veterinary inspection. The Commission shall set and charge a fee for each certificate of veterinary inspection provided to a veterinarian.

Pursuant to §161.148, titled "Administrative Penalty", the Commission may impose an administrative penalty on a person who violates Chapter 161 or a rule or order adopted under Chapter 161. The penalty for a violation may be in an amount not to exceed $5,000, effective September 1, 2021.

The proposed repeal of the rules does not affect other statutes, sections, or codes.

§33.1. Definitions.

§33.2. Certificate of Veterinary Inspection.

§33.3. Inspection of Foreign Cattle Fee.

§33.4. Enforcement and Penalties.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603765
Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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CHAPTER 33. CERTIFICATES OF VETERINARY INSPECTION

4 TAC §33.1, §33.2

The Texas Animal Health Commission (Commission) proposes a replacement of Chapter 33, concerning Fees, in the Texas Administrative Code, Title 4, Part 2 with a new Chapter 33, titled Certificates of Veterinary Inspection. This proposal is made concurrently with the proposed repeal of existing Chapter 33, which is also published in this issue of the *Texas Register*.

BACKGROUND AND PURPOSE

The Commission underwent a comprehensive and collaborative rule review by the Texas Regulatory Efficiency Office (TREO). TREO made several recommendations to reduce unnecessary regulations and increase transparency. One such recommendation was repealing unused rules in Chapter 33 and updating certificate of veterinary inspection (CVI) rules to reflect the Commission's transition to electronic CVIs.

Specifically, the Commission proposes the repeal of Section 33.1, which contains unnecessary definitions. The Commission proposes the repeal of Section 33.2, which contains outdated rules related to purchasing paper CVIs. The Commission proposes the repeal of Section 33.3, which contains rules the Commission no longer uses relating to fees for inspection of foreign cattle. And finally, the Commission proposes the repeal of Section 33.4, containing enforcement and penalty rules.

The proposed repeals are made concurrently with a proposed new Chapter 33. The newly proposed Chapter 33, entitled Certificates of Veterinary Inspection, will contain a section detailing electronic CVIs and fees assessed by the Commission and a section establishing enforcement and penalty rules.

The Commission's goal in proposing the repeal and replacement of Chapter 33 is to reduce burdensome regulation and modernize rules.

SECTION-BY-SECTION SUMMARY

The proposed new Chapter 33 will be titled Certificates of Veterinary Inspection, and will replace the existing Chapter 33, related to Fees.

The proposed new §33.1, titled Certificate of Veterinary Inspection, requires accredited veterinarians to use approved electronic CVIs and sets a $7.00 fee for electronic CVIs.

The proposed new §33.2, titled Enforcement and Penalties, establishes penalties for violating the chapter's rules.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years proposed rules are in effect, enforcing or administering the rule does not have foreseeable implications relating to costs or revenues of state or local governments because the fee assessed is the same as the prior rule.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the proposed rules are in effect, the anticipated public benefit will be the reduction of unnecessary regulations and modernized rules that more accurately reflect current use.

TAKINGS IMPACT ASSESSMENT

The Commission determined that 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. Therefore, the proposed rules are compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed rules would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that the proposed rules are not a "major environmental rule" as defined by Government Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposal would be in effect, the proposed rules:

Will not create or eliminate a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will not create new regulation;

Will reduce existing regulation;

Will not change the number of individuals subject to the rule; and

Will not affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The rules do not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rules.

COSTS TO REGULATED PERSONS

The proposed rules do not impose additional costs on regulated persons the fee assessed is the same as the prior rule and is designed to reduce regulatory burden. The proposed rules do not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed rules may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas Register*. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 33, Fees" in the subject line.

STATUTORY AUTHORITY

The rules are proposed under the following statutory authority as found in Chapter 161 of the Texas Agriculture Code.

The Commission is vested by statute, §161.041(a), titled "Disease Control," to protect all livestock, exotic livestock, domestic fowl, and exotic 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, exotic livestock, domestic fowl, or exotic fowl, even if the agent of transmission is an animal species that is not subject to the jurisdiction of the Commission.

Pursuant to §161.046, titled "Rules," the Commission may adopt rules as necessary for the administration and enforcement of this chapter.

Pursuant to §161.060, titled "Authority to Set and Collect Fees," the Commission may charge a fee for an inspection made by the Commission as provided by Commission rule.

Pursuant to §161.0601, titled "Certificates of Veterinary Inspection," the Commission may adopt rules providing for the issuance of electronic certificates of veterinary inspection. The Commission shall set and charge a fee for each certificate of veterinary inspection provided to a veterinarian.

Pursuant to §161.148, titled "Administrative Penalty", the Commission may impose an administrative penalty on a person who violates Chapter 161 or a rule or order adopted under Chapter 161. The penalty for a violation may be in an amount not to exceed $5,000, effective September 1, 2021.

The proposed rules do not affect other statutes, sections, or codes.

§33.1. Certificate of Veterinary Inspection.

(a) Electronic Issued Certificates of Veterinary Inspection. Texas-accredited veterinarians must use commission approved electronic CVIs for livestock, exotic livestock, fowl, and exotic fowl.

(b) Fees. The commission will assess a fee of $7.00 for each CVI.

(c) Approved electronic CVIs. A list of commission approved electronic CVIs is maintained at https://www.tahc.texas.gov/vets.cvi.html.

§33.2. Enforcement and Penalties.

(a) A person who violates a rule or order under this chapter is subject to administrative penalties, criminal penalties, sanctions, and civil remedies as authorized by Chapter 161, Texas Agriculture Code.

(b) An administrative penalty for a violation may be in an amount not to exceed $5,000. Each day a violation continues or occurs is a separate violation for purposes of imposing a penalty.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603766
Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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CHAPTER 47. AUTHORIZED PERSONNEL
SUBCHAPTER D. NEW WORLD SCREWWORM
4 TAC §§47.30 - 47.32

The Texas Animal Health Commission (Commission) proposes new additions to Title 4, Texas Administrative Code, Chapter 47, titled "Authorized Personnel." Specifically, the Commission proposes a new Subchapter D, titled "New World Screwworm," to include new sections §47.31, concerning General Requirements and Application Procedures, §47.32, concerning Duration and Additional Training Requirements, and §47.33, concerning Grounds for Suspension and Revocation.

BACKGROUND AND PURPOSE

Section 161.047 of the Texas Agriculture Code requires a person, including a veterinarian, to be authorized by the Commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals. Existing disease control and eradication programs include, tuberculosis, trichomoniasis, piroplasmosis, equine infectious anemia, chronic wasting disease, and scrapie.

Following the June 3, 2026, detection of New World Screwworm (NWS) in a three-week-old calf in Zavala County, Texas, the Commission, USDA, and other state and federal response partners initiated unified incident command operations, increased surveillance and trapping activities, and accelerated sterile fly releases to control and eradicate the pest. As part of control and eradication efforts, the NWS Certified Inspector Program was developed. The purpose of the program is to allow more Texans to inspect animals for NWS and certify the documentation required to safely move them. The program is critical to ensure cattle and livestock commerce continues uninterrupted.

The proposed new Subchapter D, titled "New World Screwworm," includes standards and requirements for persons authorized by the Commission to perform work as an NWS Certified Inspector. An NWS Certified Inspector is an individual who has completed Commission approved training on NWS detection, inspection, treatment, and movement requirements and who has been authorized to perform these activities by the Commission. The proposed additions establish application, training, and recordkeeping requirements. Additionally, the proposed additions detail grounds for suspension and revocation of NWS Certified Inspector status.

SECTION-BY-SECTION DISCUSSION

Section 47.30 includes General Requirements and Application Procedures. The proposed addition establishes the steps individuals must take to become certified and sets forth the standards a certified inspector must maintain. Standards include fully and accurately completing Treatment/Movement Certificates and following all instructions prescribed by the Commission.

Section 47.31 includes Duration and Additional Training Requirements. The proposed addition states that certified status is valid for one year from the date of initial certification. And the proposed section establishes the method by which inspectors can recertify their status.

Section 47.32 includes Grounds for Suspension and Revocation. The proposed addition lays out that violations of §§47.6, 47.4, 47.31, or failing to immediately report observed signs of NWS will result in suspension or revocation of certified status.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years that the rules are in effect, enforcing or administering the proposed rules does not have foreseeable implications relating to costs or revenues of state or local governments. Commission employees will administer and enforce these rules as part of their current job duties and resources. Ms. Coggeshall also determined for the same period that there is no estimated increase or loss in revenue to the state or local government as a result of enforcing or administering the proposed amendments.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the rules are in effect, the anticipated public benefits are increased access to trained personnel able to inspect and certify animals for movement, continuity of business for Texas ranchers, and a secure food supply.

TAKINGS IMPACT ASSESSMENT

The Commission determined that the proposal does 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. Therefore, the proposed rules are compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed rules would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that this proposal is not a "major environmental rule" as defined by Government Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposed rules would be in effect, the proposed rules:

Will create a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will create new regulation;

Will expand existing regulations;

Will increase the number of individuals subject to the rule; and

Will not adversely affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The rules do not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rules.

COSTS TO REGULATED PERSONS

The proposed additions to Chapter 47 do not impose additional costs on regulated persons and are designed to provide guidelines and standards for NWS Certified Inspectors which will increase the public's access to trained personnel. The proposed rules do not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed additions may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas Register*. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 47, Authorized Personnel" in the subject line.

STATUTORY AUTHORITY

The amendments are proposed 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 §161.0417, entitled "Authorized Personnel for Disease Control," a person, including a veterinarian, must be authorized by the Commission in order to engage in an activity that is part of a state or federal disease control or eradication program for animals. Section 161.0417 requires the Commission to adopt necessary rules for the authorization of such persons and, after reasonable notice, to suspend or revoke a person's authorization if the Commission determines that the person has substantially failed to comply with Chapter 161 or rules adopted under that chapter. Section 161.0417 does not affect the requirement for a license or an exemption under Chapter 801, Occupations Code, to practice veterinary medicine.

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 §161.101 entitled "Duty to Report", a veterinarian, a veterinary diagnostic laboratory, or a person having care, custody, or control of an animal shall report the existence of the diseases, if required by the Commission, among livestock, exotic livestock, bison, domestic fowl, or exotic fowl to the Commission within 24 hours after diagnosis of the disease.

Pursuant to §161.112 entitled "Rules", the Commission shall adopt rules relating to the movement of livestock, exotic livestock, and exotic fowl from livestock markets and shall require tests, immunization, and dipping of those livestock as necessary to protect against the spread of communicable diseases.

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 §161.081, titled "Importation of Animals," the Commission by rule may provide the method for inspecting and testing animals before and after entry into Texas. The Commission may create rules for the issuance and form of health certificates and entry permits.

No other statutes, articles, or codes are affected by this proposal.

§47.30. General Requirements and Application Procedures.

(a) This subchapter sets the standards for personnel who perform work in the New World Screwworm (NWS) Certified Inspector program pursuant to Texas Agriculture Code §161.0417. To become certified, individuals must:

(1) Successfully complete the New World Screwworm Preparedness and Response Education course;

(2) Pass the final exam with a minimum score of 94 percent;

(3) Meet the eligibility requirements set forth on the commission's website;

(4) Download and complete the NWS Certified Inspector Application; and

(5) Submit the completed application to NWS_CIP@tahc.texas.gov.

(b) An NWS Certified Inspector must comply with the following standards and requirements:

(1) §47.4 of this title (relating to Standards for Authorized Personnel);

(2) §47.5 of this title (relating to Recordkeeping);

(3) All instructions as prescribed by the commission for NWS inspection, identification, treatment, and movement certification; and

(4) Fully and accurately complete the Treatment/Movement Certificate, which includes:

(A) Origin premises information relating to owner name, owner contact information, and physical address of animals;

(B) Destination premises information relating to owner name, owner contact information, and physical address of animals;

(C) Shipment information relating to shipper name, shipper contact information, trailer license plate, and shipment date;

(D) Treatment information relating to the product used, the treatment type, product serial number, concentration, dosage, and treatment time and date; and

(E) Animal information relating to the species, official ID, age, sex, and description of animal.

§47.31. Duration and Additional Training Requirements.

(a) Unless otherwise suspended or revoked, New World Screwworm (NWS) Certified Inspector status shall be valid for the period of one year from the date of initial certification.

(b) NWS Certified Inspector status must be renewed by completing the New World Screwworm Preparedness and Response Education course, retaking the final exam and passing with a 94 percent, and resubmitting the NWS Certified Inspector Application to NWS_CIP@tahc.texas.gov.

(c) In determining whether additional training shall be required of current NWS Certified Inspectors before certificate renewal, the commission may consider changes in technology, treatments, procedures, programs, and the performance or competency of the individual in performing NWS program activities.

(d) If the commission requires general training or testing for all NWS Certified Inspectors, the commission will publish notice at least six months in advance of the certificate renewal date.

(f) If the commission requires individual training or testing as a result of the NWS Certified Inspector's performance or inability to perform NWS program activities, the commission may give notification and set a time and place for training or testing.

§47.32. Grounds for Suspension and Revocation.

Suspension and revocation of New World Screwworm (NWS) Certified Inspector status may be made upon a determination that one or more of the following has occurred:

(1) Violating one or more of the provisions prescribed in §47.6 of this title (relating to Grounds for Suspension or Revocation);

(2) Failing to comply with one or more of the provisions prescribed in §47.4 of this title (relating to the Standards for Authorized Personnel);

(3) Observing clinical signs or infestations of NWS and failing to immediately report those findings to the commission; or

(4) Failing to complete additional training or testing as prescribed in §47.31 of this title (relating to Duration and Additional Training 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 August 28, 2026.

TRD-202603767
Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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CHAPTER 51. ENTRY REQUIREMENTS

4 TAC §51.11

The Texas Animal Health Commission (Commission) proposes the repeal of §51.11, concerning Goats, in Chapter 51 of the Texas Administrative Code, Title 4, Part 2. This repeal is proposed concurrently with proposed amendments to §51.12, concerning Sheep, which is also published in this issue of the *Texas Register*.

BACKGROUND AND PURPOSE

The Commission underwent a comprehensive and collaborative rule review by the Texas Regulatory Efficiency Office (TREO). TREO made several recommendations to reduce unnecessary regulations and duplications. One such recommendation was combining entry requirements for sheep and goats.

To accomplish this, the Commission proposes the repeal of Section 51.11, concerning Goats. This section currently houses rules on tuberculosis restricted zones and scrapie requirements. However, the section's scrapie rule directs readers to Section 51.12 for requirements. The Commission simultaneously proposes amendments to Section 51.12, concerning Sheep. These proposed amendments would move the goat rules of Section 51.11 into Section 51.12.

The Commission's goal in proposing the repeal is to reduce duplicative regulation and streamline Commission rules.

SECTION-BY-SECTION SUMMARY

The proposed repeal will repeal Section 51.11, relating to entry requirements for goats.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years proposed repeal is in effect, enforcing or administering the repeal does not have foreseeable implications relating to costs or revenues of state or local governments.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the proposed repeal is in effect, the anticipated public benefit will be the reduction of duplicative regulation.

TAKINGS IMPACT ASSESSMENT

The Commission determined that the proposed repeal does 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. Therefore, the proposed repeal is compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed repeal would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that this proposed repeal is not a "major environmental rule" as defined by Government Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposal would be in effect, the proposed repeal:

Will not create or eliminate a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will not create new regulation;

Will reduce existing regulation;

Will not change the number of individuals subject to the rule; and

Will not affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The repeal does not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rules.

COSTS TO REGULATED PERSONS

The proposed repeal of Section 51.11 does not impose additional costs on regulated persons and is designed to reduce regulatory burden. The proposed repeal does not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed repeal may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas Register*. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 51, Entry Requirements" in the subject line.

STATUTORY AUTHORITY

The repeal is proposed 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 proposal.

§51.11. Goats.

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

Filed with the Office of the Secretary of State on August 28, 2026.

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Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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4 TAC §51.12

The Texas Animal Health Commission (Commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 51 titled Entry Requirements. Specifically, the Commission proposes amendments to §51.12 regarding Sheep. The amendments are proposed concurrently with the proposed repeal of §51.11, concerning Goats, which is published simultaneously in this issue of the *Texas Register*.

BACKGROUND AND PURPOSE

The Commission underwent a comprehensive and collaborative rule review by the Texas Regulatory Efficiency Office (TREO). TREO made several recommendations to reduce unnecessary regulations and duplications. One such recommendation was combining entry requirements for sheep and goats.

To accomplish this, the Commission proposes the repeal of §51.11, concerning Goats. This section currently houses rules on tuberculosis restricted zones and scrapie requirements. However, the section's scrapie rule directs readers to §51.12 for requirements. The Commission simultaneously proposes amendments to §51.12, concerning Sheep. These proposed amendments would move the goat rules of §51.11 into §51.12.

The proposed amendments to §51.11 include updates in rule language to reflect the Commission's move to electronic CVIs. The language was updated for readability and clarifying punctions and conjunctions. The proposed amendments update the scrapie rule to reflect the merge of sheep and goat entry requirements. And the proposed amendments add tuberculosis restricted zone rules without any changes those requirements.

The Commission's goal in proposing these amendments is to reduce duplicative regulation and streamline Commission rules.

SECTION-BY-SECTION SUMMARY

The proposed amendment to §51.12, relating to entry requirements for sheep, combines entry requirements for goats and updates language to reflect current Commission practices.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years proposed amendments are in effect, enforcing or administering the amendments do not have foreseeable implications relating to costs or revenues of state or local governments.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the proposed amendments are in effect, the anticipated public benefit will be the reduction of duplicative regulation.

TAKINGS IMPACT ASSESSMENT

The Commission determined that the proposed amendments 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. Therefore, the proposed rules are compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed amendments would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that this proposed amendments are not a "major environmental rule" as defined by Government

Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposed amendments would be in effect, the proposed rules:

Will not create or eliminate a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will not create new regulation;

Will reduce existing regulation;

Will not change the number of individuals subject to the rule; and

Will not affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The rules do not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rules.

COSTS TO REGULATED PERSONS

The proposed amendments to §51.12 do not impose additional costs on regulated persons and are designed to reduce regulatory burden. The proposed amendments do not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed amendments may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas Register*. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 51, Entry Requirements" in the subject line.

STATUTORY AUTHORITY

The amendments are proposed 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 proposal.

§51.12. Sheep and Goats.

(a) *Brucella ovis*. All breeding rams six months of age and over must have [~~had~~] a negative ELISA test for *Brucella ovis* within 30 days prior to entry into Texas or be from a *Brucella ovis*-free flock. Each ram must [~~shall~~] be individually identified with an [~~individual~~] eartag or registration tattoo. The tag number or registration tattoo [~~This~~] number, [~~along with the~~] test results, [~~and~~] name of the approved laboratory, and date of test must [~~shall~~] be entered on the certificate of veterinary inspection (CVI) [~~Certificate of Veterinary Inspection~~] accompanying the animal(s).

(b) Scrapie.

(1) Animal identification requirements. [~~Animals to be identified by official eartag.~~]

(A) All [~~breeding or exhibition~~] animals must [~~shall~~] have an official premises eartag[~~,~~] or an approved USDA[~~,~~] eartag unless the animal is a registered animal [~~in place and recorded, except: Registered goats~~] with a registration tattoo and Origin Premises Flock ID recorded on a CVI. [~~and accompanied by registration papers~~]

(B) All animals in slaughter channels must [~~shall~~] have an official premises eartag[~~,~~] or an approved USDA eartag unless: [~~in place, except~~]

(i) Sheep under 18 months of age; or

(ii) Goats that have not commingled with sheep.

(2) Animals originating from scrapie-affected flocks, scrapie-positive flocks, suspect flocks, exposed flocks, [~~and/or~~] or high-risk [~~high risk~~] animals[~~, or sheep originating from Inconsistent States,~~] may enter [~~be granted entry into~~] Texas on a case-by-case basis only after receiving permission from [~~of~~] the executive director [~~Executive Director of TAHC~~] or the Designated Scrapie Epidemiologist.

(3) Animals originating from Inconsistent States (without an active scrapie surveillance and control program) may enter [~~the State of~~] Texas on a case-by case basis only after receiving permission from the executive director or the Designated Scrapie Epidemiologist, and only if:

(A) An entry permit is obtained; and [~~Obtain an entry permit,~~]

(B) The animals are consigned [~~Consigned~~] directly to a terminal feedlot; or [~~,~~]

(C) The animals are consigned [~~Consigned~~] directly to slaughter.

(4) All blackface ovine females and all blackface crossbred females, except hair sheep, imported into the State of Texas for breeding purposes shall originate from a Scrapie Certified Free Flock or have documentation supporting that the animals are of the genotype RR at codon 171 or AA at codon 136 and QR at codon 171.

(5) CVI requirements. The CVI must [~~Veterinary Inspection: Information on the Certificate of Veterinary Inspection shall~~] include:

(A) Complete information on the consignor, consignee, and flock of origin, including the origination and destination addresses; [~~.~~]

(B) Date of inspection;

(C) Number of animals in the consignment and description of the animals (breed, gender, and other distinguishing characteristics); [~~.~~]

(D) Premises [~~premise~~] eartag identification number or official USDA eartag number, or registration tattoo with Origin Premises Flock ID recorded on CVI; [~~(if goats accompanied by registration papers) registration tattoo).~~]

(i) CVIs for animals must include all [~~Animals for Breeding Purposes or Exhibition All~~] premises identification numbers or [~~(or)~~] official USDA eartag numbers, or registration tattoos with Origin Premises Flock ID [~~(in the accompaniment of registration papers) shall be recorded~~].

(ii) CVIs for animals in slaughter channels need not include [~~Animals in Slaughter Channels--~~] identification numbers, but identification must be present on the animals [~~but the numbers do not need to be recorded~~].

