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# TEXAS REGISTER

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P.O. Box 12887  
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(512) 463-5561  
FAX (512) 463-5569

<https://www.sos.texas.gov>  
[register@sos.texas.gov](mailto:register@sos.texas.gov)

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***Secretary of State*** - Jane Nelson

***Interim Director*** - Zeenia R. Challa

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## **Editors**

Leticia Benavides

Jay Davidson

Briana Franklin

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Erma Morgan

Matthew Muir

Breanna Mutschler

DJ Ramirez

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# THE GOVERNOR

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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.

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## Appointments

### Appointments for June 18, 2025

Appointed to the Texas Historical Commission for a term to expire February 1, 2031, John W. Crain of Dallas, Texas (Mr. Crain is being reappointed).

Appointed to the Texas Historical Commission for a term to expire February 1, 2031, Michael W. "Mike" Hagee of Fredericksburg, Texas (replacing Rupa "Renee" Dutia of Dallas, whose term expired).

Appointed to the Texas Historical Commission for a term to expire February 1, 2031, Vernona K. "Kay" Hindes of Pleasanton, Texas (replacing James E. "Jim" Bruseth, Ph.D. of Austin, whose term expired).

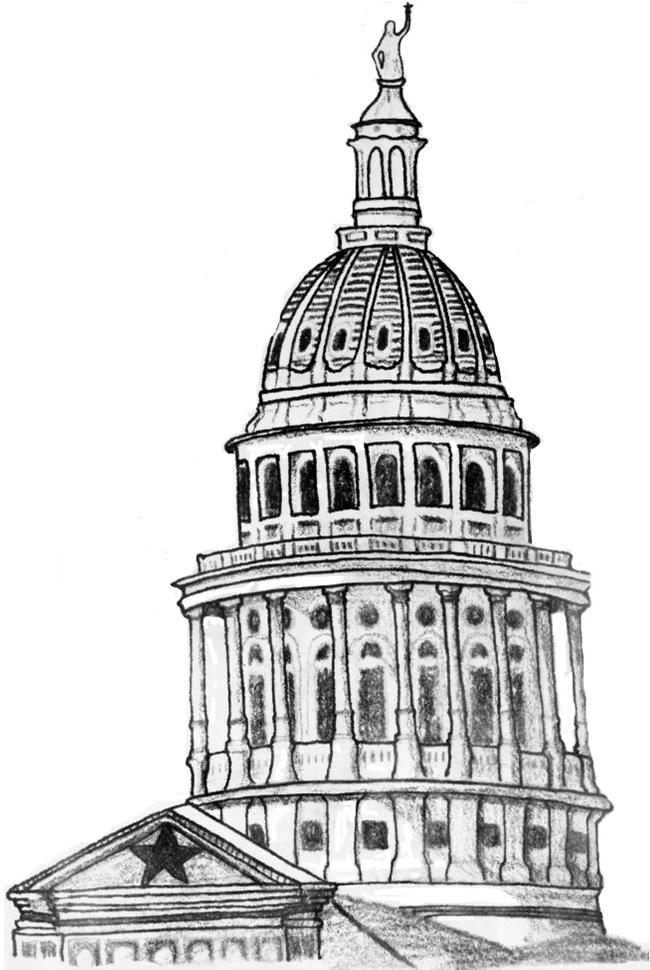
Appointed to the Texas Historical Commission for a term to expire February 1, 2031, Gilbert E. "Pete" Peterson, III of Alpine, Texas (Mr. Peterson is being reappointed).

Appointed to the Texas Historical Commission for a term to expire February 1, 2031, Richard D. "Dick" Tips of San Antonio, Texas (replacing Donna M. Bahorich of Houston, whose term expired).

Greg Abbott, Governor

TRD-202502060





# TEXAS ETHICS COMMISSION

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

## Ethics Advisory Opinions

EAO-623: A corporation may not finance fundraising efforts for its connected political committee except from its "members . . . or the families of its . . . members." Tex. Elec. Code § 253.100(d)(5). Who qualifies as a "member" of a nonprofit corporation for purposes of the Section 253.100(d)(5) corporate-funded solicitation exception? (AOR-724).

### SUMMARY

To be a member of a nonprofit for purposes of Section 253.100(d)(5), an individual must 1) satisfy the requirements for membership as specified by the organization's governing documents; 2) affirmatively accept the organization's invitation to become a member; and 3) be conferred some rights in the organization.

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

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

Issued in Austin, Texas, on June 12, 2025.

TRD-202502001  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



EAO-624: Whether certain communications to legislators and their staff about a political party's rules, platform, and legislative priorities require a legislative advertising disclosure statement. (AOR-725).

### SUMMARY

None of the communications subject to this request would require the legislative advertising disclosure statement.

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

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

Issued in Austin, Texas, on June 12, 2025.

TRD-202502002  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



EAO-625: Whether the use of a logo created by a labor organization's political committee that resembles, but is different from, a city-created logo violates a law under the jurisdiction of the Texas Ethics Commission. (AOR-726).

### SUMMARY

So long as the logo created by the political committee is not a resource of the city, its use by a city employee for political advertising would not violate a law under the TEC's jurisdiction.

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

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

Issued in Austin, Texas, on June 12, 2025.

TRD-202502003  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



EAO-626: Whether an employee of a state agency is subject to the Section 572.069 two-year waiting period before accepting employment for a particular employer after helping to select and purchase a software product from the potential employer. (AOR-729).

### SUMMARY

Under the facts presented, the former state employee would not be able to work for the particular employer for two years after the contract was signed.

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

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

Issued in Austin, Texas, on June 12, 2025.

TRD-202502004  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



EAO-627: Whether a former employee of a state regulatory agency who worked on a schematic for a particular construction project may receive compensation from a private employer for services related construction management of the project. (AOR-730).

**SUMMARY**

The requestor's limited work on the schematic is too attenuated from the contract for the construction management of the project to say that

he "participated" in the construction management contract as a state employee. Therefore, he may receive compensation for services rendered on behalf of his private employer for the construction management contract.

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

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

Issued in Austin, Texas, on June 12, 2025.

TRD-202502005  
Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
Filed: June 13, 2025



# PROPOSED RULES

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

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

## TITLE 1. ADMINISTRATION

### PART 2. TEXAS ETHICS COMMISSION

#### CHAPTER 18. GENERAL RULES

##### CONCERNING REPORTS

###### 1 TAC §18.31

The Texas Ethics Commission (the TEC) proposes amendments to TEC rules in Chapter 18. Specifically, the TEC proposes amendments to §18.31, regarding Adjustments to Reporting Thresholds.

Section 571.064(b) of the Government Code requires the TEC to annually adjust reporting thresholds upward to the nearest multiple of \$10 in accordance with the percentage increase for the previous year in the Consumer Price Index for Urban Consumers published by the Bureau of Labor Statistics of the United States Department of Labor. The laws under the TEC's authority that include reporting thresholds are Title 15 of the Election Code (campaign finance law), Chapter 305 of the Government Code (lobby law), Chapter 572 of the Government Code (personal financial statements), Chapters 302 and 303 of the Government Code (speaker election, governor for a day, and speaker's reunion day ceremony reports), and section 2155.003 of the Government Code (reporting requirements applicable to the comptroller).

The TEC first adopted adjustments to reporting thresholds in 2019, which were effective on January 1, 2020. These new adjustments, if adopted, will be effective on January 1, 2026, to apply to contributions and expenditures that occur on or after that date.

Natalie McDermon, Interim General Counsel, has determined that for the first five-year period the rule amendment is in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the proposed amended rule.

The General Counsel has also determined that for each year of the first five years the proposed amended rule is in effect, the public benefit will be consistency and clarity in the TEC's rules that set out reporting thresholds. There will not be an effect on small businesses, microbusinesses or rural communities. There is no anticipated economic cost to persons who are required to comply with the proposed amended rule.

The General Counsel has determined that during the first five years that the proposed amended rule is in effect, they will: not create or eliminate a government program; not require the creation of new employee positions or the elimination of existing employee positions; require an increase in future legislative appropriations to the agency; require an increase or decrease in

fees paid to the agency; expand, limit, or repeal an existing regulation; not increase or decrease the number of individuals subject to the rules' applicability; or not positively or adversely affect this state's economy.

The TEC invites comments on the proposed amended rule from any member of the public. A written statement should be emailed to [public\\_comment@ethics.state.tx.us](mailto:public_comment@ethics.state.tx.us), or mailed or delivered to James Tinley, Executive Director, Texas Ethics Commission, P.O. Box 12070, Austin, Texas 78711-2070. A person who wants to offer spoken comments to the TEC concerning the proposed amended rule may do so at any Commission meeting during the agenda item relating to the proposed amended rule. Information concerning the date, time, and location of Commission meetings is available by telephoning (512) 463-5800 or on the TEC's website at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

The amendments are proposed under Texas Government Code §571.062, which authorizes the TEC to adopt rules to administer Title 15 of the Election Code, and Texas Government Code §571.064, which requires the TEC to annually adjust reporting thresholds in accordance with that statute.

The proposed amended rule affects Title 15 of the Election Code.

###### *§18.31. Adjustments to Reporting Thresholds.*

(a) Pursuant to section 571.064 of the Government Code, the reporting thresholds are adjusted as follows:

~~Figure 1: 1 TAC §18.31(a)~~

~~[Figure 1: 1 TAC §18.31(a)]~~

~~Figure 2: 1 TAC §18.31(a)~~

~~[Figure 2: 1 TAC §18.31(a)]~~

~~Figure 3: 1 TAC §18.31(a)~~

~~[Figure 3: 1 TAC §18.31(a)]~~

Figure 4: 1 TAC §18.31(a) (No change.)

Figure 5: 1 TAC §18.31(a) (No change.)

(b) The changes made by this rule apply only to conduct occurring on or after the effective date of this rule.

(c) The effective date of this rule is January 1, 2026 [2025].

(d) In this section:

- (1) "CEC" means county executive committee;
- (2) "DCE" means direct campaign expenditure-only filer;
- (3) "GPAC" means general-purpose political committee;
- (4) "MPAC" means monthly-filing general-purpose political committee;
- (5) "PAC" means political committee;
- (6) "PFS" means personal financial statement;
- (7) "SPAC" means specific-purpose political committee;

and

(8) "TA" means treasurer appointment.

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 June 13, 2025.

TRD-202502006

Natalie McDermon

Interim General Counsel

Texas Ethics Commission

Earliest possible date of adoption: July 27, 2025

For further information, please call: (512) 463-5800



## TITLE 19. EDUCATION

### PART 2. TEXAS EDUCATION AGENCY

#### CHAPTER 129. STUDENT ATTENDANCE

##### SUBCHAPTER AA. COMMISSIONER'S RULES

###### 19 TAC §129.1025

The Texas Education Agency (TEA) proposes an amendment to §129.1025, concerning the student attendance accounting handbook. The proposed amendment would adopt by reference the *2025-2026 Student Attendance Accounting Handbook*. The handbook provides student attendance accounting rules for school districts and charter schools.

**BACKGROUND INFORMATION AND JUSTIFICATION:** TEA has adopted its student attendance accounting handbook (SAAH) in rule since 2000. Attendance accounting evolves from year to year, so the intention is to annually update §129.1025 to refer to the most recently published SAAH.

Each annual SAAH provides school districts and charter schools with the Foundation School Program (FSP) eligibility requirements of all students, prescribes the minimum requirements of all student attendance accounting systems, lists the documentation requirements for attendance audit purposes, and details the responsibilities of all district personnel involved in student attendance accounting. TEA distributes FSP resources under the procedures specified in each current SAAH. The final version of the SAAH is published on the TEA website. A supplement, if necessary, is also published on the TEA website.

The proposed amendment to §129.1025 would adopt by reference the SAAH for the 2025-2026 school year. The proposed handbook, including a change document with a comprehensive list of proposed changes, is available on the TEA website at <https://tea.texas.gov/finance-and-grants/financial-compliance/student-attendance-accounting-handbook>.

Significant changes to the *2025-2026 Student Attendance Accounting Handbook* would include the following.

###### *Section 1, Overview*

Texas Education Code (TEC), Chapter 48, specifically §48.008, establishes the requirements for adopting an attendance accounting system and reporting attendance accounting data through Texas Student Data System Public Education Infor-

mation Management (TSDS PEIMS). The following changes implement reporting requirements for attendance and funding.

The description of Section 12 of the handbook would be revised to include virtual and hybrid instruction in courses and programs offered by the Texas Virtual School Network (TXVSN).

###### *Section 2, Audit Requirements*

TEC, Chapter 48, specifically §48.004, establishes the requirements for violation of presenting reports that contain false information. TEC, §48.004, authorizes the commissioner of education to require audit reports to be submitted for review and analysis. TEC, §44.010, allows for the review of budget, fiscal, and audit reports to determine whether all legal requirements have been met. The following changes implement reporting for audit requirements to account for attendance and funding.

Student identification data elements would be revised to include gender codes, English as a Second Language (ESL) program types (Section 6), gifted/talented indicators (Section 8), and Pregnancy-Related Services (PRS) indicators (Section 9), where applicable. In items 22 and 23 of the list of required data items, Student Detail Reposts would be revised to include full-time equivalent (FTE) calculations for all special programs. Special program documentation would be updated to include proof of service (for example, a doctor's note for pregnancy notification).

###### *Section 3, General Attendance Requirements*

TEC, §25.081, and Chapter 48, specifically §48.005, establish the general parameters for attendance and school operation. The following changes would implement reporting requirements for attendance and funding.

Language would be revised to state that districts offering full-day prekindergarten (pre-K) for eligible four-year-olds must provide 75,600 operational minutes. Language would be revised to state that average daily attendance (ADA) code 0 Enrolled, Not in Membership applies to students in private or non-district early childhood programs receiving district services (e.g., speech therapy) and private school students (ages 5-21 years old) receiving special education through an individualized services plan. Language would be added to state that a student with a disability may receive special education services through age 21 if the district determines they met Texas criteria after earning a diploma elsewhere. The district must evaluate the transcript and confirm funding eligibility. Language listing the conditions used to determine if a student should have assigned the StudentCharacteristic 02 (Immigrant) element code for TSDS PEIMS reporting purposes would be revised. Contact information for noncompliance reporting would be updated. Language would be revised to state that a student is ineligible for ADA if assigned out of school suspension on the first day of school. Language would be revised to state that a student experiencing homelessness or a student who is in foster care should be admitted temporarily for 30 days, even if acceptable evidence of vaccination is not available. Language would be added to state that, beginning in the 2026-2027 school year, district calendars must include extra minutes or makeup days for at least two missed days due to bad weather or health and safety concerns. Language would be revised to state that a student should not be withdrawn if the student is being excused from attendance due to a serious or life-threatening illness. Language would be updated to specify that waiver rules that apply to the whole district now apply also to individual campuses. Language would be revised to address campus closures due to unforeseen circumstances.

#### *Section 4, Special Education*

TEC, Chapter 48, specifically §48.102, authorizes funding for special education in certain circumstances. TEC, §48.004, authorizes the commissioner to require reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for special education to account for attendance and funding.

The ADA eligibility code for private or homeschool students between the ages of 5-21 years would be revised. Language concerning instructional setting codes would be updated for clarification. Language concerning reporting requirements for students reported with instructional setting code 00 would be updated. Language would be revised to correct requirements for placing a student receiving special education services in a homebound setting. Language would be revised to clarify the eligible ADA code for students receiving special education services who are five years of age or older and being served in a homebound setting. Language would be revised to provide additional guidelines for instructional setting codes, and A/B block schedule. Language referencing the attribution code for the Texas School for the Deaf, speech therapy, and Special Education Program Services 23, 24, and 25 would be updated to align with the new Texas Education Data Standards (TEDS). Language would be revised to state that, starting in the 2025-2026 school year, special education and related services for eligible children with disabilities aged three through five would be provided through Early Childhood Special Education (ECSE), and not in kindergarten. Revisions would be made to codes, examples, and special education terminology to align with TEDS.

#### *Section 5, Career and Technical Education (CTE)*

TEC, Chapter 48, including §48.106, authorizes funding for career and technical education (CTE) in certain circumstances. TEC, Chapter 29, Subchapter F, establishes general parameters for CTE programs. TEC, §48.004, authorizes the commissioner to require reports as may be necessary to implement and administer the FSP. The following changes would implement reporting for CTE to account for attendance and funding.

As specified in section 5.10, Documentation, a requirement would be added that local education agencies (LEAs) must maintain documentation showing a minimum of 45 minutes per day for each CTE course. Clarifications would be made to areas concerning CTE course state-weighted funding, how CTE contact hours are earned, and continuing CTE contact hours for students participating in paid or unpaid work-based instruction. Text concerning contracting with other entities to provide CTE courses would be removed. The term "service id" would be replaced with "course code," and the section would include a reference to the singular training plan form. In addition, the proposed new language would add a requirement for student reports to be recorded using the TSDS PEIMS Course Transcript Entity when they complete a semester of a course. Updates would be made to TAC links in the footnotes and a course name, and new examples and references to those would be included.

#### *Section 6, Bilingual/English as a Second Language (ESL)*

TEC, Chapter 48, specifically §48.105, authorizes funding for bilingual or special language programs in certain circumstances. TEC, Chapter 29, Subchapter B, establishes general parameters for bilingual and special language programs. TEC, §48.004, authorizes the commissioner to require reports as may be necessary to implement and administer the FSP. The following

changes would implement reporting for bilingual and special language programs to account for attendance and funding.

Language would be updated in this section to align with recently revised commissioner's rules as well as the TSDS PEIMS data descriptions. Language would be revised to state that a district may offer a bilingual program beyond required grade levels or before reaching the minimum emergent bilingual (EB) student requirement. Language would be revised to state that English for speakers of other languages (ESOL) programs I and II must be taught by certified teachers with ESL or bilingual certification. Language would be revised to state that each student in a bilingual or ESL program, or under an alternative methods descriptor, must be identified with the appropriate descriptor in the attendance accounting system. Language would be revised to state that bilingual/ESL eligible days must be removed if a student is in a disciplinary setting for over five days without receiving equivalent services from a certified teacher. Language would be updated to clarify exit procedures, monitoring of reclassified students, Home Language Survey (HLS) requirements, and Texas English Language Proficiency Assessment System (TELPAS) scores to align with recently revised commissioner's rules as well as the TSDS PEIMS data descriptions. Language would be revised to state that a district must promptly record the appropriate bilingual, ESL, or alternative method descriptor once a student meets eligibility requirements.

#### *Section 7, Prekindergarten (Pre-K)*

TEC, Chapter 29, Subchapter E, establishes special general parameters for pre-K programs. TEC, Chapter 48, including §48.005, establishes ADA requirements and authorizes funding for certain circumstances. TEC, §48.004, authorizes the commissioner to require reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for pre-K to account for attendance and funding.

Language would be revised to reflect student eligibility for free public pre-K. Language would be revised to state that a district must submit required documentation to the Texas Department of Agriculture (TDA) to qualify a student for the Nation School Lunch Program (NSLP) and code an eligible pre-K student as economically disadvantaged for state compensatory education funding. Examples in section 7.6.1 would be updated.

#### *Section 8, Gifted/Talented*

TEC, Chapter 29, Subchapter A, establishes parameters for non-traditional programs. TEC, Chapter 48, including §48.005, establishes ADA requirements and authorizes funding for certain circumstances. TEC, §48.004, authorizes the commissioner to require reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for gifted/talented to account for attendance and funding.

Language regarding enrollment and withdrawal procedures and examples to align with TEDS would be updated.

#### *Section 9, Pregnancy-Related Services (PRS)*

TEC, Chapter 48, including §48.104, authorizes funding under certain circumstances for students who are pregnant. TEC, §48.004, authorizes the commissioner to adopt reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for PRS to account for attendance and funding.

Language would be revised to state that Student Detail Reports must include a PRS indicator for all students served in the PRS

program and eligible for state funding. Language regarding test administration procedures when a student is in a compensatory education home instruction (CEHI) program setting would be clarified.

#### *Section 10, Alternative Education Programs (AEPS) and Disciplinary Removals*

TEC, Chapter 48, specifically §48.270, establishes the requirements for violation of presenting reports that contain false information. TEC, §48.004, authorizes the commissioner to adopt reports that may be necessary to implement and administer the FSP. TEC, §44.010, allows for the review of budget, fiscal, and audit reports to determine whether all legal requirements have been met. The following changes would implement reporting for audit requirements to account for attendance and funding.

Language would be revised to update TSDS PEIMS reporting elements, to update out of school suspension policies to align with the preferred terminology, and to clarify that TEC, Chapter 37, provides statutory discipline requirements, and the TEDS provides reporting guidelines.

#### *Section 11, Nontraditional Programs*

TEC, Chapter 29, Subchapter A, establishes special general parameters for nontraditional programs. TEC, Chapter 48, including §48.005, establishes ADA requirements and authorizes funding for certain circumstances. TEC, §48.004, authorizes the commissioner to require reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for nontraditional programs to account for attendance and funding.

Language would be revised to clarify campus wide school calendar requirements concerning Additional Days School Year (ADSY) and to state that the ADSY waiver follows the same requirements as the missed school day waiver.

#### *Section 12, Virtual, Remote, and Electronic Instruction*

TEC, Chapter 30A, establishes the general parameters for TXVSN. TEC, §30A.153, authorizes funding for TXVSN for the FSP under certain circumstances. TEC, §48.004, authorizes the commissioner to adopt reports that may be necessary to implement and administer the FSP. The following changes would implement reporting for TXVSN to account for attendance and funding.

Revisions would be made to add the expansion of the TXVSN program and course catalog to include Grades 6-12; to outline enrollment, funding eligibility, and successful course completion requirements; to describe expansion of TXVSN online schools (OLS) to Grades 3-8 and 9-12; and to specify that student enrollment in TXVSN courses or OLS programs does not prevent a district from serving students in special programs like special education, CTE, bilingual/ESL, or PRS, nor from receiving weighted funding if all program requirements are met. Language would be revised to state that a school district or open-enrollment charter school must not require a student to enroll in an electronic course. Clarification would be made regarding remote synchronous instruction and the application for remote homebound or remote conferencing waivers for both general education students and students receiving special education services. Language concerning schools with TXVSN waivers or approved remote or hybrid dropout recovery programs for on campus online courses would be clarified.

#### *Glossary*

Definitions would be updated along with the link to the TSDS PEIMS webpage. A link would be added to the Every Student Succeeds Act (ESSA) webpage.

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

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

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

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

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

**GOVERNMENT GROWTH IMPACT:** TEA staff prepared a Government Growth Impact Statement assessment for this proposed rulemaking. During the first five years the proposed rulemaking would be in effect, it would expand and limit an existing regulation. The proposed changes to the *2025-2026 Student Attendance Accounting Handbook* would amend requirements and provide clarity regarding student attendance accounting procedures. In some instances, the proposed changes would add information, and in some instances, information would be removed.

The proposed rulemaking would not create or eliminate a government program; would not require the creation of new employee positions or elimination of existing employee positions; would not require an increase or decrease in future legislative appropriations to the agency; would not require an increase or decrease in fees paid to the agency; would not create a new regulation; would not repeal an existing regulation; would not increase or decrease the number of individuals subject to its applicability; and would not positively or adversely affect the state's economy.

**PUBLIC BENEFIT AND COST TO PERSONS:** Ms. Copeland has determined that for each year of the first five years the proposal is in effect, the public benefit anticipated as a result of enforcing the proposal would be to continue to inform the public of the existence of annual publications specifying attendance accounting procedures for school districts and charter schools. There is no anticipated economic cost to persons who are required to comply with the proposal. There is no anticipated economic cost to persons who are required to comply with the proposal.

**DATA AND REPORTING IMPACT:** The proposal would have no data and reporting impact.

**PRINCIPAL AND CLASSROOM TEACHER PAPERWORK REQUIREMENTS:** TEA has determined that the proposal would not

require a written report or other paperwork to be completed by a principal or classroom teacher.

**PUBLIC COMMENTS:** The public comment period on the proposal begins June 27, 2025, and ends July 28, 2025. A request for a public hearing on the proposal submitted under the Administrative Procedure Act must be received by the commissioner of education not more than 14 calendar days after notice of the proposal has been published in the *Texas Register* on June 27, 2025. A form for submitting public comments is available on the TEA website at [https://tea.texas.gov/About\\_TEA/Laws\\_and\\_Rules/Commissioner\\_Rules\\_\(TAC\)/Proposed\\_Commissioner\\_of\\_Education\\_Rules/](https://tea.texas.gov/About_TEA/Laws_and_Rules/Commissioner_Rules_(TAC)/Proposed_Commissioner_of_Education_Rules/).

**STATUTORY AUTHORITY.** The amendment is proposed under Texas Education Code (TEC), §7.055(b)(35), which states that the commissioner shall perform duties in connection with the Foundation School Program (FSP) as prescribed by TEC, Chapter 48; TEC, §12.251, which states the definition of adult high school charter school programs; TEC, §25.001, which states that a school district must allow for an active duty member of the armed forces of the United States to be allowed 90 days to provide proof of residency; TEC, §25.0344, which states that a parent serving as a peace officer or service member may request a transfer to a district and campus of their choice; TEC, §25.081, which states that, for each school year, each school district must operate so that the district provides for at least 75,600 minutes, including time allocated for instruction, intermissions, and recesses, for students. TEC, §25.081(d), authorizes the commissioner to adopt rules to implement the section. TEC, §25.081(g), states that a school district may not provide student instruction on Memorial Day but that if a school district would be required to provide student instruction on Memorial Day to compensate for minutes of instruction lost because of school closures caused by disaster, flood, extreme weather conditions, fuel curtailment, or another calamity, the commissioner shall approve the instruction of students for fewer than the number of minutes required under TEC, §25.081(a); TEC, §25.0812, which states that school districts may not schedule the last day of school for students before May 15; TEC, §25.087, which provides purposes for which a school district shall excuse a student from attending school; TEC, §28.02124, which states that a parent may request that a student repeat a course for high school credit; TEC, §29.081, which states that attendance accounting and FSP funding for Optional Flexible School Day Program (OFSDP) participation may be generated through a remote or hybrid dropout recovery education program; TEC, §29.0822, which enables a school district to provide a program under this section that meets the needs of students described by TEC, §29.0822(a), for a school district that meets application requirements, including allowing a student to enroll in a dropout recovery program in which courses are conducted online. TEC, §29.0822, authorizes the commissioner to adopt rules for the administration of the section; TEC, §30A.153, which states that, subject to the limitation imposed under TEC, §30A.153(a-1), a school district or open-enrollment charter school in which a student is enrolled is entitled to funding under TEC, Chapter 48, or in accordance with the terms of a charter granted under TEC, §12.101, for the student's enrollment in an electronic course offered through the state virtual school network in the same manner that the district or school is entitled to funding for the student's enrollment in courses provided in a traditional classroom setting, provided that the student successfully completes the electronic course. TEC, §30A.153(d), authorizes the commissioner to adopt rules necessary to imple-

ment the section, including rules regarding student attendance accounting; TEC, §48.004, which states that the commissioner shall adopt rules, take action, and require reports consistent with TEC, Chapter 48, as necessary to implement and administer the FSP; TEC, §48.005, which states that average daily attendance (ADA) is the quotient of the sum of attendance for each day of the minimum number of days of instruction as described under TEC, §25.081(a), divided by the minimum number of days of instruction. TEC, §48.005(m), authorizes the commissioner to adopt rules necessary to implement the section. Subsections (m-1) and (m-2) address virtual or remote instruction-related funding; TEC, §48.102, which states that for each student in ADA in a special education program under TEC, Chapter 29, Subchapter A, in a mainstream instructional arrangement, a school district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 1.15. For each full-time equivalent student in ADA in a special education program under TEC, Chapter 29, Subchapter A, in an instructional arrangement other than a mainstream instructional arrangement, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by a weight determined according to its instructional arrangement; TEC, §48.103, which states that for each student that a district serves who has been identified as having dyslexia or a related disorder, the district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 or a greater amount provided by appropriation; TEC, §48.104, which states that for each student who does not have a disability and resides in a residential placement facility in a district in which the student's parent or legal guardian does not reside, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.2 or, if the student is educationally disadvantaged, 0.275. For each full-time equivalent student who is in a remedial and support program under TEC, §29.081, because the student is pregnant, a district is entitled to an annual allotment equal to the basic allotment multiplied 2.41; TEC, §48.105, which states that for each student in ADA in a bilingual education or special language program under TEC, Chapter 29, Subchapter B, a district is entitled to an annual allotment equal to the adjusted basic allotment multiplied by 0.1 or 0.15 if the student is in a bilingual education program using a dual language immersion/one-way or two-way program model, and for students not described in subdivision (1), 0.05 if the student is in bilingual education program using a dual language immersion/two-way program model; TEC, §48.106, which states that for each full-time equivalent student in ADA in an approved career and technology education program in Grades 7-12 or in career and technology education programs, a district is entitled to an annual allotment equal to the basic allotment multiplied by a weight of 1.35 and \$50 for each student that is enrolled in two or more advanced career and technology classes for a total of three or more credits; a campus designated as a Pathways in Technology Early College High School (P-TECH) school under TEC, §29.556; or a campus that is a member of the New Tech Network and that focuses on project-based learning and work-based education; TEC, §48.108, which states that for each student in ADA in Kindergarten-Grade 3, a district is entitled to an annual allotment equal to the basic allotment multiplied by 0.1 if the student is educationally disadvantaged or a student of limited English proficiency, as defined by TEC, §29.052, and in bilingual education or special language program under TEC, Chapter 29, Subchapter B; TEC, §48.109, which states that for each student in the gifted and talented category, the district is entitled to an annual allotment equal to the basic allotment multiplied by 0.07 for each school year or a greater amount provided by appropriation. If by the end of the 12th month after receiving

an allotment for developing a program a district has failed to implement a program, the district must refund the amount of the allotment to the agency within 30 days. Not more than five percent of a district's students in ADA are eligible for funding under this section. If the state funds exceed the amount of state funds appropriated in any year for the programs, the commissioner shall reduce the districts tier one allotment. If funds are less than the total amount appropriated for the school year, the commissioner shall transfer the remainder to any program. After each district has received allotted funds for this program, the State Board of Education may use up to \$500,000 of the funds allocated under this section for other programs; TEC, §48.270, which states that when, in the opinion of the agency's director of school audits, audits or reviews of accounting, enrollment, or other records of a school district reveal deliberate falsification of the records, or violation of the provisions of TEC, Chapter 48, through which the district's share of state funds allocated under the authority of this chapter would be, or has been, illegally increased, the director shall promptly and fully report the fact to the State Board of Education, the state auditor, and the appropriate county attorney, district attorney, or criminal district attorney; and TEC, §49.204, which states that a school district with a local revenue in excess of entitlement may reduce the district's local revenue level by serving nonresident students who transfer to the district and are educated by the district but who are not charged tuition.