(E) A statement of [~~Statement of the~~] purpose for transporting the animals (for exhibition, breeding purposes, or slaughter);

(F) A statement by the accredited veterinarian issuing the CVI [~~Certificate~~] that the animals are not exhibiting clinical signs associated with any infectious diseases, including scrapie, at the time of examination; [~~.~~]

(G) A statement by the accredited veterinarian issuing the CVI that [~~Certificate indicating if~~] the animal(s) are not from a scrapie-affected flock [~~scrapie affected~~], high-risk flock [~~high risk~~], source flock, or exposed flock.

(c) Tuberculosis. Goats originating from the TB restricted zone(s) in Michigan shall be tested negative for tuberculosis in accordance with the appropriate status requirements as contained in Title 9 of the Code of Federal Regulations, Part 77, §§77.10 - 77.19, prior to entry with results recorded on the certificate of veterinary inspection.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603769
Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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CHAPTER 57. POULTRY

4 TAC §57.10, §57.11

The Texas Animal Health Commission (Commission) proposes amendments to Title 4, Texas Administrative Code, Chapter 57 titled Poultry. Specifically, the Commission proposes amendments to §57.10, regarding Definitions and §57.11, regarding General Requirements.

BACKGROUND AND PURPOSE

The Texas Animal Health Commission proposes amendments to §57.10, concerning Definitions and to §57.11, concerning General Requirements. The amendments establish movement requirements for Texas-origin exhibition poultry traveling to and from out-of-state events.

The proposed amendments require exhibition birds to leave Texas on a certificate of veterinary inspection (CVI) with proof of negative pullorum-typhoid test (PT) and negative avian influenza test (AI) all issued within 30 days prior to movement. For poultry originating from an NPIP certified flock with current PT Clean status, valid NPIP documentation can be substituted for PT test results. If exhibitors have complied with the CVI and testing requirements, the proposed amendments allows the birds to return to Texas on the same CVI within its 30-day validity period provided the birds were not exhibited in an Highly Pathogenic Avian Influenza (HPAI)-Impacted state, show no signs of illness, and a quarantine was not established during the event.

Additionally, the proposed amendments establish a 1-year recordkeeping requirement for exhibitors. The amendments outline that if HPAI was detected in the event state after the birds entered the state, the exhibitor must return the birds to the premises of origin at the earliest opportunity, notify the Commission, and isolate the birds for 14 days. The proposed rule specifically states these movement requirements do not allow for birds to reenter Texas if they have travelled to a state that was already designated an HPAI-Impacted state at time of movement.

Finally, the proposed amendments add definitions for "exhibition poultry," "HPAI-Impacted state," and "National Poultry Improvement Plan (NPIP)" to lend clarity to the proposed changes to §57.11.

The purpose of these amendments is to provide a method for Texas exhibitors to travel to events out-of-state and safely return while minimizing disease-risk to other Texas poultry. The amendments focus on immediate reporting, traceability, and disease surveillance through required testing prior to movement. The proposed requirements mirror the requirements for birds entering Texas, but allow Texas exhibitors to meet the requirements prior to leaving the state.

SECTION-BY-SECTION DISCUSSION

Section 57.10 includes definitions. The proposed amendments add definitions for "exhibition poultry," "HPAI-Impacted state," and "National Poultry Improvement Plan (NPIP)." The proposed amendments also reorder number existing definitions.

Section 57.11 includes general requirements for poultry. The proposed amendments add movement requirements for Texas exhibition poultry traveling to an out-of-state event and returning to Texas.

FISCAL NOTE

Ms. Jeanine Coggeshall, General Counsel for the Texas Animal Health Commission, determined that for each year of the first five years that the amendment is in effect, enforcing or administering the proposed rules does not have foreseeable implications relating to costs or revenues of state or local governments. Commission employees will administer and enforce these rules as part of their current job duties and resources. Ms. Coggeshall also determined for the same period that there is no estimated increase or loss in revenue to the state or local government as a result of enforcing or administering the proposed amendments.

PUBLIC BENEFIT NOTE

Ms. Coggeshall determined that for each year of the first five years the amendment is in effect, the anticipated public benefits are safer movement of exhibition poultry to and from out-of-state events, increased traceability and disease surveillance, and less confusion for poultry exhibitors surrounding Commission rules for interstate travel.

TAKINGS IMPACT ASSESSMENT

The Commission determined that the proposal does 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. Therefore, the proposed rules are compliant with the Private Real Property Preservation Act in Texas Government Code §2007.043 and do not constitute a taking.

LOCAL EMPLOYMENT IMPACT STATEMENT

The Commission determined that the proposed rules would not impact local economies and, therefore, did not file a request for a local employment impact statement with the Texas Workforce Commission pursuant to Texas Government Code §2001.022.

REGULATORY ANALYSIS OF MAJOR ENVIRONMENTAL RULES

The Commission determined that this proposal is not a "major environmental rule" as defined by Government Code §2001.0225. "Major environmental rule" is defined to mean a rule the specific intent of which is to protect the environment or reduce risk to human health from environmental exposure and that may adversely affect, in a material way, the economy, a sector of the economy, productivity, competition, jobs, the environment or the public health and safety of a state or a sector of the state. This proposal is not specifically intended to protect the environment or reduce risks to human health from environmental exposure.

GOVERNMENT GROWTH IMPACT STATEMENT

In compliance with the requirements of Texas Government Code §2001.0221, the Commission prepared the following Government Growth Impact Statement. The Commission determined for each year of the first five years the proposed rules would be in effect, the proposed rules:

Will not create or eliminate a government program;

Will not require the creation or elimination of employee positions;

Will result in no assumed change in future legislative appropriations;

Will not affect fees paid to the Commission;

Will not create new regulation;

Will create a regulatory exception to entry permits, thus limiting existing regulation;

Will not change the number of individuals subject to the rule; and

Will not affect the state's economy.

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

Ms. Coggeshall also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities pursuant to Texas Government Code, Chapter 2006. The rules do not impose any additional costs on small businesses, micro-businesses, or rural communities that are required to comply with the rules.

COSTS TO REGULATED PERSONS

The proposed amendments to Chapter 57 do not impose additional costs on regulated persons and are designed to better facilitate safe and compliant movement of exhibition poultry. The proposed rules do not otherwise impose a direct cost on a regulated person, state agency, a special district, or a local government within the state.

PUBLIC COMMENT

Written comments regarding the proposed amendments may be submitted to Amanda Bernhard, Texas Animal Health Commission, 2105 Kramer Lane, Austin, Texas 78758, by fax at (512) 719-0719 or by e-mail to comments@tahc.texas.gov. To be considered, comments must be received no later than thirty (30) days from the date of publication of this proposal in the *Texas*

Register. When faxing or emailing comments, please indicate "Comments on Proposed Rule-Chapter 57, Entry Requirements" in the subject line.

STATUTORY AUTHORITY

The amendments are proposed 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 §161.041, titled "Disease Control," the Commission shall protect all livestock, exotic livestock, domestic fowl, and exotic fowl from diseases the commission determines require control or eradication. Pursuant to §161.041(b) the Commission may act to eradicate or control any disease or agent of transmission for any disease that affects livestock, exotic livestock, domestic fowl, or exotic fowl. The Commission may adopt any rules necessary to carry out the purposes of this subsection, including rules concerning testing, movement, inspection, and treatment.

Pursuant to §161.043, titled "Regulation of Exhibitions," the Commission may regulate the entry of livestock and may require certification of those animals as reasonably necessary to protect against communicable diseases.

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 §161.081, titled "Importation of Animals," the Commission by rule may provide the method for inspecting and testing animals before and after entry into Texas. The Commission may create rules for the issuance and form of health certificates and entry permits.

No other statutes, articles, or codes are affected by this proposal.

§57.10. Definitions.

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

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

(7) Exhibition poultry--domesticated fowl, including chickens, turkeys, waterfowl, and game birds, kept for exhibition, competition, or show purposes, and not for commercial production.

(8) [~~(7)~~] Hatching eggs--Poultry eggs for hatching purposes including embryonated eggs.

(9) HPAI-Impacted state--any state or area within a state under official quarantine, control, or surveillance for Highly Pathogenic Avian Influenza (HPAI), as designated by the United State Department of Agriculture (USDA) or the commission.

(10) National Poultry Improvement Plan (NPIP)--A voluntary federal-state cooperative testing and certification program for poultry designed to improve poultry health and prevent the spread of certain diseases including Pullorum-Typhoid (PT) and Avian Influenza (AI).

(11) [~~(8)~~] Permit--A written authorization for movement issued by the commission.

(12) [~~(9)~~] Person--A partnership, firm, corporation, association, or individual.

(13) [~~(10)~~] Poultry--Chickens, turkeys, game birds of all ages, and other domestic fowl, except baby poultry as defined in this section.

(14) [~~(11)~~] Reportable poultry disease--

(A) - (B) (No change.)

(15) [~~(12)~~] Vaccine--A suspension of attenuated or killed micro-organisms administered for the prevention or treatment of an infectious poultry disease and approved for use by USDA and the commission. The following is a list of approved vaccines:

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

§57.11. General Requirements.

(a) (No change.)

(b) Exhibition Poultry. [~~Public exhibitions. Poultry entered in public exhibition shall originate from flocks or hatcheries free of pullorum disease and fowl typhoid or have a negative pullorum-typhoid test within 30 days before exhibition. Chickens or turkeys entered in public exhibition shall be accompanied by a certificate of source.~~]

(1) Public exhibitions. Poultry entered in public exhibition shall originate from flocks or hatcheries free of pullorum disease and fowl typhoid or have a negative pullorum-typhoid (PT) test within 30 days before exhibition. Chickens or turkeys entered in public exhibition shall be accompanied by a certificate of source.

(2) Movement of Texas Exhibition Poultry to and from Out-of-State Events.

(A) To facilitate the safe and lawful movement and return of exhibition poultry from Texas to out-of-state events, all exhibition poultry leaving Texas for exhibition in another state must be accompanied by:

(i) A certificate of veterinary inspection (CVI) that clearly identifies the destination exhibition issued within 30 days prior to movement;

(ii) Proof of negative PT test results conducted within the 30 days immediately preceding movement, or for poultry originating from an NPIP certified flock with current PT Clean status valid NPIP documentation may be substituted for PT test results; and

(iii) Proof of negative avian influenza (AI) test results conducted within the 30 days immediately preceding movement.

(B) Upon return to Texas, exhibition poultry that left Texas in compliance with subsection (b) of this section may return to their premises of origin on the same CVI within its 30-day validity period, if:

(i) Poultry was not exhibited at an event located within an HPAI-Impacted state at the time of the event;

(ii) Poultry did not exhibit signs of illness during or after the exhibition; and

(iii) No official quarantine or control zone was established at the event premises during the period of exhibition.

(iv) Entry permit requirements under §51.3 of this title (relating to Exceptions) are waived for movements conducted in compliance with this section.

(C) The exhibitor must retain a copy of the CVI and associated test results or NPIP documentation for at least one year and must present such documentation to the commission upon request.

(D) If HPAI is detected in a state or exhibition facility after birds have entered, the owner or exhibitor must:

(i) Return poultry directly to the premises of origin at the earliest opportunity;

(ii) Immediately notify the commission of the movement; and

(ii) Isolate the returning poultry from other flocks for a minimum of 14 days and report any illness or mortality during that time.

(E) This section does not allow for the reentry of exhibition poultry transported to a state already designated HPAI-Impacted at time of movement.

(c) - (h) (No change.)

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603770
Jeanine Coggeshall
General Counsel
Texas Animal Health Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 839-0511

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TITLE 7. BANKING AND SECURITIES

PART 1. FINANCE COMMISSION OF TEXAS

CHAPTER 3. STATE BANK REGULATION

SUBCHAPTER F. ACCESS TO INFORMATION

7 TAC §3.112

The Finance Commission of Texas (Commission), on behalf of the Texas Department of Banking (Department), proposes the repeal of an existing rule at 7 Texas Administrative Code (TAC), Part 1, Chapter 3, Subchapter F, §3.112, regarding what the Department may charge for providing public information. The proposed rule implements a recommendation stemming from the Texas Regulatory Efficiency Office's collaborative process aimed at removing unnecessary language and improving rule readability.

Description and Purpose of Proposed Repeal

The proposed rule will repeal §3.112 in its entirety. Because the requirements for public information charges are already established by §552.261 of the Texas Public Information Act (*Tex. Gov't Code § 552.261*), the rule is unnecessary and its repeal will not affect any substantive right of the public.

Fiscal and Regulatory Impact

Texas Department of Banking Executive Deputy Commissioner Wendy Rodriguez has determined that for the first five-year period the proposed rule is in effect, there will be no fiscal implications for state government or for local government as a result of enforcing or administering the rule.

Ms. Rodriguez has also determined that, for each year of the first five years the rule as proposed is in effect, the public would benefit from improved clarity and organization of the Department's rules.

For each year of the first five years that the rule will be in effect, there will be no economic costs to persons required to comply with the rule as proposed.

For each year of the first five years that the proposed rule will be in effect, it will not:

- create or eliminate a government program;

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

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

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

- create a new regulation;

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

- positively or adversely affect this state's economy.

The proposed rule will, however, repeal an existing regulation.

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities. There will be no difference in the cost of compliance for these entities.

To be considered, comments on the proposed rule must be submitted no later than 5:00 p.m. on October 4, 2026. Comments should be addressed to General Counsel, Texas Department of Banking, Legal Division, 2601 North Lamar Boulevard, Suite 300, Austin, Texas 78705-4294. Comments may also be submitted by email to legal@dob.texas.gov.

The proposed rule is authorized by Texas Finance Code §31.003, which provides that the Commission may adopt rules to implement and clarify Finance Code, Title 3, Subtitle A.

No statute is affected by the proposed repealed rule.

§3.112. What will the Department Charge for Providing Public Information?

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

Filed with the Office of the Secretary of State on August 24, 2026.

TRD-202603724

Robert K. Nichols, III

General Counsel

Finance Commission of Texas

Earliest possible date of adoption: October 11, 2026

For further information, please call: (512) 475-1327

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CHAPTER 5. ADMINISTRATION OF FINANCE AGENCIES

7 TAC §5.105

The Finance Commission of Texas (Commission), on behalf of the Texas Department of Banking (Department), proposes the repeal of an existing rule at 7 Texas Administrative Code (TAC), Part 1, Chapter 5, §5.105, regarding negotiated rulemaking procedures. The proposed rule implements a recommendation stemming from the Texas Regulatory Efficiency Office's collaborative process aimed at removing unnecessary language and improving rule readability.

Description and Purpose of Proposed Amendment

The proposed rule will repeal §5.105 in its entirety and will move its current text into existing §9.85. As both rules address the same subject negotiated rulemaking procedures for Finance Commission agencies consolidating these rules removes redundancy and places all relevant requirements in one section.

The Commission is also proposing a corresponding amendment to §9.85.

Fiscal and Regulatory Impact

Texas Department of Banking Executive Deputy Commissioner Wendy Rodriguez has determined that for the first five-year period the proposed rule is in effect, there will be no fiscal implications for state government or for local government as a result of enforcing or administering the rule.

Ms. Rodriguez has also determined that, for each year of the first five years the rule as proposed is in effect, the public will benefit from improved clarity and organization of the Commission's rules.

For each year of the first five years that the rule will be in effect, there will be no economic costs to persons required to comply with the rule as proposed.

For each year of the first five years that the proposed rule will be in effect, it will not:

- create or eliminate a government program;

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

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

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

- create a new regulation;

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

- positively or adversely affect this state's economy.

The proposed rule will, however, repeal an existing regulation.

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities. There will be no difference in the cost of compliance for these entities.

To be considered, comments on the proposed rule must be submitted no later than 5:00 p.m. on October 4, 2026. Comments should be addressed to General Counsel, Texas Department of Banking, Legal Division, 2601 North Lamar Boulevard, Suite 300, Austin, Texas 78705-4294. Comments may also be submitted by email to legal@dob.texas.gov.

The proposed rule is authorized by Texas Finance Code §12.113, which provides that the Commission by rule shall adopt a policy to encourage the use of negotiated rulemaking procedures.

Finance Code §12.113 is affected by the proposed repealed rule.

§5.105. Negotiated Rulemaking.

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

Filed with the Office of the Secretary of State on August 24, 2026.

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Robert K. Nichols, III

General Counsel

Finance Commission of Texas

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For further information, please call: (512) 475-1327

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CHAPTER 9. RULES OF PROCEDURE FOR CONTESTED CASE HEARINGS, APPEALS, AND RULEMAKINGS

SUBCHAPTER B. CONTESTED CASE HEARINGS

7 TAC §§9.11, 9.20, 9.30, 9.32, 9.34, 9.37

The Finance Commission of Texas (Commission) proposes amendments to existing rules at 7 Texas Administrative Code (TAC), Part 1, Chapter 9, Subchapter B, §§9.11, 9.20, 9.30, 9.32, 9.34, and 9.37, regarding the Commission's procedures for contested case hearings, appeals, and rulemakings. The proposed rules implement recommendations from the Texas Regulatory Efficiency Office's recommendations aimed at removing unnecessary language and improving the rules' readability.

The proposed amendment to §9.11 would require the Department to provide a hyperlink to the Department's rules rather than providing a physical copy of the rules. This change will remove an outdated practice that imposes unnecessary printing costs without improving respondent access.

The proposed amendments to §9.32 would modernize the rule's language by retitling the section "Remote Hearings" (rather than "Telephone Hearings"), and extending the rule's applicability to hearings held by telephone, videoconference, or other electronic means. Additionally, the proposed rule would reduce - from 20 minutes to 10 minutes - the time after which the administrative law judge may consider a party to have failed to appear. The proposed amendments also add language to clarify when a person who connects to a remote hearing will be considered to have failed to appear. Lastly, the proposed rule replaces the term "sua sponte" with "on the judge's own motion."

The proposed amendments to §9.34 reword and reorganize the section for increased readability, and set the deadlines for exceptions and briefs to be filed to 15 days, in alignment with the deadlines set out in the State Office of Administrative Hearings' rule at 1 TAC §155.507 (relating to Proposals for Decision; Exceptions and Replies).

The proposed amendments to §§9.20, 9.30, and 9.37 simply improve readability by replacing the Latin legal term "sua sponte" with "on the judge's own motion."

Texas Department of Banking Executive Deputy Commissioner Wendy Rodriguez has determined that for the first five-year period the proposed rule is in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule.

Ms. Rodriguez has also determined that, for each year of the first five years the proposed rules are in effect, the public would benefit from the rules' improved readability, clarity, and organization.

For each year of the first five years that the rule will be in effect, there will be no economic costs to persons required to comply with the rule as proposed.

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

-create or eliminate a government program;

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

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

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

-create a new regulation;

-expand, limit, or repeal an existing regulation;

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

-positively or adversely affect this state's economy.

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities, nor will there be a difference in the cost of compliance for these entities.

To be considered, comments on the proposed rules must be submitted no later than 5:00 p.m. on October 4, 2026. Comments should be addressed to General Counsel, Texas Department of Banking, Legal Division, 2601 North Lamar Boulevard, Suite 300, Austin, Texas 78705-4294. Comments may also be submitted by email to legal@dob.texas.gov.

These amendments are proposed under §31.003(a)(5) of the Texas Finance Code, which provides authority for the Commission to adopt rules to facilitate the fair hearing and adjudication of matters before the Banking Commissioner and the Finance Commission.

No statute is affected by the proposed rules.

§9.11. Notice and Initiation of Proceedings.

(a) (No change.)

(b) Notice of a disciplinary proceeding that is required to be preceded by a hearing must be signed by the agency head or administrative law judge and must contain:

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

(7) a citation to this chapter with a direct link to the current version of this chapter as published in the Texas Administrative Code [~~copy of this chapter included as an attachment~~];

(8) - (9) (No change.)

(c) - (d) (No change.)

§9.20. Prehearing Conferences.

(a) On the judge's own motion [~~Sua sponte~~] or on the motion of any party, the administrative law judge may direct that the parties or their authorized representatives appear at a prehearing conference to consider any of the matters specified in Rule 166, Texas Rules of Civil Procedure (other than those matters having to do with trial by jury).

(b) (No change.)

§9.30. Official Notice.

The administrative law judge may take official notice of judicially cognizable facts, and of generally recognized facts within the area of the agency's specialized knowledge. A party that desires the administrative law judge to take official notice of particular facts must make a motion that the administrative law judge do so, stating with specificity the facts, material, records, or documents encompassed in the motion. A party who opposes the motion will have the opportunity to contest the requested action. The administrative law judge may also on the judge's own motion [~~sua sponte~~] take official notice of facts, material, records, or documents on giving the parties an opportunity to contest the facts, material, records, or documents to be officially noticed.

§9.32. Remote Hearings [~~Telephone Hearings~~].

(a) On the judge's own motion [~~Sua sponte~~] or on motion of any party and a showing of good cause, after reasonable notice to all parties to allow them to object and argue against the procedure, the administrative law judge may conduct all or part of a hearing by telephone, videoconference, or other electronic means.

(b) In determining whether to allow testimony by telephone, videoconference, or other electronic means, the administrative law judge shall consider all relevant factors including whether the motion is opposed, the cost and feasibility of the witness being physically present at the hearing instead of appearing by [~~telephone or~~] other [~~electronic~~] means, the nature and duration of the expected testimony, the nature of any exhibits expected to be introduced through the witness, whether there is a good reason that the witness is unavailable to testify in person, and the extent to which the demeanor and credibility of the witness are likely to be significant factors in weighing the witness' testimony. In deciding a motion under this section, the administrative law judge shall ensure that substantive and procedural rights of all parties are respected.

(c) [~~(b)~~] Documentary evidence to be offered during a [~~telephone~~] hearing held via telephone, videoconference, or other electronic means must be delivered by the proponent to all parties and to the administrative law judge prior to the hearing.

(d) [~~(c)~~] For [~~In~~] a [~~telephone~~] hearing held via telephone, videoconference, or other electronic means, the administrative law judge may consider the following as a failure to appear if the conditions exist for more than 10 [~~20~~] minutes after the scheduled time for hearing:

(1) failure to connect to the hearing [~~answer the telephone~~];

(2) failure to be available on the designated platform for the hearing [~~free the telephone for a hearing~~]; or

(3) failure to be ready to proceed with the hearing as scheduled.

§9.34. Post-hearing Proceedings.

(a) Following the hearing, the administrative law judge shall prepare and serve a proposal for decision in accordance with Government Code, §2001.062.

(1) On a party's request, the administrative law judge shall allow the parties to file written briefs and proposed findings of fact and conclusions of law before preparing the proposal for decision.

(2) Unless the administrative law judge orders otherwise:

(A) exceptions and briefs must be filed not later than the 15th day after the proposal for decision is issued; and

(B) a reply must be filed not later than the 15th day after the exception or brief it responds to is filed.

(3) The administrative law judge shall review all exceptions and replies and notify the referring agency and parties whether the judge recommends any changes to the proposal for decision.

[~~(a) Following the hearing the administrative law judge upon request shall give the parties an opportunity to file written briefs and proposed findings of fact and conclusions of law. Pursuant to Government Code, §2001.062, the administrative law judge shall review these materials and all evidence and testimony, and prepare a proposal for decision containing a statement of the reasons for the proposed decision and of each finding of fact and conclusion of law necessary to the proposed decision. The administrative law judge shall also prepare a proposed final order for the agency head to sign adopting the proposed decision. Upon completion, the administrative law judge shall serve copies of the proposal for decision and proposed final order on all parties and give each adversely affected party an opportunity to file exceptions and present briefs. If a party files exceptions or presents briefs, the administrative law judge shall give an opportunity to other parties to file replies to the exceptions or briefs. Exceptions, replies to exceptions, and related briefs must be filed within deadlines established by the administrative law judge. The administrative law judge may amend the proposal for decision and proposed final order in response to the exceptions, replies, or briefs submitted. If the administrative law judge makes substantive revisions, the administrative law judge shall circulate the amended proposal for decision and proposed final order to the parties for additional exceptions and briefs before submitting the proposal for decision and the proposed final order based thereon to the agency head(s) for approval.~~]

(b) After the period under subsection (a)(2) has expired, the administrative law judge shall submit the proposal for decision and the materials listed in Government Code, §2001.060, to the agency head(s). On review, the agency head(s) may:

(1) adopt the proposal for decision in whole or in part;

(2) modify and adopt the proposal for decision in whole or in part;

(3) decline to adopt the proposal for decision in whole or in part;

(4) remand the proceeding for further examination by the administrative law judge, including for the limited purpose of receiving additional briefing or evidence from the parties on specific issues; or

(5) take another lawful and appropriate action with regard to the case.

[~~(b) After the administrative law judge has circulated the proposal for decision and proposed order to the parties and the parties have had an opportunity to file exceptions and briefs in the manner provided in subsection (a) of this section, the administrative law judge shall submit the proposal for decision and proposed order together with all materials listed in Government Code, §2001.060, to the agency head(s) for review. No additional briefs may be submitted after the case is under submission to the agency head(s) for decision unless requested by the agency head(s). The agency head(s) may:~~]

[~~(1) adopt the proposal for decision and proposed final order, in whole or in part;~~]

[~~(2) modify and adopt the proposal for decision and proposed final order, in whole or in part;~~]

[~~(3) decline to adopt the proposal for decision and proposed final order, in whole or in part;~~]

[~~(4) remand the proceeding for further examination by the administrative law judge, including for the limited purpose of receiving additional briefing or evidence from the parties on specific issues; or~~]

[~~(5) take another lawful and appropriate action with regard to the case.~~]

(c) - (d) (No change.)

§9.37. Sanctions.

(a) On the judge's own motion [~~Sua sponte~~] or on motion of a party and after notice and an opportunity for a hearing and subject to approval by the agency head on behalf of which the hearing is being conducted, the administrative law judge may impose appropriate sanctions as provided by subsection (b) of this section against a party or its representative for:

(1) filing a motion or pleading that is groundless and brought:

(A) in bad faith;

(B) for the purpose of harassment; or

(C) for any other improper purpose, such as to cause unnecessary delay or needless increase in the cost of the proceeding;

(2) abuse of the discovery process in seeking, making, or resisting discovery; or

(3) failure to obey an order of the administrative law judge.

(b) (No change.)

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

Filed with the Office of the Secretary of State on August 24, 2026.

TRD-202603726
Robert K. Nichols, III
General Counsel
Finance Commission of Texas
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 475-1327

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SUBCHAPTER D. RULEMAKING

7 TAC §9.85

The Finance Commission of Texas (Commission), on behalf of the Texas Department of Banking (Department), proposes the amendment of an existing rule at 7 Texas Administrative Code (TAC), Part 1, Chapter 9, Subchapter D, §9.85, regarding negotiated rulemaking procedures. The proposed rule implements a recommendation stemming from the Texas Regulatory Efficiency Office's collaborative process aimed at removing unnecessary language and improving rule readability.

Description and Purpose of Proposed Amendment

The proposed rule incorporates the language of existing 7 TAC §5.105 into new subsection §9.85(f). As both rules address the same subject negotiated rulemaking procedures for Finance Commission agencies consolidating these rules removes redundancy and places all relevant requirements in one section.

The Commission is also proposing a corresponding repeal of §5.105.

Fiscal and Regulatory Impact

Texas Department of Banking Executive Deputy Commissioner Wendy Rodriguez has determined that for the first five-year period the proposed rule is in effect, there will be no fiscal implications for state government or for local government as a result of enforcing or administering the rule.

Ms. Rodriguez has also determined that, for each year of the first five years the proposed rule is in effect, the public will benefit from improved clarity and organization of the Commission's rules.

For each year of the first five years that the proposed rule will be in effect, there will be no economic costs to persons required to comply with the rule as proposed.

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

- create or eliminate a government program;

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

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

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

- create a new regulation;

- expand, limit or repeal an existing regulation;

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

- positively or adversely affect this state's economy.

There will be no adverse economic effect on small businesses, micro-businesses, or rural communities. There will be no difference in the cost of compliance for these entities.

To be considered, comments on the proposed rule must be submitted no later than 5:00 p.m. on October 4, 2026. Comments should be addressed to General Counsel, Texas Department of Banking, Legal Division, 2601 North Lamar Boulevard, Suite 300, Austin, Texas 78705-4294. Comments may also be submitted by email to legal@dob.texas.gov.

The proposed rule is authorized by Texas Finance Code, §12.113, which provides that the Commission by rule shall adopt a policy to encourage the use of negotiated rulemaking procedures.

Finance Code §12.113 is affected by the proposed repealed rule.

§9.85. Negotiated Rulemaking.

(a) Initiation of process. An agency may propose to engage in negotiated rulemaking process pursuant to Texas Government Code, Chapter 2008 if:

(1) the finance commission votes to initiate a rulemaking proceeding under §9.82 of this title (relating to Petitions To Initiate Rulemaking) that includes negotiated rulemaking; or

(2) the agency determines that drafting the proposed rule might benefit from the negotiated rulemaking process.

(b) Appointment of a convener. Upon proposing a negotiated rulemaking process under subsection (a) of this section, the agency will appoint a convener to assist in determining whether it is advisable to proceed with negotiated rulemaking. The convener will be appointed pursuant to, and perform the duties described by, Texas Government Code, §2008.052.

(c) Notice of negotiated rulemaking. If the agency decides to engage in negotiated rulemaking after considering the convener's recommendation and report, then the agency will publish timely notice of its intent on its website and with the secretary of state for publication in the *Texas Register* in compliance with Texas Government Code, §2008.053.

(d) Appointment of facilitator and committee. The agency will appoint a facilitator and members of the negotiated rulemaking committee to carry out the duties described in Texas Government Code, §2008.056.

(e) Adoption of rule. The finance commission may adopt, amend, or refuse to adopt a rule created through the negotiated rulemaking process in its sole discretion.

<u>(f) Policy, coordination, and reporting.</u>

<u>(1) It is the policy of the finance commission to encourage the use of negotiated rulemaking procedures under Texas Government Code, Chapter 2008 for the adoption of rules in appropriate situations.</u>

<u>(2) The finance agencies will coordinate with each other as reasonable to implement the use of negotiated rulemaking procedures and provide training as needed to implement the use of negotiated rulemaking procedures.</u>

(3) Each agency will collect data concerning the effectiveness of negotiated rulemaking procedures, and report to the finance commission its use of negotiated rulemaking procedures.

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

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Robert K. Nichols, III
General Counsel
Finance Commission of Texas
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For further information, please call: (512) 475-1327

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TITLE 26. HEALTH AND HUMAN SERVICES

PART 1. HEALTH AND HUMAN SERVICES COMMISSION

CHAPTER 260. DEAF BLIND WITH MULTIPLE DISABILITIES (DBMD) PROGRAM AND COMMUNITY FIRST CHOICE (CFC) SERVICES

SUBCHAPTER C. PROGRAM PROVIDER COMPLIANCE [~~WITH RULES~~]

26 TAC §260.151

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes an amendment to §260.151, concerning Program Provider Compliance with Rules.

BACKGROUND AND PURPOSE

The purpose of the proposed amendment is to update citations to sections of the Texas Administrative Code (TAC) that have been transferred from Title 40 to Title 26 and to codify the existing contractual requirement for providers of the Deaf Blind with Multiple Disabilities (DBMD) §1915 (c) waiver program services to comply with the HHSC DBMD Program Manual posted on the HHSC website. Currently, HHSC requires that contracted DBMD program providers comply with all applicable federal and Texas state statutes, rules, and documents promulgated by HHSC, including provider manuals.

The proposal codifies the requirement in HHSC's contracts with DBMD program providers to comply with the DBMD Program Manual and updates TAC citations to align with the transfer of rules from Title 40 to Title 26.

SECTION-BY-SECTION SUMMARY

The proposed amendment to Subchapter C changes the name of the subchapter to *Program Provider Compliance*.

The proposed amendment to §260.151 adds that DBMD program providers must comply with the HHSC DBMD Program Manual and corrects outdated TAC citations. These revisions codify the requirement in HHSC's contracts with DBMD program providers to comply with the DBMD Program Manual and it also updates TAC citations to align with the transfer of rules from Title 40 to Title 26.

FISCAL NOTE

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

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

(5) the proposed rule will create a new regulation;

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

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities as the proposed rule does not create a change in business practices.

LOCAL EMPLOYMENT IMPACT

The proposed rule will not affect a local economy.

COSTS TO REGULATED PERSONS

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

PUBLIC BENEFIT AND COSTS

Emily Zalkovsky, Chief Medicaid and CHIP Services Officer, has determined that for each year of the first five years the rule is in effect, the public benefit will be improved clarity in the DBMD rule regarding provider expectations. Another anticipated benefit is that with updated references, the TAC will be easier to understand, and the public will have accurate citations when cross-referencing rules.

Victoria Grady 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 there are no costs associated with complying with the rule.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

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

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R074" in the subject line.

STATUTORY AUTHORITY

The amendment is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system; and Texas Human Resources Code §32.021, which provides HHSC with the authority to administer the federal medical assistance program in Texas and to adopt rules and standards for program administration.

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

§260.151. Program Provider Compliance [~~with Rules~~].

A program provider must comply with:

(1) this chapter;

(2) Chapter 558 of this title (relating to Licensing Standards for Home and Community Support Services Agencies);

(3) if providing licensed assisted living, Chapter 553 of this title (relating to Licensing Standards for Assisted Living Facilities);

(4) [40 ~~TAC~~] Chapter 264 of this title [~~41~~] (relating to Consumer Directed Services Option);

(5) [40 ~~TAC~~] Chapter 52 of this title [~~49~~] (relating to Contracting for Community Services); [~~and~~]

(6) 1 TAC Chapter 354, Subchapter O (relating to Electronic Visit Verification); and [~~.~~]

(7) the HHSC Deaf Blind with Multiple Disabilities Program Manual.

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

Filed with the Office of the Secretary of State on August 27, 2026.

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Karen Ray
Chief Counsel
Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-2910

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CHAPTER 306. BEHAVIORAL HEALTH DELIVERY SYSTEM
SUBCHAPTER D. MENTAL HEALTH SERVICES--ADMISSION, DISCHARGE, AND CONTINUITY OF CARE

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes amendments to §306.173, concerning Admission Criteria for an Adolescent Forensic Unit; §306.174, concerning Admission Criteria for Waco Center for Youth; §306.176, concerning Admission Criteria for a State Hospital or a Facility with a Contracted Psychiatric Bed for Emergency Detention; and §306.221, concerning Screening and Intake Assessment Training Requirements at a State Hospital and a Facility with a Contracted Psychiatric Bed.

BACKGROUND AND PURPOSE

The proposal is in response to Senate Bill (SB) 1164, 89th Legislature, Regular Session, 2025, which amended Texas Health and Safety Code §573.001(a) and §573.022. SB 1164 expanded the grounds for emergency detention and temporary and extended inpatient court-ordered services.

House Bill (HB) 16, 89th Legislature, 2nd Called Session, 2025, repealed the provisions in SB 1164 that expanded the grounds for temporary or extended inpatient court-ordered services but did not repeal the provisions related to emergency detention.

The proposed amendments update grounds for emergency detention and make non-substantive changes for clarity.

SECTION-BY-SECTION SUMMARY

The proposed amendment to §306.173 removes Community Resource Coordination Group (CRCG) from admission criteria for an adolescent forensic unit for clarity and updates formatting.

The proposed amendment to §306.174 removes CRCG from eligibility and referral processes for Waco Center for Youth (WCY) for clarity.

The proposed amendment to §306.176 adds a statutory cross reference and clarifies that the physician who conducts the preliminary examination determines from the preliminary examination if the individual meets criteria for emergency detention. The proposed amendment clarifies that based on the individual's mental illness, the physician determines if the individual evidences: a substantial risk of serious harm to self or to others, severe emotional distress and deterioration in the individual's mental condition, or an inability to recognize symptoms or appreciate the risks and benefits of treatment. The proposed amendment clarifies that the individual is likely, without immediate detention, to suffer serious risk of harm or to inflict serious harm on another person. The proposed amendment clarifies that the physician who conducts the preliminary examination makes a written statement documenting the physician's determination, the specific description of the serious risk of harm, and detailed information about the individual's behavior that evidences the risk of harm. The proposed amendment also makes non-substantive changes for clarity.

The proposed amendment to §306.221 updates a cross reference and formatting.

FISCAL NOTE

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

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

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

(6) the proposed rules will expand existing regulations;

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities related to the rules as there is no requirement to alter current business practices.

LOCAL EMPLOYMENT IMPACT

The proposed rules will not affect a local economy.

COSTS TO REGULATED PERSONS

Texas Government Code §2001.0045 does not apply to these rules because the rules are necessary to protect the health, safety, and welfare of the residents of Texas; do not impose a cost on regulated persons; and are necessary to implement legislation that does not specifically state that §2001.0045 applies to the rules.

PUBLIC BENEFIT AND COSTS

Kristy Carr, Associate Commissioner, Texas State Hospitals, has determined that for each year of the first five years the rules are in effect, the public benefit will be adding more protections for individuals examined for emergency detention since there are new factors to review in deciding if emergency detention is needed.

Victoria Grady has also determined that for the first five years the rules are in effect, there are no anticipated economic costs to persons required to comply with the proposed rules because there is no requirement to alter current business practices.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

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

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R075" in the subject line.

DIVISION 3. ADMISSION TO A STATE HOSPITAL OR A FACILITY WITH A CONTRACTED PSYCHIATRIC BED--PROVIDER RESPONSIBILITIES

26 TAC §§306.173, 306.174, 306.176

STATUTORY AUTHORITY

The amendments are authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and Texas Health and Safety Code Chapter 573, which provides the statutory criteria for admission of an individual to a mental health facility for emergency detention.

The amendments affect Texas Government Code §524.0151 and Texas Health and Safety Code §573.001 and §573.022.

§306.173. Admission Criteria for an Adolescent Forensic Unit.

(a) An adolescent forensic unit may admit an adolescent only if the adolescent meets the criteria described in paragraphs (1), (2), or (3) of this subsection.

(1) Condition of probation or parole. The adolescent's admission to an adolescent forensic unit fulfills a condition of probation or parole for a juvenile offense if the adolescent:

(A) based on a clinical evaluation, is determined to need mental health treatment in a secure treatment setting to address a risk of dangerousness or delinquent conduct; or

(B) has COPSD.[~~; or~~]

[~~(C) has exhausted available community resources for treatment and has a letter written by the local CRCG that confirms available community resources have been exhausted.~~]

(2) - (3) (No change.)

(b) (No change.)

§306.174. Admission Criteria for Waco Center for Youth.

(a) An individual's admission to Waco Center for Youth may occur only if the individual:

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

(5) is currently receiving LMHA or LBHA services or inpatient services at a state hospital or CPB and has been referred for admission to Waco Center for Youth by:

(A) the LMHA or LBHA[~~, LBHA, or CRCG~~] who confirms that:

(i) all appropriate community-based resources have been exhausted; and

(ii) Waco Center for Youth is the least restrictive and most appropriate environment needed; or

(B) - (C) (No change.)

(b) - (f) (No change.)

§306.176. Admission Criteria for a State Hospital or a Facility with a Contracted Psychiatric Bed for Emergency Detention.

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

(c) Requirements for emergency detention. The state hospital or CPB may admit an individual for emergency detention if:

(1) in accordance with Texas Health and Safety Code §573.021(c) and §573.022(a)(2), the [~~a~~] physician who conducts the preliminary examination determines from the preliminary examination that:

(A) the individual has a mental illness and because of that mental illness the individual evidences:[~~;~~]

(i) [~~(B)~~] [~~the individual evidences~~] a substantial risk of serious harm to self [~~himself~~] or to others;

(ii) severe emotional distress and deterioration in the individual's mental condition; or

(iii) an inability to recognize symptoms or appreciate the risks and benefits of treatment;

(B) the individual is likely, without immediate detention, to suffer serious risk of harm or to inflict serious harm on another person; and

[~~(C) the described risk of harm is imminent unless the individual is immediately detained; and~~]

(C) [~~(D)~~] emergency detention is the least restrictive means by which the necessary detention may be accomplished;

(2) in accordance with Texas Health and Safety Code §573.022(a)(3), the [~~a~~] physician who conducts the preliminary examination makes [~~must make~~] a written statement documenting the determination described in paragraph (1) of this subsection and describes [~~describing~~]:

(A) the nature of the individual's mental illness;

(B) the specific description of the serious risk of harm the individual evidences[~~, demonstrated either by the individual's behavior or by evidence of severe emotional distress and deterioration in the individual's mental condition~~] to the extent that the individual cannot remain at liberty; and

(C) the detailed information about the individual's behavior on which the physician based the determination that the individual evidences the risk of harm described under subparagraph (B) of this paragraph;

(3) the physician issues and signs a written order admitting the individual for emergency detention; and

(4) the individual meets the admission criteria of the state hospital or CPB.

(d) (No change.)

(e) Intake assessment. An assessment professional for a state hospital or CPB must conduct an intake assessment as soon as possible, but not later than 24 hours after an individual is admitted for emergency detention. All documents related to the intake assessment must be provided to the individual or LAR and include:

(1) (No change.)

(2) a written and oral explanation of:

(A) the individual's rights described in Chapter 320, Subchapter A of this title (relating [~~title(relating~~] to Rights of Individuals Receiving Mental Health Services);

(B) - (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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Karen Ray
Chief Counsel
Health and Human Services Commission
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For further information, please call: (512) 438-3049

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DIVISION 6. TRAINING

26 TAC §306.221

STATUTORY AUTHORITY

The amendment is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system and Texas Health and Safety Code Chapter 573, which provides the statutory criteria for admission of an individual to a mental health facility for emergency detention.

The amendment affects Texas Government Code §524.0151 and Texas Health and Safety Code §573.001 and §573.022.

§306.221. Screening and Intake Assessment Training Requirements at a State Hospital and a Facility with a Contracted Psychiatric Bed.

(a) Screening training. As required by Texas Health and Safety Code §572.0025(e), a state hospital or CPB staff member whose responsibilities include conducting a screening described in Division 3 of this subchapter (relating to Admission to a State Hospital or a Facility with a Contracted Psychiatric Bed--Provider Responsibilities) must receive at least eight hours of training in the state hospital's or CPB's screening.

(1) The screening training must provide instruction regarding:

(A) (No change.)

(B) explaining, orally and in writing, the individual's rights described in Chapter 320, Subchapter A of this title (relating [~~title(relating~~] to Rights of Individuals Receiving Mental Health Services);

(C) - (E) (No change.)

(2) Up to six hours of the following training may count toward the screening training required by this subsection:

(A) §926.171 of this title [~~25 TAC §417.515~~] (relating to State Hospital Staff Training in Identifying, Reporting, and Preventing Abuse, Neglect, and Exploitation); and

(B) (No change.)

(b) - (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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Chief Counsel
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CHAPTER 745. LICENSING
SUBCHAPTER F. BACKGROUND CHECKS
DIVISION 3. CRIMINAL HISTORY, SEX OFFENDER REGISTRY, [~~AND~~] CHILD ABUSE OR NEGLECT, AND SEMARC FINDINGS

26 TAC §745.661

The executive commissioner of the Texas Health and Human Services Commission (HHSC) proposes an amendment to §745.661, concerning What types of criminal convictions may affect a subject's ability to be present at an operation.

BACKGROUND AND PURPOSE

The purpose of the proposal is to ensure HHSC Child Care Regulation (CCR) can propose updates to the criminal history requirements noted in 26 Texas Administrative Code §745.661 on an as-needed basis instead of every January. The proposal also changes the criminal history requirements, including by removing conflicting restrictions so CCR may more easily update the criminal history requirements.