**CROSS REFERENCE TO STATUTE.** The amendment implements Texas Education Code, §§7.055(b)(35), 12.251, 25.001, 25.0344, 25.081, 25.0812, 25.087, 28.02124, 29.081; 29.0822, 30A.153, 48.004, 48.005, 48.102, 48.103, 48.104, 48.105, 48.106, 48.108, 48.109, 48.270, and 49.204.

§129.1025. *Adoption by Reference: Student Attendance Accounting Handbook.*

(a) The student attendance accounting guidelines and procedures established by the commissioner of education under §129.21 of this title (relating to Requirements for Student Attendance Accounting for State Funding Purposes) and the Texas Education Code, §48.004, to be used by school districts and charter schools to maintain records and make reports on student attendance and student participation in special programs will be published annually.

(b) The standard procedures that school districts and charter schools must use to maintain records and make reports on student attendance and student participation in special programs for school year 2025-2026 [~~2024-2025~~] are described in the official Texas Education Agency (TEA) publication 2025-2026 [~~2024-2025~~] *Student Attendance Accounting Handbook*, which is adopted by this reference as the agency's official rule. A copy of the 2025-2026 [~~2024-2025~~] *Student Attendance Accounting Handbook* is available on the TEA website with information related to financial compliance. The commissioner will amend the 2025-2026 [~~2024-2025~~] *Student Attendance Accounting Handbook* by reference and amend this subsection, as needed.

(c) Data from previous school years will continue to be subject to the student attendance accounting handbook as the handbook existed in those years.

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

Filed with the Office of the Secretary of State on June 16, 2025.  
TRD-202502020

Cristina De La Fuente-Valadez  
Director, Rulemaking  
Texas Education Agency  
Earliest possible date of adoption: July 27, 2025  
For further information, please call: (512) 463-9526

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**TITLE 22. EXAMINING BOARDS**

**PART 15. TEXAS STATE BOARD OF PHARMACY**

**CHAPTER 291. PHARMACIES**  
**SUBCHAPTER A. ALL CLASSES OF PHARMACIES**

**22 TAC §291.9**

The Texas State Board of Pharmacy proposes amendments to §291.9, concerning Prescription Pick Up Locations. The amendments, if adopted, allow a pharmacist or pharmacy to deliver prescription drugs by means of a contract carrier and certain prescription drugs by use of unmanned aircraft systems.

Daniel Carroll, Pharm.D., Executive Director/Secretary, has determined that, for the first five-year period the rules are in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule. Dr. Carroll has determined that, for each year of the first five-year period the rule will be in effect, the public benefit anticipated as a result of enforcing the amendments will be to improve medication access, delivery choice, and health outcomes for Texas citizens. There is no anticipated adverse economic impact on large, small or micro-businesses (pharmacies), rural communities, or local or state employment. Therefore, an economic impact statement and regulatory flexibility analysis are not required.

For each year of the first five years the proposed amendments will be in effect, Dr. Carroll has determined the following:

- (1) The proposed amendments do not create or eliminate a government program;
- (2) Implementation of the proposed amendments does not require the creation of new employee positions or the elimination of existing employee positions;
- (3) Implementation of the proposed amendments does not require an increase or decrease in the future legislative appropriations to the agency;
- (4) The proposed amendments do not require an increase or decrease in fees paid to the agency;
- (5) The proposed amendments do not create a new regulation;
- (6) The proposed amendments do limit an existing regulation;
- (7) The proposed amendments do not increase or decrease the number of individuals subject to the rule's applicability; and
- (8) The proposed amendments would have a de minimis impact on this state's economy.

Written comments on the amendments may be submitted to Eamon D. Briggs, Deputy General Counsel, Texas State Board of Pharmacy, 1801 Congress Avenue, Suite 13.100, Austin, Texas

78701-1319, FAX (512) 305-8061. Comments must be received by 5:00 p.m., July 29, 2025.

The amendments are proposed under §§551.002 and 554.051 of the Texas Pharmacy Act (Chapters 551 - 569, Texas Occupations Code). The Board interprets §551.002 as authorizing the agency to protect the public through the effective control and regulation of the practice of pharmacy. The Board interprets §554.051(a) as authorizing the agency to adopt rules for the proper administration and enforcement of the Act.

The statutes affected by these amendments: Texas Pharmacy Act, Chapters 551 - 569, Texas Occupations Code.

*§291.9. Prescription Pick Up Locations.*

(a) No person, firm, or business establishment may have, participate in, or permit an arrangement, branch, connection or affiliation whereby prescriptions are solicited, collected, picked up, or advertised to be picked up, from or at any location other than a pharmacy which is licensed and in good standing with the board.

(b) A pharmacist or pharmacy by means of its employee or by use of a common or contract carrier [(e.g., U.S. Mail)], at the request of the patient, may:

(1) pick up prescription orders at the:

(A) office or home of the prescriber;

(B) residence or place of employment of the person for whom the prescription was issued; or

(C) hospital or medical care facility in which the patient is receiving treatment; and

(2) deliver prescription drugs to the:

(A) office of the prescriber if the prescription is:

(i) for a dangerous drug; or

(ii) for a single dose of a controlled substance that is for administration to the patient in the prescriber's office;

(B) residence of the person for whom the prescription was issued;

(C) place of employment of the person for whom the prescription was issued, if the person is present to accept delivery; or

(D) hospital or medical care facility in which the patient is receiving treatment.

(c) A pharmacist or pharmacy by use of unmanned aircraft systems (i.e., "drones"), at the request of a patient or patient's agent, may deliver prescription drugs, excluding controlled substances or sterile compounded preparations, to a selected delivery location mutually agreed upon by the patient and the pharmacist using the pharmacist's professional judgment.

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 June 16, 2025.

TRD-202502030

Daniel Carroll, Pharm.D.

Executive Director

Texas State Board of Pharmacy

Earliest possible date of adoption: July 27, 2025

For further information, please call: (512) 305-8084

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**22 TAC §291.12**

The Texas State Board of Pharmacy proposes amendments to §291.12, concerning Delivery of Prescription Drugs. The amendments, if adopted, allow and specify requirements for delivery of prescription drugs by contract carriers and unmanned aircraft systems.

Daniel Carroll, Pharm.D., Executive Director/Secretary, has determined that, for the first five-year period the rules are in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule. Dr. Carroll has determined that, for each year of the first five-year period the rule will be in effect, the public benefit anticipated as a result of enforcing the amendments will be to improve medication access, delivery choice, and health outcomes for Texas citizens. There is no anticipated adverse economic impact on large, small or micro-businesses (pharmacies), rural communities, or local or state employment. Therefore, an economic impact statement and regulatory flexibility analysis are not required.

For each year of the first five years the proposed amendments will be in effect, Dr. Carroll has determined the following:

(1) The proposed amendments do not create or eliminate a government program;

(2) Implementation of the proposed amendments does not require the creation of new employee positions or the elimination of existing employee positions;

(3) Implementation of the proposed amendments does not require an increase or decrease in the future legislative appropriations to the agency;

(4) The proposed amendments do not require an increase or decrease in fees paid to the agency;

(5) The proposed amendments do not create a new regulation;

(6) The proposed amendments do limit an existing regulation;

(7) The proposed amendments do not increase or decrease the number of individuals subject to the rule's applicability; and

(8) The proposed amendments would have a de minimis impact on this state's economy.

Written comments on the amendments may be submitted to Eamon D. Briggs, Deputy General Counsel, Texas State Board of Pharmacy, 1801 Congress Avenue, Suite 13.100, Austin, Texas 78701-1319, FAX (512) 305-8061. Comments must be received by 5:00 p.m., July 29, 2025.

The amendments are proposed under §§551.002 and 554.051 of the Texas Pharmacy Act (Chapters 551 - 569, Texas Occupations Code). The Board interprets §551.002 as authorizing the agency to protect the public through the effective control and regulation of the practice of pharmacy. The Board interprets §554.051(a) as authorizing the agency to adopt rules for the proper administration and enforcement of the Act.

The statutes affected by these amendments: Texas Pharmacy Act, Chapters 551 - 569, Texas Occupations Code.

*§291.12. Delivery of Prescription Drugs.*

(a) Applicability. This section applies to the delivery of prescription drugs by a pharmacy licensed by the board as a Class A, Class A-S, Class E, or Class E-S pharmacy.

(b) Definitions.

(1) Common carrier--A person or entity who holds out to the general public a willingness to provide transportation of property from place to place for compensation in the normal course of business.

(2) Contract carrier--A person or entity who provides to industrial customers, pursuant to the terms of a bilateral agreement, the transportation of property for compensation in the normal course of business.

(c) [(b)] Delivery by common or contract carrier. A pharmacy may deliver prescription drugs by use of a common or contract carrier [(e.g., U.S. Mail)] as provided in §291.9 of this title (relating to Prescription Pick Up Locations) on request of the patient or patient's agent. [Common carrier means a person or entity who holds out to the general public a willingness to provide transportation of property from place to place for compensation in the normal course of business.] A pharmacy that delivers prescription drugs by use of a common or contract carrier providing a same-day courier service is not subject to subsection (c) [(b)] of this section and shall comply with subsection (d) [(e)] of this section.

(1) Standards. The pharmacy shall ensure that all prescription drugs are delivered to the patient or patient's agent in accordance with nationally recognized standards, such as those of the manufacturer or the United States Pharmacopeia. The pharmacy is responsible for any problems in the delivery of a prescription drug by a contract carrier.

(2) Packaging. The pharmacy shall ensure that prescription drugs are packaged in commercially available tamper evident packaging.

(3) Temperature. The pharmacy shall ensure that any prescription drug delivered by a common or contract carrier is packaged in a manner that maintains a temperature range appropriate for the drug. This may include, without limitation, use of temperature tags, time temperature strips, insulated packaging, gel ice packs, or a combination of these as necessary.

(4) Irregularity in delivery. The pharmacy shall provide a method by which a patient or patient's agent can notify the pharmacy as to any irregularity in the delivery of the patient's prescription, to include but not be limited to:

- (A) timeliness of delivery;
- (B) condition of the prescription drug upon delivery;
- (C) failure to receive the proper prescription drug.

(5) Refusal to deliver. The pharmacy shall refuse to deliver by common or contract carrier a prescription drug which in the professional opinion of the dispensing pharmacist may be clinically compromised by delivery by common or contract carrier.

(d) [(e)] Delivery by pharmacy employee or common or contract carrier providing a same-day courier service. A pharmacy may deliver prescription drugs by means of its employee or a common or contract carrier providing a same-day courier service as provided in §291.9 of this title on request of the patient or patient's agent.

(1) Standards. The pharmacy is responsible for any problems in the delivery of the prescription drug.

(2) Temperature. The prescription drug shall be maintained within the temperature range allowed by the United States Pharmacopeia or recommended by the manufacturer until the delivery has been received by the patient or patient's agent.

(e) Delivery by unmanned aircraft systems (i.e., "drones"). A pharmacy may deliver prescription drugs, excluding controlled substances or sterile compounded preparations, by use of a common or contract carrier providing an unmanned aircraft system delivery service as provided in §291.9 of this title on request of the patient or patient's agent.

(1) Standards. Unmanned aircraft systems shall maintain appropriate federal registration and comply with all state and federal laws and rules. The pharmacy shall ensure that all prescription drugs are delivered to the patient or patient's agent in accordance with nationally recognized standards, such as those of the manufacturer or the United States Pharmacopeia. The pharmacy is responsible for any problems in the delivery of the prescription drug.

(2) The pharmacist-in-charge is responsible for developing written policies and procedures regarding prescription drug delivery in accordance with this subsection to be used by pharmacy personnel to include, but not be limited to, the following:

(A) training pharmacy personnel engaged in preparing and packaging prescription drugs for delivery;

(B) packaging prescription drugs for delivery;

(C) verification of the correct recipient and delivery address;

(D) maintaining the confidentiality of prescription records;

(E) secure transfer of prescription drugs from the pharmacy;

(F) provision of patient counseling;

(G) remediation of errors in delivery or adverse events; and

(H) recordkeeping.

(3) Packaging. The pharmacy shall ensure that prescription drugs are packaged in commercially available tamper evident packaging.

(4) Temperature. The pharmacy shall ensure that any prescription drug delivered by a common or contract carrier providing an unmanned aircraft system delivery service is packaged in a manner that maintains a temperature range appropriate for the drug. This may include, without limitation, use of temperature tags, time temperature strips, insulated packaging, gel ice packs, or a combination of these as necessary.

(5) Records. The pharmacy shall document each change in the chain of custody of a prescription drug, including departure of the prescription drug from the pharmacy, transfer to the person or entity fulfilling delivery, and delivery to the patient.

(6) Confirmation of presence at selected delivery location. The pharmacy shall receive confirmation from the patient or patient's agent that the patient or patient's agent is present at the selected delivery location before unmanned aircraft system delivery is initiated.

(7) Security. The pharmacy must ensure that delivery is made to a reasonably secure location at the selected delivery location that minimizes the opportunity for unauthorized access to prescription drugs and confidential prescription records.

(f) [(d)] All deliveries. A pharmacy that delivers prescription drugs by common or contract carrier, [or] by pharmacy employee or [by a] common or contract carrier providing a same-day courier service, or

by common or contract carrier providing an unmanned aircraft system delivery service shall also comply with the following:

(1) Counseling information. The pharmacy shall comply with the requirements of §291.33(c)(1)(F) of this title (relating to Operational Standards).

(2) Notification of delivery. The pharmacy shall notify the patient or patient's agent of the delivery of a prescription drug.

(3) Compromised delivery. If a pharmacist determines a prescription drug is in any way compromised during delivery, the pharmacy shall replace the drug or arrange for the drug to be replaced, either by promptly delivering a replacement to the patient or by promptly contacting the prescriber to arrange for the drug to be dispensed to the patient by a pharmacy of the patient's or patient's agent's choice.

(4) Records. The pharmacy shall maintain records for two years on the following events:

(A) when a prescription drug was sent and delivered to the patient or patient's agent; and

(B) patient complaints regarding compromised deliveries, which may be documented in the patient profile.

(5) Controlled substances. A pharmacy shall comply with all state and federal laws and rules relating to the delivery of controlled substances.

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 June 16, 2025.

TRD-202502031

Daniel Carroll, Pharm.D.

Executive Director

Texas State Board of Pharmacy

Earliest possible date of adoption: July 27, 2025

For further information, please call: (512) 305-8084



## 22 TAC §291.17

The Texas State Board of Pharmacy proposes amendments to §291.17, concerning Inventory Requirements. The amendments, if adopted, remove inventory notarization requirements.

Daniel Carroll, Pharm.D., Executive Director/Secretary, has determined that, for the first five-year period the rules are in effect, there will be no fiscal implications for state or local government as a result of enforcing or administering the rule. Dr. Carroll has determined that, for each year of the first five-year period the rule will be in effect, the public benefit anticipated as a result of enforcing the amendments will be less restrictive regulations that allow pharmacy staff to spend more time serving the pharmacy's patients. There is no anticipated adverse economic impact on large, small or micro-businesses (pharmacies), rural communities, or local or state employment. Therefore, an economic impact statement and regulatory flexibility analysis are not required.

For each year of the first five years the proposed amendments will be in effect, Dr. Carroll has determined the following:

(1) The proposed amendments do not create or eliminate a government program;

(2) Implementation of the proposed amendments does not require the creation of new employee positions or the elimination of existing employee positions;

(3) Implementation of the proposed amendments does not require an increase or decrease in the future legislative appropriations to the agency;

(4) The proposed amendments do not require an increase or decrease in fees paid to the agency;

(5) The proposed amendments do not create a new regulation;

(6) The proposed amendments do limit an existing regulation;

(7) The proposed amendments do not increase or decrease the number of individuals subject to the rule's applicability; and

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

Written comments on the amendments may be submitted to Eamon D. Briggs, Deputy General Counsel, Texas State Board of Pharmacy, 1801 Congress Avenue, Suite 13.100, Austin, Texas 78701-1319, FAX (512) 305-8061. Comments must be received by 5:00 p.m., July 29, 2025.

The amendments are proposed under §§551.002 and 554.051 of the Texas Pharmacy Act (Chapters 551 - 569, Texas Occupations Code). The Board interprets §551.002 as authorizing the agency to protect the public through the effective control and regulation of the practice of pharmacy. The Board interprets §554.051(a) as authorizing the agency to adopt rules for the proper administration and enforcement of the Act.

The statutes affected by these amendments: Texas Pharmacy Act, Chapters 551 - 569, Texas Occupations Code.

### §291.17. *Inventory Requirements.*

(a) General requirements.

(1) The pharmacist-in-charge shall be responsible for taking all required inventories, but may delegate the performance of the inventory to another person(s).

(2) The inventory shall be maintained in a written, typewritten, or printed form. An inventory taken by use of an oral recording device must be promptly transcribed.

(3) The inventory shall be kept in the pharmacy and shall be available for inspection for two years.

(4) The inventory shall be filed separately from all other records.

(5) The inventory shall be in a written, typewritten, or printed form and include all stocks of all controlled substances on hand on the date of the inventory (including any which are out-of-date).

(6) The inventory may be taken either as of the opening of business or as of the close of business on the inventory date.

(7) The inventory record shall indicate whether the inventory is taken as of the opening of business or as of the close of business on the inventory date. If the pharmacy is open 24 hours a day, the inventory record shall indicate the time that the inventory was taken.

(8) The person(s) taking the inventory shall make an exact count or measure of all controlled substances listed in Schedule II.

(9) The person(s) taking the inventory shall make an estimated count or measure of all controlled substances listed in Schedules III, IV, and V, unless the container holds more than 1,000 tablets or capsules in which case, an exact count of the contents must be made.

(10) The inventory of Schedule II controlled substances shall be listed separately from the inventory of Schedules III, IV, and V controlled substances.

(11) If the pharmacy maintains a perpetual inventory of any of the drugs required to be inventoried, the perpetual inventory shall be reconciled on the date of the inventory.

(b) Initial inventory.

(1) A new Class A, Class A-S, Class C, Class C-S, or Class F pharmacy shall take an inventory on the opening day of business. Such inventory shall include all stocks of all controlled substances (including any out-of-date drugs).

(2) In the event the Class A, Class A-S, Class C, Class C-S, or Class F pharmacy commences business with no controlled substances on hand, the pharmacy shall record this fact as the initial inventory.

(3) The initial inventory shall serve as the pharmacy's inventory until the next May 1, or until the pharmacy's regular general physical inventory date, at which time the Class A, Class A-S, Class C, Class C-S, or Class F pharmacy shall take an annual inventory as specified in subsection (c) of this section.

(c) Annual inventory.

(1) A Class A, Class A-S, Class C, Class C-S, or Class F pharmacy shall take an inventory on May 1 of each year, or on the pharmacy's regular general physical inventory date. Such inventory may be taken within four days of the specified inventory date and shall include all stocks of all controlled substances (including out-of-date drugs).

(2) A Class A, Class A-S, Class C, Class C-S, or Class F pharmacy applying for renewal of a pharmacy license shall include as a part of the pharmacy license renewal application a statement attesting that an annual inventory has been conducted, the date of the inventory, and the name of the person(s) taking the inventory.

(3) The person(s) taking the annual inventory and the pharmacist-in-charge shall indicate the time the inventory was taken (as specified in subsection (a)(7) of this section) and shall sign and date the inventory with the date the inventory was taken. ~~[The signature of the pharmacist-in-charge and the date of the inventory shall be notarized within three days after the day the inventory is completed, excluding Saturdays, Sundays, and federal holidays.]~~

(d) Change of ownership.

(1) A Class A, Class A-S, Class C, Class C-S, or Class F pharmacy that changes ownership shall take an inventory on the date of the change of ownership. Such inventory shall include all stocks of all controlled substances (including any out-of-date drugs).

(2) Such inventory shall constitute, for the purpose of this section, the closing inventory for the seller and the initial inventory for the buyer.

(3) Transfer of any controlled substances listed in Schedule II shall require the use of official DEA order forms (Form 222).

(4) The person(s) taking the inventory and the pharmacist-in-charge shall indicate the time the inventory was taken (as specified in subsection (a)(7) of this section) and shall sign and date the inventory with the date the inventory was taken. ~~[The signature of the pharmacist-in-charge and the date of the inventory shall be notarized within three days after the day the inventory is completed, excluding Saturdays, Sundays, and federal holidays.]~~

(e) Closed pharmacies.

(1) The pharmacist-in-charge of a Class A, Class A-S, Class C, Class C-S, or Class F pharmacy that ceases to operate as a pharmacy shall forward to the board, within 10 days of the cessation of operation, a statement attesting that an inventory of all controlled substances on hand has been conducted, the date of closing, and a statement attesting the manner by which the dangerous drugs and controlled substances possessed by such pharmacy were transferred or disposed.

(2) The person(s) taking the inventory and the pharmacist-in-charge shall indicate the time the inventory was taken (as specified in subsection (a)(7) of this section) and shall sign and date the inventory with the date the inventory was taken. ~~[The signature of the pharmacist-in-charge and the date of the inventory shall be notarized within three days after the day the inventory is completed, excluding Saturdays, Sundays, and federal holidays.]~~

(f) Additional requirements for Class C and Class C-S pharmacies.

(1) Perpetual inventory.

(A) A Class C or Class C-S pharmacy shall maintain a perpetual inventory of all Schedule II controlled substances.

(B) The perpetual inventory shall be reconciled on the date of the annual inventory.

(2) Annual inventory. The inventory of the Class C or Class C-S pharmacy shall be maintained in the pharmacy. The inventory shall include all controlled substances located in the pharmacy and, if applicable, all controlled substances located in other departments within the institution. If an inventory is conducted in other departments within the institution, the inventory of the pharmacy shall be listed separately, as follows:

(A) the inventory of drugs on hand in the pharmacy shall be listed separately from the inventory of drugs on hand in the other areas of the institution; and

(B) the inventory of drugs on hand in all other departments shall be identified by department.

(g) Change of pharmacist-in-charge of a pharmacy.

(1) On the date of the change of the pharmacist-in-charge of a Class A, Class A-S, Class C, Class C-S, or Class F pharmacy, an inventory shall be taken. Such inventory shall include all stocks of all controlled substances (including any out-of-date drugs).

(2) This inventory shall constitute, for the purpose of this section, the closing inventory of the departing pharmacist-in-charge and the beginning inventory of the incoming pharmacist-in-charge.

(3) If the departing and the incoming pharmacists-in-charge are unable to conduct the inventory together, a closing inventory shall be conducted by the departing pharmacist-in-charge and a new and separate beginning inventory shall be conducted by the incoming pharmacist-in-charge.

(4) The incoming pharmacist-in-charge shall be responsible for notifying the board within 10 days, as specified in §291.3 of this title (relating to Required Notifications), that a change of pharmacist-in-charge has occurred.

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 June 16, 2025.  
TRD-202502032



## TITLE 34. PUBLIC FINANCE

### PART 1. COMPTROLLER OF PUBLIC ACCOUNTS

#### CHAPTER 3. TAX ADMINISTRATION

##### SUBCHAPTER G. CIGARETTE TAX

###### 34 TAC §3.102

The Comptroller of Public Accounts proposes amendment to §3.102, concerning applications, definitions, permits, and reports. The comptroller amends this section to address age requirements for obtaining a cigarette permit.

The comptroller amends subsection (f), to add that the comptroller will not issue a permit to an applicant that is under the age of 21.

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

Mr. Reynolds also has determined that the proposed amended rule would have no significant fiscal impact on the state government, units of local government, or individuals. The proposed amended rule would benefit the public by conforming the rule to current statute and Comptroller practice. There would be no significant economic cost to the public. The proposed amended rule would have no significant fiscal impact on small businesses or rural communities.

You may submit comments on the proposal to Jenny Bureson, Director, Tax Policy Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: [tp.rule.comments@cpa.texas.gov](mailto:tp.rule.comments@cpa.texas.gov). The comptroller must receive your comments no later than 30 days from the date of publication of the proposal in the *Texas Register*.

The amendment is proposed under Tax Code, §111.002 (Comptroller's Rules; Compliance; Forfeiture) and §111.0022 (Application to Other Laws Administered by Comptroller) which provide the comptroller with authority to prescribe, adopt, and enforce rules relating to the administration and enforcement provisions of Tax Code, Title 2, and taxes, fees, or other charges which the comptroller administers under other law.

The amendment implements Tax Code, Chapter 154 (Cigarette Tax) and Health and Safety Code, Chapter 161 (Public Health Provisions).

§3.102. *Applications, Definitions, Permits, and Reports.*

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

(1) Agency--The Comptroller of Public Accounts of the State of Texas or the comptroller's duly authorized agents and employees.

(2) Bonded agent--A person in this state who is a third-party agent of a manufacturer outside this state and who receives cigarettes in interstate commerce and stores the cigarettes for distribution or delivery to distributors under orders from the manufacturer.

(3) Cigar--A roll of fermented tobacco that is wrapped in tobacco and the main stream of smoke from which produces an alkaline reaction to litmus paper.

(4) Cigarette--A roll for smoking:

(A) that is made of tobacco or tobacco mixed with another ingredient and wrapped or covered with a material other than tobacco; and

(B) that is not a cigar.

(5) Commercial business location--The entire premises occupied by a permit applicant or a person required to hold a permit under Tax Code, Chapter 154 (Cigarette Tax). A commercial business location cannot include a residence or a unit in a public storage facility.

(6) Consumer--A person who possesses cigarettes for personal consumption.

(7) Distributor--A person who:

(A) is authorized to purchase, for the purpose of making a first sale in this state, cigarettes in unstamped packages from manufacturers who distribute cigarettes in this state and to stamp cigarette packages;

(B) ships, transports, imports into this state, acquires, or possesses cigarettes and makes a first sale of the cigarettes in this state;

(C) manufactures or produces cigarettes; or

(D) is an importer.

(8) Engage in business--A person engaging either directly or through a representative, in any of the following activities:

(A) selling cigarettes in or into this state;

(B) using a warehouse or another location to store cigarettes; or

(C) otherwise conducting through a physical presence cigarette-related business in this state.

(9) Export warehouse--A person in this state who receives cigarettes in unstamped packages from manufacturers and stores the cigarettes for the purpose of making sales to authorized persons for resale, use, or consumption outside the United States.

(10) First sale--Except as otherwise provided in this section;

(A) the first transfer of possession in connection with a purchase, sale, or any exchange for value of cigarettes in or into this state, which includes:

(i) the sale of cigarettes by:

(ii) a distributor in or outside this state to a distributor, wholesaler, or retailer in this state; and

(iii) a manufacturer in this state who transfers the tobacco products in this state; and

(iv) does not include:

(I) the sale of cigarettes by a manufacturer outside this state to a distributor in this state;

(II) the transfer of cigarettes from a manufacturer outside this state to a bonded agent in this state;

(III) the sale of cigarettes by a manufacturer, bonded agent, distributor, or importer to an interstate warehouse in this state; or

(IV) the transfer of cigarettes by an interstate warehouse in an interstate warehouse transaction;

(B) the first use or consumption of cigarettes in this state; or

(C) the loss of cigarettes in this state whether through negligence, theft, or other unaccountable loss. First sale also includes giving away cigarettes as promotional items.

(11) Importer--A person who ships, transports, or imports into this state cigarettes manufactured or produced outside the United States for the purpose of making a first sale in this state.

(12) Interstate warehouse--A person in this state who receives unstamped cigarettes from a manufacturer, bonded agent, distributor, or importer and stores the cigarettes exclusively for an interstate warehouse transaction.

(13) Interstate warehouse transaction--The sale or delivery of cigarettes from an interstate warehouse to a person located in another state who is licensed or permitted by the other state to affix that state's cigarette stamps or otherwise pay the state's excise tax on cigarettes as required.

(14) Manufacturer--A person who manufactures, fabricates, or assembles cigarettes, or causes or arranges for the manufacture, fabrication, or assembly of cigarettes, for sale or distribution.

(15) Manufacturer's representative--A person employed by a manufacturer to sell or distribute the manufacturer's stamped cigarette packages.

(16) Permit--Any agency license, certificate, approval, registration, or similar form of permission required by law to buy, sell, stamp, store, transport, or distribute cigarettes. A permit includes a vending machine decal.

(17) Permit holder--A person who has been issued a bonded agent, interstate warehouse, distributor, importer, export warehouse, manufacturer, wholesaler, or retailer permit under Tax Code, §154.101 (Permits).

(18) Place of business--

(A) a commercial business location where cigarettes are sold;

(B) a commercial business location where cigarettes are kept for sale or consumption or otherwise stored;

(C) a vehicle from which cigarettes are sold; or

(D) a vending machine from which cigarettes are sold.

(19) Retailer--A person who engages in the business of selling cigarettes to consumers. The owner of a cigarette vending machine is a retailer.

(20) Stamp--Includes only a stamp that:

(A) is printed, manufactured, or made by authority of the comptroller;

(B) shows payment of the tax imposed by Tax Code, §154.021 (Imposition and Rate of Tax);

(C) is consecutively numbered and uniquely identifiable as a Texas cigarette tax stamp; and

(D) is not damaged beyond recognition as a valid Texas tax stamp.

(21) Wholesaler--A person, including a manufacturer's representative, who sells or distributes cigarettes in this state for resale. A wholesaler is not a distributor.

(b) Permits required.

(1) To engage in business as a distributor, importer, manufacturer, export warehouse, wholesaler, bonded agent, interstate warehouse, or retailer, a person must apply for and receive the applicable permit from the comptroller. The permits are not transferable. A new application is required if a change in ownership occurs (sole ownership to partnership, sole ownership to corporation, partnership to limited liability company, etc.). Each legal entity must apply for its own permit(s). All permits issued to a legal entity will have the same taxpayer number. Tax Code, §154.501(a)(2) (Penalties), provides that a person who engages in the business of a bonded agent, interstate warehouse, distributor, importer, manufacturer, export warehouse, wholesaler, or retailer without a valid permit is subject to a penalty of not more than \$2,000 for each violation. Tax Code, §154.501(c), provides that a separate offense is committed each day on which a violation occurs.