The proposal updates the rule in accordance with regulatory reduction and improvement efforts.

SECTION-BY-SECTION SUMMARY

The proposed amendment to §745.661 (1) amends the rule title; (2) clarifies that offenses are considered during the background check process; (3) indicates that offenses may affect a person's ability to obtain or maintain an administrator's license; (4) removes descriptions regarding how the criminal history requirements will be formatted and presented to the public; (5) removes a subsection relating to a person currently on parole; (6) removes a subsection that requires a risk evaluation for a felony offense within the past 10 years if the offense is not specifically listed in the criminal history requirements; (7) removes a subsection providing that the rule does not apply to employees or volunteers whose background checks are conducted by CCR or the Department of Family and Protective Services; and (8) makes non-substantive changes for better readability and understanding.

FISCAL NOTE

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

GOVERNMENT GROWTH IMPACT STATEMENT

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

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

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

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

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

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

(6) the proposed rule will expand and repeal existing regulations;

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

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

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

Victoria Grady has also determined that there will be no adverse economic effect on small businesses, micro-businesses, or rural communities. The rule does not impose any additional costs on small businesses, micro-businesses, or rural communities 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; and the rule does not impose a cost on regulated persons.

PUBLIC BENEFIT AND COSTS

Rachel Ashworth-Mazerolle, Deputy Executive Commissioner for Child Care Regulation, has determined that for each year of the first five years the rule is in effect the public benefit will be improved background check processes that support the safety of children in care.

Victoria Grady 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 rule does not require any additional actions or resources from providers that would result in a cost to comply.

TAKINGS IMPACT ASSESSMENT

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

PUBLIC COMMENT

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

To be considered, comments must be submitted no later than 31 days after the date of this issue of the *Texas Register*. Comments must be (1) postmarked or shipped before the last day of the comment period; (2) hand-delivered before 5:00 p.m. on the last working day of the comment period; or (3) emailed before midnight on the last day of the comment period. If the last day to submit comments falls on a holiday, comments must be postmarked, shipped, or emailed before midnight on the following business day to be accepted. When emailing comments, please indicate "Comments on Proposed Rule 26R061" in the subject line.

STATUTORY AUTHORITY

The amendment is authorized by Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services agencies, as well as Texas Government Code §524.0005, which provides the executive commissioner of HHSC with broad rule-making authority. In addition, the proposed amendment to §745.661 is authorized by Texas Human Resources Code §42.042, which requires the executive commissioner to adopt rules to carry out provisions related to required qualifications and background checks of employees at regulated facilities.

The amendment implements Texas Government Code §524.0151 and §524.0005 and Texas Human Resources Code §42.042.

§745.661. Criminal History Requirements. [~~What types of criminal convictions may affect a subject's ability to be present at an operation?~~]

(a) A felony or misdemeanor offense [~~conviction~~] under Texas law, the law [~~laws~~] of another state, or federal law may affect a person's [~~subject's~~] ability to be present at an operation or a foster or adoptive home, to obtain an administrator's license, or to maintain an administrator's license. Criminal history requirements maintained by the Texas Health and Human Services Commission (HHSC) identify offenses that may affect whether a person may be present at an operation or a foster or adoptive home, obtain an administrator's license, or maintain an administrator's license. [~~There are three charts with information regarding specific crimes that may affect a subject's ability to be present at an operation.~~] These requirements specify which offenses may permanently or temporarily prohibit eligibility or require [~~Each chart specifies whether a conviction permanently or temporarily bars a subject from being present at an operation, whether a subject is eligible for~~] a risk evaluation. The requirements also specify [~~, and~~] whether a person [~~subject who is~~] eligible for a risk evaluation for a specific offense may be present at an operation or a foster or adoptive home while HHSC conducts the risk evaluation. [~~pending the outcome of the risk evaluation. The three charts are:~~]

[~~(1) Licensed or Certified Child Care Operations: Criminal History Requirements;~~]

[~~(2) Foster or Adoptive Placements: Criminal History Requirements; and~~]

[~~(3) Registered Child Care Homes and Listed Family Homes: Criminal History Requirements.~~]

(b) HHSC reviews [~~will review~~] the criminal history requirements as needed [~~three charts listed in subsection (a) of this section annually~~] to determine if [~~whether any~~] changes are necessary [~~needed~~]. HHSC publishes [~~will publish~~] any changes [~~in January~~] as an "In Addition" document in the *Texas Register* and posts the changes [~~make them available~~] on Child Care Regulation's (CCR) [~~the Licensing~~] public website. HHSC accepts written comments on the changes during the public comment period stated in the *Texas Register* notice. [~~A written public comment period will be available for 30 days following publication.~~] HHSC considers [~~will consider~~] any written comments received [~~HHSC receives~~] during the public comment [~~30-day time~~] period[~~,~~] and publishes [~~provide~~] a response to each comment in the "In Addition" section of the *Texas Register*. [~~the commenter that will also be included on the Licensing public website. In response to any comment,~~] HHSC may adopt the changes as published, modify the changes, or withdraw the changes in response to comments. [~~implement changes to a chart, withdraw changes to a chart, or alter a chart based on a reasoned justification.~~] If any changes are modified or removed, [~~HHSC changes a chart,~~] HHSC publishes the revised criminal history requirements [~~will subsequently re-publish the chart~~] in the "In Addition" section of the *Texas Register*.

[~~(c) A subject currently on parole for a felony offense must have an approved risk evaluation prior to being present at an operation.~~]

[~~(d) For any felony offense that is not specifically enumerated in the relevant chart listed in subsection (a) of this section, a subject convicted within the past 10 years for the offense must have an approved risk evaluation prior to being present at an operation.~~]

(c) [~~(e)~~] HHSC treats a federal offense or an offense under the law of another state that is substantially similar to a Texas offense in the same manner as the similar Texas offense. [~~Substantially similar federal offenses and offenses in other states will be treated the same as the similar Texas offense. On a case-by-case basis,~~] HHSC determines if [~~will determine whether~~] a federal or an out-of-state offense [~~or an offense in another state~~] is substantially similar to a Texas offense by comparing the legal elements of each offense.[~~, including the mens rea (meaning the state of mind of the person, i.e., an intentional, knowing, or reckless act), and assessing the similarity of the legal elements.~~]

[~~(f) This rule does not apply to a person who requires a background check under this subchapter because of the person's responsibilities as a DFPS or Licensing employee or volunteer. The person will have a background check conducted by DFPS or HHSC as part of the person's application to become an employee or volunteer.~~]

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603747
Karen Ray
Chief Counsel
Health and Human Services Commission
Earliest possible date of adoption: October 11, 2026
For further information, please call: (512) 438-3269

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TITLE 43. TRANSPORTATION

PART 11. FORT BEND COUNTY TAX ASSESSOR-COLLECTOR

CHAPTER 301. REGULATION OF MOTOR VEHICLE TITLE SERVICES

43 TAC §301.1

The Fort Bend County Tax Assessor-Collector's Office proposes amendment §301.1, concerning the regulation of motor vehicle title services. Prior to the adoption of Texas Transportation Code Chapter 520, Subchapter E, motor vehicle title services were unregulated, posted no bonds, and were not required to maintain records. Such third-party title services have been associated with fraudulent title transactions, document fraud, odometer fraud, vehicle theft, and other motor vehicle related criminal activity. Texas Transportation Code Chapter 520, Subchapter E, applies to counties meeting the population requirements established by statute. Fort Bend County is subject to these provisions and therefore regulates motor vehicle title service companies through registration, licensing, and recordkeeping requirements.

Carmen P. Turner, Fort Bend County Tax Assessor-Collector, determined that for each year of the first five-year period the proposed amendment is in effect, there are no additional costs or reduction in costs to the state or local government as a result of enforcing or administering this section. The estimated license fee revenue increase that will be retained by the county to offset the costs of administering the motor vehicle title service program is $41,400.

Carmen P. Turner, Fort Bend County Tax Assessor-Collector, has also determined that during the first five years the proposed amendment is in effect, the anticipated public benefit includes improved accountability of motor vehicle title service companies, enhanced consumer protection, increased transparency, stronger fraud prevention measures, and greater confidence in the integrity of motor vehicle transactions. The Fort Bend County Tax Assessor-Collector receives motor vehicle titles service records from 132 title service companies and 150 runners. Nearly all of these entities/individuals are small businesses, many of which are microbusinesses. The economic costs to small businesses, microbusinesses, rural communities, and/or individuals who are required to comply with this rule will be the initial license fee of $400.00, the annual renewal fee of $200.00, plus an additional $100.00 annually for each service runner license which is due upon application and is not refundable.

The Fort Bend County Tax Assessor-Collector determined that during the first five-year period the proposed amendment is in effect, it does not create or eliminate a government program; will not require the creation or elimination of employee positions and does not require future legislative appropriations to the agency. The amended rule also supports efficient administration of motor vehicle title services through standardized procedures while maintaining appropriate safeguards against fraud. In preparing this proposed amended rule, the Fort Bend County Tax Assessor-Collector considered processes which require less information from applicants, informal tracking of records and random document confirmation and concluded that clear, consistent standards promote uniform compliance, accountability, and efficient processing of motor vehicle title transactions. The Fort Bend County Tax Assessor-Collector also considered assessing lower and higher license fees but concluded that 43 TAC §95.1 set prevailing fee amounts for motor vehicle title services and proposes higher fees to promote consistency among contiguous counties expanding existing regulations. The Fort Bend County Tax Assessor-Collector determined that individuals that comply with the amended rule may experience increased business opportunities because non-compliant competitors will be sanctioned, expanding existing regulation while maintaining the same number of individuals subject to the rule's applicability. This proposed amended rule does not adversely affect the state's economy as license fee revenue will be retained by the county to offset the costs of administering the motor vehicle title service program. This amendment expands the existing regulations.

Comments on the proposed amended rule may be submitted to Jacqueline Thornton, Chief Deputy Tax Assessor-Collector, Fort Bend County Tax Office Administration, 1317 Eugene Heimann Circle, Richmond, Texas 77469. The deadline for all comments is 30 days after publication in the *Texas Register.*

The amended rule is proposed pursuant Transportation Code Chapter 520, Subchapter E, which provides the County Tax Assessor-Collector the authority to adopt rules regarding motor vehicle titles services.

No other statutes, articles, or codes are affected by this proposal.

§301.1. Motor Vehicle Title Service Licensing.

(a) Definitions.

(1) "Motor vehicle" has the meaning assigned by Texas Transportation Code Section 501.002.

(2) "Motor vehicle title service" means any person that for compensation directly or indirectly assists other persons in obtaining title documents by submitting, transmitting, or sending applications for title documents to the appropriate government agencies.

(3) "Title documents" means motor vehicle title applications, motor vehicle registration renewal applications, motor vehicle mechanic's lien title applications, motor vehicle storage lien title applications, motor vehicle temporary registration permits, motor vehicle title application transfers occasioned by the death of the title holder, or notifications under Chapter 683 of this code or Chapter 70, Property Code.

(4) "Title service license holder" means a person who holds a motor vehicle title service license or a title service runner's license.

(5) "Title service record" means the written record for each transaction in which a motor vehicle title service receives compensation.

(6) "Title service runner" means any person employed by a licensed motor vehicle title service to submit or present title documents to the county tax assessor-collector.

(b) License Required.

(1) A person may not act as a motor vehicle title service or act as an agent for that business (which includes a title service runner) in Fort Bend County unless that person holds a license issued by the Fort Bend County Tax Assessor-Collector.

(2) A person commits an offense if the person violates a motor vehicle title service license rule adopted by the Fort Bend County Tax Assessor-Collector. Such an offense is a Class A misdemeanor.

(3) Any unlicensed individual observed conducting motor vehicle transactions on behalf of others in Fort Bend County and who claims to be doing so without compensation shall complete an affidavit stating that they are not receiving compensation for the transaction. This affidavit shall be notarized and will be forwarded to the appropriate law-enforcement agencies by a deputy of the Fort Bend County Tax Assessor-Collector.

(c) License Fees.

(1) License fees must be remitted when the application is submitted and are non-refundable.

(2) The fee for a vehicle title service company license shall be [~~for~~] $400.00 [~~$200.00~~] for the initial application and $200.00 [~~$100.00~~] for each annual renewal.

(3) The fee for a title service runner license shall be $100.00 [~~$50.00~~] for the initial application and $100.00 [~~$50.00~~] for each annual renewal.

(4) The fee for replacement of a lost title service license or title runner license shall be $20.00 for the first three occurrences; and $50.00 for each occurrence thereafter.

(d) General License Application Requirements.

(1) Applications may only be made at the Fort Bend County Tax Office, 1317 Eugene Heimann Circle, Richmond, Texas.

(2) An applicant for a motor vehicle title service license must complete all forms required by Fort Bend County Tax Assessor-Collector. The applicant must sign the application form and pay the license fee.

(3) All applicants must present state issued picture identification at the time of application. Lack of valid, state issued picture identification shall disqualify an applicant from being licensed in Fort Bend County.

(4) An applicant must be at least 18 [~~16~~] years of age on the date the application is submitted to apply for a license in Fort Bend County.

(5) An applicant is not eligible to become a Title Service or Runner if they are a former full-time/part time employee of Fort Bend County Tax office within two (2) years of separation of employment.

(6) An applicant to become a Title Service or Runner that is a former employee of the Fort Bend County Tax office needing to submit automobile transactions, must conduct business at the main office for the first two (2) years following separation from the Tax office.

(7) [~~(5)~~] The motor vehicle service company shall assume the responsibility for the accuracy and validity of all documents presented to the Fort Bend County Tax Assessor-Collector under its name.

(8) [~~(6)~~] An application must include:

(A) the applicant's name, business address, and business telephone number;

(B) the name under which the applicant will do business;

(C) the physical address of each office from which the applicant will conduct business (a P.O. Box will not be accepted) and a corresponding photo of each building where business is being conducted;

(D) the name of all individuals who have an ownership interest in the applicant motor vehicle title service company; and

(E) if applicable, motor vehicle license information for each individual who has an ownership interest in the applicant motor vehicle title service company.

(9) [~~(7)~~] Runners must be identified and sponsored by the motor vehicle title service company in order to conduct business on its behalf. The required documents for any runner must be on file with each service company for which the runner is an authorized agent. Individuals whose names are not on file of a title company will not be allowed to conduct business in Fort Bend County on behalf of that title service company.

(10) [~~(8)~~] Applicants will be notified of the outcome of an application within fifteen (15) [~~15~~] business days of the application being submitted to the Fort Bend County Tax Assessor-Collector. This notification will be mailed to the business address listed on the application.

(11) [~~(9)~~] All licenses are issued for a one (1) year period and must be renewed each year after. A renewal application has the same requirements as a new application.

(12) [~~(10)~~] A license may not be issued under a fictitious name that is similar to or may be confused with the name of a governmental entity or that is deceptive or misleading to the public.

(e) Application Requirements: Corporation. In addition to the General License Application Requirements, an applicant for a motor vehicle title service license that intends to engage in business as a corporation shall submit the following information:

(1) a "doing business as" (DBA) certificate or articles of incorporation;

(2) the name, address, date of birth, and social security number of each of the principal owners and directors of the corporation;

(3) information about each officer and director as requested by the Fort Bend County Tax Assessor-Collector to establish the business reputation and character of the applicant; and

(4) a statement indicating whether an employee, officer, or director has been refused a motor vehicle title service license or a title service runner's license or has been the holder of a license that was revoked or suspended in any Texas County.

(f) Application Requirements: Partnership. In addition to the information required in General License Application Requirements, a motor vehicle title service license applicant that intends to engage in business as a partnership shall submit an application that includes the following information:

(1) the name, address, date of birth, and social security number of each partner;

(2) information about each partner as requested by the Fort Bend County Tax Assessor-Collector to establish the business reputation and character of the applicant; and

(3) a statement indicating whether a partner or employee has been refused a motor vehicle title service license or a title service runner's license or has been the holder of a license that was revoked or suspended in any Texas County.

(g) Denial, Suspension, or Revocation of License.

(1) Grounds for the denial, suspension, revocation, or reinstatement of a license in Fort Bend County:

(A) submitting false information on the application form or any supporting documents;

(B) having been convicted of a felony or a crime of moral turpitude for which the completion date of the applicant's sentence is less than five (5) years from the date of applying for a motor vehicle title service license; or

(C) having been found in violation of the administrative procedures required by the Texas Department of Motor Vehicles [~~Transportation~~];

(D) having been found to have submitted a vehicle packet to the Fort Bend County Tax Assessor-Collector's office which contains false information, and the Fort Bend County Tax Assessor-Collector determines that the false information was intentionally submitted by the motor vehicle title service company;

(E) A runner license may be cancelled or suspended if the runner has presented a title packet to the Fort Bend County Tax Assessor- Collector that was not authorized by a licensed motor vehicle title service company or if the runner altered or forged the original paperwork prepared for and signed by the motor vehicle title service.

(2) If the Fort Bend County Tax Assessor-Collector makes a determination that a person's license hereunder should be denied, cancelled, suspended or revoked, then the County Tax Assessor-Collector shall send notice of the action to the person, by registered or certified mail, stating the facts or conduct alleged to warrant the action.

(3) Upon a determination of misrepresentation, fraud, or other cause, the Fort Bend County Tax Assessor-Collector may order a 90-day suspension of license until awaiting final decision for the first offense and a 180-day suspension of license for the second offense. A license may be revoked upon a third offense.

(4) The Fort Bend County Tax Assessor-Collector may revoke any license upon conviction of license holder for a felony or crime of moral turpitude.

(5) A person whose license is revoked may not apply for a new license before the first anniversary of the date of the revocation.

(h) Appeals.

(1) The Fort Bend County Tax Assessor-Collector shall appoint a five member Review Board to review any appeal of action for refusal, cancellation, suspension, revocation, or reinstatement of license. The Review Board shall consist of two (2) deputies from the Fort Bend County Tax Assessor-Collector's office, two (2) law enforcement officers and one (1) representative from the motor vehicle industry.

(2) Memberships will last for two (2) years and replacements will be selected on a staggered basis. For the first year that the Board is established, two (2) of the memberships shall be for one (1) year to accommodate staggering. A member may be reappointed for additional terms as deemed appropriate by the Fort Bend County Tax Assessor-Collector.

(3) A person that receives notice of adverse action taken on their own license by the Fort Bend County Tax Assessor-Collector may submit a written request for appeal or protest, and submit evidence, in the form of documents or testimony, to demonstrate that person's compliance with all requirements for the issuance, retention, or reinstatement of their license. The person must submit evidence and/or file a written request for an appeal of action taken on their own license with the County Tax Assessor-Collector within twenty (20) [~~20~~] calendar days from the date of the notice of action on their license.

(4) Submitting evidence and/or filing a written request for an appeal must be sent to Fort Bend County Tax Office, 1317 Eugene Heimann Circle, Richmond, Texas by certified mail.

(5) Upon timely filing of a request for an appeal, the County Tax Assessor-Collector shall request review by the Review Board. The adverse action shall be stayed until a final decision is made on the license.

(6) The Review Board shall meet as needed, on a date determined by the Fort Bend County Tax Assessor-Collector. The Board will review any appeals and make a recommendation to the County Tax Assessor-Collector stating whether the Board agrees or disagrees with the action taken.

(7) The Fort Bend County Tax Assessor-Collector shall appoint a member of the Review Board to chair meetings of the Review Board.

(8) A quorum of three (3) members of the Review Board must be present to render a decision. No proxy votes will be allowed.

(9) A simple majority vote of Review Board members shall determine the recommendation on matters under consideration.

(10) All decisions related to license appeals or protests shall be subject to final review and determination by the Fort Bend County Tax Assessor-Collector. The Fort Bend County Tax Assessor-Collector shall send disposition of the Appeal to the person, by registered or certified mail. If the Fort Bend Tax Assessor-Collector does not reinstate the license, any adverse action stayed by the appeal will be reinstated.

(i) License Renewal.

(1) A license pursuant to these rules [~~this section~~] expires on the first anniversary of the date of issuance and may be renewed annually on or before the expiration date on payment of the required renewal fee.

(2) A person who is otherwise eligible to renew a license may renew an unexpired license by paying to the Fort Bend County Tax Assessor-Collector before the expiration date of the license the required renewal fee. A person whose license has expired may not engage in activities that require a license until the license has been renewed under this section.

(3) If a person's license has been expired for ninety (90) [~~90~~] days or less, the person may renew the license by paying [~~to~~] the Fort Bend County Tax Assessor-Collector 1-1/2 times the required renewal fee.

(4) If a person's license has been expired for longer than ninety (90) [~~90~~] days but less than one (1) year, the person may renew the license by paying [~~to~~] the Fort Bend County Tax Assessor-Collector two (2) times the required renewal fee.

(5) If a person's license has been expired for one (1) year or longer, the person may not renew the license. The person may obtain a new license by complying with the requirements and procedures for obtaining an original license.

(6) Notwithstanding Section 5, if a person was licensed in this state, moved to another state, and has been doing business in the other state for the two (2) years preceding application, the person may renew an expired license. The person must pay to the Fort Bend County Tax Assessor-Collector a fee that is equal to two (2) times the required renewal fee for the license.

(7) Before the 30th day preceding the date on which a person's license expires, the Fort Bend County Tax Assessor-Collector shall notify the person of the impending expiration. The notice must be in writing and sent to the person's last known address according to the records of the Fort Bend County Tax Assessor-Collector.

(j) Requirements for Conducting Motor Vehicle License Transactions.

(1) All vehicle transactions for Fort Bend County will be processed at Fort Bend County Tax Office, 1317 Eugene Heimann Circle, Richmond, Texas.