(2) Each distributor, importer, manufacturer, export warehouse, wholesaler, bonded agent, interstate warehouse, or retailer shall obtain a permit for each place of business owned or operated by the distributor, importer, manufacturer, wholesaler, bonded agent, interstate warehouse, or retailer. A new permit shall be required for each physical change in the location of the place of business. Correction or change of street listing by a city, state, or U.S. Post Office shall not require a new permit so long as the physical location remains unchanged.

(3) Permits are valid for one place of business at the location shown on the permit. If the location houses more than one place of business under common ownership, an additional permit is required for each separate place of business. For example, each retailer who operates a cigarette vending machine shall place a retailer's permit on the machine.

(4) A vehicle from which cigarettes are sold is considered to be a place of business and requires a permit. A motor vehicle permit is issued to a distributor or wholesaler holding a current permit. Vehicle permits are issued bearing a specific motor vehicle identification number and are valid only when physically carried in the vehicle having the corresponding motor vehicle identification number. Vehicle permits may not be moved from one vehicle to another. No cigarette permit is required for a vehicle used only to deliver invoiced cigarettes.

(5) The comptroller may issue a combination permit for cigarettes and tobacco products to a person who is a distributor, importer, manufacturer, wholesaler, bonded agent, interstate warehouse, or retailer as defined by Tax Code, Chapter 154 and Chapter 155 (Cigars and Tobacco Products Tax). A person who receives a combination permit pays only the higher of the two permit fees.

(6) The comptroller will not issue a permit for a residence or a unit in a public storage facility because cigarettes may not be stored at such places.

(7) A permit is not required for a research facility that possesses and only uses cigarettes for experimental purposes.

(8) A person who engages in the business of selling cigarettes for commercial purposes who provides a roll-your-own machine that is available for use by consumers must obtain a manufacturer's, distributor's and a retailer's permit.

(9) The comptroller may not issue a distributor's permit and an interstate warehouse permit to the same location.

(10) A person who engages in the business of importing cigarettes from a foreign country into Texas is required to be permitted as a cigarette distributor.

(c) Sales and purchase requirements for permit holders. Except for retail sales to consumers, cigarettes may only be sold or distributed by and between permit holders as provided by this section. A permit holder may engage in the following business activities:

(1) A manufacturer outside this state who is not a permitted distributor may sell cigarettes only to a permitted distributor or interstate warehouse.

(2) A permitted distributor may sell cigarettes only to a permitted distributor, wholesaler, or retailer. A permitted distributor who manufactures or produces cigarettes in this state may sell those cigarettes to a permitted interstate warehouse.

(3) A permitted importer may sell cigarettes only to a permitted interstate warehouse, distributor, wholesaler, or retailer.

(4) A permitted wholesaler may sell cigarettes only to a permitted distributor, wholesaler, or retailer.

(5) A permitted retailer may sell cigarettes only to the consumer and may purchase cigarettes only from a permitted distributor or wholesaler.

(6) A permitted export warehouse may sell cigarettes only to persons authorized to sell or consume unstamped cigarettes outside the United States.

(7) A manufacturer's representative may sell cigarettes only to a permitted distributor, wholesaler, or retailer.

(8) A permitted interstate warehouse may sell cigarettes only in an interstate warehouse transaction. An interstate warehouse may not make an intrastate sale of cigarettes without written authorization by the comptroller.

(d) Permit period.

(1) Bonded agent, interstate warehouse, distributor, importer, manufacturer, wholesaler, and motor vehicle permits expire on the last day of February of each year.

(2) Retailer permits expire on the last day of May of each even-numbered year.

(e) Permit fees. An application for a bonded agent, interstate warehouse, distributor, manufacturer, wholesaler, motor vehicle, or retailer permit must be accompanied by the appropriate fee. The permit fee payment must be made in cash, by money order, check, or credit card.

(1) The permit fee for a bonded agent is \$300.

(2) The permit fee for an interstate warehouse is \$300.

(3) The permit fee for a distributor is \$300.

(4) The permit fee for a manufacturer with representation in Texas is \$300.

(5) The permit fee for a wholesaler is \$200.

(6) The permit fee for a motor vehicle is \$15.

(7) The permit fee for a retailer permit is \$180.

(8) No permit fee is required to obtain an importer or an export warehouse permit.

(9) A \$50 fee is assessed for failure to obtain a permit in a timely manner.

(10) The comptroller prorates the permit fee for new permits according to the number of months remaining in the permit period. If a permit will expire within three months of the date of issuance, the comptroller may collect the prorated permit fee for the current permit period and the total permit fee for the next permit period.

(11) A person issued a permit for a place of business that permanently closes before the permit expiration date is not entitled to a refund of the permit fee.

(f) Permit issuance, denial, suspension, or revocation.

(1) The comptroller shall issue a permit to a distributor, importer, manufacturer, export warehouse, wholesaler, bonded agent, interstate warehouse or retailer if the comptroller receives an application and any applicable fee, believes that the applicant has complied with Tax Code, §154.101, and determines that issuing the permit will not jeopardize the administration and enforcement of Tax Code, Chapter 154.

(2) If the comptroller determines that an existing permit should be suspended or revoked or a permit should be denied because of the applicant's prior conviction of a crime and the relationship of the crime to the license, the comptroller will notify the applicant or permittee in writing by personal service or by mail of the reasons for the denial, suspension, revocation, or disqualification, the review procedure provided by Occupations Code, §53.052 (Judicial Review), and the earliest date that the permit holder or applicant may appeal the denial, suspension, revocation, or disqualification.

(3) The comptroller will not issue a permit for an applicant who is under the age of 21.

(g) Reports.

(1) Manufacturer reports must be filed on or before the 25th day of each month for transactions that occurred during the preceding month.

(2) All cigarette distributor and wholesaler reports and payments must be filed on or before the 25th day of each month for transactions that occurred during the preceding month.

(3) All wholesaler and distributor reports of sales to retailers required by the comptroller under Tax Code, §154.212 (Reports by Wholesalers and Distributors of Cigarettes), shall be filed in accordance with §3.9 of this title (relating to Electronic Filing of Returns and Reports; Electronic Transfer of Certain Payments by Certain Taxpayers).

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 June 11, 2025.  
TRD-202501996



## SUBCHAPTER O. STATE AND LOCAL SALES AND USE TAXES

### 34 TAC §3.344

The Comptroller of Public Accounts proposes amendments to §3.344, concerning telecommunications services.

The comptroller amends subsection (h)(4) related to how service providers determine local tax for mobile telecommunication services by adding language to conform to Tax Code, §151.061 (Sourcing of Charges for Mobile Telecommunication Services). The comptroller further amends subsection (h)(4) to memorialize policy outlined in STAR Accession No. 202410001M (October 2, 2024).

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

Mr. Reynolds also has determined that the proposed amended rule would benefit the public by providing guidance to taxpayers and auditors in determining if a taxpayer has exercised due diligence related to sourcing of local taxes for mobile telecommunications. This rule is proposed under Tax Code, Title 2, and does not require a statement of fiscal implications for small businesses or rural communities. The proposed amended rule would have no significant fiscal impact on the state government, units of local government, or individuals. There would be no significant economic cost to the public.

You may submit comments on the proposal to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: [tp.rule.comments@cpa.texas.gov](mailto:tp.rule.comments@cpa.texas.gov). The comptroller must receive your comments no later than 30 days from the date of publication of the proposal in the *Texas Register*.

These amendments are proposed under Tax Code, §111.002 (Comptroller's Rules; Compliance; Forfeiture), 321.306 (Comptroller's Rules), 322.203 (Comptroller's Rules), and 323.306 (Comptroller's Rules) which provides the comptroller with the authority to prescribe, adopt, and enforce rules relating to the administration and enforcement of the provisions of Tax Code, Title 2 (State Taxation), as well as taxes, fees, and other charges that the comptroller administers under other law.

The proposal implements Tax Code, §151.061 (Sourcing of Charges for Mobile Telecommunication Services).

#### §3.344. Telecommunications Services.

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

(1) Basic local exchange telephone service--The provision by a telephone company of each access line and each dial tone to a fixed location for sending and receiving telecommunications in the telephone company's local exchange network. Services are considered basic irrespective of whether the customer has access to a private or party line, or whether the customer has limited or unlimited access. The term does not include international, interstate, or intrastate long-distance telecommunications services or mobile telecommunications services.

(2) Internet--Collectively the myriad of computer and telecommunications facilities, including equipment and operating software, that comprise the interconnected worldwide network of networks that employ the Transmission Control Protocol/Internet Protocol, or any predecessor or successor protocols to the protocol, to communicate information of all kinds by wire or radio.

(3) Internet access service--A service that enables users to access content, information, electronic mail, or other services offered over the Internet and may also include access to proprietary content, information, and other services as part of a package of services offered to consumers. The term does not include telecommunications services. See §3.366 of this title (relating to Internet Access Services).

(4) Interstate long-distance telecommunication service--A telecommunication service that originates in one state, crosses state lines, and terminates in another state.

(5) Intrastate long-distance telecommunications service--A telecommunication service that originates and terminates within one state, but crosses the boundaries on subdivisions or jurisdictions within the state.

(6) Mobile telecommunications service--The provision of a commercial mobile radio service, as defined in 47 C.F.R. 20.3 of the Federal Communications Commission's (FCC) regulations in effect on June 1, 1999 under the Mobile Telecommunications Sourcing Act (4 U.S.C. §§116-126). The term includes cellular telecommunications services, personal communications services (PCS), specialized mobile radio services, wireless voice over Internet protocol services, and paging services. The term does not include telephone prepaid calling cards or air-ground radio telephone services as defined in 47 C.F.R. 22.99 of FCC regulations in effect on June 1, 1999.

(7) Pay telephone coin sent--Telecommunications service paid for by the insertion of coins into a coin-operated telephone.

(8) Place of primary use--The physical street address that is representative of where a customer primarily uses a mobile telecommunications service. That location must be either the customer's residential street address or the customer's primary business street address that is within the licensed service area of the service provider. The individual or entity that contracts with the service provider is the customer. If the individual or entity that contracts with the service provider is not the end user, then the physical street address where the end user primarily uses the service determines the customer's place of primary use. For example, a business owner who is located in Austin, Texas establishes mobile telecommunication service accounts for employees who are located in other cities. One employee does business from his home in Dallas, Texas. Two other employees work at an office that is located in Houston, Texas. Another employee works at an office that is located in New Orleans, Louisiana. The home street address of the employee in Dallas is the place of primary use for that cellular phone account. The place of primary use for the two Houston employees is the street address of the Houston office. The place of primary use for the employee in Louisiana is the street address of the New Orleans office.

(9) Prepaid telecommunications service--A wireless or wire telecommunications service for which the provider requires a

customer to prepay the full amount prior to provision of the service. The term does not include the sale or use of a telephone prepaid calling card as defined in paragraph (15) of this subsection. A card, pin number, access code or similar device that allows a user to access only a specific network, or that is intended for use with a specific user account or device (e.g., to add more minutes to an existing account) is a prepaid telecommunications service and is taxed as the sale of a telecommunications service. Local sales tax is collected as explained in subsection (h) of this section.

(10) Private communication service--A telecommunication service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations, and any other associated services that are provided in connection with the use of such channel or channels.

(A) As it relates to private communication service, the term "communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

(B) As it relates to private communication service, the term "customer channel termination point" means the location where the customer either inputs or receives the communications.

(11) Seller--Any person who sells telecommunications services including a hotel, motel, owner or lessor of an office, residential building or development that contracts and pays for telecommunications services for resale to guests or tenants.

(12) Taxable service--A telecommunications service or other taxable service listed in Tax Code, §151.0101.

(13) Telecommunications services--The electronic or electrical transmission, conveyance, routing, or reception of sounds, signals, data, or information utilizing wires, cable, radio waves, microwaves, satellites, fiber optics, Voice over Internet Protocol (VoIP), or any other method now in existence or that may be devised, including but not limited to long-distance telephone service. The term includes mobile telecommunications services and prepaid telecommunications services. The term does not include:

(A) the storage of data or other information for subsequent retrieval or the processing, or reception and processing, of data or information intended to change its form or content;

(B) the sale or use of a telephone prepaid calling card;

(C) Internet access service; or

(D) pay telephone coin sent.

(14) Telephone company--A person who owns or operates a telephone line or telephone in this state and charges for its use.

(15) Telephone prepaid calling card--A card or other item, including an access code, that represents the right to access telecommunications services, other than prepaid telecommunications services as defined in paragraph (9) of this subsection, through multiple devices, regardless of the network providing direct service to the device used, for which payment is made in incremental amounts and before the call or transmission is initiated. For example, a calling card that allows a user to access a long distance telecommunications network for the purpose of making international calls through a pay phone is a telephone prepaid calling card. The sale of a telephone prepaid calling card is taxed as the sale of tangible personal property.

(16) Voice over Internet Protocol (VoIP)--A telecommunication service where a phone call is transmitted over a data network.

The term "Internet Protocol" is a catchall phrase for the protocols and technologies of encoding a voice call that allow the voice call to be slotted in between data on a data network, including the Internet, a company's Intranet, or any other type of data network.

(b) Taxable telecommunications services. The total amount charged for a taxable telecommunications service is subject to sales tax. Sales tax is due on a charge for the following:

(1) basic local exchange telephone services;

(2) enhanced services such as metro service, extended area service, multiline hunting, and PBX trunk;

(3) auxiliary services such as call waiting and call forwarding;

(4) intrastate long-distance telecommunications services;

(5) interstate long-distance telecommunications services that are both originated from, and billed to, a telephone number or billing or service address within Texas such that if a call originates in Texas and is billed to a Texas service address, the charge is taxable even if the invoice, statement, or other demand for payment is sent to an address in another state;

(6) mobile telecommunications services for which the place of primary use is located in Texas;

(7) telegraph services that are both originated from, and billed to, a person within Texas;

(8) a telecommunications service paid for by the insertion of tokens, credit or debit card into a coin-operated telephone located in Texas;

(9) subject to subsection (e) of this section, the lease, rental, or other charges for telecommunication equipment including separately stated installation charges. Separately stated charges for labor to install wiring will not be taxable if the wiring is installed in new structures or residences in such manner as to become a part of the realty. Separately stated charges for labor to install wiring in existing nonresidential real property are taxable. See §3.291 and §3.357 of this title (relating to Contractors; Nonresidential Real Property Repair, Remodeling, and Restoration; Real Property Maintenance) for additional information. If charges for the installation of wiring and charges for the equipment are not separated, the total charge will be treated as a sale and installation of tangible personal property. Equipment sold by a telecommunications service provider is subject to sales or use tax and is not taxed as part of the telecommunications service if the service provider separately invoices the sale of the equipment. The sale of equipment is not separately invoiced if it is identified on the same bill, receipt or invoice as the sale of the telecommunications service, even if it is identified as a separate line item on the same bill, receipt, or invoice;

(10) installation of telecommunications services, including service connection fees;

(11) private communication services. Taxable receipts include the channel termination charge imposed at each channel termination point within this state, the total channel mileage charges imposed between channel termination points or relay points within this state, and an apportionment of the interoffice channel mileage charge that crosses the state border. An apportionment on the basis of the ratio of the miles between the last channel termination point in Texas and the state border to the total miles between that channel termination point and the next channel termination point in the route will be accepted. If there is a single charge for a private communication service in which the customer has channel termination points both inside and outside of Texas, the apportionment can also be determined by dividing the num-

ber of customer channel termination points in Texas by the total number of customer channel termination points to establish the percentage of the charge subject to state sales tax for Texas. Other apportionment methods may be used by the seller if first approved in writing by the comptroller;

(12) charges that are passed through to a purchaser for federal, state, or local taxes or fees that are imposed on the seller of the telecommunications service rather than on the purchaser. Such charges are a cost or expense of the seller and are included in the total price subject to sales tax; and

(13) prepaid wireless telecommunications services as defined by subsection (a)(9) of this section when the purchase is made in person at a Texas business or is made by telephone or the Internet and the purchaser's primary business address or residential address is in Texas.

(c) Nontaxable or exempt charges. Sales tax is not due on charges for:

(1) interstate long-distance telecommunications services that are not both originated from, and billed to, a telephone number or billing or service address within Texas. Records must clearly distinguish between taxable and exempt long-distance services;

(2) broadcasts by commercial radio or television stations licensed or regulated by the FCC. See §3.313 of this title (relating to Cable Television Service and Bundle Cable Service) for the tax status of cable television services;

(3) telecommunications services purchased for resale;

(4) telegraph services that are not both originated from and billed to a person within Texas;

(5) mobile telecommunications services for which the place of primary use is located outside of Texas;

(6) charges for federal, state, or local taxes or fees that are imposed on the purchaser rather than on the seller of the telecommunications service. For example, no sales tax is due on a separately stated charge for federal excise tax or for 9-1-1 Emergency Service Fee and 9-1-1 Equalization Surcharge because these taxes or fees are imposed on the purchaser and are not a cost of doing business of the seller; and

(7) telecommunications services exclusively provided or used for the navigation of machinery and equipment exclusively used or employed on a farm or ranch in the building or maintaining of roads or water facilities or in the production of:

(A) food for human consumption;

(B) grass;

(C) feed for animal life; or

(D) other agricultural products to be sold in the regular course of business.

(E) The purchaser must be an agricultural registrant and provide the seller with an agricultural exemption certificate.

(F) This paragraph is effective September 1, 2015, and applies to telecommunication services provided after this date.

(d) Billing and records requirements. If any nontaxable charges are combined with and not separately stated from taxable telecommunications service charges on the purchaser's bill or invoice from a provider of telecommunications services, the combined charge is subject to tax unless the service provider can identify the portion of the charges that are nontaxable through the provider's books and records kept in the regular course of business. If the nontaxable

charges cannot reasonably be identified, the charges from the sale of both nontaxable services and taxable telecommunications services are attributable to taxable telecommunications services. The provider of telecommunications services has the burden of proving nontaxable charges.

(e) Resale of tangible personal property. See §3.285 of this title (relating to Resale Certificate; Sales for Resale).

(1) Transfer of tangible personal property to the care, custody and control of the purchaser. A telecommunications service provider may claim a resale exemption on the purchase of tangible personal property that is transferred by the telecommunications service provider to the care, custody, and control of the purchaser. A telecommunications service provider must collect sales tax on charges for such items.

(2) Wireless voice communication devices. A person may claim a resale exemption on the purchase of a cell phone or other wireless voice communication device as an integral part of a taxable service, regardless of whether there is a separate charge for the wireless voice communication device or whether the purchaser is the provider of the taxable telecommunications service, if payment for the service is a condition for receiving the wireless voice communication device. For example, if a person signs a contract for the purchase of telecommunications services at the location of a retailer and the retailer sells the person a cell phone as a condition of entering the contract for the telecommunications services that will be provided by someone other than the retailer, the retailer can purchase the cell phone tax free with a properly completed resale certificate.

(f) Resale of a telecommunications service. See §3.285 of this title.

(1) Sales tax is not due on the charge by one telephone company to another for providing access to a local exchange network. The telecommunications service provider must collect sales tax from the final purchaser on the total charge for the taxable service including the charge for access.

(2) A telecommunications service may be purchased tax free for resale if resold by the purchaser as an integral part of a taxable service. The purchaser must give the service provider a properly completed resale certificate to purchase the telecommunications service tax free for resale. A telecommunications service is an integral part of a taxable service if the telecommunications service is essential to the performance of the taxable service and without which the taxable service could not be rendered. For example, an Internet access service provider (ISP) may give a resale certificate when purchasing the dedicated dial-up line services to be used by the ISP's customers. However, the ISP must pay sales tax when purchasing its own personal or business use of telecommunications services such as charges for its office phone lines, mobile telecommunications services for its traveling salespersons, or for a customer service call-center.

(3) A mobile telecommunications service provider may purchase roaming services from another mobile telecommunications service provider tax free for resale to its customers that are using the roaming services. For example, an out-of-state mobile telecommunications service provider purchases roaming services in Texas for resale to its out-of-state customers (i.e., persons who have a place of primary use outside Texas). To be exempt from sales tax, the out-of-state mobile telecommunications service provider must give the seller of the roaming services a resale certificate showing either a Texas sales tax permit number or the sales tax permit number or registration number issued by its home state. Effective for billing periods that begin on or after August 1, 2002, these out-of-state customers do not

owe Texas sales tax on roaming charges incurred while visiting or traveling through Texas.

(g) Taxable purchases. Subject to the provisions of subsections (e) and (f) of this section, a telecommunications service provider owes sales or use tax on all tangible personal property and services that are used to provide the service. See §3.346 of this title (relating to Use Tax), §3.281 of this title (relating to Records Required; Information Required), and §3.282 of this title (relating to Auditing Taxpayer Records).

(h) Local tax.

(1) Subject to the provisions of paragraph (2) of this subsection, jurisdictions that impose local sales and use taxes may repeal the local sales tax exemption on telecommunications services. See Publication 96-339 (Jurisdictions That Impose Local Sales Tax on Telecommunications Services) for a list of jurisdictions that impose local taxes on telecommunications services.

(2) Taxable interstate long-distance telecommunications are only subject to state sales tax. Local taxing jurisdictions may not repeal the local sales tax exemption on interstate long-distance telecommunications services.

(3) A seller of taxable telecommunications services, with the exception of mobile telecommunications services as explained in paragraph (4) of this subsection and prepaid wireless telecommunications services as explained in paragraph (6) of this subsection, must collect local sales taxes based on the location from which the telecommunications service originates. If the point of origin cannot be determined, the telecommunications service provider must collect local taxes based on the address to which the telecommunications service is billed.

(4) A seller of mobile telecommunications services must collect local sales taxes based on the place of primary use as defined in subsection (a)(8) of this section and per Tax Code, §151.061. The location from which a mobile telecommunications service originates does not determine whether the service is exempt or is subject to state or local sales tax.

(A) Local sales and use tax may be determined by using an electronic database as described in Tax Code, §151.061(a)(3). If neither the state nor a designated database provider provides an electronic database as described in Tax Code, §151.061(a)(3), then the seller of a mobile telecommunications service shall be held harmless from any tax, charge, or fee liability that is due only as a result of an assignment of a street address to an incorrect taxing jurisdiction.

(B) To be held harmless, the seller of a mobile telecommunications service must have exercised due diligence which includes demonstrating it has:

(i) expended reasonable resources to implement and maintain an appropriately detailed electronic database of street address assignments to taxing jurisdictions;

(ii) implemented and maintained reasonable internal controls to promptly correct misassignments of street addresses to taxing jurisdictions; and

(iii) used all reasonable obtainable and usable data pertaining to municipal annexations, incorporations, reorganizations, and any other changes in jurisdictional boundaries including the comptroller's online Sales Tax Rate Locator and Publication 96-339, Jurisdictions that Impose Local Sales Tax on Telecommunications Services, or any subsequent or revised versions of the Locator or Publication.

(5) A seller of telephone prepaid calling cards is not selling a telecommunications service and must collect state and local sales or use tax on the sale of the cards in the same manner as sales of other tangible personal property.

(6) A seller of prepaid wireless telecommunications services as defined in subsection (a)(9) of this section must collect local tax based on the business address of the seller when the sale occurs in Texas in person. However, if the sale occurs over the telephone or Internet, tax is due if the primary business address of the purchaser or residential address of the purchaser is in Texas.

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 June 11, 2025.

TRD-202501995

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Earliest possible date of adoption: July 27, 2025

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



## SUBCHAPTER JJ. CIGARETTE, E-CIGARETTE, AND TOBACCO PRODUCTS REGULATION

### 34 TAC §3.1207

The Comptroller of Public Accounts proposes amendment to §3.1207, concerning e-cigarette retailer permits. The comptroller amends this section to address age requirements for obtaining an e-cigarette permit.

The comptroller amends subsection (f), to add that the comptroller will not issue a permit to an applicant that is under the age of 21.

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

Mr. Reynolds also has determined that the proposed amended rule would have no significant fiscal impact on the state government, units of local government, or individuals. The proposed amended rule would benefit the public by conforming the rule to current statute and Comptroller practice. There would be no significant economic cost to the public. The proposed amended rule would have no significant fiscal impact on small businesses or rural communities.

You may submit comments on the proposal to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528 Austin, Texas 78711 or to the email address: [tp.rule.comments@cpa.texas.gov](mailto:tp.rule.comments@cpa.texas.gov). The comptroller must receive your comments no later than 30 days from the date of publication of the proposal in the *Texas Register*.

The amendment is proposed under Tax Code, §111.002 (Comptroller's Rules; Compliance; Forfeiture) and §111.0022 (Application to Other Laws Administered by Comptroller) which provide the comptroller with authority to prescribe, adopt, and enforce rules relating to the administration and enforcement provisions of Tax Code, Title 2, and taxes, fees, or other charges which the comptroller administers under other law.

The amendment implements Health and Safety Code, Chapter 147 (E-Cigarette Retailer Permit) and Health and Safety Code, Chapter 161 (Public Health Provisions).

§3.1207. *E-cigarette Retailer Permits.*

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

(1) Commercial business location--The entire premises occupied by a permit applicant or a person required to hold a permit under Health and Safety Code, §147.0051 (E-cigarette Retailer Permit Required).

(2) E-cigarette--An electronic cigarette or any other device that simulates smoking by using a mechanical heating element, battery, or electronic circuit to deliver nicotine or other substances to the individual inhaling from the device; or a consumable liquid solution or other material aerosolized or vaporized during the use of an electronic cigarette or other device described by this paragraph.

(A) The term "e-cigarette" includes:

(i) a device described by this paragraph regardless of whether the device is manufactured, distributed, or sold as an e-cigarette, e-cigar, or e-pipe or under another product name or description; and

(ii) a component, part, or accessory for the device, regardless of whether the component, part, or accessory is sold separately from the device.

(B) The term "e-cigarette" does not include a prescription medical device unrelated to the cessation of smoking.

(3) E-cigarette retailer--A person who engages in the business of selling e-cigarettes to consumers, including a person who sells e-cigarettes to consumers through a marketplace.

(4) Marketplace--A physical or electronic medium through which persons other than the owner or operator of the medium make sales of taxable items. The term includes a store, Internet website, software application, or catalog.

(5) Marketplace provider--A person who owns or operates a marketplace and directly or indirectly processes sales or payments for marketplace sellers.

(6) Marketplace seller--A seller, other than the marketplace provider, who makes a sale of a taxable item through a marketplace.

(7) Permit holder--A person who obtains a permit under Health and Safety Code, §147.0052 (Issuance of Permit).

(8) Place of business--

(A) a commercial business location where e-cigarettes are sold;

(B) a commercial business location where e-cigarettes are kept for sale or consumption or otherwise stored; or

(C) a vehicle from which e-cigarettes are sold.

(b) Inapplicability. This section does not apply to a product that is:

(1) approved by the United States Food and Drug Administration for use in the treatment of nicotine or smoking addiction; and

(2) labeled with a "Drug Facts" panel in accordance with regulations of the United States Food and Drug Administration.

(c) E-cigarette retailer permits.

(1) Requirements.

(A) Beginning January 1, 2022, a person may not engage in business as an e-cigarette retailer in Texas without a permit issued by the comptroller.

(B) An e-cigarette retailer shall obtain a permit for each place of business owned or operated by the e-cigarette retailer.

(C) The comptroller may not issue a permit for a place of business that is a residence or a unit in a public storage facility.

(D) A marketplace seller shall obtain a permit for each marketplace where the seller makes sales of e-cigarettes.

(E) A marketplace provider shall obtain a permit when selling e-cigarettes on behalf of marketplace sellers.

(2) Application.

(A) The applicant shall complete Form AP-242, Texas Application for E-Cigarette Retailer Permit, or any successor to that form promulgated by the comptroller.

(B) The applicant shall accurately complete all information required by the application and provide the comptroller with any additional information the comptroller considers necessary.

(C) Each applicant that applies for a permit to sell e-cigarettes from a vehicle shall provide the make, model, vehicle identification number, registration number, and any other information concerning the vehicle the comptroller requires.

(D) All financial information provided under this section is confidential and not subject to Government Code, Chapter 552 (Public Information).

(d) Permit period; fees.

(1) An initial application and a renewal of an existing permit shall be accompanied by the permit fee.

(A) A permit issued under this section expires on the last day of May of each even-numbered year.

(B) The permit fee for the full two years is \$180. A new applicant permit fee is prorated according to the number of months remaining during the period that the permit is to be in effect.

(C) A person who holds an active cigarette or tobacco product permit under Tax Code, §§154.101 (Permits), 154.102 (Combination Permit) or 155.041 (Permits), for the same business location at the time of an application or renewal of an application, pays a reduced amount of one-half the retailer permit fee.

(2) A person who does not renew an e-cigarette retailer permit by the expiration of a current permit shall pay a late fee of \$50 in addition to the application fee for the permit.

(3) If a permit expires within three months from the date of issuance, the comptroller may collect the prorated permit fee amount for the remaining months of the current period and, with the consent of the permit holder, may collect the permit fee amount for the next permit period and issue permits for both periods.

(4) A person issued a permit for a place of business that permanently closes before the permit expiration date is not entitled to a refund of the permit fee.

(e) Payment for e-cigarette retailer permit.

(1) An applicant for a permit shall remit the required fee with the application.

(2) The payment shall be made in cash or by money order, check, or credit card.

(3) The comptroller may not issue a permit in exchange for a check until after the comptroller receives full payment on the check.

(f) Issuance of an e-cigarette retailer permit.

(1) The comptroller will issue a permit to an applicant if the comptroller:

(A) has received an application and fee;

(B) does not reject the application and deny the permit under subsection (h) of this section; and

(C) determines that issuing the permit will not jeopardize the administration and enforcement of Health and Safety Code, Chapter 147 (E-cigarette Retailer Permits).

(2) The permit will be issued for a designated place of business, except as provided by subsection (h) of this section.

(3) Permits for engaging in business as an e-cigarette retailer are non-assignable.

(4) The comptroller will not issue a permit for an applicant who is under the age of 21.

(g) Display of an e-cigarette retailer permit.

(1) A permit holder shall keep the permit on public display at the place of business for which the permit was issued.

(2) A permit holder who has a permit assigned to a vehicle shall post the permit in a conspicuous place on the vehicle.