(2) A Fort Bend County Tax Assessor-Collector vehicle transaction form must accompany all motor vehicle service transac-

tions. The motor vehicle title service company is responsible for the accuracy and validity of the information for each vehicle listed. Only vehicles authorized and listed by the licenses motor vehicle title service company will be processed.

(3) All vehicles for which the title service company wants to complete a transaction on must be listed and identified as transfer or ownership, renewal or replacement of license plates or registration sticker on the transaction form.

(4) After the final vehicle transaction on each transaction sheet is completed, a copy of the transaction sheet will remain on file at the office of the Fort Bend County Tax Assessor-Collector.

(5) A holder of a motor vehicle title service license shall maintain records as required by the Fort Bend County Tax Assessor-Collector for each transaction in which the license holder receives compensation. The records shall include:

(A) the date of the transaction;

(B) the name, age, address, sex, driver's license number, and a legible photocopy of the driver's license for each customer; and

(C) the vehicle make, model, year, license plate number, vehicle identification number, and a legible photocopy of proof of financial responsibility for the motor vehicle involved.

(6) A motor vehicle title service shall keep:

(A) two (2) copies of all records required under this section for at least two (2) years after the date of the transaction;

(B) legible photocopies of any documents submitted by a customer; and

(C) legible photocopies of any documents submitted to the Fort Bend County Tax Assessor-Collector.

(7) A motor vehicle title service license holder or any of its employees shall allow an inspection of the required records by a peace officer on the premises of the motor vehicle title service at any reasonable time to verify, check, or audit the records.

(k) Exemptions. The following persons and their agents are exempt from the licensing and other requirements described herein:

(1) a franchised motor vehicle dealer or independent motor vehicle dealer who holds a general distinguishing number issued by the department under Texas Transportation Code Chapter 503;

(2) a vehicle lessor holding a license issued by the Motor Vehicle Board under Chapter 2301, Texas Occupations Code, or a trust or other entity that is specifically not required to obtain a lessor license under §2301.254(a) of that code; and

(3) a vehicle lease facilitator holding a license issued by the Motor Vehicle Board under Chapter 2301, Texas Occupations Code.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603771
Carmen P. Turner
Tax Assessor-Collector
Fort Bend County Tax Assessor-Collector
Earliest possible date of adoption: October 11, 2026
For further information, please call: (281) 341-3737

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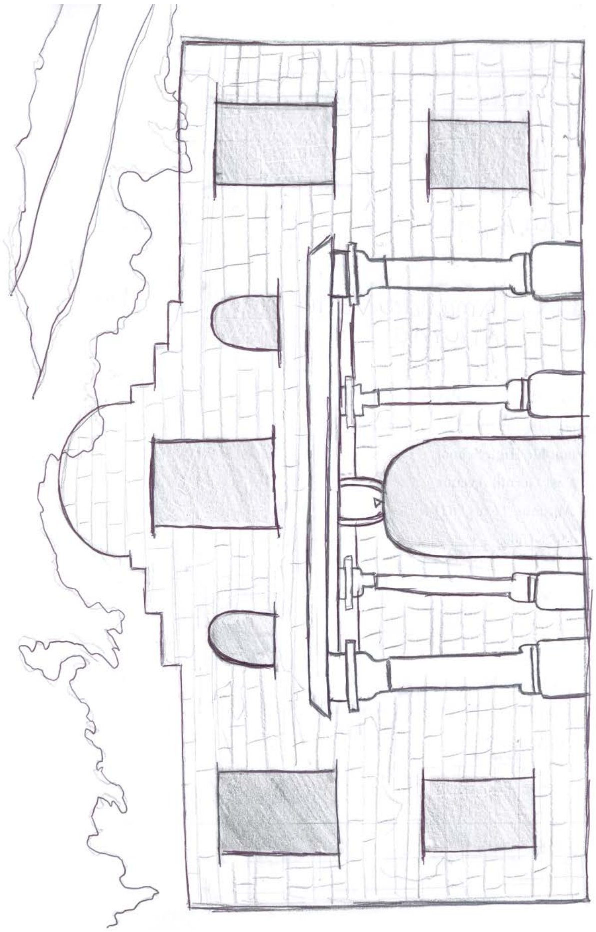

ADOPTED RULES

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

TITLE 25. HEALTH SERVICES

PART 1. DEPARTMENT OF STATE HEALTH SERVICES

CHAPTER 227. MINIMUM GUIDELINES FOR HUMAN DONOR MILK BANKS

25 TAC §227.1

The executive commissioner of the Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), adopts an amendment to §227.1, concerning Minimum Guidelines for Human Donor Milk Banks.

Section 227.1 is adopted without changes to the proposed text as published in the June 5, 2026, issue of the *Texas Register* (51 TexReg 3774). This rule will not be republished.

BACKGROUND AND JUSTIFICATION

The amendment is necessary to comply with Texas Health and Safety Code (HSC) §161.071, which requires DSHS to establish minimum guidelines for the procurement, processing, distribution, or use of human milk by donor milk banks. DSHS uses Human Milk Banking Association of North America (HMBANA) standards to determine minimum Texas human donor milk bank guidelines. The amendment updates the reference to current HMBANA guidelines.

COMMENTS

The 31-day comment period ended July 6, 2026.

DSHS received comments regarding the proposed rule from four commenters. DSHS received comments from individuals representing themselves affiliated with UT Southwestern Medical School, UT Southwestern Medical Center, and UT Austin College of Natural Sciences. A summary of comments relating to the rule and DSHS' responses follows.

Comment: All four commenters agreed on alignment with updated HMBANA guidelines.

Response: DSHS agrees and made no revision to the rule text in response to these comments.

Comment: A commenter suggested DSHS add educational resources to its website on human donor milk banking.

Response: DSHS agrees and will add educational resources to its website on human donor milk banking. DSHS made no revision to the rule text in response to this comment as these resources will be made available on the website and not in the rule text.

Comment: A commenter suggested DSHS consider voluntary reporting by milk banks on adherence to current HMBANA standards.

Response: DSHS disagrees. HMBANA monitors adherence to required reporting. DSHS made no revision to the rule text in response to these comments.

Comment: A commenter suggested DSHS consider that additional milk bank costs and responsibilities may increase the cost of donor milk.

Response: DSHS disagrees as the rule amendment does not require additional cost for milk banks. DSHS made no revision to the rule text in response to these comments.

Comment: A commenter encourages state policy makers to consider complementary measures such as simplifying prior authorization processes and expanding Medicaid coverage for human donor milk, to ensure availability for all eligible infants.

Response: DSHS disagrees as changes to Medicaid policy fall outside the scope of this rule amendment. DSHS made no revision to the rule text in response to these comments.

Comment: A commenter suggested DSHS require Texas milk banks to make operative portions of the HMBANA standards available for public inspection upon request.

Response: DSHS disagrees. HMBANA provides a standards overview document on their website, but the full list of standards is proprietary and only provided to each HMBANA-accredited member milk bank, along with accreditation documents and other tools. DSHS made no revision to the rule text in response to these comments.

STATUTORY AUTHORITY

The amendment is adopted under Texas Government Code §524.0151, which provides that the executive commissioner of HHSC shall adopt rules for the operation and provision of services by the health and human services system, and Texas Health and Safety Code §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 Texas Health and Safety Code Chapter 1001.

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

Filed with the Office of the Secretary of State on August 27, 2026.

TRD-202603749

Cynthia Hernandez
General Counsel
Department of State Health Services
Effective date: September 16, 2026
Proposal publication date: June 5, 2026
For further information, please call: (512) 239-8263

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TITLE 30. ENVIRONMENTAL QUALITY

PART 1. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

CHAPTER 114. CONTROL OF AIR POLLUTION FROM MOTOR VEHICLES

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) adopts amendments to 30 Texas Administrative Code (TAC) §§114.2, 114.53, and 114.87.

Amended §§114.2, 114.53, and 114.87 are adopted without changes to the proposed text as published in the April 17, 2026, issue of the *Texas Register* (51 TexReg 2488) and, therefore, will not be republished.

Adopted amended §§114.2, 114.53, and 114.87 will be submitted to the U.S. Environmental Protection Agency (EPA) as a revision to the State Implementation Plan (SIP).

Background and Summary of the Factual Basis for the Adopted Rules

Eighteen counties in Texas are subject to 30 TAC Chapter 114 Inspection and Maintenance (I/M) rules: Collin, Dallas, Denton, Ellis, Johnson, Kaufman, Parker, Rockwall, and Tarrant Counties in the Dallas-Fort Worth (DFW) area; Brazoria, Fort Bend, Galveston, Harris, and Montgomery Counties in the Houston-Galveston-Brazoria (HGB) area; Travis and Williamson Counties in the Austin-Round Rock area; El Paso County; and, beginning November 1, 2026, Bexar County. All I/M counties are subject to this rulemaking.

The 88th Texas Legislature, 2023, Regular Session, passed Senate Bill (SB) 2102, which amended Texas Health and Safety Code (THSC), §382.202 to extend the initial registration and inspection period for new rental vehicles from two years to three years and to require that the emissions inspection fees that would have applied in the additional exemption year be collected. A rulemaking and SIP revision were adopted on September 24, 2025, to allow one additional year of exemption from emissions inspections for new rental vehicles; however, the fee component of the legislation was not addressed in those rule and SIP actions (Project Nos. 2025-012-114-AI and 2025-013-SIP-NR).

Senate Bill 1729, 89th Texas Legislature, 2025, Regular Session, further amended THSC, §382.202 by consolidating amendments made by SB 2102. The rental vehicle provisions were added to THSC, §382.202(d-2)(1) and (2) with SB 2102 amendments and relocated to THSC, §382.202(d-2) with SB 1729 amendments but were otherwise unaffected.

The rulemaking adds necessary provisions to 30 TAC Chapter 114 to fully implement the statutory requirements in THSC, §382.202(d-2), as added by SB 2102 and amended by SB 1729. Section 382.202(d-2) of the THSC provides that, with EPA approval of a revision to the SIP, the initial registration and emissions inspection period for new rental vehicles is increased from two years to three years. Additionally, THSC, §382.202(d-2) requires that TCEQ establish and assess fees for the emissions inspection of a new rental vehicle in amounts calculated to provide the same revenue for a three-year registration and inspection period that would be provided if the vehicle was inspected annually or biennially. The change to a three-year registration and inspection period is also required to be revenue neutral.

Emissions inspection fees are not required for new vehicles at initial registration for the first two years. THSC, §382.202(d-2) extends compliance with vehicle emissions inspection requirements to three years for new rental vehicles, pending SIP approval; however, the state must still collect the vehicle emissions inspection fee for the second year even though no inspection is required because THSC, §382.202(d-2) requires revenue neutrality.

The rulemaking adoption and associated SIP revision (Project No. 2026-004-SIP-NR) will assess emissions inspection fees for rental vehicles at the time of initial registration to comply with the statutory requirement to provide the same revenue that would be provided if the vehicle was inspected annually or biennially. The rulemaking does not change any fee amounts in 30 TAC Chapter 114.

Demonstrating Noninterference under Federal Clean Air Act (FCAA), §110(l)

Under FCAA, §110(l), EPA cannot approve a SIP revision if it would interfere with attainment of the National Ambient Air Quality Standards (NAAQS), reasonable further progress toward attainment, or any other applicable requirement of the FCAA. The commission provides the following information to demonstrate why the adopted changes to the I/M program rules in Chapter 114 will not negatively impact the status of the state's progress towards attainment, interfere with control measures, or prevent reasonable further progress toward attainment of the ozone or carbon monoxide (CO) NAAQS.

The adopted amendments will revise 30 TAC Chapter 114, Subchapters A and C to implement the additional remittance to the state specified in THSC, §382.202(d-2), as added by SB 2102 and consolidated by SB 1729, necessary to maintain the revenue neutral impact of adding an additional year to the initial vehicle registration period for rental vehicles. These amendments do not affect EPA-approved I/M program testing requirements, and therefore, do not interfere with control measures or negatively impact the state's progress towards attainment or reasonable further progress of the 2008 and 2015 eight-hour ozone NAAQS or maintenance of the CO NAAQS in El Paso County, which is under an approved limited maintenance plan.

Section by Section Discussion

The adopted amendments revise the I/M program rules to provide for full implementation of THSC, §382.202(d-2), as added by SB 2102 and consolidated by SB 1729. The adopted amendments include the addition of two I/M definitions and provide that the payment of the emissions inspection fee for rental vehicles under THSC, §382.202(d-2) be made at the time of initial vehicle registration. This adopted amendment meets the THSC, §382.202(d-2) requirement that the one-year extension of emissions inspections for rental vehicles be revenue neutral.

The commission also adopts non-substantive changes to update the rules in accordance with current *Texas Register* style and format requirements, improve readability, establish consistency in the rules, and conform to the standards in the Texas Legislative Council Drafting Manual, September 2020. These non-substantive changes are not intended to alter the existing rule requirements in any way and may not be specifically discussed in this preamble.

Subchapter A: Definitions

§114.2. Inspection and Maintenance Definitions

Implementation of THSC, §382.202(d-2) creates a novel vehicle registration process whereby new rental vehicles may be initially registered for three years rather than two years as is the case for other vehicles subject to emissions inspections. Since THSC, §382.202(d-2) requires revenue neutrality, assessment of emissions inspection fees for new rental vehicles must be collected at initial vehicle registration for the additional exempt year and then annually, the same as all other applicable vehicles. To differentiate between emissions inspection fee assessment at initial registration of rental vehicles and annually for all subject vehicles, the adopted revisions add a definition for "annual vehicle registration" in §114.2(1) and a definition for "initial rental vehicle registration" in §114.2(2). The remaining definitions are renumbered as appropriate.

Subchapter C: Vehicle Inspection and Maintenance; Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program; and Early Action Compact Counties

§114.53. Inspection and Maintenance Fees

The adopted revisions amend §114.53(d) to ensure that emissions inspection fees will be paid at the time of initial registration of rental vehicles to comply with THSC, §382.202(d-2). The adopted revisions do not amend fee amounts in §114.53.

The adopted revisions amend §114.53(d)(1)(A) - (C), (d)(2)(A) - (C), (d)(3)(A) - (C), and (d)(4) to add "initial rental vehicle registration" to the registration processes in which vehicle emissions inspections fees are paid in the El Paso County, DFW, HGB, and Bexar County program areas. TCEQ is authorized under THSC, §382.202(e), to assess vehicle emissions inspection fees. Some vehicle emissions inspection fees are not paid to the state through vehicle registration while others are. The fees under §114.53(a) include amounts that vehicle owners pay at inspection stations that are retained by the stations and not paid to the state through registration. By contrast, the fees under §114.53(d) are paid to the state at the time of annual registration.

To fully comply with THSC, §382.202(d-2) requirements, all of the vehicle emissions inspection fees that would be paid to the state at the time of annual vehicle registration need to be included in the initial rental vehicle registration process. These fees need to be paid up front during initial rental vehicle registration because the state cannot ensure that the rental vehicle will be registered in Texas at the time of its first annual registration.

These vehicle emissions inspection fees include the amounts from $2.00 to $6.00 under §114.53(d)(1) - (3) to fund the Low Income Vehicle Repair Assistance, Retrofit, and Accelerated Vehicle Retirement Program (LIRAP). The LIRAP was established to enhance the objectives of the I/M program. The 77th Texas Legislature, 2001, Regular Session, enacted House Bill 2134, which created the LIRAP to allow I/M program counties to assist low-income individuals with repairs, retrofits, or retirement of vehicles that fail emissions inspections. Participation by an I/M program county is not mandatory. On June 12, 2017, Governor Greg Abbott vetoed the legislative appropriations for the LIRAP for Fiscal Years (FY) 2018 and 2019. All 16 participating counties subsequently opted out of the LIRAP, and no counties have opted back in. No further appropriations for the LIRAP have been made. These vehicle emissions inspection fees, including fees associated with the LIRAP, will be paid to the state during these registration processes when a county is participating in the LIRAP under §114.53(d)(1)(A), (d)(2)(A), and (d)(3)(A) or in the process of opting out of the LIRAP under §114.53(d)(1)(B), (d)(2)(B), or (d)(3)(B).

These vehicle emissions inspection fees also include the $2.50 vehicle emissions inspection fee under §114.53(d)(1) - (4) that will be paid to the state during these registration processes. With these amendments, the registration processes in which vehicle emissions inspections fees are paid in the El Paso County, DFW, HGB, and Bexar County program areas are "annual vehicle registration" and "initial rental vehicle registration."

§114.87. Inspection and Maintenance Fees

The adopted revisions amend §114.87(d)(1) - (3) to add "initial rental vehicle registration" to the registration processes in which vehicle emissions inspections fees are paid in Travis and Williamson Counties, similar to the changes described in the Section by Section discussion for §114.53. In order to implement the requirement in THSC, §382.202(d-2) that the amounts calculated provide the same revenue that would be provided if the vehicle was inspected annually or biennially, all of the vehicle emissions inspection fees that would be paid to the state at the time of annual vehicle registration need to be included in the initial rental vehicle registration process. These fees need to be paid up front during initial rental vehicle registration because the state cannot ensure that the rental vehicle would be registered in Texas at the time of its first annual registration. The adopted revisions do not amend fee amounts in §114.87.

These vehicle emissions inspection fees include $2.00 under §114.87(d)(1) and (2) to fund the LIRAP that will be paid to the state during these registration processes when a county is participating in the LIRAP under §114.87(d)(1) or in the process of opting out of the LIRAP under §114.87(d)(2). Travis and Williamson Counties opted out of the LIRAP and have not opted back in. These fees also include the $2.50 vehicle emissions inspection fee under §114.87(d)(1) - (3) that will be paid to the state during these registration processes. With these amendments, the registration processes in which vehicle emissions inspections fees are paid in Travis and Williamson Counties are "annual vehicle registration" and "initial rental vehicle registration."

Final Regulatory Impact Determination

The commission reviewed the rulemaking adoption considering the regulatory impact analysis requirements of Texas Government Code, §2001.0225 and determined that the rulemaking adoption does not meet the definition of a "Major environmental rule" as defined in that statute, and in addition, if it did meet the definition, will not be subject to the requirement to prepare a regulatory impact analysis. A "Major environmental rule" means a rule, the specific intent of which is to protect the environment or reduce risks to human health from environmental exposure, and that may adversely affect in a material way the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. Additionally, the rulemaking adoption does not meet any of the four applicability criteria for requiring a regulatory impact analysis for a "Major environmental rule," which are listed in Texas Government Code, §2001.0225(a). Texas Government Code, §2001.0225 applies only to a "Major environmental rule," the result of which is to: 1) exceed a standard set by federal law, unless the rule is specifically required by state law; 2) exceed an express requirement of state law, unless the rule is specifically required by federal law; 3) exceed a requirement of a delegation agreement or contract between the state and an agency or representative of the federal government to implement a state and federal program; or 4) adopt a rule solely under the general powers of the agency instead of under a specific state law. The specific intent of the adopted rules is to make changes to fully implement the statutory requirements in THSC, §382.202(d-2), as added by SB 2102 and consolidated by SB 1729, as discussed elsewhere in this preamble. As vehicle I/M programs are specifically required for certain nonattainment areas by the FCAA any changes that would affect the commission's ability to implement those programs must be submitted to and approved by EPA.

States are required to adopt SIPs with enforceable emission limitations and other control measures, means, or techniques, as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of the FCAA. As discussed in the section "Background and Summary of the Factual Basis for the Adopted Rules" of this preamble, the adopted rules are not anticipated to add any significant additional costs to affected individuals or businesses beyond what is necessary to comply with federal requirements on the economy, a sector of the economy, productivity, competition, jobs, the environment, or the public health and safety of the state or a sector of the state. If a state does not comply with its obligations under 42 U.S.C. §7410 (FCAA, §110) to submit SIPs, states are subject to discretionary sanctions under 42 U.S.C. §7410(m) (FCAA, §110(m)) or mandatory sanctions under 42 U.S.C. §7509 (FCAA, §179); as well as the imposition of a federal implementation plan (FIP) under 42 U.S.C. §7410 (FCAA, §110(c)).

The requirement to provide a fiscal analysis of regulations in the Texas Government Code was amended by SB 633 during the 75th legislative session. The intent of SB 633 was to require agencies to conduct a regulatory impact analysis of extraordinary rules. These are identified in the statutory language as major environmental rules that will have a material adverse impact and will exceed a requirement of state law, federal law, or a delegated federal program, or are adopted solely under the general powers of the agency. With the understanding that this requirement would seldom apply, the commission provided a cost estimate for SB 633 that concluded "based on an assessment of rules adopted by the agency in the past, it is not anticipated that the bill will have significant fiscal implications for the agency due to its limited application." The commission also noted that the number of rules that would require assessment under the provisions of the bill was not large. This conclusion was based, in part, on the criteria set forth in the bill that exempted rules from the full analysis unless the rule was a "Major environmental rule" that exceeds a federal law. Because of the ongoing need to meet federal requirements, the commission routinely proposes and adopts rules incorporating or designed to satisfy specific federal requirements. The legislature is presumed to understand this federal scheme. If each rule proposed by the commission to meet a federal requirement was a major environmental rule that exceeds federal law, then each of those rules would require the full regulatory impact analysis contemplated by SB 633. Requiring a full regulatory impact analysis for all federally required rules is inconsistent with the conclusions reached by the commission in its cost estimate and by the Legislative Budget Board (LBB) in its fiscal notes. Since the legislature is presumed to understand the fiscal impacts of the bills it passes, and that presumption is based on information provided by state agencies and the LBB, the that the intent of SB 633 was only to require the full regulatory impact analysis for rules that are extraordinary in nature. While the adopted rules may have a broad impact, that impact is no greater than is necessary or appropriate to meet the requirements of the FCAA, and in fact creates no additional impacts since the adopted rules do not impose burdens greater than required to comply with federal law, as discussed elsewhere in this preamble. For these reasons, the adopted rules fall under the exception in Texas Government Code, §2001.0225(a), because they are required by, and do not exceed, federal law. The commission has consistently applied this construction to its rules since this statute was enacted in 1997. Since that time, the legislature has revised the Texas Government Code, but left this provision substantially unamended. It is presumed that "when an agency interpretation is in effect at the time the legislature amends the laws without making substantial change in the statute, the legislature is deemed to have accepted the agency's interpretation." (*Central Power & Light Co. v. Sharp*, 919 S.W.2d 485, 489 (Tex. App. Austin 1995), *writ denied with per curiam opinion respecting another issue*, 960 S.W.2d 617 (Tex. 1997); *Bullock v. Marathon Oil Co.*, 798 S.W.2d 353, 357 (Tex. App. Austin 1990, *no writ*). *Cf. Humble Oil & Refining Co. v. Calvert*, 414 S.W.2d 172 (Tex. 1967); *Dudney v. State Farm Mut. Auto Ins. Co.*, 9 S.W.3d 884, 893 (Tex. App. Austin 2000); *Southwestern Life Ins. Co. v. Montemayor*, 24 S.W.3d 581 (Tex. App. Austin 2000, *pet. denied*); and *Coastal Indust. Water Auth. v. Trinity Portland Cement Div.*, 563 S.W.2d 916 (Tex. 1978).) The commission's interpretation of the regulatory impact analysis requirements is also supported by a change made to the Texas Administrative Procedure Act (APA) by the legislature in 1999. In an attempt to limit the number of rule challenges based upon APA requirements, the legislature clarified that state agencies are required to meet these sections of the APA applying the standard of "substantial compliance" specified in Texas Government Code, §2001.035. The legislature specifically identified Texas Government Code, §2001.0225 as falling under this standard.