(h) Denial of e-cigarette retailer permit. The comptroller may reject an application and deny a permit if the comptroller finds, after notice and opportunity for hearing:

(1) the premises where business will be conducted are not adequate to protect the e-cigarettes; or

(2) the applicant or managing employee, or if the applicant is a corporation, an officer, director, manager, or any stockholder who holds directly or through family or partner relationship 10% or more of the corporation's stock, or, if the applicant is a partnership, a partner or manager:

(A) has failed to disclose any of the information required by subsection (c)(2) of this section; or

(B) has previously violated provisions of Health and Safety Code, Chapter 147.

(i) Summary suspension of permit.

(1) The comptroller may suspend a permit holder's permit without notice or a hearing for the permit holder's failure to comply with this section if the permit holder's continued operation constitutes an immediate and substantial threat.

(2) If the comptroller summarily suspends a permit holder's permit, proceedings for a preliminary hearing before the comptroller or the comptroller's representative must be initiated simultaneously with the summary suspension. The preliminary hearing shall be set for a date

not later than the 10th day after the date of the summary suspension, unless the parties agree to a later date.

(3) To initiate a proceeding to summarily suspend a permit holder's permit, the comptroller shall serve notice on the permit holder informing the permit holder of the right to a preliminary hearing before the comptroller or the comptroller's representative and of the time and place of the preliminary hearing. The notice must be personally served on the permit holder or an officer, employee, or agent of the permit holder or sent by certified or registered mail, return receipt requested, to the permit holder's mailing address as it appears in the comptroller's records. The notice must state the alleged violations that constitute the grounds for summary suspension. The suspension is effective at the time the notice is served. If notice is served in person, the permit holder shall immediately surrender the permit to the comptroller. If notice is served by mail, the permit holder shall immediately return the permit to the comptroller upon receipt of the notice.

(4) At the preliminary hearing, the permit holder must show cause why the permit should not remain suspended pending a final hearing on suspension or revocation.

(5) Government Code, Chapter 2001, (Administrative Procedure), does not apply to a summary suspension under this section.

(6) Subsection (j) of this section governs the hearing for final suspension or revocation of a permit under this section.

(j) Final suspension or revocation of permit.

(1) The comptroller may revoke or suspend a permit holder's permit if the comptroller finds, after notice and the opportunity for a hearing, that the permit holder violated a provision of this section.

(2) If the comptroller intends to suspend or revoke a permit, the comptroller shall provide the permit holder with written notice that includes a statement:

(A) of the reason for the intended revocation or suspension; and

(B) that the permit holder is entitled to a hearing by the comptroller on the proposed suspension or revocation.

(3) The comptroller shall deliver the written notice by personal service or by mail to the permit holder's mailing address as it appears in the comptroller's records. Service by mail is complete when the notice is deposited with the United States Postal Service.

(4) If the permit holder requests a hearing, the comptroller will set a hearing date. The hearing on the revocation or suspension of the permit holder's permit is treated in the same manner as a hearing on the imposition of an administrative penalty for a violation of Health and Safety Code, §161.0901 (Disciplinary Action Against Cigarette, E-Cigarette, and Tobacco Product Retailers) and is governed by §1.21 of this title (relating to Cigarette, E-cigarette, Cigar, and Tobacco Tax Hearings).

(5) A permit holder may appeal the comptroller's decision to a district court in Travis County not later than the 30th day after the date the comptroller's decision becomes final.

(6) A person whose permit is suspended or revoked may not sell, offer for sale, or distribute e-cigarettes from the place of business to which the permit applied until a new permit is granted or the suspension is removed.

(k) Penalties.

(1) A person violates the provisions in this section if the person:

(A) engages in the business of an e-cigarette retailer without a permit; or

(B) is a person who is subject to a provision of this section and who violates the provision.

(2) A person who violates a provision of this section shall pay to the state a penalty set by the comptroller of not more than \$2,000 for each violation.

(3) Each day on which a violation occurs is a separate violation.

(4) The attorney general shall bring suit to recover penalties under this subsection.

(5) A suit under this subsection may be brought in Travis County or another county having jurisdiction.

(l) Failure to have a permit; offense.

(1) A person commits an offense if the person acts as an e-cigarette retailer; and:

(A) receives or possesses e-cigarettes without having a permit;

(B) receives or possesses e-cigarettes without having a permit posted where it can be easily seen by the public; or

(C) sells e-cigarettes without a permit.

(2) An offense under this subsection is a Class A misdemeanor.

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 June 11, 2025.

TRD-202501997

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Earliest possible date of adoption: July 27, 2025

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



# WITHDRAWN RULES

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

## TITLE 1. ADMINISTRATION

### PART 2. TEXAS ETHICS COMMISSION

#### CHAPTER 20. REPORTING POLITICAL

#### CONTRIBUTIONS AND EXPENDITURES

##### SUBCHAPTER A. GENERAL RULES

###### 1 TAC §20.1

The Texas Ethics Commission withdraws the proposal of the amendments to §20.1, which appeared in the January 24, 2025, issue of the *Texas Register* (50 TexReg 512).

Filed with the Office of the Secretary of State on June 13, 2025.

TRD-202502013

Natalie McDermon

Interim General Counsel

Texas Ethics Commission

Effective date: January 13, 2025

For further information, please call: (512) 463-5800



## TITLE 22. EXAMINING BOARDS

### PART 15. TEXAS STATE BOARD OF PHARMACY

#### CHAPTER 291. PHARMACIES

##### SUBCHAPTER A. ALL CLASSES OF PHARMACIES

###### 22 TAC §291.9

The Texas State Board of Pharmacy withdraws proposed amendments to §291.9 which appeared in the March 21, 2025, issue of the *Texas Register* (50 TexReg 2028).

Filed with the Office of the Secretary of State on June 16, 2025.

TRD-202502033

Daniel Carroll, Pharm.D.

Executive Director

Texas State Board of Pharmacy

Effective date: June 16, 2025

For further information, please call: (512) 305-8084



###### 22 TAC §291.12

The Texas State Board of Pharmacy withdraws proposed amendments to §291.12 which appeared in the March 21, 2025, issue of the *Texas Register* (50 TexReg 2029).

Filed with the Office of the Secretary of State on June 16, 2025.

TRD-202502034

Daniel Carroll, Pharm.D.

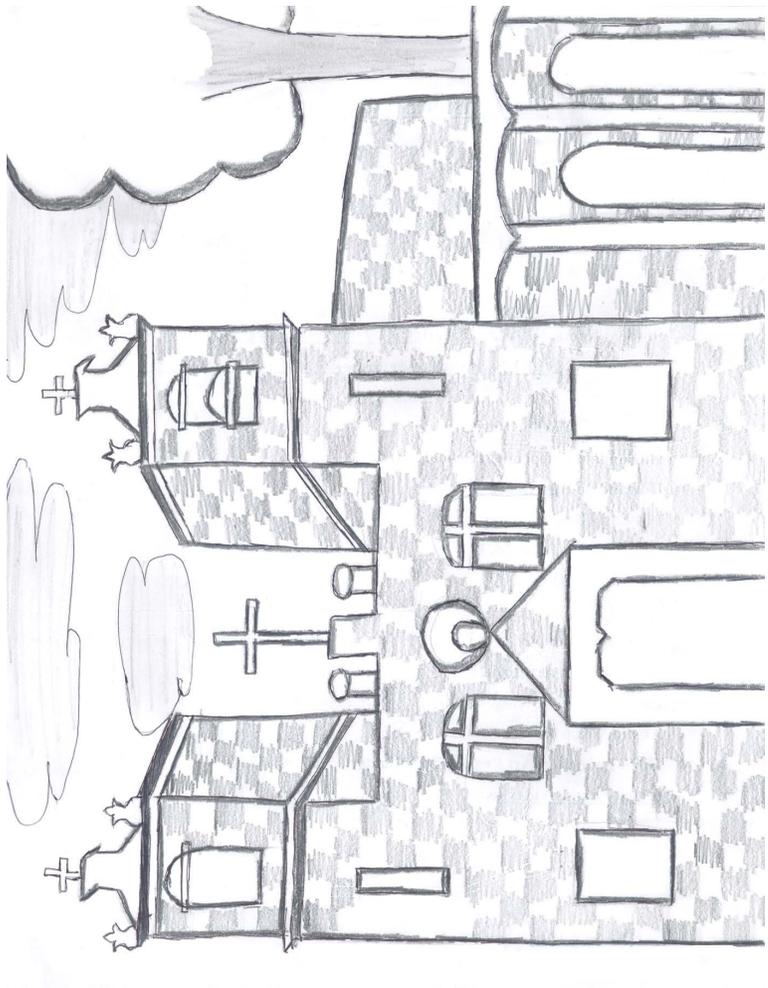
Executive Director

Texas State Board of Pharmacy

Effective date: June 16, 2025

For further information, please call: (512) 305-8084





# ADOPTED RULES

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

## TITLE 1. ADMINISTRATION

### PART 2. TEXAS ETHICS COMMISSION

#### CHAPTER 10. ETHICS TRAINING PROGRAMS

##### 1 TAC §10.1

The Texas Ethics Commission (the Commission) adopts an amendment in chapter 10 of the Ethics Commission Rules. Specifically, the TEC adopts an amendment to rule §10.1 regarding Training Programs. The amended rule is adopted without changes to the proposed text as published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2539). The amended rule will not be republished.

State law requires state agencies to "review and consider for re-adoption each of its rules ... not later than the fourth anniversary of the date on which the rule takes effect and every four years after that date." Tex. Gov't Code §2001.039. The law further requires agencies to "readopt, readopt with amendments, or repeal a rule as the result of reviewing the rule under this section." *Id.* The TEC is authorized to adopt rules to administer Chapter 572 of the Government Code. Tex. Gov't Code §§ 571.061, .062.

The TEC is continuing its comprehensive review with a review of the TEC's rules regarding its ethics training programs, which are codified in Chapter 10.

The adopted amendments to Chapter 10 readopt the existing two rules, with one change to make clear a vote of the commissioners is not required to plan or host a training seminar. The current rules provide a framework for TEC create a plan to provide training on TEC laws and rules to the public. While the rules still serve a valid purpose, the TEC sees no need to codify into rule policies and plans related to training programs beyond the general framework in the current rule. Staff will work with the chair to make sure that the TEC provides the trainings that were recommended by Sunset Advisory Commission and authorized by law.

No public comments were received on this amended rule.

The amendment and re-adoption are adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Chapter 572 of the Government Code.

The adopted amended and readopted rules affect Chapter 571 of the Government Code.

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

Filed with the Office of the Secretary of State on June 13, 2025.

TRD-202502007

Natalie McDermon

Interim General Counsel

Texas Ethics Commission

Effective date: July 3, 2025

Proposal publication date: April 25, 2025

For further information, please call: (512) 463-5800



#### CHAPTER 12. SWORN COMPLAINTS

The Texas Ethics Commission (the Commission) adopts amendments to Texas Ethics Commission Rules in Chapter 12. Specifically, the Commission adopts amendments to §12.21 regarding Response to Notice of Complaint, §12.22 regarding Written Questions, §12.23 regarding Production of Documents During Preliminary Review, and §12.93 regarding Default Proceedings. The Commission also adopts new rules §12.27 regarding Discovery Control Plans, Application, §12.28 regarding Level 1 Discovery Control Plan, §12.29 regarding Level 2 Discovery Control Plan, and §12.30 regarding Requests for Disclosure. The amended and new rules are adopted with one change to the proposed text as published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2540). Section 12.28 will be republished. All other sections will not be republished. The only change is the deletion of an extra period at the end of a sentence in §12.28(5).

The Sunset Advisory Commission recommended several changes to the rules and procedures related to the sworn complaint process. The adopted amendments to Chapter 12 of the TEC rules implement those recommendations and make other changes to streamline the sworn complaint process and better protect respondents' rights in the process.

The adopted rules will do the following:

Repeal provisions that allowed for sanctions for failing to respond to a sworn complaint;

Impose a discovery control plan that mirrors the Texas Rules of Civil Procedure to limit the scope and duration of discovery;

Provide a clear procedure for a respondent to set-aside a default order, mirroring the procedure of the State Office of Administrative Hearings;

Repeal rules that allowed for the tolling of sworn complaint deadlines when written questions were submitted to a respondent but for which a response had not been received or when subpoenas were sought by TEC staff.

Although the Sunset review of the TEC sworn complaint files revealed no abuse of the discovery process, Sunset recommended that the TEC adopt discovery control plans to eliminate the po-

tential for abuse and ensure speedy resolution of cases. The adopted rules track the discovery control plans established in the Texas Rules of Civil Procedure and limits the amount and duration of the discovery period.

Deciding to self-impose limits on discovery in the sworn complaint process effectuates the recommendations of Sunset, should speed the resolution of cases, but also result in more preliminary review hearings. The adopted repeal of rules allowing for the tolling of deadlines also conforms TEC practice to a recent opinion of the Office of the Attorney General. Tex. Att'y Gen. Op. KP-0484.

No public comments were received on these amended rules.

## SUBCHAPTER C. INVESTIGATION AND DISCOVERY

### 1 TAC §§12.21 - 12.23

The amended rules are adopted under Texas Government Code §571.062, which authorizes the TEC to adopt rules to administer Chapter 571 of the Government Code. The TEC has additional authority to adopt rules regarding: (1) procedure in a formal hearing (§571.131), (2) technical and de minimis violations (§571.0631), and (3) procedures for preliminary review and preliminary review hearings (§571.1244).

The adopted rules affect Subchapter E of Chapter 571 of the Government Code.

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

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Natalie McDermon

Interim General Counsel

Texas Ethics Commission

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### 1 TAC §§12.27 - 12.30

The new rules are adopted under Texas Government Code §571.062, which authorizes the TEC to adopt rules to administer Chapter 571 of the Government Code. The TEC has additional authority to adopt rules regarding: (1) procedure in a formal hearing (§571.131), (2) technical and de minimis violations (§571.0631), and (3) procedures for preliminary review and preliminary review hearings (§571.1244).

The adopted rules affect Subchapter E of Chapter 571 of the Government Code.

§12.28. *Level 1 Discovery Control Plan.*

Discovery in a preliminary review under a Level 1 Discovery Control Plan is subject to the limitation provided elsewhere in this Chapter and to the following additional limitations:

(1) All discovery during a preliminary review must be conducted during the discovery period which begins when the initial response to the complaint is due and continues for 90 days.

(2) The discovery period reopens on the date the commission sets the matter for a formal hearing and continues for an additional 90 days.

(3) During a preliminary review, the respondent and commission staff may serve on any other party no more than 5 written interrogatories, excluding interrogatories asking a party only to identify or authenticate specific documents. If set for a formal hearing, each party may serve 10 more interrogatories. Each discrete subpart of an interrogatory is considered a separate interrogatory.

(4) During a preliminary review, the respondent and commission staff may serve on any other party no more than 5 written requests for production. If set for a formal hearing, each party may serve 10 more written requests for production. Each discrete subpart of a request for production is considered a separate request for production.

(5) During a preliminary review, the respondent and commission staff may serve on any other party no more than 5 written requests for admissions. If set for a formal hearing, each party may serve 10 more requests for admissions. Each discrete subpart of a request for admission is considered a separate request for admission.

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

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Natalie McDermon

Interim General Counsel

Texas Ethics Commission

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## SUBCHAPTER F. RESOLUTIONS

### 1 TAC §12.93

The amended rule is adopted under Texas Government Code §571.062, which authorizes the TEC to adopt rules to administer Chapter 571 of the Government Code. The TEC has additional authority to adopt rules regarding: (1) procedure in a formal hearing (§571.131), (2) technical and de minimis violations (§571.0631), and (3) procedures for preliminary review and preliminary review hearings (§571.1244).

The adopted rule affects Subchapter E of Chapter 571 of the Government Code.

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

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Natalie McDermon

Interim General Counsel

Texas Ethics Commission

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For further information, please call: (512) 463-5800



## CHAPTER 18. GENERAL RULES CONCERNING REPORTS

### 1 TAC §§18.10, 18.21, 18.24

The Texas Ethics Commission (the Commission) adopts amendments to Texas Ethics Commission Rules in Chapter 18. Specifically, the Commission adopts amendments to §18.10 regarding Guidelines for Substantial Compliance for a Corrected/Amended 8-day Pre-election Report, §18.21 regarding Jurisdiction to Consider Waiver Request, and §18.24 regarding General Guidelines for Administrative Waiver or Reduction of Statutory Civil Penalties. The amended and new rules are adopted without changes to the proposed text as published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2543). The amended rules will not be republished.

About one year ago, the TEC drastically simplified its rules regarding waivers or reductions of civil penalties for late reports. The simplified rules have allowed TEC staff to more efficiently process waiver and reduction requests and has allowed filers to better understand their rights and obligations related to the fine waiver process. However, the TEC can further refine the rules to foster swift and just outcomes for waiver requests.

#### Background

The TEC is required to determine from "any available evidence" whether a report that is required to be filed with the TEC was filed late and assess a civil penalty if the report is late. Tex. Elec. Code § 254.042. This is a mandatory duty that is separate from the sworn complaint process. The civil penalty is set by statute at \$500 for most late reports, however the statutory civil penalty is \$500 for the first day late and \$100 each day thereafter until filed (up to \$10,000) for an 8-day pre-election report or the first semiannual report following an 8-day pre-election report. A corrected 8-day pre-election report is considered filed as of the date of correction if the correction is substantial. The TEC is required to determine whether a substantial correction was made to every corrected 8-day report.

By law, a filer may request in writing that the TEC waive or reduce a civil penalty for a report. The TEC adopted rules to apply to waiver requests. The rules are a mechanical determination based on the number of prior late reports by the filer and the amount at issue. A filer may appeal the determination under the rules to the full commission at a public meeting.

However, to be eligible to receive a waiver or reduction under the current rules, a filer must 1) make the request within 60 days of the deadline for the late report (unless good cause is shown for missing the deadline); 2) file all missing reports; and 3) pay any outstanding civil penalty that is not subject to a waiver or reduction request.

A reduced civil penalty not paid within 30 days reverts back to the original amounts.

#### Adopted Amendments

Extend the time to file a request for a waiver or reduction to 210 days.

It is common for candidates who lose their elections to close their P.O. boxes, stop checking campaign email, and cancel service to their campaign phone in a good-faith belief that their obligations as a candidate have ceased. However, an unsuccessful candidate needs to file at least one report after their election. In these cases, the filer may not receive notice of the late report be-

cause they have not updated their contact information with the TEC. Six months after the first missed semiannual report, the subsequent semiannual report will come due and the filer will once again be sent notice of a second late report. In several cases, for whatever reason, the filer became aware of the second late report and swiftly filed the missing reports. Under the current rules, that person was not be eligible for a waiver or reduction of the civil penalty for a \$10,000 fine for the first missed semiannual after the election. Extending the deadline to file for a waiver or reduction to 210 days will provide the person 30 days after the second late semi-annual to request a waiver or reduction. Extending the deadline will maintain some level of finality while also providing ample time to submit a waiver request.

Make 8-day correction "substantial compliance" determinations more generous.

By statute, if a person files a correction to an 8-day pre-election report even if the person swears the report was originally filed in good-faith, and that the report was corrected within 14 days of learning of the error and omission, the report is nevertheless considered filed late if the correction is substantial.

The law punishing corrections to 8-day reports is designed to prevent people from filing an incomplete report close to an election, only to correct it after the election and thereby avoid meaningful disclosure. However, in practice, many people who voluntarily correct reports originally filed in good faith receive substantial fines for having made the correction. In nearly all cases those fines are waived on appeal to the commission. The adopted amendments raise the monetary threshold before a correction will be considered substantial. If the dollar amounts of the corrections indicate that the correction is substantial under the adopted rule, then the Executive Director will determine whether there is reason to believe the report was originally filed in bad-faith, with the purpose of evading disclosure, or otherwise substantially defeated the purpose of disclosure and therefore was filed as of the date of correction. A review of the past approximately 50 corrections to late reports with substantial corrections under existing rules, raising the monetary threshold from \$3,000 to \$7,500 would reduce the number of reports considered filed late by 33 percent. The table below shows the effect of a raising the threshold dollar amount of a correction that would trigger a report being considered late to \$5,000, \$7,500, \$10,000, or \$15,000.

Figure: 1 TAC Chapter 18 - Preamble

The adopted rule change will allow for a swift determination and save filers the time, expense, and worry that they have a \$10,000 fine that can only be waived by the TEC commissioners.

No public comments were received on these proposed amended rules.

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

The adopted amended rules affect Title 15 of the Election Code and Chapter 571 of the Government Code.

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

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Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
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For further information, please call: (512) 463-5800

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**CHAPTER 20. REPORTING POLITICAL  
CONTRIBUTIONS AND EXPENDITURES**  
**SUBCHAPTER A. GENERAL RULES**

**1 TAC §20.1**

The Texas Ethics Commission (the Commission) adopts an amendment in Chapter 20 of the Ethics Commission Rules. Specifically, the TEC adopts an amendment to rule §20.1 regarding the definition of principal purpose. The amended rule is adopted without changes to the proposed text as published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2545). The amended rule will not be republished.

A political committee is defined by state law as "two or more persons acting in concert *with a principal purpose* of accepting political contributions or making political expenditures." Tex. Elec. Code § 251.001(12) (emphasis added). The TEC defined the term "principal purpose" for the purpose of defining whether a group is a political committee. Tex. Elec. Code § 251.001(12). The existing rule states that a group has a principal purpose of accepting political contributions or making political expenditures if 25 percent of its incoming funds are political contributions or 25 percent of its expenditures are political expenditures. The setting of a bright-line activity threshold at 25 percent of a group's activity has proved unworkable and is contrary to how a similar federal law is interpreted for defining political committee status.

The amended rule avoids a bright-line approach based on a percentage of spending. Instead, it embraces the Federal Election Code (FEC) method of determining whether a group is a political committee by taking a holistic view of the group's activity to be adjudicated on a case-by-case basis. This approach has been upheld as constitutional by the Fourth Circuit. *Real Truth About Abortion, Inc. v. FEC*, 681 F.3d 544, 557-58 (4th Cir. 2012); see also *Citizens for Responsibility & Ethics in Washington v. FEC*, 209 F. Supp. 3d 77, 82 (D.D.C. 2016). Embracing the FEC approach will also allow the TEC and regulated community to more easily use the precedent set by FEC adjudications and federal court decisions to determine whether a group is a political committee. See Tex. Ethics Comm'n Op. No. 614 (2024).

The Commission received one public comment on its initial proposal, from attorney Andrew Cates. Mr. Cates suggested adding language that a politically active corporation that is suspected of being a political committee would have an affirmative defense of proving that the group's political expenditures did not exceed 50 percent of the group's overall spending. The Commission incorporated that language into the adopted rule.

The amendment is adopted under Texas Government Code §571.062, which authorizes the Commission to adopt rules to administer Title 15 of the Election Code.

The adopted amended rule affects Title 15 of the Election Code.

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

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Natalie McDermon  
Interim General Counsel  
Texas Ethics Commission  
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For further information, please call: (512) 463-5800

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**TITLE 19. EDUCATION**

**PART 2. TEXAS EDUCATION AGENCY**

**CHAPTER 97. PLANNING AND  
ACCOUNTABILITY**

**SUBCHAPTER AA. ACCOUNTABILITY AND  
PERFORMANCE MONITORING**

**19 TAC §97.1001**

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," the figure in 19 TAC §97.1001 is not included in the print version of the Texas Register. The figure is available in the on-line version of the June 27, 2025, issue of the Texas Register.)*

The Texas Education Agency (TEA) adopts an amendment to §97.1001, concerning the accountability rating system. The amendment is adopted with changes to the proposed text as published in the April 18, 2025 issue of the *Texas Register* (50 TexReg 2472) and will be republished. The amendment adopts in rule applicable excerpts of the *2026 Accountability Manual*. Earlier versions of the manual will remain in effect with respect to the school years for which they were developed.

**REASONED JUSTIFICATION:** TEA has adopted its academic accountability manual in rule since 2000 under §97.1001. The accountability system evolves from year to year, so the criteria and standards for rating and acknowledging schools in the most current year differ to some degree from those applied in the prior year.

The amendment to §97.1001 adopts excerpts of the *2026 Accountability Manual* into rule as a figure. The excerpts, Chapters 1-12 of the *2026 Accountability Manual*, specify the indicators, standards, and procedures used by the commissioner to determine accountability ratings for districts, campuses, and charter schools. These chapters also specify indicators, standards, and procedures used to determine distinction designations on additional indicators for Texas public school campuses and districts. Chapter 12 describes the specific criteria and calculations that will be used to assign 2026 Results Driven Accountability (RDA) performance levels. Ratings may be revised as a result of investigative activities by the commissioner as authorized under Texas Education Code (TEC), §39.056 and §39.003.

Following is a chapter-by-chapter summary of the changes for this year's manual. In every chapter, dates and years for which

data are considered were updated to align with 2026 accountability and RDA. Edits for clarity regarding consistent language and terminology throughout each chapter are embedded within the adopted *2026 Accountability Manual*. For example, references to the Public Education Information Management System (PEIMS) October submission were changed to the PEIMS Fall submission throughout the manual.

Chapter 1 gives an overview of the entire accountability system. Language in the Who is Rated section has been adjusted to clarify membership. One reason for being *Not Rated* was added back into the manual for clarity. Language was adjusted to add clarity to the Accountability Subset Rule section and the STAAR end-of-course (EOC) Retest Performance section. Based on public comment, clarification was provided at adoption in the table on page 7 under Accountability Subset Rule, on page 9 in the new Inclusion of Emergent Bilingual (TS) Students in STAAR-Based Indicators section, on page 9 in the Texas Student Data System (TSDS) PEIMS-Based Indicators section, in the table on page 10 under TSDS PEIMS-Based Indicators, and in the table on page 11 under Other Indicators.

Chapter 2 describes the "Student Achievement" domain. Emergent bilingual (EB) student coding was moved to Appendix H--Data Sources instead of being listed in the STAAR Component--Inclusion of EB Students section. A new section regarding Inclusion of STAAR English Learner Performance Measure Results was added. Language in the College, Career, and Military Readiness Component section was adjusted to provide clarity regarding college prep courses. A table was added regarding college, career, and military readiness (CCMR) credit requirements in the Schedule for Reviewed and Approved College Prep Courses section. Calculation language was clarified in the Graduation Rate--Minimum Size Criteria and Small Numbers Analysis and the Annual Dropout Rate--Minimum Size Criteria and Small Numbers Analysis sections. Based on public comment, clarification was provided at adoption on page 15 in the Overview section; on page 16 in the Inclusion of STAAR English Learner Performance Measure Results section; in the table on page 18 under STAAR Component--Example Calculation; in the bullets on page 19 under College, Career, and Military Readiness Component; in the College, Career, and Military Readiness Component section regarding adjustments to the timeline on pages 19, 20, and 21; on page 23 in the College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; on page 27 in the alternative education accountability (AEA) College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; and on page 28 in the AEA Graduation Rate--Minimum Size Criteria and Small Numbers Analysis section.

Chapter 3 describes the "School Progress" domain. EB student coding was moved to Appendix H--Data Sources instead of being listed in the Part A: Academic Growth--Inclusion of EB Students, Part B: Relative Performance--Inclusion of EB Students, and AEA Part B: Retest Growth--Inclusion of EB Students sections. Based on public comment, clarification was provided at adoption on page 31 in the Part A: Academic Growth--Minimum Size Criteria and Small Numbers Analysis section and on page 32 in the Part A: Academic Growth: Annual Growth--Methodology section.

Chapter 4 describes the "Closing the Gaps" domain. Language regarding minimum size was moved to the Two Lowest Performing Racial/Ethnic Groups from the Prior Year and the Steps to

Determine the Two Lowest Performing Groups sections. EB student coding was moved to Appendix H--Data Sources instead of being listed in the Inclusion of EB students section. Calculation language was clarified in the Federal Graduation Status--Minimum Size Criteria and Small Numbers Analysis All Students section. Language was updated to reflect the new methodology for measuring Texas English Language Proficiency System progress in the Progress in Achieving English Language Proficiency Component section. Based on public comment, the Continuously Enrolled section previously on page 42 was moved at adoption to page 110 in Chapter 10, and clarification was provided at adoption on page 43 in the Current Special Education Students section by moving the information regarding former special education students to Chapter 10.

Chapter 5 describes how the overall ratings are calculated. Language was added for clarity in the District Proportional Domain Methodology section. Based on public comment, clarification was provided at adoption by reordering the information on page 63 in the Campus Overall Rating section and on page 65 in the District Overall Rating section.

Chapter 6 describes distinction designations. Language was added to the Other Information section.

Chapter 7 describes the pairing process and AEA provisions. No edits beyond the technical edits described previously were made.

Chapter 8 describes the process for appealing ratings. No edits beyond the technical edits described previously were made.

Chapter 9 describes the responsibilities of TEA, the responsibilities of school districts and open-enrollment charter schools, and the consequences to school districts and open-enrollment charter schools related to accountability and interventions. Language regarding *Not Rated* were removed from the Actions Required Due to Low Ratings or Low Accreditation Status section.

Chapter 10 provides information on the federally required identification of schools for improvement. The proposed manual contained no edits beyond the technical edits described previously. Based on public comment, the Continuously Enrolled section was moved at adoption from Chapter 4 to page 110, and information regarding Former Special Education Students was moved at adoption from Chapter 4 to page 111.

Chapter 11 describes the local accountability system. No edits beyond the technical edits described previously were made.

Chapter 12 describes the RDA system. Language was clarified in the Principle 2: Drives Improved Results and High Expectations section. Language in the 2026 RDA Changes section was rewritten. Language was adjusted for clarity in the RDA PL Assignments for Program Area Determinations section.

Corrections were made at adoption to the information under 2026 RDA Changes on page 119 and on page 120 in the New DL 4 Needs Substantial Intervention (NSI) (DL4) Criteria section.

**SUMMARY OF COMMENTS AND AGENCY RESPONSES:** The public comment period on the proposal began April 18, 2025, and ended May 19, 2025. Following is a summary of the public comments received and agency responses.

*Edits for Clarification*

Comment: A district administrator recommended various formatting updates, including font sizes, table ordering, table numbers, the order of sections, and page spacing.

Response: The agency disagrees with the scope of these formatting changes. Maintaining the format in the current manual will ensure that the agency does not signal a change to methodology where there is not a change.

Comment: A district administrator requested clarification regarding the enhanced performance levels methodology used in the transition table for measuring School Progress, Part A: Academic Growth, specifically, if the raw score of zero is included.

Response: The agency agrees and has made a clarifying edit in Chapter 3 on page 32 to specify that an 'enhanced' performance level used for accountability is not calculated for a raw score of zero. The document, *STAAR Raw Scores and Scale Scores Associated with the Calculation of School Progress, Part A: Academic Growth within the A-F Accountability System*, is posted on the Performance Reporting website each year.

Comment: An education service center (ESC) representative requested clarifying edits to the manual regarding AEA and small numbers methodology.

Response: The agency agrees and has added clarifying statements in Chapter 2 on page 23 in the College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis; on page 27 in the AEA College, Career, and Military Readiness Component--Minimum Size Criteria and Small Numbers Analysis section; and on page 28 in the AEA Graduation Rate--Minimum Size Criteria and Small Numbers Analysis.

Comment: The Texas Center for State Accountability (TXCSA) suggested that the definition of Former Special Education be updated in the *2026 Accountability Manual* to align with TEC, §39.053.

Response: The agency agrees and has added clarity to Chapter 10 on page 111 regarding the years of Special Education status used.

Comment: A district administrator requested clarity regarding the inclusion/exclusion criteria in Chapter 1: STAAR Component--Inclusion of EB Students and whether Appendix H that is referenced will align with the *Accountability Rating System Manual* for 2026 ratings.

Response: The agency agrees that additional clarity is needed within the *Accountability Rating System Manual* for 2026 ratings regarding the inclusion/exclusion criteria for EB students and has added the language from the manual for 2025 ratings to Chapter 1 on page 9.

Comment: lead4ward suggested the manual clarify that the subset rule does not apply to districts, specifically stating that the "district accountability subset" is no longer applicable.

Response: The agency agrees and has made a clarifying edit to Chapter 1 on page 7 to the column headers in the table to remove "district" from "subset of district/campus accountability."

Comment: lead4ward recommended changes to the language added to the 2026 manual at the beginning of Chapter 2 under the heading "Overview" that specified student achievement in the areas of performance on State of Texas Assessments of

Academic Readiness (STAAR®), STAAR® EOC assessments, and STAAR® Alternate 2 assessments.

Response: The agency agrees with limiting confusion in the introduction by simplifying the language in Chapter 2 on page 15 to how it was described in the manual for 2025 ratings.

Comment: lead4ward recommended additional changes to the language added to the 2026 manual under the STAAR Component--Assessments and Measures Evaluated section in Chapter 2 and the Academic Achievement--Assessments and Measures Evaluated section in Chapter 4 regarding references to STAAR® assessments for Grades 3-12.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions.

Comment: lead4ward recommended the word "eligible" be added to the sentence "A student's EL performance measure provides a more meaningful gauge of the achievement on STAAR for an eligible EB student" in Chapter 2.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 2 on page 16.

Comment: lead4ward recommended the word "Reading" be replaced with "Reading Language Arts" in Chapter 2 for the STAAR Component--Example Calculation.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 2 on page 18.

Comment: lead4ward requested additional clarity be added to Chapter 2 in the College, Career, and Military Readiness Component section about College Preparatory Course grade level requirements for 2026.

Response: The agency disagrees with adding information about 2026 to this section, as the current language is used to indicate the permanent requirement, which is Grade 12 for eligibility. However, the agency has added to Chapter 2 on page 19 the word "starting" to provide clarity about the timing of that requirement.

Comment: lead4ward requested that for additional clarity in Chapter 2, the phrase "Complete an Aligned Program of Study" should be removed and further clarity added about the requirements in 2026 for the CCMR indicator, Earn an Industry-Based Certification (IBC), and Complete an Aligned Program of Study.

Response: The agency disagrees with removing the phrase "and Complete an Aligned Program of Study" and adding additional descriptions about 2026 to this section in Chapter 2, as the current language is used to indicate the permanent requirement, which will be to complete an aligned program of study.

Comment: lead4ward suggested that in Chapter 3 on page 30 the word "STAAR" before "STAAR English I, English II, and Algebra I EOC assessment results" is confusing.

Response: The agency disagrees and has determined that the proposed language presents the clearest descriptions.

Comment: lead4ward suggested that in Chapter 3, "STAAR Alternate 2" assessments be more clearly specified as part of the calculation of Part A: Academic Growth--Minimum Size Criteria and Small Numbers Analysis.

Response: The agency agrees and has made this change to the *2026 Accountability Manual* in Chapter 3 on page 31.

Comment: lead4ward suggested that in Chapter 3 School Progress, Part B: Retest Growth for campuses evaluated under AEA methodology should be renamed Part B: EOC Retest Performance.

Response: The agency disagrees and has determined that the proposed language presents the clearest description.

Comment: lead4ward suggested a change in Chapter 4 to the way manual describes the calculation of the denominator for determining expected growth for two points in Closing the Gaps.

Response: The agency disagrees and has determined that the proposed language presents the clearest description.

Comment: lead4ward suggested Chapter 4 not repeat the CCMR components already listed in Chapter 2.

Response: The agency disagrees and has determined that the current language presents the clearest description.

Comment: A district administrator recommended a change for clarity to the listing of the two groups that are not a part of the Closing the Gaps Domain Rating calculation: Former Special Education and Continuously Enrolled.

Response: The agency agrees. The Continuously Enrolled section previously in Chapter 4 on page 42 was moved at adoption to page 110 in Chapter 10, and clarification was provided at adoption in Chapter 4 on page 43 in the Current Special Education Students section by moving the information regarding former special education students to Chapter 10.

Comment: A district administrator recommended separating Campus Methodology from District Methodology in the steps for calculating the overall rating.

Response: The agency agrees and has reordered the information on page 63 for Campus Overall Rating and on page 66 for District Overall Rating.

#### *Advanced Math Pathways and Accelerated Testers*

Comment: A district administrator requested an update to the SAT/ACT scores needed for accelerated testers to be considered Meets and Masters on STAAR®-based measures.

Response: The agency disagrees with making changes that are beyond the scope of the current rule proposal. The agency will review the accelerated testers methodology, including the score ranges needed on SAT/ACT, for future implementation into the next refresh of the A-F system.

Comment: A district administrator requested to include Advanced Placement as an additional assessment for accelerated testers.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's accelerated testers waiver renewal request to the U.S. Department of Education (USDE), "students completing an advanced course in middle school will continue to be assessed in high school with one of these assessments (SAT or ACT) in the applicable subject area. Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment." The waiver renewal request is available at <https://tea.texas.gov/about-tea/laws-and-rules/essa>.

Comment: The College Board requested that the SAT be included as an additional assessment for accelerated testers and

added as an indicator for the distinction designation for Academic Achievement in Science.

Response: The agency disagrees that it has the authority to make such a change at this time. As indicated in the agency's accelerated testers waiver renewal request to the USDE, "Students completing an advanced science course in middle school will continue to be assessed again in high school using the ACT science assessment."

Comment: A district administrator provided feedback on the March Texas Accountability Advisory Group proposal regarding middle school students who reach approaches on STAAR® EOC assessments and are considered accelerated testers.

Response: This comment is outside the scope of the proposed rulemaking. However, the agency will continue to gather feedback from stakeholders on changes to future accountability refresh cycles.

#### *School Progress Domain*

Comment: A district administrator suggested making a transition table specific for students that transition from taking the STAAR® test in Spanish to taking the STAAR® test in English.

Response: The agency disagrees with making changes that are beyond the scope of the current rule proposal. Additionally, the agency has conducted analysis on the growth of students that transition tested languages and has determined this is not an area for future implementation.

#### *College, Career, and Military Readiness*

Comment: An individual requested an additional year to move to the college preparatory course list.

Response: The agency agrees and has announced a change to the timeline for the College Preparatory Approved Course List. (See <https://tea.texas.gov/about-tea/news-and-multimedia/correspondence/taa-letters/postponement-of-approved-list-of-college-preparatory-courses-to-2028-accountability>.) 2026 graduates will not be limited to courses from the approved course list for CCMR credit in 2027 accountability. The requirement for approved College Preparatory Courses for CCMR credit has been postponed to the 2028 accountability refresh year and will be implemented with 2027 graduates. Clarification was provided at adoption in Chapter 2 to the timeline on pages 19, 20, and 21.

Comment: A district administrator requested consideration and clarity for when a student takes a required college preparatory course in Grade 12 but is retained in Grade 12 for a repeat year.

Response: The agency disagrees that an edit is needed as the manual already includes the statement, "The grade of the student at the time of the course will be based on the grade submitted in the TSDS PEIMS Summer submission." Credit for CCMR will be earned if the student took the course when the district reported them as in Grade 12.

Comment: lead4ward suggested that "Complete College Prep Course" be given its own row in the table describing the TSDS PEIMS data used for accountability indicators due to changes to the grade levels eligible for CCMR credit beginning in 2026 and 2027 accountability.

Response: The agency agrees and has made a clarifying edit to Chapter 1 on page 10 in the College Prep Course row of the table for TSDS PEIMS data provided by school districts and used to create specific CCMR indicators.

Comment: lead4ward suggested that the CCMR calculation as described in the Other Indicators table should use the Texas Success Initiative (TSI) assessment results beginning with the introduction of the TSI assessment in June 2011.

Response: The agency agrees with clarifying the dates of TSI assessment results used in CCMR and has made an update to Chapter 1 on page 11 in the table describing the Other data used for CCMR. However, the agency disagrees with using the TSI assessment results back to June 2011 and has clarified that CCMR uses data dating 10 years back from the year of accountability.

Comment: lead4ward recommended that any changes to the valuation of IBCs be applied to students entering Grade 9 in the year following the final adoption of 19 TAC §97.1003, Local Accountability System.

Response: The agency disagrees as the comment is beyond the scope of the current rule proposal. However, the agency will continue to work with stakeholders to consider policy implementation for future accountability refresh cycles.

Comment: The College Board recommended changes to the development of the IBC lists used in state accountability, including updating the list of approved IBCs every two years, approving entry-level certifications, and removing the requirement of attainability by adults as part of the requirements of approved IBCs.

Response: This comment is outside the scope of the proposed rulemaking.

Comment: The TXCSA recommended the addition of graduation code 56 in the definition of Graduate with Completed Individualized Education Program (IEP) and Workforce Readiness for CCMR.

Response: The agency disagrees with the recommendation as this code does not demonstrate Workforce Readiness as defined by the IEP and the Workforce Readiness indicator.

Comment: The TXCSA suggested the agency not implement the Grade 12 requirement to earn CCMR credit for College Preparatory Courses, which will be in effect with the 2027 accountability, and the removal of the Schedule for Phase-in of College Prep 12th Grade requirement section in the *2026 Accountability Manual*.

Response: The agency disagrees and reiterates the statutory requirement that college preparatory courses be designed for Grade 12 students.

Comment: The TXCSA suggested a revision to the CCMR methodology in the *2026 Accountability Manual* to include mid-year December graduates in CCMR calculations.

Response: The agency disagrees that a revision of the manual is needed as the CCMR calculation already includes mid-year or early graduates.

Comment: The TXCSA indicated that House Bill 773, 87th Texas Legislature, Regular Session, 2021, did not require students to complete an aligned program of study in addition to successfully meeting IBC requirements and suggested that the two should not be combined in the CCMR indicator.

Response: The agency disagrees with separating these two indicators of a student's college or career readiness since program of study completion and IBC attainment are stronger indicators when combined than they are independently.

Comment: The TXCSA commented that based on TEC, §39.053, students who have completed an internship or practicum should be included in the CCMR calculation.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will continue to work with stakeholders to consider the CCMR indicators for future implementation in the next refresh of the A-F system.

Comment: The TXCSA suggested that the methodology in the *2026 Accountability Manual* for CCMR credit under Level I or Level II certification be modified to students who are "admitted" instead of "earning" a Level I or Level II certificate.

Response: The agency disagrees as admission requirements for Career and Technical Education Certificate in TEC, §61.003(12)(C), varies by institution and program and does not imply successful completion of a workforce program offered by an institution of higher education.

#### *District and Campus Ratings*

Comment: lead4ward and a district administrator suggested that the two steps in the Overall (District and Campus) Rating calculation, called "3 Ds Rule" and "3 Fs Rule," be removed from the *2026 Accountability Manual*.

Response: The agency disagrees. The D and F requirements are aligned with the redefinition of acceptable and unacceptable performance in Senate Bill 1365, 87th Texas Legislature, Regular Session, 2021. The agency will continue to work with stakeholders to consider policy implementations for future accountability refresh cycles.

Comment: lead4ward and a district administrator suggested that the Overall Rating (Districts) Campus Scaled Score Rule be removed from the methodology for determining the district's overall and domain ratings in the *2026 Accountability Manual*.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the district proportional methodology implemented in 2023 as part of the next refresh of the A-F system.

Comment: lead4ward suggested a change to the Closing the Gaps score methodology, specifically for new campuses, to address the inability to earn one or two points given the lack of prior year data that is required.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the methodology for new campuses for future consideration in the next refresh of the A-F system.

Comment: The TXCSA recommended new campuses (such as campuses in the first year of STAAR® testing or those with a new county district campus numbers) not be evaluated in the Closing the Gaps domain for the first year and re-zoned campuses not be evaluated in Closing the Gaps.

Response: The agency disagrees that campuses of these types should be measured differently under the Closing the Gaps domain. As the state uses the Closing the Gaps domain to fulfill federal requirements under the Every Student Succeeds Act, all campuses must be scored under the same methodology.

Comment: The TXCSA requested a change to the *2026 Accountability Manual* to allow appeals to the Closing the Gaps domain based on the two lowest performing student groups, specifically in situations of a new campus or re-zoned campus.

Response: The agency disagrees as policy changes are beyond the scope of the current rule proposal. The agency will review the appeals procedures for future consideration in the next refresh of the A-F system.

Comment: The TXCSA requested that the federal school identifications be eligible for appeal.

Response: The agency disagrees that the federal school identifications are appealable as this identification is based on the release of preliminary accountability data.

#### *Results-Driven Accountability (Chapter 12 of the 2026 Accountability Manual)*

Comment: An ESC representative requested that the minimum size requirement be reduced for special education indicators.

Response: This comment is outside the scope of the proposed rulemaking. The agency will research and analyze student group minimum size requirements as RDA is integrated into the A-F system in the next refresh of the system.

Comment: An ESC representative requested additional clarity be provided on the data used in RDA significant disproportionality indicators, including the specific PEIMS codes in Appendix K.

Response: The agency disagrees as appendices are outside the scope of the proposed rulemaking. However, the agency will gather further stakeholder feedback on the addition of PEIMS codes to Appendix K.

#### *Accountability Manual Release*

Comment: lead4ward and a district administrator requested publishing the appendices with the proposed *2026 Accountability Manual* and future releases of the manual.

Response: The agency disagrees. The appendices will be published as soon as it is feasible after the adoption of the manual.

STATUTORY AUTHORITY. The amendment is adopted under Texas Education Code (TEC), §7.021(b)(1), which authorizes the Texas Education Agency (TEA) to administer and monitor compliance with education programs required by federal or state law, including federal funding and state funding for those programs; TEC, §7.028, which authorizes TEA to monitor as necessary to ensure school district and charter school compliance with federal law and regulations, financial integrity, and data integrity and authorizes the agency to monitor school district and charter schools through its investigative process. TEC, §7.028(a), authorizes TEA to monitor special education programs for compliance with state and federal laws; TEC, §12.056, which requires that a campus or program for which a charter is granted under TEC, Chapter 12, Subchapter C, is subject to any prohibition relating to the Public Education Information Management System (PEIMS) to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter C, as determined by the commissioner; high school graduation under TEC, §28.025; special education programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; and public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, and J, and Chapter 39A; TEC, §12.104, which states that a charter granted under TEC, Chapter 12, Subchapter D, is subject to a prohibition, restriction, or requirement, as applicable, imposed by TEC, Title 2, or a rule adopted under TEC, Title 2, relating to PEIMS to the extent necessary to monitor compliance with TEC, Chapter 12, Subchapter D, as determined by the commissioner; high school graduation requirements under TEC, §28.025; special educa-

tion programs under TEC, Chapter 29, Subchapter A; bilingual education under TEC, Chapter 29, Subchapter B; discipline management practices or behavior management techniques under TEC, §37.0021; public school accountability under TEC, Chapter 39, Subchapters B, C, D, F, G, and J, and Chapter 39A; and intensive programs of instruction under TEC, §28.0213; TEC, §29.001, which authorizes TEA to effectively monitor all local educational agencies (LEAs) to ensure that rules relating to the delivery of services to children with disabilities are applied in a consistent and uniform manner, to ensure that LEAs are complying with those rules, and to ensure that specific reports filed by LEAs are accurate and complete; TEC, §29.0011(b), which authorizes TEA to meet the requirements under (1) 20 U.S.C. §1418(d) and its implementing regulations to collect and examine data to determine whether significant disproportionality based on race or ethnicity is occurring in the state and in the school districts and open-enrollment charter schools in the state with respect to the (a) identification of children as children with disabilities, including the identification of children as children with particular impairments; (b) placement of children with disabilities in particular educational settings; and (c) incidence, duration, and type of disciplinary actions taken against children with disabilities including suspensions or expulsions; or (2) 20 U.S.C. §1416(a)(3)(C) and its implementing regulations to address in the statewide plan the percentage of schools with disproportionate representation of racial and ethnic groups in special education and related services and in specific disability categories that results from inappropriate identification; TEC, §29.010(a), which authorizes TEA to adopt and implement a comprehensive system for monitoring LEA compliance with federal and state laws relating to special education, including ongoing analysis of LEA special education data; TEC, §29.062, which authorizes TEA to evaluate and monitor the effectiveness of LEA programs and apply sanctions concerning emergent bilingual students; TEC, §29.066, which authorizes PEIMS reporting requirements for school districts that are required to offer bilingual education or special language programs to include the following information in the district's PEIMS report (1) demographic information, as determined by the commissioner, on students enrolled in district bilingual education or special language programs; (2) the number and percentage of students enrolled in each instructional model of a bilingual education or special language program offered by the district; and (3) the number and percentage of emergent bilingual students who do not receive specialized instruction; TEC, §29.081(e), (e-1), and (e-2), which define criteria for alternative education programs for students at risk of dropping out of school and subjects those campuses to the performance indicators and accountability standards adopted for alternative education programs; TEC, §29.201 and §29.202, which describe the Public Education Grant (PEG) program and eligibility requirements; TEC, §39.003 and §39.004, which authorize the commissioner to adopt procedures relating to special investigations. TEC, §39.003(d), allows the commissioner to take appropriate action under Chapter 39A, to lower the district's accreditation status or the district's or campus's accountability rating based on the results of the special investigation; TEC, §39.051 and §39.052, which authorize the commissioner to determine criteria for accreditation statuses and to determine the accreditation status of each school district and open-enrollment charter school; TEC, §39.053, which authorizes the commissioner to adopt a set of indicators of the quality of learning and achievement and requires the commissioner to periodically review the indicators for consideration of appropriate revisions; TEC, §39.054, which

requires the commissioner to adopt rules to evaluate school district and campus performance and to assign a performance rating; TEC, §39.0541, which authorizes the commissioner to adopt indicators and standards under TEC, Chapter 39, Subchapter C, at any time during a school year before the evaluation of a school district or campus; TEC, §39.0543, which describes acceptable and unacceptable performance as referenced in law; TEC, §39.0546, which requires the commissioner to assign a school district or campus a rating of "Not Rated" for the 2021-2022 school year, unless, after reviewing the district or campus under the methods and standards adopted under TEC, §39.054, the commissioner determines the district or campus should be assigned an overall performance rating of C or higher; TEC, §39.0548, which requires the commissioner to designate campuses that meet specific criteria as dropout recovery schools and to use specific indicators to evaluate them; TEC, §39.055, which prohibits the use of assessment results and other performance indicators of students in a residential facility in state accountability; TEC, §39.056, which authorizes the commissioner to adopt procedures relating to monitoring reviews and special investigations; TEC, §39.151, which provides a process for a school district or an open-enrollment charter school to challenge an academic or financial accountability rating; TEC, §39.201, which requires the commissioner to award distinction designations to a campus or district for outstanding performance; TEC, §39.2011, which makes open-enrollment charter schools and campuses that earn an acceptable rating eligible for distinction designations; TEC, §39.202 and §39.203, which authorize the commissioner to establish criteria for distinction designations for campuses and districts; TEC, §39A.001, which authorizes the commissioner to take any of the actions authorized by TEC, Chapter 39, Subchapter A, to the extent the commissioner determines necessary if a school does not satisfy the academic performance standards under TEC, §39.053 or §39.054, or based upon a special investigation; TEC, §39A.002, which authorizes the commissioner to take certain actions if a school district becomes subject to commissioner action under TEC, §39A.001; TEC, §39A.004, which authorizes the commissioner to appoint a board of managers to exercise the powers and duties of a school district's board of trustees if the district is subject to commissioner action under TEC, §39A.001, and has a current accreditation status of accredited-warned or accredited-probation; or fails to satisfy any standard under TEC, §39.054(e); or fails to satisfy any financial accountability standard; TEC, §39A.005, which authorizes the commissioner to revoke school accreditation if the district is subject to TEC, §39A.001, and for two consecutive school years has received an accreditation status of accredited-warned or accredited-probation, failed to satisfy any standard under TEC, §39.054(e), or failed to satisfy a financial performance standard; TEC, §39A.007, which authorizes the commissioner to impose a sanction designed to improve high school completion rates if the district has failed to satisfy any standard under TEC, §39.054(e), due to high school completion rates; TEC, §39A.051, which authorizes the commissioner to take action based on campus performance that is below any standard under TEC, §39.054(e); and TEC, §39A.063, which authorizes the commissioner to accept substantially similar intervention measures as required by federal accountability measures in compliance with TEC, Chapter 39A.

CROSS REFERENCE TO STATUTE. The amendment implements Texas Education Code (TEC), §§7.021(b)(1); 7.028; 12.056; 12.104; 29.001; 29.0011(b); 29.010(a); 29.062; 29.066; 29.081(e), (e-1), and (e-2); 29.201; 29.202; 39.003; 39.004;

39.051; 39.052; 39.053; 39.054; 39.0541; 39.0543; 39.0546; 39.0548; 39.055; 39.056; 39.151; 39.201; 39.2011; 39.202; 39.203; 39A.001; 39A.002; 39A.004; 39A.005; 39A.007; 39A.051; and 39A.063.

§97.1001. *Accountability Rating System.*

(a) The rating standards established by the commissioner of education under Texas Education Code (TEC), §§39.052(a) and (b)(1)(A); 39.053; 39.054; 39.0541; 39.0548; 39.055; 39.151; 39.201; 39.2011; 39.202; 39.203; 29.081(e), (e-1), and (e-2); and 12.104(b)(2)(L), shall be used to evaluate the performance of districts, campuses, and charter schools. The indicators, standards, and procedures used to determine ratings will be annually published in official Texas Education Agency publications. These publications will be widely disseminated and cover the following:

- (1) indicators, standards, and procedures used to determine district ratings;
- (2) indicators, standards, and procedures used to determine campus ratings;
- (3) indicators, standards, and procedures used to determine distinction designations; and
- (4) procedures for submitting a rating appeal.

(b) The procedures by which districts, campuses, and charter schools are rated and acknowledged for 2026 are based upon specific criteria and calculations, which are described in excerpted sections of the *2026 Accountability Manual* provided in this subsection.

Figure: 19 TAC §97.1001(b)

(c) Ratings may be revised as a result of investigative activities by the commissioner as authorized under TEC, §39.003.

(d) The specific criteria and calculations used in the accountability manual are established annually by the commissioner and communicated to all school districts and charter schools.

(e) The specific criteria and calculations used in the annual accountability manual adopted for prior school years remain in effect for all purposes, including accountability, data standards, and audits, with respect to those school years.

(f) In accordance with TEC, §7.028(a), the purpose of the Results Driven Accountability (RDA) framework is to evaluate and report annually on the performance of school districts and charter schools for certain populations of students included in selected program areas. The performance of a school district or charter school is included in the RDA report through indicators of student performance and program effectiveness and corresponding performance levels established by the commissioner.

(g) The assignment of performance levels for school districts and charter schools in the 2026 RDA report is based on specific criteria and calculations, which are described in the *2026 Accountability Manual* provided in subsection (b) of this section.

(h) The specific criteria and calculations used in the RDA framework are established annually by the commissioner and communicated to all school districts and charter schools.

(i) The specific criteria and calculations used in the annual RDA manual adopted for prior school years remain in effect for all purposes, including accountability and performance monitoring, data standards, and audits, with respect to those school years.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## CHAPTER 111. TEXAS ESSENTIAL KNOWLEDGE AND SKILLS FOR MATHEMATICS

### SUBCHAPTER B. MIDDLE SCHOOL

#### 19 TAC §§111.29 - 111.31

The State Board of Education (SBOE) adopts new §§111.29 - 111.31, concerning middle school Texas Essential Knowledge and Skills (TEKS) for mathematics. Section 111.29 is adopted without changes to the proposed text as published in the February 28, 2025 issue of the *Texas Register* (50 TexReg 1080) and will not be republished. Section 111.30 and §111.31 are adopted with changes to the proposed text as published in the February 28, 2025 issue of the *Texas Register* (50 TexReg 1080) and will be republished. The adopted new sections add TEKS to support middle school advanced mathematics programs designed to enable students to enroll in Algebra I in Grade 8.

**REASONED JUSTIFICATION:** The board received training from a standards writing advisor at the July 2014 meeting. The standards writing advisor provided additional training to Texas Education Agency (TEA) staff in October 2014 to support future facilitation of the TEKS review committees.

In 2017, the SBOE significantly revised the process for the review and revision of the TEKS. At the November 2018 meeting, the SBOE approved updates to the 2017 TEKS review and revision process to better clarify the process. The updated process was used for the review of the physical education, health education, and science TEKS.

At the January 2021 meeting, the board held a work session to discuss the timeline for the TEKS review and revision process and associated activities, including updates to State Board for Educator Certification teacher assignment rules and certification exams, adoption of instructional materials, and the completion of the Texas Resource Review. The board discussed potential adjustments to the TEKS and Instructional Materials Review and Adoption Schedule. At the April 2021 meeting, the SBOE approved revisions to the TEKS and Instructional Materials Review and Adoption Schedule.

At the April 2023 SBOE meeting, the board discussed and approved changes to the TEKS review process, including approving a process for selecting work group members.

At the April 2024 meeting, TEA staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA) and identified two needs related to mathematics, including options for instructional materials for accelerated learning and establishing TEKS to support middle school advanced mathematics pathways. At the June 2024 meeting, the board approved moving forward with the establishment of TEKS for middle school advanced mathe-

tics and inclusion of advanced mathematics in a future IMRA process.

Applications to serve on the middle school advanced mathematics TEKS work group were collected by TEA in July and August 2024. TEA provided SBOE members with the applications for approval to serve on the work group in late August.

At the September 2024 SBOE meeting, the board directed the work group to present two models for middle school advanced mathematics TEKS. One model was to be based on the importance of keeping the Grade 6 TEKS similar to the current TEKS and to combine the Grade 7 and Grade 8 TEKS into Grade 7. The SBOE gave the work group leeway to analyze models from Barbers Hill Independent School District (ISD), Tomball ISD, and other school districts to develop recommendations for the second model. Additionally, the SBOE directed the work group to recommend one of the two models for the SBOE's further consideration. Work groups convened for two face-to-face meetings to develop recommendations for the proposed TEKS for middle school advanced mathematics in October 2024.

A public hearing was conducted and a discussion item regarding TEKS for middle school advanced mathematics was presented to the Committee of the Full Board at the November 2024 SBOE meeting. At that time, the SBOE selected the second model as the plan for the middle school advanced mathematics programs. The work group met in December 2024 to finalize its recommendations for the second model.

The following changes were made to the rules since published as proposed.

Section 111.30(c)(8)(C) was amended to read, "identify examples of proportional and non-proportional relationships that arise from mathematical and real-world problems."

The section title for §111.31 was amended by adding the roman numeral "I" after "Algebra."

Section 111.31(b) was amended to read, "This course is recommended for students in Grade 8. Prerequisite: Middle School Advanced Mathematics, Grade 7 or Mathematics, Grade 8. Students shall be awarded one credit that satisfies the Algebra I requirement for high school graduation. This course satisfies the requirement for any course which identifies Algebra I as a prerequisite."

The first sentence in §111.31(c)(4) was amended to read, "In Grade 8, Middle School Advanced Mathematics, Algebra I, students will build on the knowledge and skills for mathematics in Middle School Advanced Mathematics, Grades 6 and 7, which provide a foundation in linear relationships, number and operations, and proportionality. Students will study linear, quadratic, and exponential functions and their related transformations, equations, and associated solutions."

The last sentence in §111.31(c)(4) was amended to read, "The use of technology, including graphing tools, is essential in Grade 8, Middle School Advanced Mathematics, Algebra I, to bridge conceptual understanding and procedural fluency."

The SBOE approved the new rules for first reading and filing authorization at its January 31, 2025 meeting and for second reading and final adoption at its April 11, 2025 meeting.

In accordance with TEC, §7.102(f), the SBOE approved the new rules for adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2025-2026 school year. The earlier effective date will enable districts to be-

gin preparing for implementation of TEKS that support a middle school advanced mathematics program. The effective date is 20 days after filing as adopted with the Texas Register.

**SUMMARY OF COMMENTS AND RESPONSES:** The public comment period on the proposal began February 28, 2025, and ended at 5:00 p.m. on March 31, 2025. The SBOE also provided an opportunity for registered oral and written comments at its April 2025 meeting in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and corresponding responses.

**Comment.** A teacher, two administrators, and a community member asked which State of Texas Assessments of Academic Readiness (STAAR®) would be administered to students in the middle school advanced mathematics program at the end of the year.

**Response.** This comment is outside the scope of the proposed rulemaking.

**Comment.** A teacher expressed concern about the inclusion of student expectations from the Grade 8 TEKS in the proposed TEKS for the Grade 8, Middle School Advanced Mathematics, Algebra course, which would limit advanced mathematics students to taking the Grade 7 STAAR® test in Grade 7. The commenter stated that all the Grade 8 TEKS should be compacted into the Grade 7, Middle School Advanced Mathematics course.

**Response.** The SBOE disagrees and has determined that incorporating certain student expectations from the Grade 8 mathematics TEKS is appropriate and scaffolds middle school students' transition into Algebra I content in Grade 8. The SBOE also provides the following clarification. The assessment a student takes is a local school system decision.