As presented in this analysis and elsewhere in this preamble, the evidence supports the conclusion that the commission has substantially complied with the requirements of Texas Government Code, §2001.0225. The adopted rules support implementation of the requirements of the FCAA as discussed in this analysis and elsewhere in this preamble. The adopted rules were determined to be necessary to comply with federal law and will not exceed any standard set by state or federal law. These adopted rules are also an express requirement of state law, as discussed elsewhere in this preamble. The adopted rules do not exceed a requirement of a delegation agreement or a contract between state and federal government, as the rules adopted by the commission and if approved by EPA, will become federal law as part of the approved SIP required by 42 U.S.C. §7410 (FCAA, §110). The adopted rules were not developed solely under the general powers of the agency but are authorized by specific sections of THSC, Chapter 382 (also known as the Texas Clean Air Act), and the Texas Water Code, which are cited in the STATUTORY AUTHORITY section of this preamble, including THSC, §§382.011, 382.012, 382.017, and 382.202(d-2). Therefore, this rulemaking action is not subject to the regulatory analysis provisions of Texas Government Code, §2001.0225(b).

The commission invited public comment regarding the Draft Regulatory Impact Analysis Determination during the public comment period. No comments were received.

Takings Impact Assessment

Under Texas Government Code, §2007.002(5), taking means a governmental action that affects private real property, in whole or in part or temporarily or permanently, in a manner that requires the governmental entity to compensate the private real property owner as provided by the Fifth and Fourteenth Amendments to the United States Constitution or §17 or §19, Article I, Texas Constitution; or a governmental action that affects an owner's private real property that is the subject of the governmental action, in whole or in part or temporarily or permanently, in a manner that restricts or limits the owner's right to the property that would otherwise exist in the absence of the governmental action; and is the producing cause of a reduction of at least 25 percent in the market value of the affected private real property, determined by comparing the market value of the property as if the governmental action is not in effect and the market value of the property determined as if the governmental action is in effect.

The commission completed a takings impact analysis for the rulemaking action under the Texas Government Code, Chapter 2007. The primary purpose of this rulemaking action is to make changes to fully implement the statutory requirements in THSC, §382.202(d-2), as added by SB 2102 and consolidated by SB 1729, as discussed elsewhere in this preamble. As vehicle I/M programs are specifically required for certain nonattainment areas by the FCAA any changes that would affect the commission's ability to implement those programs must be submitted to and approved by EPA. Therefore, Chapter 2007 does not apply to this rulemaking adoption because it is an action reasonably taken to fulfill an obligation mandated by federal law, as provided by Texas Government Code, §2007.003(b)(4).

As discussed elsewhere in this preamble, the rulemaking adoption implements requirements of FCAA, 42 U.S.C. §7410, which requires states to adopt a SIP that provides for the implementation, maintenance, and enforcement of the NAAQS in each air quality control region of the state. While 42 U.S.C. §7410 generally does not require specific programs, methods, or reductions in order to meet the standard, I/M programs are specifically required by the FCAA. The SIP must include enforceable emission limitations and other control measures, means, or techniques (including economic incentives such as fees, marketable permits, and auctions of emissions rights), as well as schedules and timetables for compliance as may be necessary or appropriate to meet the applicable requirements of the FCAA. The provisions of the FCAA recognize that states are in the best position to determine what programs and controls are necessary or appropriate in order to meet the NAAQS. This flexibility allows states, affected industry, and the public, to collaborate on the best methods for attaining the NAAQS for the specific regions in the state. Even though the FCAA allows states to develop their own programs, this flexibility does not relieve a state from developing a program that meets the requirements of 42 U.S.C. §7410. States are not free to ignore the requirements of 42 U.S.C. §7410 and must develop programs to assure that their contributions to nonattainment areas are reduced so that these areas can be brought into attainment on the schedule prescribed by the FCAA.

States are required to adopt SIPs with enforceable emission limitations and other control measures, means, or techniques, as well as schedules and timetables for compliance, as may be necessary or appropriate to meet the applicable requirements of the FCAA. If a state does not comply with its obligations under 42 U.S.C. §7410, FCAA, §110 to submit SIPs, states are subject to discretionary sanctions under 42 U.S.C. §7410(m) or mandatory sanctions under 42 U.S.C. §7509, FCAA, §179; as well as the imposition of a federal implementation plan (FIP) under 42 U.S.C. §7410, FCAA, §110(c).

In addition, the commission's assessment indicates that Texas Government Code, Chapter 2007 does not apply to these adopted rules because this action is taken to fully implement the statutory requirements in THSC, §382.202(d-2), as added by SB 2102 and consolidated by SB 1729, as discussed elsewhere in this preamble, which provided for changes to the vehicle I/M program which is a required element of the state implementation plan for ozone which addresses real and substantial threats to public health and safety; that is designed to significantly advance the health and safety purpose; and that does not impose a greater burden than is necessary to achieve the health and safety purpose. Thus, this action is exempt under Texas Government Code, §2007.003(b)(13). The adopted rules fulfill the FCAA requirement for states to create plans including control strategies to attain and maintain the NAAQS, as discussed elsewhere in this preamble. The adopted rules would assist in achieving the timely attainment of the ozone or CO NAAQS and reduced public exposure to ozone or CO. The NAAQS are promulgated by EPA in accord with the FCAA, which requires EPA to identify and list air pollutants that "cause or contribute to air pollution which may reasonably be anticipated to endanger public health and welfare" and "the presence of which in the ambient air results from numerous or diversion mobile or stationary sources," as required by 42 U.S.C. §7408. For those air pollutants listed, EPA then is required to issue air quality criteria identifying the latest scientific knowledge regarding on adverse health and welfare effects associated with the listed air pollutant, in accord with 42 U.S.C. §7408. For each air pollutant for which air quality criteria have been issued, EPA must publish proposed primary and secondary air quality standards based on the criteria that specify a level of air quality requisite to protect the public health and welfare from any known or anticipated adverse effects associated with the presence of the air pollutant in the ambient air, as required by 42 U.S.C. §7409. As discussed elsewhere in this preamble, states have the primary responsibility to adopt plans designed to attain and maintain the NAAQS.

The adopted rules will not create any additional burden on private real property beyond what is required under federal law, as the rules adopted by the commission and approved by EPA, will become federal law as part of the approved SIP required by 42 U.S.C. §7410, FCAA, §110. The adopted rules will not affect private real property in a manner that would require compensation to private real property owners under the United States Constitution or the Texas Constitution. The adoption also will not affect private real property in a manner that restricts or limits an owner's right to the property that would otherwise exist in the absence of the governmental action. Therefore, the rulemaking adoption will not cause a taking under Texas Government Code, Chapter 2007. For these reasons, Texas Government Code, Chapter 2007 does not apply to this rulemaking adoption.

Consistency with the Coastal Management Program

The commission reviewed the rulemaking adoption and found the rulemaking identified in the Coastal Coordination Act Implementation Rules, 31 TAC §29.11(b)(2) relating to rules subject to the Coastal Management Program, and will, therefore, require that goals and policies of the Texas Coastal Management Program (CMP) be considered during the rulemaking process.

The commission invited public comment regarding the consistency with the coastal management program during the public comment period. No comments were received.

Public Comment

The comment period for the proposed Chapter 114 I/M rulemaking opened on April 3, 2026, and closed on May 19, 2026. The commission held a virtual public hearing on May 14, 2026, at 2:00 p.m. TCEQ staff were present and opened the hearing for public comment on this project as well as the concurrent I/M SIP revision (Project No. 2026-004-SIP-NR). One attendee signed up to make comments on the record, and a written transcript of the public hearing was prepared. The commission received written comments from the same individual who provided oral testimony at the public hearing. The written comment submission and the oral comments provided during the public hearing, are outside the scope of this rulemaking.

Response to Comments

Comment

One individual commented on the implementation of the Bexar County I/M program. The individual requested that TCEQ publish a household-level cost-benefit analysis examining program costs by income quintile, by vehicle age cohort, and by Commissioner precinct, specifying the projected air quality benefit per dollar extracted from families at each income level. The individual requested completion of the study before September 9, 2026.

The individual presented Bexar County I/M program impact metrics, including vehicle failure rate, average repair cost, average program cost to the vehicle owner, and the presence of government assistance (the Low Income Vehicle Repair Assistance Retrofit, and Accelerated Vehicle Retirement Program, or LIRAP) available to the vehicle owner. With these metrics applied to three separate scenarios with vehicles aged 10, 15, and 20 years old, the individual requested that TCEQ quantify the air quality benefit per dollar of cost imposed on each case.

The individual requested that TCEQ confirm whether the "negligible" characterization applies to the Bexar County program specifically; that TCEQ explain in the adoption package for this rulemaking how a program producing negligible benefit justifies a mandatory $28.50 annual fee with no household-level impact analysis; and that TCEQ address whether FCAA §110(l) review is warranted.

The individual requested that TCEQ's adoption package address the empirical record of the Dallas-Fort Worth I/M program area and explain what analytical basis supports the expectation that Bexar County will achieve attainment through an I/M program.

The individual requested that TCEQ formally acknowledge that AirCheckTexas is non-operational and does not cover Bexar County; that TCEQ update Form VIE-7 to remove reference to AirCheckTexas as a Bexar County resource; and that TCEQ encourage the Bexar County Commissioners Court to activate the LIRAP enrollment before November 1, 2026.

Finally, the individual requested that TCEQ formally support EPA's initiation of an FCAA, §179B feasibility review; and TCEQ communicate to EPA that TCEQ's own negligible finding and the documented transport record strengthen the §179B case.

Response

The individual's comments regarding the broader implementation of the federally required I/M program are outside the scope of this rulemaking, which exclusively concerns the initial assessment of emissions inspection fees for new rental vehicles at the time of initial registration. Additionally, comments requesting specific assessment, information, or action from the commission are also outside the scope of this rulemaking. The commission's assessment regarding the applicability of FCAA, §110(l) to this rulemaking was specifically addressed in the proposal preamble and is reiterated elsewhere in this adoption preamble. No changes were made in response to these comments.

SUBCHAPTER A. DEFINITIONS

30 TAC §114.2

Statutory Authority

The rules are adopted under the authority of Texas Water Code (TWC), §5.102, concerning general powers; TWC, §5.103, concerning rules; TWC, §5.105, concerning general policy; and Texas Health & Safety Code (THSC), §382.017, concerning rules.

The rules are also adopted under THSC, §382.002, concerning the policy and purpose which establishes the commission's purpose to safeguard the state's air resources consistent with the protection of public health, general welfare, and physical property; THSC, §382.011, concerning general powers and duties, which authorizes the commission to control the quality of the state's air; THSC, §382.012, concerning the state air control plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the control of the state's air; THSC, §382.202, concerning the vehicle emissions inspection and maintenance program, which provides authority for the program; THSC, §382.203, concerning vehicles subject to program, exemptions, which provides authority for the inspection of specific vehicles; and THSC, §382.205, concerning inspection equipment and procedures, which provides authority vehicle inspection equipment and procedures.

The adopted rules implement TWC, §§5.102, 5.103, and 5.105; and THSC, §§382.002, 382.011, 382.012, 382.017, 382.202, and 382.205.

The amended rules are also adopted under and implement the provisions of Senate Bill (SB) 2102, 88th Legislature, Regular Session, 2023 and SB 1729, 89th Legislature, Regular Session, 2025.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603760

Amy L. Browning

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Effective date: September 17, 2026

Proposal publication date: April 17, 2026

For further information, please call: (512) 239-6087

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SUBCHAPTER C. VEHICLE INSPECTION AND MAINTENANCE; LOW INCOME VEHICLE REPAIR ASSISTANCE, RETROFIT, AND ACCELERATED VEHICLE RETIREMENT PROGRAM; AND EARLY ACTION COMPACT COUNTIES

DIVISION 1. VEHICLE INSPECTION AND MAINTENANCE

30 TAC §114.53

Statutory Authority

The rules are adopted under the authority of Texas Water Code (TWC), §5.102, concerning general powers; TWC, §5.103, concerning rules; TWC, §5.105, concerning general policy; and Texas Health & Safety Code (THSC), §382.017, concerning rules.

The rules are also adopted under THSC, §382.002, concerning the policy and purpose which establishes the commission's purpose to safeguard the state's air resources consistent with the protection of public health, general welfare, and physical property; THSC, §382.011, concerning general powers and duties, which authorizes the commission to control the quality of the state's air; THSC, §382.012, concerning the state air control plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the control of the state's air; THSC, §382.0622, concerning clean air act fees, which provides authority for various fees collected by the commission; THSC, §382.202, concerning the vehicle emissions inspection and maintenance program, which provides authority for the program; THSC, §382.203, concerning vehicles subject to program, exemptions, which provides authority for the inspection of specific vehicles; and THSC, §382.205, concerning inspection equipment and procedures, which provides authority vehicle inspection equipment and procedures.

The adopted rules implement TWC, §§5.102, 5.103, and 5.105; and THSC, §§382.002, 382.011, 382.012, 382.017, 382.0622, 382.202, and 382.205.

The amended rules are also adopted under and implement the provisions of Senate Bill (SB) 2102, 88th Legislature, Regular Session, 2023 and SB 1729, 89th Legislature, Regular Session, 2025.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603758

Amy L. Browning

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Effective date: September 17, 2026

Proposal publication date: April 17, 2026

For further information, please call: (512) 239-6087

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DIVISION 3. EARLY ACTION COMPACT COUNTIES

30 TAC §114.87

Statutory Authority

The rules are adopted under the authority of Texas Water Code (TWC), §5.102, concerning general powers; TWC, §5.103, concerning rules; TWC, §5.105, concerning general policy; and Texas Health & Safety Code (THSC), §382.017, concerning rules.

The rules are also adopted under THSC, §382.002, concerning the policy and purpose which establishes the commission's purpose to safeguard the state's air resources consistent with the protection of public health, general welfare, and physical property; THSC, §382.011, concerning general powers and duties, which authorizes the commission to control the quality of the state's air; THSC, §382.012, concerning the state air control plan, which authorizes the commission to prepare and develop a general, comprehensive plan for the control of the state's air; THSC, §382.0622, concerning clean air act fees, which provides authority for various fees collected by the commission; THSC, §382.202, concerning the vehicle emissions inspection and maintenance program, which provides authority for the program; THSC, §382.203, concerning vehicles subject to program, exemptions, which provides authority for the inspection of specific vehicles; and THSC, §382.205, concerning inspection equipment and procedures, which provides authority vehicle inspection equipment and procedures.

The adopted rules implement TWC, §§5.102, 5.103, and 5.105; and THSC, §§382.002, 382.011, 382.012, 382.017, 382.0622, 382.202, and 382.205.

The rules are also adopted under and implement the provisions of Senate Bill 2102, 88th Legislature, Regular Session.

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

Filed with the Office of the Secretary of State on August 28, 2026.

TRD-202603759

Amy L. Browning

Deputy Director, Environmental Law Division

Texas Commission on Environmental Quality

Effective date: September 17, 2026

Proposal publication date: April 17, 2026

For further information, please call: (512) 239-6087

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TITLE 37. PUBLIC SAFETY AND CORRECTIONS

PART 1. TEXAS DEPARTMENT OF PUBLIC SAFETY

CHAPTER 15. DRIVER LICENSE RULES

SUBCHAPTER A. LICENSING REQUIREMENTS

37 TAC §15.6

The Texas Department of Public Safety (the department) adopts amendments to §15.6, concerning Motorcycle License. This rule is adopted without changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4110) and will not be republished.

The amendments align operator training and safety curriculum standards with current Texas Department of Licensing and Regulation administrative rules.

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Transportation 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 August 31, 2026.

TRD-202603772
D. Phillip Adkins
General Counsel
Texas Department of Public Safety
Effective date: September 20, 2026
Proposal publication date: June 26, 2026
For further information, please call: (512) 424-5848

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SUBCHAPTER B. APPLICATION REQUIREMENTS--ORIGINAL, RENEWAL, DUPLICATE, IDENTIFICATION CERTIFICATES

37 TAC §15.21

The Texas Department of Public Safety (the department) adopts amendments to §15.21, concerning Signature. This rule is adopted without changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4111) and will not be republished.

The amendment modifies the ink signature requirement to include an exception allowing for electronic signature for online or digital applications.

No comments were received regarding the adoption of this rule.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Transportation 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 August 31, 2026.

TRD-202603773
D. Phillip Adkins
General Counsel
Texas Department of Public Safety
Effective date: September 20, 2026
Proposal publication date: June 26, 2026
For further information, please call: (512) 424-5848

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37 TAC §15.24

The Texas Department of Public Safety (the department) adopts amendments to §15.24, concerning Identification of Applicants. This rule is adopted with changes to the proposed text as published in the June 26, 2026, issue of the *Texas Register* (51 TexReg 4112) and will be republished.

The amendments update the acceptable documents for proof of identity to align with the REAL ID Act of 2005.

The department accepted comments on the proposed amendments through July 27, 2026. The substantive comments received, and the department's responses are summarized below.

COMMENT:

Written comments were submitted by the Executive Committee of American Immigration Lawyer Association - Texas Chapter, Berry Appleman & Leiden LLP and BAL Community, and 664 individuals against adoption of amendments to subsection (1)(F) and (G) removing an expired visa with a foreign passport with a valid I-94 as an acceptable document to prove applicant identification for a Texas driver license or identification card.

RESPONSE:

The United States Department of Homeland Security has updated its guidance to the department that a foreign passport with a visa that is facially expired may continue to be used for purposes of applicant identification in compliance with federal regulations as long as it has been verified through the Systematic Alien Verification for Entitlements (SAVE) program, which is the department's policy. Therefore, amendments to subsection (1)(F) and (G) are no longer required.

COMMENT:

Written comments were submitted by ten individuals for adoption of amendments to subsection (1)(F) and (G) removing an expired visa with a foreign passport with a valid I-94 as an acceptable document to prove applicant identification for a Texas driver license or identification card.

RESPONSE:

The United States Department of Homeland Security has updated its guidance to the department that a foreign passport with a visa that is facially expired may continue to be used for purposes of applicant identification in compliance with federal regulations as long as it has been verified through the Systematic Alien Verification for Entitlements (SAVE) program, which is the department's policy. Therefore, amendments to paragraph (1)(F) and (G) are no longer required.

This rule is adopted pursuant to Texas Government Code, §411.004(3), which authorizes the Public Safety Commission to adopt rules considered necessary for carrying out the department's work; and Texas Transportation Code, §521.005, which authorizes the department to adopt rules necessary to administer Chapter 521 of the Transportation Code.

§15.24. Identification of Applicants.

All original applicants for a driver license or identification certificate must present proof of identity satisfactory to the department. All documents must be verifiable. There are three categories of documents that may be presented to establish proof of identity.

(1) Primary identification. These items are complete within themselves and require no supporting instruments: These documents must contain the applicant's complete name and full date of birth:

(A) Texas driver license (DL) or identification certificate (ID) with photo within two years of expiration date;

(B) unexpired United States passport;

(C) United States citizenship (naturalization) certificate with identifiable photo;

(D) unexpired document issued by the United States Citizenship and Immigration Services or successor federal immigration agency. The document must contain verifiable data and identifiable photo; or

(E) unexpired United States military ID card for active duty, reserve or retired personnel with identifiable photo.

(F) foreign passport with a visa issued by the United States Department of State (valid or expired) with unexpired I-94 marked valid for a fixed duration. If the applicant was not required by federal law to obtain a visa to enter the United States, the visa requirement under this subparagraph may be waived.

(G) foreign passport with a visa issued by the United States Department of State (valid or expired) with an I-94 marked valid for the duration of stay accompanied by appropriate documentation. If the applicant was not required by federal law to obtain a visa to enter the United States, the visa requirement under this subparagraph may be waived.

(2) Secondary identification. These items are recorded governmental documents (United States, 1 of the 50 states, a United States territory, or District of Columbia):

(A) original or certified copy of a birth certificate issued by the appropriate State Bureau of Vital Statistics or equivalent agency;

(B) original or certified copy of United States Department of State Certification of Birth (issued to United States citizens born abroad); or

(C) original or certified copy of court order with name and date of birth (DOB) indicating an official change of name.