**Comment.** A teacher stated that under the proposed new TEKS, students would be skipping the difficult and important Grade 7 STAAR® assessment.

**Response.** This comment is outside the scope of the proposed rulemaking. The assessment a student takes is determined by the local school system.

**Comment.** Two administrators and a community member asked if new STAAR® assessments would be developed for the proposed middle school advanced mathematics courses.

**Response.** This comment is outside the scope of the proposed rulemaking.

**Comment.** A teacher expressed concern that the arrangement of the student expectations in the middle school advanced mathematics TEKS may negatively impact student success on the STAAR® assessments.

**Response.** The SBOE disagrees and has determined that the arrangement of the student expectations in the middle school advanced mathematics TEKS are appropriate as proposed and should not negatively impact performance on the STAAR® assessment.

**Comment.** Two administrators expressed concern regarding the inclusion of circle graphs in the proposed student expectation in 19 TAC §111.29(c)(14)(D).

**Response.** The SBOE disagrees and has determined that circle graphs are appropriately included in the student expectation in 19 TAC §111.29(c)(14)(D).

**Comment.** Three administrators asked whether proposed new 19 TAC §111.31, Grade 8, Middle School Advanced Mathematics, Algebra, could be retitled to ensure that students would take the Algebra I end-of-course exam and receive credit for Algebra I.

**Response.** The SBOE agrees that additional clarification to the title for the Grade 8 middle school advanced mathematics standards is warranted and took action to amend the title for 19 TAC §111.31 to read Grade 8, Middle School Advanced Mathematics, Algebra I.

**Comment.** A teacher expressed concern with the policy for automatic enrollment of Grade 5 students in a middle school advanced mathematics program. The teacher stated that parents do not understand that they must opt their child out of the program and there are already students who struggled in advanced mathematics programs and have since opted out.

**Response.** This comment is outside the scope of the proposed rulemaking. The requirement for automatic enrollment of certain students in middle school advanced mathematics is a statutory requirement.

**Comment.** An administrator stated that the re-wording of the TEKS for the advanced mathematics courses may cause confusion for teachers who teach both on-level and advanced courses.

**Response.** The SBOE disagrees and has determined that the wording in the TEKS for the proposed middle school advanced mathematics courses is sufficiently clear.

**Comment.** An administrator asked why districts were not given the decision on how to split the Grade 7 TEKS between Grade 6 and Grade 7.

**Response.** The SBOE provides the following clarification. The proposed middle school advanced mathematics TEKS for Grades 6, 7, and 8 are optional. School districts maintain the ability to create and offer locally developed courses and make decisions to arrange the TEKS in their middle school advanced mathematics programs differently.

**Comment.** A teacher asked why there is a push to get the middle school advanced mathematics TEKS adopted if they are optional.

**Response.** The SBOE provides the following clarification. Beginning with the 2024-2025 school year, all school systems are required to offer a middle school advanced mathematics program that prepares students to enroll in Algebra I in Grade 8 in accordance with TEC, §28.029. The middle school advanced mathematics TEKS provide an option that districts can use to meet the requirement in state law that is already in effect. The adoption of these TEKS will enable the SBOE to call for instructional materials to support implementation of middle school advanced mathematics.

**Comment.** A teacher asked how an optional set of standards helps transient students.

**Response.** The SBOE provides the following clarification. The middle school advanced mathematics TEKS provide an option that districts can use to meet the requirement in state law that all school systems offer a middle school advanced mathematics program that prepares students to enroll in Algebra I in Grade 8. If a transient student moves from one school system that implements these standards to another school system that implements these standards, the student is less likely to experience disruption in learning.

Comment. An administrator stated there is a lack of clarity in the proposed rules. The administrator suggested revising the phrase "may be implemented" in the general requirements in §111.29(a) to read, "The provisions of this section are one option districts may use to implement Texas Education Code, §28.029."

Response. The SBOE disagrees that the suggested revision is necessary and has determined that the general requirements in §111.29(a) are sufficiently clear as proposed.

Comment. An administrator asked whether the proposed new TEKS for middle school advanced mathematics would replace Accelerated Math 6/7 and Accelerated Math 7/8 and Algebra I in their district.

Response. The SBOE provides the following clarification. The proposed middle school advanced mathematics TEKS for Grades 6, 7, and 8 may be implemented by school districts beginning with the 2025-2026 school year. Districts have the option to implement the new middle school advanced mathematics TEKS or to create or continue to offer their own locally developed middle school advanced mathematics courses.

Comment. An administrator stated it is important for students to have the opportunity to enroll in Algebra I as eighth graders.

Response. The SBOE agrees and took action to adopt proposed TEKS for middle school advanced mathematics that prepare students for Algebra I in Grade 8 that districts may offer beginning with the 2025-2026 school year as part of their middle school advanced mathematics programs.

Comment. A teacher stated that students should be taught all the TEKS as they are necessary for student success.

Response. The SBOE agrees that all the knowledge and skills in the existing mathematics TEKS for Grades 6-8 are necessary for student success. However, the SBOE has determined that there are certain student expectations that can be combined with or subsumed into more advanced student expectations to compact instruction for an accelerated mathematics program that prepares students to take Algebra I in Grade 8.

Comment. A teacher provided a copy of the TEKS breakdown the teacher uses with honors middle school students on an accelerated mathematics pathway.

Response. The SBOE provides the following clarification. The proposed middle school advanced mathematics TEKS for Grades 6-8 are optional standards that school systems may use as part of their middle school advanced mathematics programs. School systems have the option to implement the new middle school advanced mathematics TEKS or to create or continue to offer their own locally developed middle school advanced mathematics courses.

Comment. A teacher expressed concern that there are too many student expectations in the proposed TEKS for Grade 7.

Response. The SBOE disagrees and has determined that the number of student expectations in the proposed TEKS for Grade 7 is appropriate as proposed.

Comment. Two administrators stated that Algebra I should remain the same course as is currently listed in 19 TAC §111.39 whether it is taught in Grade 8 or 9.

Response. The SBOE agrees that the existing high school course, §111.39, Algebra I, is an appropriate and rigorous option for both high school and certain middle school students. However, the SBOE disagrees that §111.39, Algebra I, should be

the only option for Grade 8 students in middle school advanced mathematics programs. The SBOE took action to approve for adoption new TEKS for Grade 8, Middle School Advanced Mathematics, Algebra, that includes and scaffolds Algebra I content with certain Grade 8 student expectations. In response to other comments, the SBOE took action to retitle Grade 8, Middle School Advanced Mathematics, Algebra, as Grade 8, Middle School Advanced Mathematics, Algebra I, to clarify that the course fulfills the graduation requirement for Algebra I.

Comment. A community member stated that high-quality instructional materials are needed for the proposed TEKS and will support these efforts.

Response. This comment is outside the scope of the proposed rulemaking.

Comment. An administrator recommended that if language is changed to add clarity for the advanced mathematics courses, the language should be revised in the on-level TEKS, too.

Response. This comment is outside the scope of the proposed rulemaking. The existing on-level TEKS for Grades 6-8 are not included in the proposed rulemaking.

Comment. Two administrators and a community member stated that some standards were missing from the proposed middle school advanced mathematics courses.

Response. The SBOE disagrees and has determined that all the middle school mathematics standards for Grades 6, 7, and 8 are addressed in the middle school advanced mathematics TEKS. The SBOE provides the following clarification. The student expectations in the middle school advanced mathematics TEKS are either identical to the student expectations in the existing on-level TEKS, have minor revisions, or have been subsumed into similar standards that meet or exceed the knowledge and skills of the original student expectation.

Comment. A teacher and an administrator stated that renumbering student expectations in the middle school advanced mathematics courses causes confusion for teachers who teach both on-level and advanced courses and would have a negative impact on reporting, analyzing, and acting upon data on campus, district, and STAAR® assessments.

Response. The SBOE disagrees and has determined that renumbering student expectations to reflect the order in which they appear in the proposed middle school advanced mathematics courses would not cause confusion and is necessary and appropriate as proposed.

Comment. A teacher stated that there is not sufficient time to teach probability before STAAR®, but it is heavily tested on the Texas Success Initiative assessment for college admission.

Response. This comment is outside the scope of the proposed rulemaking.

Comment. An administrator asked whether there will be new student expectations within the proposed new courses.

Response. The SBOE provided the following clarification. There are no new knowledge and skills statements in the proposed middle school advanced mathematics TEKS. Some student expectations from the student expectations in the existing on-level mathematics TEKS have been subsumed into other student expectations or rearranged, but no new student expectations or knowledge and skills have been added.

Comment. A teacher stated that some Grade 7 student expectations can completely replace Grade 6 student expectations.

Response. The SBOE agrees that some Grade 7 student expectations can replace Grade 6 student expectations if the knowledge and skills are fully addressed. The SBOE took action to subsume certain student expectations from the on-level Grade 6 TEKS in mathematics into similar student expectations in Grade 7 to compact instruction and avoid duplication.

Comment. A teacher stated that instead of teaching the student expectation in §111.26(b)(2)(A) in the current Grade 6 TEKS, natural numbers could be added and taught within the student expectation in §111.27(b)(2)(A) in Grade 7.

Response. The SBOE disagrees and has determined that the student expectation in §111.26(b)(2)(A) related to natural numbers is appropriately included in the proposed new TEKS for §111.29, Grade 6, Middle School Advanced Mathematics.

Comment. A teacher stated that two-step equations and inequalities can be taught instead of one-step equations and inequalities in Grade 6.

Response. The SBOE agrees and has determined that both two-step equations and inequalities and one-step equations and inequalities should be taught in Grade 6.

Comment. A teacher recommended including "comparing data representations" with the different types of graphs already covered in Grade 6.

Response. The SBOE disagrees and has determined the addition of "comparing data representations" with the different types of graphs already covered in Grade 6, Middle School Advanced Mathematics TEKS, is unnecessary.

Comment. A teacher stated that in addition to using frequency percent bars in Grade 6, circle graphs can be taught as another representation of the same thing.

Response. The SBOE disagrees and has determined that introducing circle graphs and frequency percent bars separately provides more opportunity to practice percents and is appropriate as proposed.

Comment. An administrator and community member expressed support for the addition of the middle school advanced mathematics TEKS.

Response. The SBOE agrees and took action to approve proposed new §§111.29-111.31. In response to other comments, the SBOE took action to amend the course title and clarify language in the general requirements in the Grade 8, Middle School Advanced Mathematics, Algebra, TEKS and to clarify language in one student expectation in the Grade 7, Middle School Advanced Mathematics TEKS.

Comment. An administrator and community member asked if students who complete the Grade 6, Middle School Advanced Mathematics course should automatically advance into the Grade 7, Middle School Advanced Mathematics course.

Response. The SBOE provides the following clarification. Grade placement is a local decision and should be based on demonstrated proficiency; however, advancing a student from Grade 6, Middle School Advanced Mathematics course to the Grade 7, Middle School Advanced Mathematics course would be appropriate.

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; and TEC, §28.029, which requires school districts and open-enrollment charter schools to develop an advanced mathematics program for middle school students that is designed to enable those students to enroll in Algebra I in Grade 8.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4), 28.002(a) and (c), and 28.029.

§111.30. *Grade 7, Middle School Advanced Mathematics, Adopted 2025.*

(a) Implementation. The provisions of this section may be implemented by school districts beginning with the 2025-2026 school year.

(b) Introduction.

(1) The desire to achieve educational excellence is the driving force behind the Texas essential knowledge and skills for mathematics, guided by the college and career readiness standards. By embedding statistics, probability, and finance, while focusing on computational thinking, mathematical fluency, and solid understanding, Texas will lead the way in mathematics education and prepare all Texas students for the challenges they will face in the 21st century.

(2) The process standards describe ways in which students are expected to engage in the content. The placement of the process standards at the beginning of the knowledge and skills listed for each grade and course is intentional. The process standards weave the other knowledge and skills together so that students may be successful problem solvers and use mathematics efficiently and effectively in daily life. The process standards are integrated at every grade level and course. When possible, students will apply mathematics to problems arising in everyday life, society, and the workplace. Students will use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution. Students will select appropriate tools such as real objects, manipulatives, algorithms, paper and pencil, and technology and techniques such as mental math, estimation, number sense, and generalization and abstraction to solve problems. Students will effectively communicate mathematical ideas, reasoning, and their implications using multiple representations such as symbols, diagrams, graphs, computer programs, and language. Students will use mathematical relationships to generate solutions and make connections and predictions. Students will analyze mathematical relationships to connect and communicate mathematical ideas. Students will display, explain, or justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(3) To increase the number of students who complete advanced mathematics courses in high school, the middle school advanced mathematics courses are designed to enable students to complete Algebra I by the end of Grade 8.

(4) The primary focal areas in Grade 7, Middle School Advanced Mathematics are numeracy; proportionality; expressions, equations, and relationships; and data science. Students use concepts, al-

gorithms, and properties of real numbers to explore mathematical relationships and to describe increasingly complex situations. Students use concepts of proportionality to explore, develop, and communicate mathematical relationships, including number, geometry and measurement, and statistics and probability. Students use algebraic thinking to describe how a change in one quantity in a relationship results in a change in the other. Students connect verbal, numeric, graphic, and symbolic representations of relationships, including equations and inequalities. Students continue to develop a foundational understanding of functions. Students use geometric properties and relationships, as well as spatial reasoning, to model and analyze situations and solve problems. Students communicate information about geometric figures or situations by quantifying attributes, generalize procedures from measurement experiences, and use the procedures to solve problems. Students use appropriate statistics, representations of data, and reasoning to draw conclusions, evaluate arguments, and make recommendations. The use of technology, including graphing tools, is essential in middle school advanced mathematics courses to master algebra readiness skills by bridging conceptual understanding and procedural fluency.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(c) Knowledge and skills.

(1) Mathematical process standards. The student uses mathematical processes to acquire and demonstrate mathematical understanding. The student is expected to:

(A) apply mathematics to problems arising in everyday life, society, and the workplace;

(B) use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution;

(C) select tools, including real objects, manipulatives, paper and pencil, and technology as appropriate, and techniques, including mental math, estimation, and number sense as appropriate, to solve problems;

(D) communicate mathematical ideas, reasoning, and their implications using multiple representations, including symbols, diagrams, graphs, and language as appropriate;

(E) create and use representations to organize, record, and communicate mathematical ideas;

(F) analyze mathematical relationships to connect and communicate mathematical ideas; and

(G) display, explain, and justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(2) Numeracy--foundations of real numbers. The student applies mathematical process standards to represent and use real numbers in a variety of forms. The student is expected to:

(A) extend previous knowledge of sets and subsets using a visual representation to describe relationships between sets of real numbers;

(B) approximate the value of an irrational number, including  $\pi$  and square roots of numbers less than 225, and locate that rational number approximation on a number line;

(C) convert between standard decimal notation and scientific notation; and

(D) order a set of real numbers arising from mathematical and real-world contexts.

(3) Numeracy--operations with rational numbers. The student applies mathematical process standards to add, subtract, multiply, and divide while solving problems and justifying solutions. The student is expected to:

(A) add, subtract, multiply, and divide rational numbers fluently; and

(B) apply and extend previous understandings of operations to solve problems using addition, subtraction, multiplication, and division of rational numbers.

(4) Numeracy--applications of percents. The student applies mathematical process standards to represent and solve problems involving percents as proportional relationships. The student is expected to:

(A) solve problems involving ratios, rates, and percents, including multi-step problems involving percent increase and percent decrease, and financial literacy problems;

(B) calculate and compare simple interest and compound interest earnings;

(C) analyze and compare monetary incentives, including sales, rebates, and coupons;

(D) solve real-world problems comparing how interest rate and loan length affect the cost of credit;

(E) calculate the total cost of repaying a loan, including credit cards and easy access loans, under various rates of interest and over different periods using an online calculator;

(F) explain how small amounts of money invested regularly, including money saved for college and retirement, grow over time; and

(G) estimate the cost of a two-year and four-year college education, including family contribution, and devise a periodic savings plan for accumulating the money needed to contribute to the total cost of attendance for at least the first year of college.

(5) Proportionality--geometric ratios. The student applies mathematical process standards to use geometry to describe or solve problems involving proportional relationships such as dilations. The student is expected to:

(A) describe  $\pi$  as the ratio of the circumference of a circle to its diameter;

(B) generalize the critical attributes of similarity, including ratios within and between similar shapes;

(C) solve mathematical and real-world problems involving similar shape and scale drawings;

(D) compare and contrast the attributes of a shape and its dilation(s) on a coordinate plane; and

(E) use an algebraic representation to explain the effect of a given positive rational scale factor applied to two-dimensional figures on a coordinate plane with the origin as the center of dilation.

(6) Proportionality--probability. The student applies mathematical process standards to use probability and statistics to describe or solve problems involving proportional relationships. The student is expected to:

(A) represent sample spaces for simple and compound events using lists and tree diagrams;

(B) select and use different simulations to represent simple and compound events with and without technology;

(C) make predictions and determine solutions using experimental data for simple and compound events;

(D) make predictions and determine solutions using theoretical probability for simple and compound events;

(E) find the probabilities of a simple event and its complement and describe the relationship between the two;

(F) solve problems using qualitative and quantitative predictions and comparisons from simple experiments; and

(G) determine experimental and theoretical probabilities related to simple and compound events using data and sample spaces.

(7) One-variable expressions, equations, and relationships--applications of one-variable relationships. The student applies mathematical process standards to use one-variable equations or inequalities in problem situations. The student is expected to:

(A) represent solutions for one-variable, two-step inequalities on number lines;

(B) model and solve one-variable, two-step inequalities;

(C) write one-variable equations or inequalities with variables on both sides that represent problems using rational number coefficients and constants;

(D) write a corresponding real-world problem when given a one-variable equation or inequality with variables on both sides of the equal sign using rational number coefficients and constants; and

(E) model and solve one-variable equations with variables on both sides of the equal sign that represent mathematical and real-world problems using rational number coefficients and constants.

(8) Two-variable equations and relationships--foundations of linear relationships. The student applies mathematical process standards to use proportional and non-proportional relationships to develop foundational concepts of functions. The student is expected to:

(A) determine the constant of proportionality ( $k = y/x$ ) within mathematical and real-world problems;

(B) distinguish between proportional and non-proportional situations using tables, graphs, and equations in the form  $y = kx$  or  $y = mx + b$ , where  $b \neq 0$ ; and

(C) identify examples of proportional and non-proportional relationships that arise from mathematical and real-world problems.

(9) Two-variable equations and relationships--applications of linear relationships. The student applies mathematical process standards to represent linear relationships using multiple representations. The student is expected to represent linear proportional and non-proportional relationships using verbal descriptions, tables, graphs, and equations that simplify to the form  $y = mx + b$ .

(10) Geometric expressions, equations, and relationships--foundations of geometric concepts. The student applies mathematical process standards to develop geometric relationships and solve problems. The student is expected to:

(A) use models to determine the approximate formulas for the circumference and area of a circle and connect the models to the actual formulas;

(B) solve problems involving the lateral and total surface area of a rectangular prism, rectangular pyramid, triangular prism, and triangular pyramid by determining the area of the shape's net;

(C) describe the volume formula  $V = Bh$  of a cylinder in terms of its base area and its height;

(D) model the relationship between the volume of a rectangular prism and a rectangular pyramid having both congruent bases and heights and connect that relationship to the formulas;

(E) explain verbally and symbolically the relationship between the volume of a triangular prism and a triangular pyramid having both congruent bases and heights and connect that relationship to the formulas;

(F) model the relationship between the volume of a cylinder and a cone having both congruent bases and heights and connect that relationship to the formulas;

(G) use models and diagrams to explain the Pythagorean theorem; and

(H) use informal arguments to establish facts about the angle sum and exterior angle of triangles, the angles created when parallel lines are cut by a transversal, and the angle-angle criterion for similarity of triangles.

(11) Geometric expressions, equations, and relationships--applications of geometric concepts. The student applies mathematical process standards to solve geometric problems. The student is expected to:

(A) determine the circumference and area of circles;

(B) determine the area of composite figures containing combinations of rectangles, squares, parallelograms, trapezoids, triangles, semicircles, and quarter circles;

(C) use previous knowledge of surface area to make connections to the formulas for lateral and total surface area and determine solutions for problems involving rectangular prisms, triangular prisms, and cylinders;

(D) solve problems involving the volume of rectangular pyramids and triangular pyramids;

(E) solve problems involving the volume of cylinders, cones, and spheres;

(F) use the Pythagorean theorem and its converse to solve problems; and

(G) determine the distance between two points on a coordinate plane using the Pythagorean theorem.

(12) Geometric expressions, equations, and relationships--transformations. The student applies mathematical process standards to develop transformational geometry concepts. The student is expected to:

(A) generalize the properties of orientation and congruence of rotations, reflections, translations, and dilations of two-dimensional shapes on a coordinate plane;

(B) differentiate between transformations that preserve congruence and those that do not;

(C) explain the effect of translations, reflections over the  $x$ - or  $y$ -axis, and rotations limited to  $90^\circ$ ,  $180^\circ$ ,  $270^\circ$ , and  $360^\circ$

as applied to two-dimensional shapes on a coordinate plane using an algebraic representation; and

(D) model the effect on linear and area measurements of dilated two-dimensional shapes.

(13) Data science--applications of measurement and data. The student applies mathematical process standards to use statistical representations and procedures to analyze and describe data. The student is expected to:

(A) use data from a random sample to make inferences about a population;

(B) compare two populations based on data in random samples from these populations, including informal comparative inferences about differences between the two populations;

(C) simulate generating random samples of the same size from a population with known characteristics to develop the notion of a random sample being representative of the population from which it was selected; and

(D) determine the mean absolute deviation and use this quantity as a measure of the average distance data are from the mean using a data set of no more than 10 data points.

(14) Personal financial literacy--money management. The student applies mathematical process standards to develop an economic way of thinking and problem solving useful in one's life as a knowledgeable consumer and investor. The student is expected to:

(A) identify the components of a personal budget, including income; planned savings for college, retirement, and emergencies; taxes; and fixed and variable expenses, and calculate what percentage each category comprises of the total budget;

(B) use a family budget estimator to determine the minimum household budget and average hourly wage needed for a family to meet its basic needs in the student's city or another large city nearby; and

(C) analyze situations to determine if they represent financially responsible decisions and identify the benefits of financial responsibility and the costs of financial irresponsibility.

§111.31. *Grade 8, Middle School Advanced Mathematics, Algebra I (One Credit), Adopted 2025.*

(a) Implementation. The provisions of this section may be implemented by school districts beginning with the 2025-2026 school year.

(b) General requirements. This course is recommended for students in Grade 8. Prerequisite: Middle School Advanced Mathematics, Grade 7 or Mathematics, Grade 8. Students shall be awarded one credit that satisfies the Algebra I requirement for high school graduation. This course satisfies the requirement for any course which identifies Algebra I as a prerequisite.

(c) Introduction.

(1) The desire to achieve educational excellence is the driving force behind the Texas essential knowledge and skills for mathematics, guided by the college and career readiness standards. By embedding statistics, probability, and finance, while focusing on fluency and solid understanding, Texas will lead the way in mathematics education and prepare all Texas students for the challenges they will face in the 21st century.

(2) The process standards describe ways in which students are expected to engage in the content. The placement of the process

standards at the beginning of the knowledge and skills listed for each grade and course is intentional. The process standards weave the other knowledge and skills together so that students may be successful problem solvers and use mathematics efficiently and effectively in daily life. The process standards are integrated at every grade level and course. When possible, students will apply mathematics to problems arising in everyday life, society, and the workplace. Students will use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution. Students will select appropriate tools such as real objects, manipulatives, paper and pencil, and technology and techniques such as mental math, estimation, number sense, and generalization and abstraction to solve problems. Students will effectively communicate mathematical ideas, reasoning, and their implications using multiple representations such as symbols, diagrams, graphs, and language. Students will use mathematical relationships to generate solutions and make connections and predictions. Students will analyze mathematical relationships to connect and communicate mathematical ideas. Students will display, explain, or justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(3) To increase the number of students who complete advanced mathematics courses in high school, the middle school advanced mathematics courses are designed to enable students to complete Algebra I by the end of Grade 8.

(4) In Grade 8, Middle School Advanced Mathematics, Algebra I, students will build on the knowledge and skills for mathematics in Middle School Advanced Mathematics, Grades 6 and 7, which provide a foundation in linear relationships, number and operations, and proportionality. Students will study linear, quadratic, and exponential functions and their related transformations, equations, and associated solutions. Students will connect functions and their associated solutions in both mathematical and real-world situations. Students will use technology to collect and explore data and analyze statistical relationships. In addition, students will study polynomials of degree one and two, radical expressions, sequences, and laws of exponents. Students will generate and solve linear systems with two equations and two variables and will create new functions through transformations. The use of technology, including graphing tools, is essential in Grade 8, Middle School Advanced Mathematics, Algebra I, to bridge conceptual understanding and procedural fluency.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) Mathematical process standards. The student uses mathematical processes to acquire and demonstrate mathematical understanding. The student is expected to:

(A) apply mathematics to problems arising in everyday life, society, and the workplace;

(B) use a problem-solving model that incorporates analyzing given information, formulating a plan or strategy, determining a solution, justifying the solution, and evaluating the problem-solving process and the reasonableness of the solution;

(C) select tools, including real objects, manipulatives, paper and pencil, and technology as appropriate, and techniques, including mental math, estimation, and number sense as appropriate, to solve problems;

(D) communicate mathematical ideas, reasoning, and their implications using multiple representations, including symbols, diagrams, graphs, and language as appropriate;

(E) create and use representations to organize, record, and communicate mathematical ideas;

(F) analyze mathematical relationships to connect and communicate mathematical ideas; and

(G) display, explain, and justify mathematical ideas and arguments using precise mathematical language in written or oral communication.

(2) Linear functions, equations, and inequalities. The student applies the mathematical process standards when using properties of linear functions to write and represent in multiple ways, with and without technology, linear equations, inequalities, and systems of equations. The student is expected to:

(A) determine the domain and range of a linear function in mathematical problems; determine reasonable domain and range values for real-world situations, both continuous and discrete; and represent domain and range using inequalities;

(B) write linear equations in two variables in various forms, including  $y = mx + b$ ,  $Ax + By = C$ , and  $y - y_1 = m(x - x_1)$ , given one point and the slope and given two points;

(C) write linear equations in two variables given a table of values, a graph, and a verbal description;

(D) write and solve equations involving direct variation;

(E) write the equation of a line that contains a given point and is parallel to a given line;

(F) write the equation of a line that contains a given point and is perpendicular to a given line;

(G) write an equation of a line that is parallel or perpendicular to the  $x$ - or  $y$ -axis and determine whether the slope of the line is zero or undefined;

(H) write linear inequalities in two variables given a table of values, a graph, and a verbal description; and

(I) write systems of two linear equations given a table of values, a graph, and a verbal description.

(3) Linear functions, equations, and inequalities. The student applies the mathematical process standards when using graphs of linear functions, key features, and related transformations to represent in multiple ways and solve, with and without technology, equations, inequalities, and systems of equations. The student is expected to:

(A) use similar right triangles to develop an understanding that slope,  $m$ , given as the rate comparing the change in  $y$ -values to the change in  $x$ -values,  $(y_2 - y_1) / (x_2 - x_1)$ , is the same for any two points  $(x_1, y_1)$  and  $(x_2, y_2)$  on the same line;

(B) graph proportional relationships, interpreting the unit rate as the slope of the line that models the relationship;

(C) determine the slope of a line given a table of values, a graph, two points on the line, and an equation written in various forms, including  $y = mx + b$ ,  $Ax + By = C$ , and  $y - y_1 = m(x - x_1)$ ;

(D) calculate the rate of change of a linear function represented tabularly, graphically, or algebraically in context of mathematical and real-world problems;

(E) use data from a table or graph to determine the rate of change or slope and  $y$ -intercept in mathematical and real-world problems;

(F) graph linear functions on the coordinate plane and identify key features, including  $x$ -intercept,  $y$ -intercept, zeros, and slope, in mathematical and real-world problems;

(G) graph the solution set of linear inequalities in two variables on the coordinate plane;

(H) determine the effects on the graph of the parent function  $f(x) = x$  when  $f(x)$  is replaced by  $af(x)$ ,  $f(x) + d$ ,  $f(x - c)$ , and  $f(bx)$  for specific values of  $a$ ,  $b$ ,  $c$ , and  $d$ ;

(I) graph systems of two linear equations in two variables on the coordinate plane and determine the solutions if they exist;

(J) estimate graphically the solutions to systems of two linear equations with two variables in real-world problems; and

(K) graph the solution set of systems of two linear inequalities in two variables on the coordinate plane.

(4) Linear functions, equations, and inequalities. The student applies the mathematical process standards to formulate statistical relationships and evaluate their reasonableness based on real-world data. The student is expected to:

(A) construct a scatterplot and describe the observed data to address questions of association such as linear, non-linear, and no association between bivariate data;

(B) contrast bivariate sets of data that suggest a linear relationship with bivariate sets of data that do not suggest a linear relationship from a graphical representation;

(C) use a trend line that approximates the linear relationship between bivariate sets of data to make predictions;

(D) calculate, using technology, the correlation coefficient between two quantitative variables and interpret this quantity as a measure of the strength of the linear association;

(E) compare and contrast association and causation in real-world problems; and

(F) write, with and without technology, linear functions that provide a reasonable fit to data to estimate solutions and make predictions for real-world problems.

(5) Linear functions, equations, and inequalities. The student applies the mathematical process standards to solve, with and without technology, linear equations and evaluate the reasonableness of their solutions. The student is expected to:

(A) solve linear equations in one variable, including those for which the application of the distributive property is necessary and for which variables are included on both sides;

(B) solve linear inequalities in one variable, including those for which the application of the distributive property is necessary and for which variables are included on both sides; and

(C) solve systems of two linear equations with two variables for mathematical and real-world problems.

(6) Quadratic functions and equations. The student applies the mathematical process standards when using properties of quadratic functions to write and represent in multiple ways, with and without technology, quadratic equations. The student is expected to:

(A) determine the domain and range of quadratic functions and represent the domain and range using inequalities;

(B) write equations of quadratic functions given the vertex and another point on the graph, write the equation in vertex form ( $f(x) = a(x - h)^2 + k$ ), and rewrite the equation from vertex form to standard form ( $f(x) = ax^2 + bx + c$ ); and

(C) write quadratic functions when given real solutions and graphs of their related equations.

(7) Quadratic functions and equations. The student applies the mathematical process standards when using graphs of quadratic functions and their related transformations to represent in multiple ways and determine, with and without technology, the solutions to equations. The student is expected to:

(A) graph quadratic functions on the coordinate plane and use the graph to identify key attributes, if possible, including  $x$ -intercept,  $y$ -intercept, zeros, maximum value, minimum values, vertex, and the equation of the axis of symmetry;

(B) describe the relationship between the linear factors of quadratic expressions and the zeros of their associated quadratic functions; and

(C) determine the effects on the graph of the parent function  $f(x) = x^2$  when  $f(x)$  is replaced by  $af(x)$ ,  $f(x) + d$ ,  $f(x - c)$ , and  $f(bx)$  for specific values of  $a$ ,  $b$ ,  $c$ , and  $d$ .

(8) Quadratic functions and equations. The student applies the mathematical process standards to solve, with and without technology, quadratic equations and evaluate the reasonableness of their solutions. The student formulates statistical relationships and evaluates their reasonableness based on real-world data. The student is expected to:

(A) solve quadratic equations having real solutions by factoring, taking square roots, completing the square, and applying the quadratic formula; and

(B) write, using technology, quadratic functions that provide a reasonable fit to data to estimate solutions and make predictions for real-world problems.

(9) Exponential functions and equations. The student applies the mathematical process standards when using properties of exponential functions and their related transformations to write, graph, and represent in multiple ways exponential equations and evaluate, with and without technology, the reasonableness of their solutions. The student formulates statistical relationships and evaluates their reasonableness based on real-world data. The student is expected to:

(A) determine the domain and range of exponential functions of the form  $f(x) = ab^x$  and represent the domain and range using inequalities;

(B) interpret the meaning of the values of  $a$  and  $b$  in exponential functions of the form  $f(x) = ab^x$  in real-world problems;

(C) write exponential functions in the form  $f(x) = ab^x$  (where  $b$  is a rational number) to describe problems arising from mathematical and real-world situations, including growth and decay;

(D) graph exponential functions that model growth and decay and identify key features, including  $y$ -intercept and asymptote, in mathematical and real-world problems; and

(E) write, using technology, exponential functions that provide a reasonable fit to data and make predictions for real-world problems.

(10) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to rewrite in

equivalent forms and perform operations on polynomial expressions. The student is expected to:

(A) add and subtract polynomials of degree one and degree two;

(B) multiply polynomials of degree one and degree two;

(C) determine the quotient of a polynomial of degree one and polynomial of degree two when divided by a polynomial of degree one and polynomial of degree two when the degree of the divisor does not exceed the degree of the dividend;

(D) rewrite polynomial expressions of degree one and degree two in equivalent forms using the distributive property;

(E) factor, if possible, trinomials with real factors in the form  $ax^2 + bx + c$ , including perfect square trinomials of degree two; and

(F) decide if a binomial can be written as the difference of two squares and, if possible, use the structure of a difference of two squares to rewrite the binomial.

(11) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to rewrite algebraic expressions into equivalent forms. The student is expected to:

(A) simplify numerical radical expressions involving square roots; and

(B) simplify numeric and algebraic expressions using the laws of exponents, including integral and rational exponents.

(12) Number and algebraic methods. The student applies the mathematical process standards and algebraic methods to write, solve, analyze, and evaluate equations, relations, and functions. The student is expected to:

(A) identify functions using sets of ordered pairs and mappings;

(B) decide whether relations represented verbally, tabularly, graphically, and symbolically define a function;

(C) evaluate functions, expressed in function notation, given one or more elements in their domains;

(D) identify terms of arithmetic and geometric sequences when the sequences are given in function form using recursive processes;

(E) write a formula for the  $n^{\text{th}}$  term of arithmetic and geometric sequences, given the value of several of their terms; and

(F) solve mathematical and scientific formulas, and other literal equations, for a specified variable.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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

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## CHAPTER 127. TEXAS ESSENTIAL KNOWLEDGE AND SKILLS FOR CAREER DEVELOPMENT AND CAREER AND TECHNICAL EDUCATION

The State Board of Education (SBOE) adopts new §§127.59, 127.61, 127.262, 127.263, 127.510, 127.511, 127.569, 127.571, 127.604, 127.689 - 127.691, 127.695 - 127.699, and 127.773, concerning Texas Essential Knowledge and Skills (TEKS) for career development and career and technical education (CTE). The new rules are adopted with changes to the proposed text as published in the December 20, 2024 issue of the *Texas Register* (49 TexReg 10183) and will be republished. The adopted new sections add TEKS for 18 state-approved innovative courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service.

**REASONED JUSTIFICATION:** In 2023, CTE advisory committees were convened to make recommendations for the review and refresh of programs of study as required by the Texas Perkins State Plan. Finalized programs of study were published in the fall of 2023 with an implementation date beginning in the 2024-2025 school year. CTE courses to be developed or revised to complete or update programs of study were determined.

At the April 2024 meeting, the SBOE approved new TEKS for 23 courses in the agribusiness, animal science, plant science, and aviation maintenance programs of study as well as two STEM courses that may satisfy science graduation requirements: Physics for Engineers and Scientific Research and Design. Additionally, Texas Education Agency (TEA) staff shared an overview of upcoming interrelated needs for TEKS review and revision and instructional materials review and approval (IMRA). Staff explained upcoming needs related to development and amendment of CTE courses, made recommendations for completing the work in batches, and recommended including CTE in the next three cycles of IMRA. In 2024, the SBOE began the review of current CTE TEKS, the development of new CTE TEKS, and the review of innovative courses to be approved as TEKS for courses in the new engineering program of study. At the June 2024 meeting, the SBOE approved recommendations that TEA present certain innovative courses with minor edits for consideration for adoption as TEKS-based courses. A discussion item was presented to the Committee of the Full Board at the September 2024 SBOE meeting regarding proposed new TEKS for courses in the following CTE career clusters: agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service.

The adopted new sections ensure the standards for CTE programs of study remain current and support relevant and meaningful programs of study.

The following changes were made to the rules since published as proposed.

### *Chapter 127, Subchapter C*

New subsection (a)(2) was added in §127.59 and §127.61 to reference the employability skills in new §127.15.

Section 127.59(c)(4) and §127.61(c)(4) were amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations."

Section 127.59(d)(1) and §127.61(d)(1) related to employability skills were deleted since a new section on employability skills is being adopted in §127.15.

Section 127.61(d)(9) was amended to read, "The student demonstrates an in-depth understanding of beekeeping, bee hauling, and honey processing businesses, including production, processing, marketing, sales, and distribution."

Section 127.61(d)(9)(A) was amended to read, "describe the roles of an entrepreneur in beekeeping, bee hauling, and honey processing operations."

Section 127.61(d)(9)(B) was amended by inserting "bee and" before "honey businesses."

Section 127.61(d)(11)(B) was amended to read, "explain how distribution can add value to goods and services, which can be protected by intellectual property."

### *Chapter 127, Subchapter F*

New subsection (a)(2) was added in §127.262 and §127.263 to reference the employability skills in new §127.15.

Section 127.262(c)(4) and §127.263(c)(4) were amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations."

Section 127.263(b) was amended by adding a prerequisite of at least one credit in a course from the Business, Marketing, and Finance Career Cluster.

### *Chapter 127, Subchapter J*

New subsection (a)(2) was added in §127.510 and §127.511 to reference the employability skills in new §127.15.

Section 127.510(c)(4) and §127.511(c)(4) were amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations."

Section 127.510(d)(1) and §127.511(d)(1) related to employability skills were deleted since a new section on employability skills is being adopted in §127.15.

Section 127.511(b) was amended by adding a prerequisite of at least one credit in a course from the Health Science Career Cluster.

### *Chapter 127, Subchapter K*

New subsection (a)(2) was added in §§127.569, 127.571, and 127.604 to reference the employability skills in new §127.15.

Sections 127.569(c)(4), 127.571(c)(4), and 127.604(c)(4) were amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership

and career development in the profession such as student chapters of related professional associations."

The section title for §127.571 was amended to remove the phrase "Introduction to."

Section 127.571(b) was amended by adding a prerequisite of at least one credit in a course from the Hospitality and Tourism Career Cluster.

Section 127.571(c)(3) was modified by updating the course title to "Event and Meeting Planning."

Section 127.571(d)(1) and §127.604(d)(1) related to employability skills were deleted since a new section on employability skills is being adopted in §127.15.

Section 127.604(b) was amended to read, "General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: a minimum of two credits with at least one credit in a Level 2 or higher course from the Hospitality and Tourism Career Cluster. Recommended prerequisite: Event and Meeting Planning. Students shall be awarded two credits for successful completion of this course."

#### *Chapter 127, Subchapter M*

New subsection (a)(2) was added in §§127.689-127.691 and 127.695-127.699 to reference the employability skills in new §127.15.

Section 127.689(b) was amended to read, "General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit from a course in computer science, programming, software development, or networking systems. Students shall be awarded one credit for successful completion of this course."

Sections 127.689(c)(4), 127.690(c)(4), 127.691(c)(4), 127.695(c)(4), 127.696(c)(4), 127.697(c)(4), 127.698(c)(4), and 127.699(c)(4) were amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations."

Sections 127.689(d)(1), 127.690(d)(1), 127.691(d)(1), 127.695(d)(1), 127.696(d)(1), 127.697(d)(1), 127.698(d)(1), and 127.699(d)(1) related to employability skills were deleted since a new section on employability skills is being adopted in §127.15.

Section 127.691(b) was amended to read, "General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Foundations of User Experience. Students shall be awarded one credit for successful completion of this course."

Sections 127.695(b), 127.696(b), and 127.699(b) were amended by adding a prerequisite of at least one credit in a course from the Information Technology Career Cluster.

Section 127.696(d)(6)(A) and (9)(A) were modified by removing the word "and" and replacing it with the word "or."

Section 127.696(d)(10)(C) was modified by removing the phrase "distance and brightness ranges."

Section 127.696(d)(11)(H) was modified by removing the second instance of the word "to."

#### *Chapter 127, Subchapter N*

New subsection (a)(2) was added in §127.773 to reference the employability skills in new §127.15.

Section 127.773(b) was amended by adding a prerequisite of at least one credit in a course from the Law and Public Service Career Cluster.

Section 127.773(c)(4) was amended to read, "Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations."

Section 127.773(d)(1) related to employability skills was deleted since a new section on employability skills is being adopted in §127.15.

Section 127.773(d)(2) was amended to read, "The student prepares, drafts, and defends legal arguments."

Section 127.773(d)(2)(D) was amended to read, "develop arguments based on research, relevant case law, statutes, and public policy."

Section 127.773(d)(3) was amended to read, "The student understands, prepares, and drafts legal documents."

Section 127.773(d)(3)(B) was amended to read, "prepare and draft legal briefs that include standard elements, including an introduction, table of authorities, brief answer, introduction, argument, counter-argument, and conclusion."

Section 127.773(d)(3)(C) was amended to read, "prepare and draft memoranda that follow a standard legal format."

Section 127.773(d)(3)(D) was amended by adding "and draft" after "prepare."

Section 127.773(d)(4)(A) was amended to read, "analyze the relationship between the U.S. Constitution, Common Law, state law(s), and local law(s)."

Section 127.773(d)(4)(D) was amended by adding the word "as" after "such."

Section 127.773(d)(5)(A) was amended by adding "and evaluate" after "research."

The SBOE approved the new rules for first reading and filing authorization at its November 22, 2024 meeting and for second reading and final adoption at its April 11, 2025 meeting.

In accordance with TEC, §7.102(f), the SBOE approved the new rules for adoption by a vote of two-thirds of its members to specify an effective date earlier than the beginning of the 2025-2026 school year. The earlier effective date will enable districts to begin preparing for implementation of the revised agriculture, food, and natural resources; business, marketing, and finance; health science; hospitality and tourism; information technology; and law and public service TEKS. The effective date is August 1, 2025.

**SUMMARY OF COMMENTS AND RESPONSES:** The public comment period on the proposal began December 20, 2024, and ended at 5:00 p.m. on January 21, 2025. The SBOE also provided an opportunity for registered oral and written comments at its January 2025 meeting in accordance with the SBOE board operating policies and procedures. Following is a summary of the public comments received and corresponding responses.

Comment. One individual from a university/college expressed support for the proposed new Texas Essential Knowledge and

Skills (TEKS) in §127.696, Engineering Applications of Computer Science Principles. The commenter stated that the revisions to the original innovative course are a clear improvement.

Response. The SBOE agrees and took action to adopt the proposed new TEKS for §127.696. Additional changes were made to the course in response to other comments.

Comment. One individual from a university/college recommended revising the student expectation in §127.696(7)(A) by replacing the phrase "write and perform" with "write or perform." The commenter explained that it isn't always feasible, necessary, or efficient to write a test when determining functionality.

Response. The SBOE agrees and took action to amend §127.696(7)(A) by replacing the phrase "write and perform" with the phrase "write or perform."

Comment. One individual from a university/college recommended revising the student expectation in §127.696(10)(A) by replacing the phrase "apply mathematical concepts from algebra, geometry, trigonometry, and calculus in a program" with "apply mathematical concepts from algebra, geometry, trigonometry, or calculus in a program." The commenter explained that Algebra I is the only prerequisite for the course so more advanced skills should be optional.

Response. The SBOE agrees and took action to amend §127.696(10)(A) by replacing the phrase "apply mathematical concepts from algebra, geometry, trigonometry, and calculus in a program" with "apply mathematical concepts from algebra, geometry, trigonometry, or calculus in a program."

Comment. One individual from a university/college recommended revising the student expectation in §127.696(11)(C) by removing the phrase "distance and brightness ranges." The commenter stated that the phrase is unnecessarily limiting.

Response. The SBOE agrees and took action to amend §127.696(11)(C) by removing the phrase "distance and brightness ranges."

Comment. One individual from a university/college recommended a technical edit for the student expectation in §127.696(12)(H) by removing the word "to" for better readability.

Response. The SBOE agrees and took action to amend §127.696(12)(H) by removing the word "to" for better readability.

Comment. Two parents recommended that the State Board of Education adopt a supply chain management course in the proposed new TEKS. The commenters explained that supply chain management is a critical field that aligns directly with workforce demands and industry priorities in Texas.

Response. This comment is outside the scope of the proposed rulemaking.

## SUBCHAPTER C. AGRICULTURE, FOOD, AND NATURAL RESOURCES

### 19 TAC §127.59, §127.61

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluat-

ing instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002; and TEC, §28.025(b-17), which requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.59. *Geographic Information Systems for Agriculture (One Credit)*, Adopted 2025.

#### (a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Agriculture, Food, and Natural Resources. Students shall be awarded one credit for successful completion of this course.

#### (c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Agriculture, Food, and Natural Resources career cluster focuses on the essential elements of life, food, water, land, and air. This career cluster includes occupations ranging from farmer, rancher, and veterinarian to geologist, land conservationist, and florist.

(3) Geographic Information Systems for Agriculture is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career as a precision agriculture specialist, a crop specialist, an independent crop consultant, a nutrient management specialist, a physical scientist, a precision agronomist, a precision farming coordinator, a research agricultural engineer, or a soil fertility specialist. Students will learn to use computers to develop or analyze maps of remote sensing to compare physical topography with data on soils, fertilizer, pests, or weather.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student develops a supervised agriculture experience program. The student is expected to:

(A) plan, propose, conduct, document, and evaluate a supervised agriculture experience as an experiential learning activity;

(B) use appropriate record-keeping skills in a supervised agricultural experience;

(C) participate in youth agricultural leadership opportunities;

(D) review and participate in a local program of activities; and

(E) create or update documentation of relevant agricultural experience such as community service, professional, or classroom experiences.

(2) The student explains the current applications of geographic information system (GIS) in agriculture, food, and natural resources and identifies the future need for GIS in precision agriculture. The student is expected to:

(A) research and compare current and emerging careers related to GIS in agriculture and natural resource fields;

(B) identify and analyze applications of GIS technologies in agriculture, food, and natural resources;

(C) explain GIS data as it pertains to agriculture; and

(D) describe the types of licensing, certification, and credentialing requirements related to GIS occupations.

(3) The student analyzes geographic information and spatial data types in agriculture, food and natural resources. The student is expected to:

(A) identify the uses of GIS in agriculture;

(B) identify the GIS terminology used in agriculture applications, such as spatial analysis, remote sensing, georeferencing, geostatistics, and geocoding;

(C) identify GIS models and representations in precision agriculture;

(D) explain GIS representations of geographic phenomena in soil types, topography, and farming management;

(E) organize and describe spatial data in yield monitoring for crop planning; and

(F) analyze GIS data sources and ethics in agriculture.

(4) The student uses agriculture, food, and natural resources GIS tools. The student is expected to:

(A) identify hardware and software for agriculture data management and processing;

(B) explain spatial data capture and preparation, spatial data storage and maintenance, spatial query and analysis, and spatial data presentation for agriculture; and

(C) describe remote sensing tools and technologies used in precision farming, including unmanned aerial support (UAS), unmanned aerial vehicles (UAV), and global positioning satellite (GPS).

(5) The student integrates spatial referencing and global positioning techniques in agriculture, food, and natural resources. The student is expected to:

(A) explain spatial referencing systems and projections for capturing and displaying agricultural data; and

(B) identify uses for satellite-based positioning to increase agriculture proficiency.

(6) The student evaluates applications for spatial data entry and preparation for agricultural analysis. The student is expected to:

(A) analyze agricultural GIS spatial data; and

(B) explain and analyze data accuracy and precision related to using GIS in agriculture.

(7) The student performs agricultural spatial data analysis. The student is expected to:

(A) analyze GIS maps of agricultural fields to determine variables that would impact maximum crop yields;

(B) compare vector and raster-based data for agricultural analysis; and

(C) explain types of GIS analysis used in natural resource management.

(8) The student creates spatial data visualizations and cartographic models. The student is expected to:

(A) identify types of GIS maps used in agriculture;

(B) develop GIS maps for various types of agricultural data;

(C) identify and explain the purpose of cartographic symbols used in precision farming; and

(D) analyze visual data and explain how the data is used in agricultural decision making.

§127.61. *Beekeeping and Honey Processing (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of Agriculture, Food, and Natural Resources. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Agriculture, Food, and Natural Resources career cluster focuses on the essential elements of life, food, water, land, and air. This career cluster includes occupations ranging from farmer, rancher, and veterinarian to geologist, land conservationist, and florist.

(3) Beekeeping and Honey Processing is a course designed to provide students with the academic and technical knowledge and skills that are required to pursue a career related to beekeeping, apiculture, honey harvesting, and related industries. Beekeeping and honey processing is a vital part of the United States agricultural economy. To prepare for success in Beekeeping and Honey Process-

ing, students need opportunities to learn, reinforce, experience, apply, and transfer their knowledge and skills in a variety of settings.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student develops a supervised agriculture experience program. The student is expected to:

(A) plan, propose, conduct, document, and evaluate a supervised agriculture experience as an experiential learning activity;

(B) use appropriate record-keeping skills in a supervised agricultural experience;

(C) participate in youth agricultural leadership opportunities;

(D) review and participate in a local program of activities; and

(E) create or update documentation of relevant agricultural experience such as community service, professional, or classroom experiences.

(2) The student explores the biology of bee behavior. The student is expected to:

(A) identify different types and life spans of bees;

(B) explain the different roles assumed by the different types of honeybees, including the queen, drones, and workers; and

(C) describe honeybee development, castes, behavior, division of labor, and the bee life cycle, including larval, pupal, and adult stages.

(3) The student analyzes beehive design and development. The student is expected to:

(A) identify the site characteristics required for successful beehive production;

(B) analyze factors such as climatic characteristics and food sources to determine the suitability of a beehive site for honey harvesting and pollination;

(C) research and compare the conditions of successful beehives in other parts of the world with similar local conditions; and

(D) develop a beehive design and installation plan, including consideration of sunlight, access to water, wind, topography, human and animal habitation, and good neighbor policy.

(4) The student evaluates technology and best practices for weatherizing a beehive. The student is expected to:

(A) explain the environmental conditions that lead to bee colonies adapting to extremes in climate conditions;

(B) compare seasonal strategies for proper beehive management and describe why best management practices change based on the seasons, including spring, summer, autumn, and winter; and

(C) explain practices for winterizing hives.

(5) The student demonstrates beehive management techniques. The student is expected to:

(A) identify the tools of an apiarist and demonstrate safe and proper usage of tools;

(B) demonstrate inspection of a beehive and describe necessary equipment, including a bee suit, a smoker, and a comb replacement;

(C) explain beehive training techniques, including diagnosing the brood pattern, adding brood comb to the nest, switching colonies, feeding bees, providing water, removing old combs, extracting honey, and caging queens;

(D) identify safety precautions in the field while handling live bees, caring for the colonies in the hives, and extracting honey and honeycomb;

(E) explain the proper methods of bee handling to prevent harm to handlers and others; and

(F) describe personal protective equipment used to reduce the risk of accidents.

(6) The student develops an integrated pest management plan for beehives. The student is expected to:

(A) identify the major insect pests and diseases of honeybees;

(B) compare the components of honeybee integrated pest management; and

(C) describe the safe usage of pesticides in honeybee hives.

(7) The student examines honey harvesting and the use of proper equipment and tools. The student is expected to:

(A) describe the tools and equipment used in honey production, including a bee brush, fume board, honey drip tray, nectar detector, escape board, and extractor;

(B) explain the safe use of honey harvesting tools;

(C) explain the use of technology in modern honey production systems; and

(D) explain the appropriate procedures used to extract honey.

(8) The student identifies procedures and regulations for sanitation and safety in the food industry. The student is expected to:

(A) identify food industry inspection standards, including hazard analysis and critical control points;

(B) identify the appropriate chemicals used in the food industry, specifically in honey processing;

(C) identify safety and governmental regulations involved in the processing and labeling of foods, including honey;

(D) explain the procedures relating to the safe manufacture of foods through hygienic food handling and processing;

(E) develop and maintain sanitation schedules; and

(F) identify food safety laws that impact the bee industry.

(9) The student demonstrates an in-depth understanding of beekeeping, bee hauling, and honey processing businesses, including production, processing, marketing, sales, and distribution. The student is expected to:

(A) describe the roles of an entrepreneur in beekeeping, bee hauling, and honey processing operations;

(B) differentiate between small, medium, and large-sized bee and honey businesses;

(C) create a list of tools and equipment needed to start a beekeeping operation and develop a budget to start a beekeeping business; and

(D) develop a business model for beekeeping, honey production, and honey processing.

(10) The student completes the process for development, implementation, and evaluation of a marketing plan and a financial forecast for beekeeping. The student is expected to:

(A) identify and explain the target market for honey-related products;

(B) create and conduct a customer survey;

(C) analyze the customer survey results;

(D) identify modification recommendations based on customer survey results;

(E) complete a detailed honey-related products market analysis;

(F) analyze and explain different types of marketing strategies;

(G) describe a social media marketing campaign for honey-processed products; and

(H) develop and explain a projected income statement, cash budget, balance sheet, and projected sources and uses of funds statement.

(11) The student explains the scope and nature of distribution of honey-related products. The student is expected to:

(A) explain effective distribution activities, including transportation, storage, product handling, and inventory control;

(B) explain how distribution can add value to goods and services, which can be protected by intellectual property; and

(C) analyze distribution costs for honey-related products.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## SUBCHAPTER F. BUSINESS, MARKETING, AND FINANCE

### 19 TAC §127.262, §127.263

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002; and TEC, §28.025(b-17), which requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.262. *Marketing (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Business, Marketing, and Finance. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Business, Marketing, and Finance Career Cluster focuses on careers in planning, organizing, directing, and evaluating business functions essential to efficient and productive business operations.

(3) The Marketing course explores the seven core functions of marketing, which include marketing planning -- why target marketing and industry affect businesses; marketing-information management -- why market research is important; pricing -- how prices maximize profit and affect the perceived value; product/service management -- why products live and die; promotion -- how to inform customers about products; channel management -- how products reach the final user; and selling -- how to convince a customer that a product is the best choice. Students will demonstrate knowledge through hands-on projects that may include conducting research, creating a promotional plan, pitching a sales presentation, and introducing an idea for a new product or service.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student defines marketing and identifies the seven core functions of marketing. The student is expected to:

(A) define marketing and explain the marketing concept; and

(B) identify the seven core functions of marketing, including marketing planning, marketing-information management, pricing, product/service management, promotion, channel management, and selling.

(2) The student knows the interrelationship and purpose of the marketing mix or 4P's of marketing: product, price, promotion, and place. The student is expected to:

(A) identify and describe the four elements of the marketing mix, including product, price, place, and promotion;

(B) explain how each component of the marketing mix contributes to successful marketing;

(C) analyze the interdependence of each element of the marketing mix with the other three elements;

(D) develop and present an idea for a new product or service and the marketing mix for the new product or service; and

(E) investigate and explain how to determine the feasibility of a new product or service proposal.

(3) The student knows how a company considers internal and external factors to understand the current market. The student is expected to:

(A) explain the internal and external factors that influence marketing planning;

(B) define a marketing plan and describe each step in the plan;

(C) identify and explain market position and market share;

(D) explain how a business can use a strengths, weaknesses, opportunities, and threats (SWOT) analysis to plan for opportunities in the market;

(E) conduct a SWOT analysis; and

(F) analyze the data from a SWOT analysis to make informed business decisions.

(4) The student applies the concepts of market and market identification to make informed business decisions. The student is expected to:

(A) define the term market;

(B) identify the target market for a product or service;

(C) define niche marketing, identify examples of niche marketing, and compare niche marketing to other marketing strategies;

(D) analyze an appropriate target market within a specific industry;

(E) compare types of markets, including business to business and business to consumer; and

(F) identify real-life scenarios of effective markets and explain what makes a market effective.

(5) The student understands the concept of market segmentation. The student is expected to:

(A) define the term market segmentation;

(B) explain the commonly used types of market segmentation, including demographic segmentation, geographic segmentation, psychographic segmentation, and behavioral segmentation;

(C) analyze the impact of culture on buying decisions; and

(D) describe how market segmentation concepts apply to real-world situations.

(6) The student understands the purpose and importance of gathering and evaluating information for use in making business decisions. The student is expected to:

(A) describe marketing information and how it influences marketing decisions;

(B) use marketing-research tools to gather primary and secondary data;

(C) compare primary and secondary research data;

(D) define analytics;

(E) identify sources of data and information that can be analyzed to make business decisions;

(F) identify key business metrics that are used to make business decisions or evaluate outcomes of business decisions; and

(G) analyze data and make recommendations for improving business operations.

(7) The student explains concepts and strategies used in determining and adjusting prices to maximize return and meet customers' perceptions of value. The student is expected to:

(A) investigate and describe how businesses make pricing decisions;

(B) identify and explain goals for pricing, including profit, market share, and competition;

(C) analyze factors affecting price, including supply and demand, perceived value, costs, expenses (profit margin), and competition;

(D) explain the economic principle of break-even point;

(E) explain key pricing terms, including odd/even pricing, loss leaders, prestige pricing, penetration pricing, price bundling, price lining, and everyday low pricing; and

(F) explain how supply and demand affect price.

(8) The student explains the role of product or service management as a marketing function. The student is expected to:

(A) explain the concept of product mix, including product lines, product width, and product depth;

(B) explain the importance of generating new product ideas;

- (C) analyze the product mix for a current business;
  - (D) identify and discuss the components of the product life cycle, including introduction, growth, maturity, and decline; and
  - (E) identify the impact of marketing decisions made in each stage of the product life cycle.
- (9) The student knows the process and methods to communicate information about products to achieve a desired outcome. The student is expected to:
- (A) explain the role of promotion as a marketing function;
  - (B) identify and describe elements of the promotional mix, including advertising, public relations, personal selling, and sales promotion;
  - (C) describe and demonstrate effective ways to communicate features and benefits of a product to a potential client; and
  - (D) analyze and evaluate websites for effectiveness in achieving a desired outcome.
- (10) The student identifies promotional channels used to communicate with the targeted audiences. The student is expected to:
- (A) create advertising examples using various media, including print media such as outdoor, newspapers, magazines, and direct mail; digital media such as email, apps, and social media; and broadcast media such as television and radio, to communicate with target audiences;
  - (B) describe various public-relations activities such as a press releases and publicity management;
  - (C) analyze and compare examples of sales promotions such as coupons, loyalty programs, rebates, samples, premiums, sponsorship, and product placement; and
  - (D) explain the role of marketing ethics in promotional strategies.
- (11) The student explores the role of channel members and methods of product transportation. The student is expected to:
- (A) define channel of distribution;
  - (B) describe the roles of intermediaries, including manufacturer, agent, wholesaler/industrial distributor, retailer, and consumer/industrial user, and explain how the roles may impact business decisions and the success of a business;
  - (C) identify and discuss the methods of transportation for products, including road, air, maritime, rail, and intermodal; and
  - (D) analyze and explain the impact of the distribution channel on price.
- (12) The student demonstrates how to determine client needs and wants and responds through planned and personalized communication. The student is expected to:
- (A) explain the role of personal selling as a marketing function;
  - (B) explain the role of customer service as a component of selling relationships;
  - (C) explain the importance of preparing for the sale, including gaining knowledge of product features and benefits, identifying the target market and their needs, and overcoming common objections; and

- (D) identify and explain ways to determine needs of customers and their buying behaviors, including emotional, rational, or patronage.
- (13) The student demonstrates effective sales techniques. The student is expected to:
- (A) describe the steps of the selling process such as approaching the customer, determining needs, presenting the product, overcoming objections, closing the sale, and suggestive selling;
  - (B) explain effective strategies and techniques for various sales situations; and
  - (C) develop and pitch a sales presentation for a product or service using the steps of the sales process such as addressing customers' needs, wants, and objections and negotiating the sale.
- (14) The student implements a marketing plan. The student is expected to:
- (A) identify a key target audience;
  - (B) develop an appropriate message and select a medium to attract customers;
  - (C) create a promotional plan that includes target market, promotional objective, advertising media selection, promotional schedule, and budget;
  - (D) develop and present a marketing plan to an audience; and
  - (E) analyze various marketing plans for effectiveness.
- (15) The student knows the nature and scope of project management. The student is expected to:
- (A) investigate and describe the various tools available to manage a project such as a Gantt chart; and
  - (B) define and explain the components of a project plan, including project goals schedule, timeline, budget, human resources, quality management, risk management, monitoring, and controlling a project.
- (16) The student knows the nature and scope of ethics in marketing. The student is expected to:
- (A) analyze and explain the role and use of ethics in marketing;
  - (B) research and discuss how ethics has affected a company's profitability; and
  - (C) describe how marketing ethics can be effectively applied to the decision-making process.
- §127.263. Retail Management (One Credit), Adopted 2025.*
- (a) Implementation.
    - (1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.
    - (2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.
      - (b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit in a course from the Business, Marketing, and Finance Career Cluster. Recommended prerequisite: Principles of Business, Marketing, and Finance. Students shall be awarded one credit for the successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current professions.