(3) Supporting identification. These items consist of other records or documents that aid examining personnel in establishing the identity of the applicant. The following items are not all inclusive. The examining or supervisory personnel may determine that an unlisted document meets the department's needs in establishing identity.

(A) school records;

(B) insurance policy (at least two years old);

(C) vehicle title;

(D) military records;

(E) unexpired military dependent identification card;

(F) original or certified copy of marriage license or divorce decree;

(G) voter registration card;

(H) Social Security card;

(I) pilot's license;

(J) concealed handgun license;

(K) Texas driver's license temporary receipt;

(L) unexpired photo DL or photo ID issued by another (United States) state, U.S. territory, the District of Columbia or Canadian province;

(M) expired photo DL or photo ID issued by another (United States) state, U.S. territory, the District of Columbia or Canadian province that is within two years of the expiration date;

(N) a consular document issued by a state or national government; or

(O) an offender identification card or similar form of identification issued by the Texas Department of Criminal Justice.

(4) Every original applicant must present:

(A) one piece of primary identification, or

(B) one piece of secondary identification plus two pieces of support identification; or,

(C) two pieces of secondary identification.

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

Filed with the Office of the Secretary of State on August 31, 2026.

TRD-202603774
D. Phillip Adkins
General Counsel
Texas Department of Public Safety
Effective date: September 20, 2026
Proposal publication date: June 26, 2026
For further information, please call: (512) 424-5848

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PART 6. TEXAS DEPARTMENT OF CRIMINAL JUSTICE

CHAPTER 163. COMMUNITY JUSTICE ASSISTANCE DIVISION STANDARDS

37 TAC §163.38

The Texas Board of Criminal Justice (board) adopts amendments to §163.38, concerning Sex Offender Supervision without changes to the proposed text as published in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2878). The rule will not be republished. The adopted amendments update statutory references, add language to include applicable grant conditions in subsection (g), and make grammatical and formatting updates.

No public comments were received regarding the amendments.

The amendments are adopted under Texas Government Code §76.016, which requires victim notification; §492.013, which authorizes the board to adopt rules; §509.003, which authorizes the board to adopt reasonable rules establishing standards and procedures for the TDCJ Community Justice Assistance Division; and Texas Code of Criminal Procedure Chapter 42A, which establishes guidelines for community supervision and Chapter 62, which establishes the sex offender registration program.

Cross Reference to Statutes: None.

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

Filed with the Office of the Secretary of State on August 31, 2026.

TRD-202603775

Eric Miller

General Counsel

Texas Department of Criminal Justice

Effective date: September 20, 2026

Proposal publication date: May 1, 2026

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

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CHAPTER 195. PAROLE

37 TAC §195.81

The Texas Board of Criminal Justice (board) adopts amendments to §195.81, concerning the Temporary Housing Assistance Program without changes to the proposed text as published in the May 1, 2026, issue of the *Texas Register* (51 TexReg 2880). The rule will not be republished. The adopted amendments replace "offender" with "parole client" throughout, update address information in paragraph (c)(1), and make grammatical and formatting updates.

No public comments were received regarding the amendments.

The amendments are adopted under Texas Government Code §492.013, which authorizes the board to adopt rules; and §508.157, which establish guidelines for temporary housing on release.

Cross Reference to Statutes: None.

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

Filed with the Office of the Secretary of State on August 31, 2026.

TRD-202603776

Eric Miller

General Counsel

Texas Department of Criminal Justice

Effective date: September 20, 2026

Proposal publication date: May 1, 2026

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

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In Addition

The *Texas Register* is required by statute to publish certain documents, including applications to purchase control of state banks, notices of rate ceilings issued by the Office of Consumer Credit Commissioner, and consultant proposal requests and awards. State agencies also may publish other notices of general interest as space permits.

Capital Area Rural Transportation System

Bastrop Station Park-and-Ride Expansion RFP

PUBLIC NOTICE

The Capital Area Rural Transportation System (CARTS) invites qualified general contractors to submit proposals for the expansion of park-and-ride facilities at CARTS' Bastrop Station in Bastrop, Texas.

The RFP and construction documents will be available on the CARTS website beginning at **2:00 p.m. on Tuesday, September 29, 2026**. Visit https://www.ridecarts.com/procurement/ select the Bastrop Station link and follow the instructions.

A non-mandatory but recommended on-site pre-proposal conference will be held at 10:00 a.m. on **Tuesday, October 6, 2026,** at the CARTS Bastrop Station, 310 Hospital Drive, Bastrop, Texas.

PROCUREMENT SCHEDULE

Milestone	Date and time
RFP documents available for download	**Tuesday, September 29, 2026, 2:00 p.m.**
On-site pre-proposal conference	**Tuesday, October 6, 2026, 10:00 a.m.**
Deadline for proposal questions	**Tuesday, October 13, 2026, 5:00 p.m.**
Responses posted on CARTS website	**Tuesday, October 20, 2026, 5:00 p.m.**
Proposals due at CARTS	**Tuesday, November 3, 2026, 2:00 p.m.**
Staff evaluation	**November 4-12, 2026**
Board consideration of recommendation	**Thursday, November 19, 2026**

Proposals will be evaluated based on cost, qualifications, experience, and the quality and content of the submittal.

Please direct billing to CARTS and, after the final insertion, send the affidavit of publication and tear sheets to: CARTS, P.O. Box 2107, Bastrop, Texas 78602.

TRD-202603764
David L. Marsh
CARTS General Manager
Capital Area Rural Transportation System
Filed: August 28, 2026

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Joint Notice: Lockhart Station RFQ and Regional Vanpool RFP

PUBLIC NOTICE

The Capital Area Rural Transportation System (CARTS) is issuing two solicitations for professional services:

1. **Lockhart Station RFQ**. CARTS invites qualified firms to submit Statements of Qualifications for comprehensive planning, architectural, and engineering services for the design of a new intermodal station in Lockhart, Texas.

2. **Regional Vanpool RFP.** CARTS invites qualified firms to submit proposals for a Regional Vanpool Pilot Program serving the CARTS District.

The RFQ and RFP will be available for download on the CARTS website beginning at 2:00 p.m. on **Tuesday, September 22, 2026**. Visit https://www.ridecarts.com/procurement/ and follow the instructions for the applicable solicitation.

PROCUREMENT SCHEDULE

Milestone	Date and time
RFQ and RFP available for download	**Tuesday, September 22, 2026, 2:00 p.m.**
Lockhart Station RFQ pre-response meeting	**Tuesday, September 29, 2026, 10:00 a.m.**
Vanpool RFP pre-proposal meeting	**Tuesday, September 29, 2026, 2:00 p.m.**
Written questions due	**Tuesday, October 6, 2026, 5:00 p.m.**
Responses posted on CARTS website	**Tuesday, October 13, 2026, 5:00 p.m.**
Statements of Qualifications / proposals due	**Tuesday, October 27, 2026, 2:00 p.m.**
Interviews, if necessary	**October 28-November 3, 2026 (TBD)**
Selection and award	**Thursday, November 19, 2026**

Project commencement is anticipated within 30 days after notice to proceed.

Please direct billing to CARTS and, after the final insertion, send the affidavit of publication and tear sheets to: CARTS, P.O. Box 2107, Bastrop, Texas 78602.

TRD-202603763
David L. Marsh
CARTS General Manager
Capital Area Rural Transportation System
Filed: August 28, 2026

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Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - July 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 July 2026 is $57.34 per barrel for the three-month period beginning on April 1, 2026, and ending June 30, 2026. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of July 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 July 2026 is $1.31 per mcf for the three-month period beginning on April 1, 2026, and ending June 30, 2026. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of July 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 July 2026 is $79.22 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 July 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 July 2026 is $2.95 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 July 2026, from a qualified low-producing gas well.

Inquiries should be submitted to Chris Blackwell, General Counsel and Associate Deputy Comptroller, P.O. Box 13528, Austin, Texas 78711-3528.

Issued in Austin, Texas, on August 27, 2026.

TRD-202603750
Chris Blackwell
General Counsel and Associate Deputy Comptroller
Comptroller of Public Accounts
Filed: August 27, 2026

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Office of Consumer Credit Commissioner

Notice of Rate Ceilings

The Consumer Credit Commissioner of Texas has ascertained the following rate ceilings by use of the formulas and methods described in §303.003, §303.005, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/07/26 - 09/13/26 is 18.00% for consumer[1] credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 09/07/26 - 09/13/26 is 18.00% for commercial[2] credit.

The monthly ceiling as prescribed by §303.005[3] and §303.009 for the period of 09/01/26 - 09/30/26 is 18.00%.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/26 - 12/31/26 is 18.00% for consumer[1] credit.

The quarterly ceiling as prescribed by §303.008 and §303.009 for the period of 10/01/26 - 12/31/26 is 18.00% for commercial[2] credit.

The annualized ceiling as prescribed by §303.008 and §303.009[4] for the period of 10/01/26 - 09/30/27 is 18.00% for consumer[1] credit.

The annualized ceiling as prescribed by §303.008 and §303.009[4] for the period of 10/01/26 - 09/30/27 is 18.00% for commercial[2] credit.

[1] Credit for personal, family, or household use.

[2] Credit for business, commercial, investment, or other similar purpose.

[3] Only for variable rate commercial transactions, as provided by §303.004(a)

[4] Only for open-end credit as defined in §301.002(14), as provided by §303.007.

TRD-202603798
Leslie L. Pettijohn
Commissioner
Office of Consumer Credit Commissioner
Filed: September 2, 2026

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Texas Commission on Environmental Quality

Agreed Orders

The Texas Commission on Environmental Quality (TCEQ, agency, or commission) staff is providing an opportunity for written public comment on the listed Agreed Orders (AOs) in accordance with Texas Water Code (TWC), §7.075. TWC, §7.075 requires that before the commission may approve the AOs, the commission shall allow the public an opportunity to submit written comments on the proposed AOs. TWC, §7.075 requires that notice of the proposed orders and the opportunity to comment must be published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **October 12, 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 **October 12, 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: Air Products LLC; DOCKET NUMBER: 2026-0520-AIR-E; IDENTIFIER: RN102041282; LOCATION: La Porte, Harris County; TYPE OF FACILITY: industrial gas manufacturing plant; PENALTY: $24,600; ENFORCEMENT COORDINATOR: John Burkett, (512) 239-4169; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(2) COMPANY: Ardagh Glass Packaging Inc.; DOCKET NUMBER: 2026-0598-AIR-E; IDENTIFIER: RN100671445; LOCATION: Houston, Harris County; TYPE OF FACILITY: glass manufacturing plant; PENALTY: $5,000; ENFORCEMENT COORDINATOR: Jonathan Hawkins, (512) 239-4662; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(3) COMPANY: Brazoria County Municipal Utility District 40; DOCKET NUMBER: 2026-0133-MWD-E; IDENTIFIER: RN104712294; LOCATION: Manvel, Brazoria County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $22,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $18,200; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(4) COMPANY: CHASCO CONSTRUCTORS, LTD., L.L.P.; DOCKET NUMBER: 2026-0711-MLM-E; IDENTIFIER: RN112438411; LOCATION: Hutto, Williamson County; TYPE OF FACILITY: construction material storage area; PENALTY: $9,375; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(5) COMPANY: CSWR-TEXAS UTILITY OPERATING COMPANY, LLC; DOCKET NUMBER: 2026-0659-PWS-E; IDENTIFIER: RN102692274; LOCATION: Azle, Wise County; TYPE OF FACILITY: public water supply; PENALTY: $12,233; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(6) COMPANY: Chevron U.S.A. Inc.; DOCKET NUMBER: 2025-0307-AIR-E; IDENTIFIER: RN111344701; LOCATION: Crane, Crane County; TYPE OF FACILITY: natural gas compressor station; PENALTY: $9,312; ENFORCEMENT COORDINATOR: John Burkett, (512) 239-4169; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(7) COMPANY: City of Andrews; DOCKET NUMBER: 2024-1001-MSW-E; IDENTIFIER: RN102119740; LOCATION: Andrews, Andrews County; TYPE OF FACILITY: landfill; PENALTY: $52,064; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(8) COMPANY: City of Baird; DOCKET NUMBER: 2025-1685-MWD-E; IDENTIFIER: RN109458810; LOCATION: Baird, Callahan County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $4,687; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $3,750; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(9) COMPANY: City of Callisburg; DOCKET NUMBER: 2024-0056-MWD-E; IDENTIFIER: RN102080900; LOCATION: Callisburg, Cooke County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $18,687; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $14,950; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, REGION 04 - DALLAS-FORT WORTH.

(10) COMPANY: City of Corrigan; DOCKET NUMBER: 2026-0552-PWS-E; IDENTIFIER: RN101385011; LOCATION: Corrigan, Polk County; TYPE OF FACILITY: public water supply;

PENALTY: $3,570; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(11) COMPANY: City of Diboll; DOCKET NUMBER: 2026-0697-PWS-E; IDENTIFIER: RN101389450; LOCATION: Diboll, Angelina County; TYPE OF FACILITY: public water supply; PENALTY: $2,925; ENFORCEMENT COORDINATOR: Deshaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

(12) COMPANY: City of Odessa; DOCKET NUMBER: 2024-1122-MWD-E; IDENTIFIER: RN101614261; LOCATION: Odessa, Midland County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $105,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $105,000; ENFORCEMENT COORDINATOR: Madison Crawford, (512) 239-4603; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(13) COMPANY: ET Gathering & Processing LLC; DOCKET NUMBER: 2026-0122-AIR-E; IDENTIFIER: RN104928676; LOCATION: Godley, Johnson County; TYPE OF FACILITY: natural gas processing plant; PENALTY: $28,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $11,250; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(14) COMPANY: Eagleridge Operating, LLC; DOCKET NUMBER: 2026-0648-AIR-E; IDENTIFIER: RN106141021; LOCATION: Lewisville, Denton County; TYPE OF FACILITY: natural gas production facility; PENALTY: $5,000; ENFORCEMENT COORDINATOR: Rajesh Acharya, (512) 239-0577; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(15) COMPANY: GPM Southeast, LLC; DOCKET NUMBER: 2026-0403-PST-E; IDENTIFIER: RN102356771; LOCATION: Granbury, Hood County; TYPE OF FACILITY: underground storage tank system; PENALTY: $1,875; ENFORCEMENT COORDINATOR: Kensington Mikulenka, (512) 239-4675; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(16) COMPANY: GPM Southeast, LLC; DOCKET NUMBER: 2026-0419-PST-E; IDENTIFIER: RN102356573; LOCATION: Granbury, Hood County; TYPE OF FACILITY: underground storage tank facility; PENALTY: $1,875; ENFORCEMENT COORDINATOR: Kensington Mikulenka, (512) 239-4675; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(17) COMPANY: HARVEY, DEBBIE; DOCKET NUMBER: 2025-1201-EAQ-E; IDENTIFIER: RN111794285; LOCATION: Georgetown, Williamson County; TYPE OF FACILITY: brush disposal site; PENALTY: $10,000; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 425-6010; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(18) COMPANY: Harris County Municipal Utility District No. 412; DOCKET NUMBER: 2026-0158-MWD-E; IDENTIFIER: RN104303003; LOCATION: Houston, Harris County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $13,500; ENFORCEMENT COORDINATOR: Madison Crawford, (512) 239-4603; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(19) COMPANY: INEOS Americas LLC; DOCKET NUMBER: 2024-0385-AIR-E; IDENTIFIER: RN100213958; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: chemical manufacturing plant; PENALTY: $212,650; ENFORCEMENT COORDINATOR: Johnnie Wu, (512) 239-2524; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(20) COMPANY: INV Nylon Chemicals Americas, LLC; DOCKET NUMBER: 2024-0737-AIR-E; IDENTIFIER: RN102663671; LOCATION: Victoria, Victoria County; TYPE OF FACILITY: organic chemical manufacturing plant; PENALTY: $139,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $55,650; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(21) COMPANY: KING, TAMMIE; DOCKET NUMBER: 2025-1447-MSW-E; IDENTIFIER: RN112060199; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: unauthorized municipal solid waste disposal site; PENALTY: $6,562; ENFORCEMENT COORDINATOR: Bryce Huck, (512) 239-4655; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(22) COMPANY: Lone Star Bulk Water LLC; DOCKET NUMBER: 2026-0722-PWS-E; IDENTIFIER: RN110798261; LOCATION: Spicewood, Burnet County; TYPE OF FACILITY: public water supply; PENALTY: $1,100; ENFORCEMENT COORDINATOR: Obianuju Iyasele, (512) 239-5280; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(23) COMPANY: MAP Real Estate, LLC; DOCKET NUMBER: 2026-0226-PWS-E; IDENTIFIER: RN112282447; LOCATION: Spring Branch, Comal County; TYPE OF FACILITY: public water supply; PENALTY: $1,063; ENFORCEMENT COORDINATOR: Katherine Mckinney, (512) 239-4619; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(24) COMPANY: MARLIN, ADDIE; DOCKET NUMBER: 2025-1389-PWS-E; IDENTIFIER: RN101196079; LOCATION: Freeport, Brazoria County; TYPE OF FACILITY: public water supply; PENALTY: $2,813; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(25) COMPANY: MHP Ranchero Estates, LLC; DOCKET NUMBER: 2026-0197-UTL-E; IDENTIFIER: RN101270874; LOCATION: Kerrville, Kerr County; TYPE OF FACILITY: retail public utility, exempt utility, or provider or conveyor of potable or raw water service facility; PENALTY: $19,520; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(26) COMPANY: NANCY NELSON; DOCKET NUMBER: 2026-0295-PWS-E; IDENTIFIER: RN111615795; LOCATION: Pipe Creek, Bandera County; TYPE OF FACILITY: public water supply; PENALTY: $7,300; ENFORCEMENT COORDINATOR: Wyatt Throm, (512) 239-1120; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(27) COMPANY: North Texas Municipal Water District; DOCKET NUMBER: 2025-1860-MWD-E; IDENTIFIER: RN103888020; LOCATION: Royse City, Rockwall County; TYPE OF FACILITY: wastewater treatment facility; PENALTY: $74,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $59,400; ENFORCEMENT COORDINATOR: Samantha Smith, (512) 239-2099; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(28) COMPANY: Pasadena Refining System, Inc.; DOCKET NUMBER: 2025-1893-IWD-E; IDENTIFIER: RN100716661; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: petroleum

refinery; PENALTY: $22,500; ENFORCEMENT COORDINATOR: Madison Crawford, (512) 239-4603; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(29) COMPANY: Polynt Composites USA Inc.; DOCKET NUMBER: 2025-0182-IHW-E; IDENTIFIER: RN102287752; LOCATION: Ennis, Ellis County; TYPE OF FACILITY: industrial facility; PENALTY: $42,038; ENFORCEMENT COORDINATOR: Katie Phillips, (713) 767-3628; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, REGION 12 - HOUSTON.

(30) COMPANY: Red Ewald LLC; DOCKET NUMBER: 2026-0484-AIR-E; IDENTIFIER: RN100212612; LOCATION: Karnes City, Karnes County; TYPE OF FACILITY: fiberglass tank manufacturing plant; PENALTY: $9,500; ENFORCEMENT COORDINATOR: Krystina Sepulveda, (956) 430-6045; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, REGION 15 - HARLINGEN.

(31) COMPANY: Red River Authority of Texas; DOCKET NUMBER: 2025-1287-PWS-E; IDENTIFIER: RN101267706; LOCATION: Chillicothe, Hardeman County; TYPE OF FACILITY: public water supply; PENALTY: $5,750; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET: $5,750; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(32) COMPANY: Sajana Florence LLC; DOCKET NUMBER: 2025-1632-PST-E; IDENTIFIER: RN106904113; LOCATION: Florence, Williamson County; TYPE OF FACILITY: convenience store with retail sales of gasoline; PENALTY: $3,000; ENFORCEMENT COORDINATOR: Stephanie McCurley, (512) 239-2607; REGIONAL OFFICE: 12100 Park 35 Circle, Austin, Texas 78753, CENTRAL OFFICE - AUSTIN.

(33) COMPANY: US Sand & Gravel, LLC; DOCKET NUMBER: 2026-0768-WQ-E; IDENTIFIER: RN109637025; LOCATION: Stephenville, Erath County; TYPE OF FACILITY: aggregate production operation; PENALTY: $2,625; ENFORCEMENT COORDINATOR: Alejandra Basave, (713) 767-3751; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, REGION 13 - SAN ANTONIO.

TRD-202603782
Gitanjali Yadav
Deputy Director, Litigation Division
Texas Commission on Environmental Quality
Filed: September 1, 2026

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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 **October 12, 2026**. TWC, §7.075, also requires that the commission promptly consider any written comments received and that the commission may withdraw or withhold approval of an AO if a comment discloses facts or considerations that indicate that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed AO is not required to be published if those changes are made in response to written comments.

A physical copy of the proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Additionally, copies of the proposed AO can be found online by using either the Chief Clerk's eFiling System at https://www.tceq.texas.gov/goto/efilings or the TCEQ Commissioners' Integrated Database at https://www.tceq.texas.gov/goto/cid, and searching either of those databases with the proposed AO's identifying information, such as its docket number. Written comments about an AO should be sent to the attorney designated for the AO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on October 12, 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: La Joya Independent School District; DOCKET NUMBER: 2024-0876-MWD-E; TCEQ ID NUMBER: RN105748735; LOCATION: 6401 North Abram Road, La Joya, Hidalgo County; TYPE OF FACILITY: a wastewater treatment facility; PENALTY: $5,000; STAFF ATTORNEY: Jun Zhang, Litigation, MC 175, (512) 239-6517; REGIONAL OFFICE: Harlingen Regional Office, 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(2) COMPANY: Rick Fidler; DOCKET NUMBER: 2023-1353-MSW-E; TCEQ ID NUMBER: RN111663233; LOCATION: 9505 Lancaster Street, Cresson, Johnson County; TYPE OF FACILITY: an unauthorized municipal solid waste disposal site; PENALTY: $3,375; 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.

TRD-202603791
Gitanjali Yadav
Deputy Director, Litigation Division
Texas Commission on Environmental Quality
Filed: September 1, 2026

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Texas Health and Human Services Commission

Correction of Error

The Texas Health and Human Services Commission proposed amendments to 26 TAC §§350.103, 350.105, 350.203, 350.204, 350.207, 350.211, 350.213, 350.215, 350.217 - 350.219, 350.221, 350.223, 350.227, 350.229, 350.231, 350.233, 350.235, 350.237, 350.239, 350.307, 350.309 - 350.311, 350.313, 350.314, 350.405, 350.409, 350.417, 350.505, 350.704, 350.705, 350.809, 350.813, 350.815, 350.825, 350.1009, 350.1017, 350.1105, 350.1203, 350.1205, 350.1209, 350.1211, 350.1213, 350.1217, 350.1407, 350.1409, 350.1417, 350.1419, 350.1421, 350.1423, 350.1425, 350.1427, 350.1429, 350.1431, 350.1435, 350.1437, and 350.1439; and new §§350.816, 350.1020, and 350.1216. in the August 28, 2026, issue of the *Texas Register* (51 TexReg 5638). Due to an error by the Texas Register, the implied (a) in §350.505 was omitted.

Implied subsection (a) of 26 TAC §350.505 should read as follows:

To be reimbursed for services specified in §350.501 of this subchapter (relating to Specialized Rehabilitative Services), the subrecipient [~~a contractor~~] must:

TRD-202603781

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Notice of Provider Engagement Meetings for Medicaid Payment Rates

MEETINGS.

The Texas Health and Human Services Commission (HHSC) will conduct provider engagement meetings on September 24, 2026, to receive comments on Medicaid payment rate topics that may potentially be addressed at the upcoming November 2026 rate hearings. Commentary will be collected solely on the topics listed in this notice. Proposed rates will not be published at this time.

The meetings will be held online only at the following times according to topic areas:

On September 24, 2026,

Acute Care and Hospital Services: 10:00 a.m. - 11:30 a.m.

To attend online: The meetings will be held online via GoToWebinar. Visit the following GoToWebinar link to register to attend one or both of the online meetings. After registering, you will receive a confirmation email containing information about joining the webinar.

https://attendee.gotowebinar.com/register/8077093139217608287

HHSC will record the meetings. The recording will be archived and can be accessed on-demand at: https://hhs.texas.gov/about-hhs/communications-events/live-archived-meetings.

HHSC may limit speakers' time to ensure all attendees wishing to present public comment are afforded an opportunity to do so. HHSC reserves the right to end an engagement meeting if no participants have registered to present public comments within the first 30 minutes of the meeting.

TOPICS.

Below is a list of topics that HHSC will collect commentary for during the stakeholder engagement meetings. These topics may potentially be presented at the subsequent rate hearing in November 2026. The final list of topics to be presented at the November 2026 rate hearing is at the discretion of HHSC.

Acute Care Services - Calendar Fee Review:

- Anesthesia;
- ASC/HASC;
- Birthing Centers;
- Clinical Labs;
- Diagnostic Radiology;
- General and Integumentary;
- Medical Nutrition Therapy;
- Mental Health (Other);
- Nervous System Surgery
- Physician Administered Drugs- Oncology;
- Physician Administered Drugs- Non-Oncology;
- Physician Administered Drugs- Vaccines & Toxoids;
- Physician Administered Drugs- NDCX;
- Ophthalmological Services;
- Orthotic Procedures and Devices;
- Respiratory Therapist.

Acute Care Services - Special Review:

- Medical Transportation Program/Individual Transportation Participant

(MTP/ITP);

- Office Setting Skin Substitutes;
- Peer Specialist Services- H0038 - TOS 3.

Acute Care Services - Medical Policy Review:

- Implantable Infusion Pumps;
- Outpatient Psychotherapy;
- Tuberculosis Services.

Acute Care Services - HCPCS:

- Q1 HCPCS Drugs;
- Q1 HCPCS Non-Drugs;
- Q2 HCPCS Drugs;
- Q2 HCPCS Non-Drugs.

Acute Care Services - Legislative:

- Lactation Consultants (HB136).

WRITTEN COMMENTS.

Written comments regarding the proposed topics may be submitted in lieu of, or in addition to, oral comments until 5:00 p.m. the day following the meetings, September 25, 2026. Written comments may be sent by U.S. mail, overnight mail, fax, or email.

U.S. Mail:

Texas Health and Human Services Commission

Attention: Provider Finance Department

Mail Code H-400

P.O. Box 149030

Austin, Texas 78714-9030

Overnight mail or special delivery mail:

Texas Health and Human Services Commission

Attn: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 Guadalupe St

Austin, Texas 78751

Fax: Attention: Provider Finance at (512) 730-7475

Email: ProviderFinanceDept@hhs.texas.gov with "September 2026 Provider Engagement Meeting" as the subject line

PREFERRED COMMUNICATION.

Email or telephone communication is preferred.

Persons with disabilities who wish to participate in the hearing and require auxiliary aids or services should contact Provider Finance at (512) 730-7401 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202603762
Karen Ray
Chief Counsel, Office of Chief Counsel
Texas Health and Human Services Commission
Filed: August 28, 2026

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Texas Department of Licensing and Regulation

Scratch Ticket Game Number 2781 "THE PERFECT GIFT"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2781 is "THE PERFECT GIFT". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2781 shall be $10.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2781.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, STAR SYMBOL, WREATH SYMBOL, TREE SYMBOL, $10.00, $20.00, $25.00, $50.00, $100, $200, $500, $1,000, $5,000 and $250,000.

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. 2781 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
03	THR
04	FOR
05	FIV
06	SIX
07	SVN
08	EGT
09	NIN
10	TEN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFV
26	TWSX
27	TWSV

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
56	FFSX

57	FFSV
58	FFET
59	FFNI
60	SXTY
STAR SYMBOL	WIN$
WREATH SYMBOL	WINX5
TREE SYMBOL	WINX10
$10.00	TEN$
$20.00	TWY$
$25.00	TWFV$
$50.00	FFTY$
$100	ONHN
$200	TOHN
$500	FVHN
$1,000	ONTH
$5,000	FVTH
$250,000	250TH

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 (2781), 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: 2781-0000001-001.

H. Pack - A Pack of the "THE PERFECT GIFT" Scratch Ticket Game contains 050 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The back of Ticket 001 will be shown on the front of the Pack; the back of Ticket 050 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.

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 "THE PERFECT GIFT" Scratch Ticket Game No. 2781.

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 "THE PERFECT GIFT" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-six (66) Play Symbols. If the player matches any of the YOUR NUMBERS Play Symbols to any of the HOLIDAY NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "STAR" Play Symbol, the player wins the prize for that symbol instantly. If the player reveals a "WREATH" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "TREE" Play Symbol, the player wins 10 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly sixty-six (66) 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 sixty-six (66) 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 sixty-six (66) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-six (66) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery ("Executive Director") may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. A Ticket can win as indicated by the prize structure.

C. A Ticket can win up to thirty (30) times.

D. On winning and Non-Winning Tickets, the top cash prizes of $1,000, $5,000 and $250,000 will each appear at least one (1) time, except on Tickets winning thirty (30) times and with respect to other parameters, play action or prize structure.

E. All non-winning YOUR NUMBERS Play Symbols will be different.

F. A non-winning Prize Symbol will never match a winning Prize Symbol.

G. Tickets winning more than one (1) time will use as many HOLIDAY NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

H. No matching HOLIDAY NUMBERS Play Symbols will appear on a Ticket.

I. All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 10 and $10, 20 and $20, 25 and $25 and 50 and $50).

J. On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

K. On Non-Winning Tickets, a HOLIDAY NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

L. The "STAR" (WIN$) Play Symbol will never appear on the same Ticket as the "WREATH" (WINX5) or "TREE" (WINX10) Play Symbols.

M. The "STAR" (WIN$) Play Symbol will win the prize for that Play Symbol.

N. The "STAR" (WIN$) Play Symbol will never appear more than one (1) time on a Ticket.

O. The "STAR" (WIN$) Play Symbol will never appear on a Non-Winning Ticket.

P. The "STAR" (WIN$) Play Symbol will never appear as a HOLIDAY NUMBERS Play Symbol.

Q. The "WREATH" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

R. The "WREATH" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

S. The "WREATH" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

T. The "WREATH" (WINX5) Play Symbol will never appear as a HOLIDAY NUMBERS Play Symbol.

U. The "TREE" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.

V. The "TREE" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.

W. The "TREE" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

X. The "TREE" (WINX10) Play Symbol will never appear as a HOLIDAY NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "THE PERFECT GIFT" Scratch Ticket Game prize of $10.00, $20.00, $25.00, $50.00, $100, $200 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $25.00, $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 "THE PERFECT GIFT" Scratch Ticket Game prize of $1,000, $5,000 or $250,000, 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 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 "THE PERFECT GIFT" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is $1,000,000 or more, the claimant must also provide proof of Social Security number or Taxpayer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event 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 "THE PERFECT GIFT" 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 "THE PERFECT GIFT" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 5,520,000 Scratch Tickets in Scratch Ticket Game No. 2781. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2781 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
$10.00	574,080	9.62
$20.00	375,360	14.71
$25.00	264,960	20.83
$50.00	110,400	50.00
$100	78,200	70.59
$200	12,880	428.57
$500	1,840	3,000.00
$1,000	530	10,415.09
$5,000	30	184,000.00
$250,000	5	1,104,000.00

*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 3.89. 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. 2781 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. 2781, 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-202603831

Deanne Rienstra
General Counsel
Texas Department of Licensing and Regulation
Filed: September 2, 2026

♦ ♦ ♦

Scratch Ticket Game Number 2806 "CASH BLAST"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2806 is "CASH BLAST". The play style is "multiple games".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2806 shall be $20.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2806.

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: 2X SYMBOL, 5X SYMBOL, 10X SYMBOL, 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, \$20.00, \$40.00, \$100, \$200, \$500, \$1,000, \$20,000 and \$1,000,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2806 - 1.2D

PLAY SYMBOL	CAPTION
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
20	TWY
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWFV
26	TWSX
27	TWSV

28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
$20.00	TWY$

$40.00	FRTY$
$100	ONHN
$200	TOHN
$500	FVHN
$1,000	ONTH
$20,000	20TH
$1,000,000	TPPZ

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2806), 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: 2806-0000001-001.

H. Pack - A Pack of the "CASH BLAST" Scratch Ticket Game contains 025 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The front of Ticket 001 will be shown on the front of the Pack; the back of Ticket 025 will be revealed on the back of the Pack. All Packs will be tightly shrink-wrapped. There will be no breaks between the Tickets in a Pack. Every other Pack will reverse i.e., reverse order will be: the back of Ticket 001 will be shown on the front of the Pack and the front of Ticket 025 will be shown on the back of the Pack.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 140.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "CASH BLAST" Scratch Ticket Game No. 2806.

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 "CASH BLAST" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty (60) Play Symbols. GAME 1: If the player reveals 3 matching prize amounts, the player wins that amount. If the player reveals 2 matching prize amounts and a "2X" Play Symbol, the player wins DOUBLE that amount. GAME 2: If the player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly sixty (60) 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 sixty (60) 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 sixty (60) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty (60) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director of the Texas Lottery ("Executive Director") may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

2.2 Programmed Game Parameters.

A. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

B. GENERAL: A Ticket can win as indicated by the prize structure.

C. GENERAL: A Ticket can win up to twenty-six (26) times.

D. GENERAL: On winning and Non-Winning Tickets, the top cash prizes of $1,000, $20,000 and $1,000,000 will each appear at least one (1) time, except on Tickets winning twenty-six (26) times.

E. GENERAL: The "2X" (DBL) Play Symbol will never appear in GAME 2 and the "5X" (WINX5) and "10X" (WINX10) Play Symbols will never appear in GAME 1.

F. GAME 1: GAME 1 can win up to one (1) time.

G. GAME 1: A Ticket will not contain two (2) or more sets of three (3) matching Prize Symbols.

H. GAME 1: Winning Tickets will contain three (3) matching Prize Symbols or two (2) matching Prize Symbols and a "2X" (DBL) Play Symbol.

I. GAME 1: On winning Tickets, all non-winning Prize Symbols will be different from the winning Prize Symbols.

J. GAME 1: A Prize Symbol will not appear more than three (3) times on a Ticket.

K. GAME 1: Non-Winning Tickets will never have more than two (2) matching Prize Symbols.

L. GAME 1: The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

M. GAME 1: The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

N. GAME 1: The "2X" (DBL) Play Symbol will never appear on a Ticket that wins with three (3) matching Prize Symbols.

O. GAME 1: The "2X" (DBL) Play Symbol will never appear on a Ticket that has more than one (1) pair of matching Prize Symbols.

P. GAME 2: GAME 2 can win up to twenty-five (25) times.

Q. GAME 2: All non-winning YOUR NUMBERS Play Symbols will be different.

R. GAME 2: Non-winning Prize Symbols will not match a winning Prize Symbol on a Ticket.

S. GAME 2: All WINNING NUMBERS Play Symbols will be different.

T. GAME 2: Tickets winning more than one (1) time will use as many WINNING NUMBERS Play Symbols as possible to create matches, unless restricted by other parameters, play action or prize structure.

U. GAME 2: On all Tickets, a Prize Symbol will not appear more than five (5) times, except as required by the prize structure to create multiple wins.

V. GAME 2: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

W. GAME 2: All YOUR NUMBERS Play Symbols will never equal the corresponding Prize Symbol (i.e., 20 and $20 and 40 and $40).

X. GAME 2: The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

Y. GAME 2: The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

Z. GAME 2: The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

AA. GAME 2: The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

BB. GAME 2: The "10X" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.

CC. GAME 2: The "10X" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.

DD. GAME 2: The "10X" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

EE. GAME 2: The "10X" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

2.3 Procedure for Claiming Prizes.

A. To claim a "CASH BLAST" Scratch Ticket Game prize of $20.00, $40.00, $100, $200 or $500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a $40.00, $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 "CASH BLAST" Scratch Ticket Game prize of $1,000, $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 "CASH BLAST" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is $1,000,000 or more, the claimant must also provide proof of Social Security number or Taxpayer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied, and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent in child support payments in the amount determined by a court or a Title IV-D agency under Chapter 231, Family Code.

E. If a person is indebted or owes delinquent taxes to the State, other than those specified in the preceding paragraph, the winnings of a person shall be withheld until the debt or taxes are paid.

2.4 Allowance for Delay of Payment. The Texas Lottery may delay payment of the prize pending a final determination by the Executive Director, under any of the following circumstances:

A. if a dispute occurs, or it appears likely that a dispute may occur, regarding the prize;

B. if there is any question regarding the identity of the claimant;

C. if there is any question regarding the validity of the Scratch Ticket presented for payment; or

D. if the claim is subject to any deduction from the payment otherwise due, as described in Section 2.3.D of these Game Procedures. No liability for interest for any delay shall accrue to the benefit of the claimant pending payment of the claim.

2.5 Payment of Prizes to Persons Under 18. If a person under the age of 18 years is entitled to a cash prize under $600 from the "CASH BLAST" 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 "CASH BLAST" Scratch Ticket Game, the Texas Lottery shall deposit the amount of the prize in a custodial bank account, with an adult member of the minor's family or the minor's guardian serving as custodian for the minor.

2.7 Scratch Ticket Claim Period. All Scratch Ticket prizes must be claimed within 180 days following the end of the Scratch Ticket Game or within the applicable time period for certain eligible military personnel as set forth in Texas Government Code §466.408. Any rights to a prize that is not claimed within that period, and in the manner specified in these Game Procedures and on the back of each Scratch Ticket, shall be forfeited.

2.8 Disclaimer. The number of prizes in a game is approximate based on the number of Scratch Tickets ordered. The number of actual prizes available in a game may vary based on number of Scratch Tickets manufactured, testing, distribution, sales and number of prizes claimed. A Scratch Ticket Game may continue to be sold even when all the top prizes have been claimed.

3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Prizes. There will be approximately 6,000,000 Scratch Tickets in Scratch Ticket Game No. 2806. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2806 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
$20.00	660,000	9.09
$40.00	480,000	12.50
$100	360,000	16.67
$200	72,900	82.30
$500	5,000	1,200.00
$1,000	200	30,000.00
$20,000	16	375,000.00
$1,000,000	4	1,500,000.00

*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

**The overall odds of winning a prize are 1 in 3.80. 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. 2806 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. 2806, 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-202603790
Deanne Rienstra
General Counsel
Texas Department of Licensing and Regulation
Filed: September 1, 2026

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North Central Texas Council of Governments

Request for Proposals

Regional Rail Trail Alignment Study-Fort Worth to North Richland Hills

The North Central Texas Council of Governments (NCTCOG) is requesting written proposals from consultant firms to conduct a study to determine the feasibility and preferred alignment of a future shared-use path (trail) in Tarrant County within or near the Trinity Metro TEXRail right-of-way from the existing Cotton Belt Trail located east of the TEXRail Iron Horse Station in North Richland Hills to the TEXRail North Side Station in Fort Worth. The study area extends approximately 7.6 miles and parallels the TEXRail passenger rail line and roadways providing access to three rail stations.

NCTCOG will be releasing this Request for Proposals on **Friday, September 11, 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, October 23, 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-202603761
Monte Mercer
Deputy Executive Director
North Central Texas Council of Governments
Filed: August 28, 2026

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Public Utility Commission of Texas

Notice of Application for True-Up of 2022 Federal Universal Service Fund Impacts to the Texas Universal Service Fund

Notice is given to the public of an application filed with the Public Utility Commission of Texas (commission) on August 31, 2026, for true-up of 2022 Federal Universal Service Fund (FUSF) Impacts to the Texas Universal Service Fund (TUSF).

Docket Title and Number: Application of Valley Telephone Cooperative, Inc. for True-Up of 2022 Federal Universal Service Fund Impacts to Texas Universal Service Fund, Docket Number 60191.

The Application: Valley Telephone Cooperative, Inc. filed a true-up in accordance with findings of fact 16 and 17 and ordering paragraphs 2, 4, and 5 of the Notice of Approval issued in Docket No. 58274, *Application of Valley Telephone Cooperative, Inc. to Recover Funds from the TUSF Under PURA § 56.025 and 16 TAC § 26.406 for Calendar Year 2022*. In that docket, the Commission determined that the Federal Communications Commission's actions were reasonably projected to reduce the amount that Valley Telephone received in FUSF revenue by $5,494,887 for calendar year 2022. It was also estimated that Valley Telephone would recover $533,954 of the projected FUSF revenue impact from rate increases implemented for the same time period. Valley Telephone's request to recover the remaining $4,995,843.57 from the TUSF for 2022 was approved. Ordering paragraphs 2, 4 and 5 of the Notice of Approval in Docket No. 58274 require Valley Telephone to file its final and actual FUSF impacts for 2022 by September 1, 2026, with detailed supporting documentation, and contain the requirements for potential over- or under-recovery from the TUSF. Valley Telephone states that the realized FUSF losses for 2022 were $4,995,843.57. Therefore, Valley Telephone states that no reconciliation need be made as a result of this true-up.

Persons wishing to intervene or comment on the action sought should contact the Commission by mail at P.O. Box 13326, Austin, Texas 78711-3326, or you may call the PUCT Consumer Protection Division at (512) 936-7120 or toll-free at (888) 782-8477. Hearing- and speech-impaired individuals may contact the commission through Relay Texas at (800) 735-2989. All comments should reference Docket Number 60191.

TRD-202603800
Andrea Gonzalez
Rules Coordinator
Public Utility Commission of Texas
Filed: September 2, 2026

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Texas Workforce Commission

Notice of Proposed Contract with WorkQuest, Inc.

Notice is hereby given that the Texas Workforce Commission (Commission) intends to execute a contract with WorkQuest, Inc., as the designated Central Nonprofit Agency (CNA) to perform duties in support of the State Use Program for a term of five years (two-year initial term with three optional one-year renewals).

This notice is published in compliance with Texas Human Resources Code, §122.019(d), which requires the Commission to publish notice of a proposed contract in the *Texas Register* not later than the 60th day before the date the Commission adopts or renews a contract.

Furthermore, the Commission is acting pursuant to:

--40 Texas Administrative Code (TAC) §806.31(a), which authorizes the Commission to select and contract with one or more CNAs through a request for proposals for a period not to exceed five years; and

--40 TAC §806.31(e), which permits the Commission, following a review under Texas Human Resources Code, §122.019(d), to approve CNA performance and continue the contract through its termination date.

TRD-202603799
Les Trobman
General Counsel
Texas Workforce Commission
Filed: September 2, 2026

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Request for Comment Regarding the Services Performed by WorkQuest

Notice is hereby given that the Texas Workforce Commission (Commission) intends to review the services provided by the central nonprofit agency, WorkQuest, during Fiscal Year 2026, as required by Texas Human Resources Code, §122.019(c) and the Texas Workforce Commission's Purchases of Products and Services from People with Disabilities rules under 40 Texas Administrative Code (TAC), §806.31(d). The Commission will review the WorkQuest program's performance to determine whether its performance complied with all applicable requirements during Fiscal Year 2026. The Commission requests that interested parties submit comments regarding WorkQuest's services operation of the State Use Program, under Texas Human Resources Code, §122.019 and 40 TAC Chapter 806, Subchapter C, no later than Monday, November 2, 2026.

Submit comments to Kelvin Moore at the Texas Workforce Commission, 1117 Trinity, Room 214T, Austin, Texas 78711, or via email to purchasingfrompeoplewithdisabilities@twc.texas.gov.

TRD-202603830
Les Trobman
General Counsel
Texas Workforce Commission
Filed: September 2, 2026

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TEX

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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