(2) The Business, Marketing, and Finance Career Cluster focuses on planning, managing, and performing marketing activities to reach organizational objectives.

(3) Retail Management is designed as a comprehensive introduction to the principles and practices of retail management. The course explores the process of promoting greater sales and customer satisfaction by gaining a better understanding of the consumers of the goods and services provided by a company. The course provides an overview of the strategies involved in the retail process such as distributing finished products created by the business to consumers and determining what buyers want and require from the retail market.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student uses self-development techniques and interpersonal skills to accomplish retail management objectives. The student is expected to:

(A) describe and demonstrate effective interpersonal and team-building skills involving situations with coworkers, managers, and customers;

(B) create a self-development plan that includes improving leadership and interpersonal skills and that identifies opportunities to participate in leadership and career development activities; and

(C) identify and describe employability skills needed to be successful in the retail marketing industry.

(2) The student explores features of excellent customer service. The student is expected to:

(A) discuss the importance of and demonstrate effective communication skills such as active listening, evaluating nonverbal signals, and use of appropriate grammar, vocabulary, and tone;

(B) present written and oral communication, including email, traditional letter writing, face-to-face conversations, and phone conversation, in a clear, concise, and effective manner for a variety of purposes and audiences;

(C) discuss how company policy impacts an employee's interactions with consumers and a consumer's interactions with the retail establishment; and

(D) analyze how attitude impacts a consumer's experience with the retailer.

(3) The student creates professional documents required for employment. The student is expected to:

(A) develop a professional portfolio or resume;

(B) write appropriate business correspondence such as a letter of intent and a thank you letter;

(C) complete sample job applications accurately and effectively; and

(D) explain protocol for identifying and asking for references.

(4) The student analyzes non-store retailing modalities, including direct selling, telemarketing, online retailing, automatic vending, direct marketing, and e-tailing. The student is expected to:

(A) investigate and evaluate the effectiveness of marketing and selling through online platforms such as mobile apps and software applications;

(B) analyze and explain the disadvantages of non-store retailing such as security concerns, inability to interact with the customer, delay in customer receipt of the product, less ease of return for unwanted items, and the lack of social interaction between customers and retailers; and

(C) analyze and explain the advantages of non-store retailing such as unlimited access for customers to view the inventory, the ability for customers to purchase 24 hours per day/7 days a week, lower overhead cost, and a larger inventory of items than is housed in a brick-and-mortar facility.

(5) The student analyzes marketing research to make changes to business strategies or operations. The student is expected to:

(A) synthesize and analyze data collected through surveys, interviews, group discussions, and internal records to create data reports;

(B) explain how data reports are used to make decisions to improve a retailer's practices and improve overall operations;

(C) analyze and evaluate the effective use of surveys to gather data needed by the retailer to make effective operational decisions;

(D) disaggregate and analyze internal data such as sales data, shipping data, finance reports, inventory reports, and customer and personnel feedback collected by the retailer to make effective operational decisions;

(E) disaggregate and analyze marketing data based on indicators such as age, gender, education, employment, income, family status, and ethnicity to identify and evaluate products based on the retailers' target market; and

(F) identify and analyze how the product, price, promotion, and placement of the product impacts the retail market.

(6) The student understands the role and responsibilities of a buyer in retail management and understands the purpose of analyzing the target market to interpret consumer needs and wants based on data. The student is expected to:

(A) define and describe various merchandising categories such as staple, fashion, seasonal, and convenience;

(B) describe merchandise plans and their components, including planned sales, planned stock, planned stocked reductions, and planned retail purchases;

(C) analyze and discuss each stage of a product's life cycle, including introduction, growth, maturity, and decline, and explain how each stage relates to the target market; and

(D) develop a budget based on financial goals.

(7) The student applies inventory management strategies to effectively create and manage reliable tracking systems to schedule purchases, calculate turnover rate, and plan merchandise and marketing decisions. The student is expected to:

(A) describe the process of purchasing inventory and executing a purchase order, transporting orders, and receiving orders;

(B) explain inventory management practices, including ordering, storing, producing, and selling merchandise;

(C) differentiate between perpetual and periodic inventory tracking methods and describe how point-of-sale software, universal product codes, radio frequency identification, stock shrinkage, and loss prevention impact a retailer's inventory management; and

(D) analyze and describe how stock turnover rates impact inventory.

(8) The student evaluates retailer pricing strategies based on factors such as competition, the economy, and supply and demand to maximize sales and profit. The student is expected to:

(A) analyze how uncontrollable factors such as competition, the economy, and supply and demand impact pricing;

(B) explain how controllable factors such as company goals, operating expenses, and product life cycles impact pricing;

(C) differentiate between demand-based pricing, competition-based pricing, and cost-based pricing and explain how each pricing method is used to determine the base price for a product;

(D) identify and describe how market share impacts pricing of products; and

(E) create price points using keystone pricing, industry benchmarks, and industry surveys.

(9) The student explores effective promotional activities, including advertising, sales promotion, public relations, and personal selling, that retail managers use to inform, persuade, and remind customers of products that will meet consumer needs. The student is expected to:

(A) explain the six elements of effective communication, including source, message, channel, environment, context, and feedback;

(B) demonstrate effective written, verbal, and nonverbal communication;

(C) analyze and evaluate promotional communication techniques used to inform or motivate consumers to invest in products or services;

(D) differentiate between techniques used for advertising, public relations, personal selling, and sales promotion; and

(E) investigate and evaluate technology applications that promote items using online advertising, web presence, social media, email campaigns, and other modes of electronic promotions.

(10) The student analyzes and applies personal selling elements needed in retail management to determine how to generate sales. The student is expected to:

(A) explain sales generating techniques, including prospecting, solution development, buyer qualification, opportunity qualification and control, negotiation, and account management and follow-up;

(B) describe how ethical behaviors of a sales associate impacts the retail market;

(C) demonstrate effective selling techniques needed in the retail market;

(D) analyze and describe best practices in product training for sales associates;

(E) explain how determining the needs, presenting the product, handling objections, closing the sale, and following up with customers increases sales for the retailer; and

(F) identify effective questions and questioning techniques sales associates use with consumers to gain a competitive advantage or increase sales and discuss the importance of strategically selecting questions and techniques based on the product or service and target market.

(11) The student explores how to effectively use visual merchandising. The student is expected to:

(A) analyze and describe how a retailer's storefront, store layout, store interior, centralized visual merchandising, and interior displays impact sales and a consumer's experience with the business; and

(B) develop a visual merchandising plan using proper design elements such as mannequins, props, lighting, color, signage, and graphics.

(12) The student understands the role of the retail manager for recruiting, hiring, training, supervising, and terminating employees as well as maintaining the everyday operation of a business to ensure that it functions efficiently and meets established goals. The student is expected to:

(A) identify and describe effective methods of recruiting employees externally;

(B) explain effective methods of recruiting employees internally;

(C) describe how to recruit a diverse pool of talent for employment consideration;

(D) explain the importance of the Equal Employment Opportunity Commission guidelines on the recruitment process;

(E) explain the benefits of training employees to learn new skills and technologies and comply with new laws and regulations;

(F) develop an employee appraisal program;

(G) explain an effective employee performance evaluation system and the importance of including supervisors and managers, peers, customers or clients, and subordinates in the process; and

(H) identify leadership and career development activities such as involvement with appropriate student and local management associations and create a personal development plan that includes participation in leadership and career development activities.

(13) The student understands the importance of effective teams and how effective leaders implement group development strategies. The student is expected to:

(A) explain the process of forming, storming, norming, performing, and adjourning;

(B) analyze and discuss effective interpersonal and team-building skills involving situations with coworkers, supervisors, and subordinates;

(C) investigate and analyze personal integrity and its effects on relationships in the workplace;

(D) describe characteristics of successful working relationships such as teamwork, conflict resolution, self-control, and the ability to accept criticism;

(E) discuss the importance of showing respect to all people and explain how showing respect to all people impacts the success of a business;

(F) identify employer expectations and discuss how meeting employer expectations impacts the success of a business; and

(G) explain and demonstrate productive work habits and attitudes.

(14) The student explores the practice of risk management, including identifying, assessing, and reducing risk through proper planning. The student is expected to:

(A) differentiate between natural, human, market, economic, and market risks;

(B) differentiate between controllable and uncontrollable risks;

(C) investigate and explain effective strategies for identifying, assessing, and reducing risks; and

(D) analyze how financial losses from human, physical, and natural risk factors can be minimized through the use of insurance.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## SUBCHAPTER J. HEALTH SCIENCE

### 19 TAC §127.510, §127.511

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum

under TEC, §28.002; and TEC, §28.025(b-17), which requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.510. *Speech and Language Development (One Credit), Adopted 2025.*

#### (a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 11 and 12. Recommended prerequisites: Principles of Health Science, Anatomy and Physiology, and Introduction to Speech Pathology and Audiology. Students shall be awarded one credit for successful completion of this course.

#### (c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Health Science Career Cluster focuses on planning, managing, and providing therapeutic services, diagnostics services, health informatics, support services, and biotechnology research and development.

(3) The Speech and Language Development course provides advanced knowledge and skills related to speech and language acquisition and growth of developing children. Understanding healthy development and speech, language, and communication developmental milestones is a prerequisite for studying communication disorders. This course provides students with the knowledge and skills necessary to pursue further education, possibly culminating in a bachelor's degree and subsequent master's degree in communication sciences and disorders.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

#### (d) Knowledge and skills.

(1) The student understands basic human communication processes, including the biological, neurological, psychological, developmental, linguistic, and cultural processes. The student is expected to:

(A) differentiate between communication, speech, language, and hearing;

(B) summarize the structural bases of speech production and hearing;

(C) compare anatomy and physiology of the speech mechanism;

(D) examine and describe the anatomy and physiology of the auditory system;

(E) identify and describe healthy verbal and nonverbal communication development;

(F) describe the developmental building blocks and prerequisites for healthy speech and language development;

(G) identify and define terminology related to human communication such as speech sound production, fluency (stuttering), voice, language, hearing, hearing loss, breathing, swallowing, pragmatics, and cognition; and

(H) explain social-interactive and psychological bases of communication and the influences it has on interpersonal communication, including linguistic and cultural influences.

(2) The student gains knowledge and understanding of various theoretical perspectives of healthy speech and language acquisition. The student is expected to:

(A) investigate and explain the major theories of language acquisition;

(B) compare the major theories of speech sound production; and

(C) research and explain the connections between language development and speech development as they relate to phonological awareness in learning to read.

(3) The student understands the healthy development of speech sound production in children. The student is expected to:

(A) describe articulatory phonetics and explain how articulatory phonetics relate to the respiratory system, including the larynx, vocal tract, articulators (velopharynx, tongue, lips, and jaw), and air flow;

(B) analyze the foundation for speech acquisition in relation to auditory perception before birth and in infants;

(C) describe early vocal development in infants as a prerequisite for speech;

(D) explain how the use of vowels by infants and young children is important for the development of speech;

(E) illustrate ways to categorize or describe vowel and diphthong production;

(F) research and describe the development of consonant inventories in young English-speaking children;

(G) describe and differentiate between models for describing consonant production;

(H) summarize progression in speech development for combining sounds into syllable shapes and words; and

(I) analyze the linguistic and cultural influences of the heritage/native language on the development of speech sound production in English.

(4) The student understands the components of a developing language system and how language skills develop in children. The student is expected to:

(A) identify and explain the components of a language system, including phonology, phonetics, morphology, syntax, semantics, and pragmatics;

(B) explain the components of a developing language system in terms of vocabulary, grammar, and social and interpersonal communication;

(C) describe the prerequisite skills for developing language;

(D) differentiate between language delay, language disorders, and language difference;

(E) outline the milestones of healthy language development from birth through age five years related to comprehension and expression;

(F) summarize healthy language development from Kindergarten (age 5) through Grade 5 (age 10 or 11) and describe factors that influence age-appropriate development of language;

(G) describe healthy continuing language development in adolescence for each component of a developing language system; and

(H) compare cultural and ethnic differences in language development.

(5) The student explores the healthy development of verbal fluency skills in children. The student is expected to:

(A) define and differentiate between verbal fluency, disfluencies, and stuttering;

(B) identify and explain common disfluencies and periods of expected disfluencies;

(C) explain the development of speech and language skills;

(D) differentiate between and discuss variables that may affect verbal fluency; and

(E) describe ways to measure verbal fluency for English language learners and evaluate the effectiveness of each method.

(6) The student explores parameters of voice production in children and adults. The student is expected to:

(A) describe the physical and physiological parameters of voice production;

(B) describe the components of healthy voice production, including voice quality, pitch, loudness, resonance, and duration;

(C) explain causes or etiologies of variations in voice production;

(D) describe how parameters of voice production change throughout the span of life;

(E) analyze environmental variables that may affect voice production;

(F) explain the practice of speech-language pathology and allowable services; and

(G) analyze the ethical considerations for the speech-language pathologist in dealing with individuals with a possible voice disorder and the requirement for ongoing work with a physician.

(7) The student understands the development of effective language and communication skills needed to demonstrate high levels of achievement in elementary and secondary school. The student is expected to:

(A) research and describe the milestones of communication development and literacy development;

(B) compare milestones of communication development to the milestones of literacy development;

(C) differentiate between interpersonal language used for conversational interaction and more formal, literate language used for learning academic content;

(D) define and provide examples of tier 1, tier 2, and tier 3 vocabulary as it relates to language development and meeting grade level expectations of academic vocabulary across subject areas;

(E) explain the development of language used for oral and written narratives and demonstrate how story grammar can be used as a bridge between conversational language and academic language;

(F) analyze the development of pragmatic-language skills and the types of verbal, nonverbal, and written communication skills needed to do well in school; and

(G) define emergent literacy and analyze the language base necessary for the development of reading skills.

(8) The student explores healthy and unhealthy speech and language development. The student is expected to:

(A) describe the role of the speech-language pathologist in determining healthy speech and language development and speech sound disorders and language disorders;

(B) explain the purpose of and describe techniques for screening speech and language skills in children;

(C) explain the purpose of and describe techniques for evaluating speech and language skills in children;

(D) analyze the Response to Intervention (RtI) method for accurately identifying a speech or language disorder in school-age children; and

(E) discuss the role of the speech-language pathologist in referral, counseling, and providing basic information when there are concerns about a child's speech or language development.

(9) The student demonstrates effective verbal and nonverbal communication skills. The student is expected to:

(A) describe and demonstrate appropriate communication skills when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents in various situations;

(B) identify and demonstrate verbal and nonverbal communication techniques that should be used when communicating with children who have sensory loss, language barriers, cognitive impairment, and other learning disabilities;

(C) identify and evaluate electronic communication and technology devices that may be used when interacting with children with communication disorders; and

(D) differentiate between oral interpretation and translation skills from English to a second language.

(10) The student explores the influence of dialects of Standard American English or native language on the development of speech and language skills in English and on the production of English. The student is expected to:

(A) provide examples of how a common phrase may be expressed across Standard American English and three different dialects;

(B) describe how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;

(C) analyze the characteristics of American English dialects in terms of speech sound production and language use;

(D) explain the influence of heritage language on the speech sound production and grammar development of English in emergent bilingual students; and

(E) analyze speech and language patterns of English language learners in terms of expected speech and language development.

§127.511. *Speech Communication Disorders (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: at least one credit in a course from the Health Science Career Cluster. Recommended prerequisites: Principles of Health Science, Anatomy and Physiology, Introduction to Speech-Language Pathology and Audiology, Speech and Language Development, and Human Growth and Development. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Health Science Career Cluster focuses on planning, managing, and providing therapeutic services, diagnostics services, health informatics, support services, and biotechnology research and development.

(3) The Speech Communication Disorders course is designed to provide for the development of advanced knowledge and skills related to an overview of communication disorders that occur in children and adults in the areas of speech sound production, stuttering, voice disorders, and the language areas of semantics, syntax, pragmatics, phonology, and metalinguistics. An overview of treatment for hearing loss and deafness will also be provided.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student demonstrates knowledge of the nature of speech, language, hearing, and communication disorders and differences. The student is expected to:

(A) identify the anatomy and describe the function of the peripheral and central auditory pathways;

(B) describe the physical and psychological attributes of sound;

(C) differentiate between the different types of hearing loss and their causes;

(D) describe the impact of hearing loss on speech and language development;

(E) compare the processes of speech, language, and hearing in people of various cultures;

(F) identify and relate disorder differences in relationship to communication skills;

(G) explain the concepts of speech, language, hearing, and communication disorders across the human lifespan; and

(H) explain potential barriers and solutions that an interpreter or translator must consider when communicating with a child with a communication disorder.

(2) The student demonstrates knowledge of the etiologies, characteristics, and anatomical/physical, acoustic, psychological, developmental, linguistic, and cultural correlates of communication disorders across the human lifespan. The student is expected to:

(A) compare common causes of hearing impairment in children and adults;

(B) analyze the causes of speech, language, and hearing disorders across the lifespan;

(C) identify common communication and hearing disorders, their typical symptoms, etiologies, characteristics, and associated correlates;

(D) evaluate the impact of communication disorders on the individual; and

(E) compare cultural variations in how communication disorders are perceived.

(3) The student describes the types of communication disorders most commonly seen in children and the services provided by professionals in this field to provide habilitation or rehabilitation. The student is expected to:

(A) analyze speech sound disorders of the child's phonological system and describe the production of speech sounds such as place, manner, voicing, and distinctive feature analysis;

(B) describe and organize evidence-based treatment approaches for speech sound disorders;

(C) summarize fluency disorders, including secondary characteristics;

(D) analyze evidence-based treatment approaches for stuttering;

(E) identify voice disorders in terms of vocal quality, pitch, volume, resonance, and duration;

(F) develop a plan for an evidence-based treatment for voice disorders and the required interface with a physician;

(G) explain language disorders in terms of the child's use of syntax, morphology, semantics, pragmatics, phonology, and metalinguistics; and

(H) compare current evidence-based treatment approaches for language disorders in preschool and elementary-age children.

(4) The student demonstrates effective verbal and nonverbal communication skills. The student is expected to:

(A) demonstrate communication skills appropriate to the situation when interacting with elementary age students, classroom teachers, speech-language pathologists, principals, and parents with communication disorders;

(B) demonstrate knowledge of verbal and nonverbal communication techniques that should be used when communicating with children that have sensory loss, language barriers, cognitive impairment, and other learning disabilities; and

(C) employ electronic communication and technology devices when interacting with children with communication disorders with appropriate supervision in a school setting.

(5) The student demonstrates sensitivity and understanding of cultural and linguistic influences on an individual's communication patterns and describes how cultural and linguistic influences must be considered when working with children with communication disorders and their families. The student is expected to:

(A) analyze how speech and language patterns vary as a function of language, age, socioeconomic status, and geography;

(B) prepare a simulated interview with the parent or family member of a child referred for a hearing or communication evaluation;

(C) identify patterns of communication that are common for individuals from different cultural and linguistic backgrounds such use of eye contact, personal space, and gestures;

(D) apply design strategies for culturally sensitive family-centered practices for children with communication disorders; and

(E) explain the terms language disorder, language delay, language difference, heritage language, and dialect for describing the communication patterns of a young child.

(6) The student identifies screening, evaluation, and diagnosis procedures that are used to identify hearing loss/deafness, speech sound production disorders, stuttering, voice impairment, and language disorders in children. The student is expected to:

(A) explain principles related to different audiometric test procedures;

(B) participate in a basic audiometric test (screening procedure) and interpret a variety of test results regarding whether the individual passed or failed the screening;

(C) interpret principles related to screening speech sound production, fluency, voice, and language skills in young children;

(D) evaluate developmental screening activities that include screening speech and language development; and

(E) synthesize the components of a comprehensive diagnostic report of findings inclusive of speech sound production, fluency (stuttering), voice production, and receptive, expressive, and social language skills to explain the test results.

(7) The student identifies research-based and evidence-based practices in speech-language pathology and audiological service delivery. The student is expected to:

(A) define evidence-based practice (EBP) and differentiate EBP from scientifically-based research in the fields of speech-language pathology and audiology;

(B) define the set of Evidence Levels used by the American Speech-Language-Hearing Association as a protocol to evaluate research evidence;

(C) correlate research studies to the Evidence Levels used by the American Speech-Language-Hearing Association;

(D) analyze the role of expert opinion and clinical experience in evidence-based practice; and

(E) design and present an action research project in the field of communication disorders.

(8) The student demonstrates knowledge and understanding of a variety of treatment approaches used with children with communication disorders. The student is expected to:

(A) compare two treatment approaches for speech sound disorders;

(B) compare two treatment approaches for fluency disorders;

(C) describe and practice treatment approaches for voice disorders in the areas of vocal quality, pitch, loudness, resonance, and duration;

(D) compare two treatment approaches for language disorders in preschool children;

(E) compare two treatment approaches for language disorders in elementary school-age children; and

(F) identify treatment approaches for language disorders with children with disabilities such as autism, intellectual disability, cleft palate, or cerebral palsy.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## SUBCHAPTER K. HOSPITALITY AND TOURISM

### 19 TAC §§127.569, 127.571, 127.604

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires

the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002; and TEC, §28.025(b-17), which requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.569. *Foundations of Restaurant Management (One Credit), Adopted 2025.*

#### (a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Principles of Hospitality and Tourism. Students shall be awarded one credit for successful completion of this course.

#### (c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.

(3) Foundations of Restaurant Management provides students with a foundation to understand basic culinary skills and food service management, along with current food service industry topics and standards. Building on prior instruction, this course provides introductory insight into critical thinking, financial analysis, industry technology, social media, customer or client awareness, and leadership in the food service industry. Students will gain an understanding of restaurant operations and the importance of communicating effectively to diverse audiences for different purposes and situations in food service operations and management. Students will learn how the front of the house and the back of the house of restaurant management operate and collaborate and will obtain value-added certifications in the industry to help launch themselves into food service careers.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

#### (d) Knowledge and skills.

(1) The student demonstrates professional standards as required by the food service industry. The student is expected to:

(A) explain the importance of and demonstrate effective oral and written communication;

(B) describe professional grooming, hygiene, and appropriate uniform standards for various food service positions and scenarios;

(C) describe how punctuality and time-management skills are critical to the success of employees and businesses in the food service industry;

(D) describe what demonstrating self-respect and respect for others looks like;

(E) analyze and demonstrate effective teamwork strategies and leadership styles;

(F) describe initiative, adaptability, and problem-solving techniques and discuss how each may be used in the food service industry; and

(G) identify opportunities to participate in community leadership and teamwork activities that enhance professional skills.

(2) The student develops academic knowledge and skills required to pursue the full range of career and postsecondary education opportunities within the food service industry. The student is expected to:

(A) use information management methods and tools to organize oral and written information;

(B) create a variety of written documents such as job descriptions, menus, presentations, and advertisements;

(C) calculate numerical concepts such as weights, measurements, pricing, and percentages;

(D) identify how scientific principles used in the food service industry affect customer service and profitability; and

(E) explain how to operate a profitable restaurant using mathematics and science knowledge and skills.

(3) The student uses verbal and nonverbal communication skills to create, express, and interpret information to establish a positive work environment. The student is expected to:

(A) develop and deliver business presentations;

(B) identify and create various marketing strategies used by the food service industry to increase customer or client traffic and profitability;

(C) plan and facilitate new staff member training;

(D) explain how interpersonal communications such as verbal and nonverbal cues enhance communication with coworkers, employees, managers, and customers or clients; and

(E) explain how active listening skills can affect employee morale and customer service.

(4) The student solves problems using critical thinking, innovation, and creativity independently and in teams. The student is expected to:

(A) develop ideas to increase customer service, employee morale, and profitability; and

(B) describe how employing critical-thinking and interpersonal skills can help resolve conflicts with individuals such as coworkers, customers or clients, and employers.

(5) The student uses information technology tools specific to restaurant management to access, manage, integrate, and interpret information. The student is expected to:

(A) identify information technology tools and applications used to perform workplace responsibilities and explain how the tools and applications may be used to increase productivity;

(B) describe how business financial statements may be evaluated to increase profitability;

(C) analyze customer service scenarios and make recommendations for improvements;

(D) explain how point-of-sale systems are used to evaluate business outcomes and provide customer service; and

(E) design Internet resources for business profitability.

(6) The student understands the various roles and responsibilities within teams, work units, departments, organizations, and the larger environment of the food service industry. The student is expected to:

(A) compare the roles and responsibilities of food service operations staff, including back-of-the-house, front-of-the-house, and support roles, and explain how each impact profitability of business operations;

(B) explain how developing strategic work schedules impacts effective customer service and profitability;

(C) investigate quality-control standards and practices and analyze how those standards and practices affect restaurant profitability;

(D) analyze various styles of restaurant services such as table, buffet, fast food, fast casual, and quick service for cost and level of profitability;

(E) describe how various place settings impact the customer service experience and profitability of the business; and

(F) explain how proper service techniques in food service operations contribute to the customer or client experience.

(7) The student understands the importance of health, safety, and environmental management systems in organizations and their impact on organizational performance, profitability, and regulatory compliance. The student is expected to:

(A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;

(B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;

(C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;

(D) research and discuss sources of food-borne illness and determine ways to prevent them;

(E) identify and explain the appropriate use of types of personal protective equipment used in industry;

(F) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;

(G) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;

(H) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;

(I) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;

(J) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;

(K) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;

(L) explain the components of a hazard communication program; and

(M) explain and give examples of safety and health training requirements specified by standard setting organizations.

(8) The student explores professional ethics and legal responsibilities within the food service industry. The student is expected to:

(A) research and describe laws and guidelines affecting operations in the restaurant industry; and

(B) explain the reasons for liability insurance in the restaurant industry.

(9) The student understands the importance of developing skills in time management, decision making, and prioritization. The student is expected to:

(A) identify and explain delegation of tasks related to the effective operation of a food service establishment;

(B) describe the relationships between scheduling, payroll costs, and sales forecasting; and

(C) analyze various steps in determining the priority of daily tasks to be completed in a food service establishment.

(10) The student investigates the skills, training, and educational requirements needed to successfully gain and maintain employment in the food service industry and explores local and regional opportunities in the industry. The student is expected to:

(A) describe effective strategies for seeking employment in the food service industry;

(B) identify the required training and educational requirements that lead to a career in the food service industry;

(C) select educational and work history highlights to include in a career portfolio;

(D) create and update a personal career portfolio;

(E) describe and demonstrate effective interviewing techniques for gaining employment in the food service industry;

(F) create a personal training plan for obtaining employment in a specific occupation such as Texas Alcoholic Beverage

Commission training and Food Safety and Sanitation training in the food service industry;

(G) research and analyze the local and regional labor market to determine opportunities in the food service industry;

(H) investigate professional development opportunities to keep current on relevant trends and information within the food service industry; and

(I) identify and discuss entrepreneurship opportunities within the food service industry.

(11) The student explores factors that have shaped the food service industry. The student is expected to:

(A) research and describe the history and growth of the food service industry;

(B) explain how culture and globalization influence the food service industry; and

(C) analyze current trends affecting the food service industry.

(12) The student understands factors that affect the profitability of a food service business. The student is expected to:

(A) explain the importance of effectively managing inventory to maintain profitability of the food service business;

(B) describe and demonstrate effective stewarding processes and procedures such as establishing thorough cleaning schedules and proper dishwashing techniques;

(C) describe how proper food storage techniques affect the profitability of an establishment;

(D) explain how pricing and controlling costs such as labor and supplies affect the profitability of a food service business; and

(E) analyze how customer service and customer or client loyalty affect the profitability of a food service business and compare strategies for building and maintaining customer loyalty.

§127.571. *Event and Meeting Planning (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit in a course from the Hospitality and Tourism Career Cluster. Recommended prerequisite: Principles of Hospitality and Tourism, Hotel Management, or Travel and Tourism Management. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other

food/beverage services, lodging, attractions, recreation events, and travel-related services.

(3) Event and Meeting Planning introduces students to the concepts and topics necessary to understand the meetings, events, expositions, and conventions (MEEC) industry. The course will review the roles of the organizations and people involved in the businesses that comprise the MEEC industry.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student recognizes the importance of and uses oral and written communication skills in creating, expressing, and interpreting information and ideas. The student is expected to:

(A) explain the importance of using verbal and non-verbal communication skills effectively with customers or clients and colleagues;

(B) summarize information formally and informally;

(C) synthesize information from various sources and determine how to prioritize and convey relevant information to customers or clients and colleagues;

(D) explain how to use active listening skills to obtain and clarify information;

(E) develop and deliver different types of presentations such as informative, instructional, persuasive, and decision making;

(F) identify interpersonal skills used to maintain internal and external customer or client satisfaction and describe how effectively using those interpersonal skills impacts customer or client relationships; and

(G) identify and use technical vocabulary related to the meeting and event planning industry.

(2) The student applies academics with career-readiness skills. The student is expected to:

(A) explain how applying mathematical skills to business transactions such as sales forecasting, service pricing, and planning for profitability are essential to operating a successful business;

(B) calculate and interpret key ratios, financial statements, and budgets related to the hospitality event and meeting planning industry;

(C) identify opportunities in the hospitality industry to use advanced reading, writing, and mathematics skills;

(D) analyze and summarize data from tables, charts, and graphs to estimate and find solutions to problems and identify opportunities for increased profitability; and

(E) identify and use industry standards for budgeting and forecasting to maximize profit and growth.

(3) The student explores career opportunities available within the meeting and event planning segment of the hospitality industry. The student is expected to:

(A) compile a list of professional organizations that support the professionals in the convention, meeting, and event planning industry;

(B) develop a personal training plan to keep current on relevant trends and information within the meeting and event planning industry; and

(C) identify occupational opportunities for meeting and event planning for hospitality businesses and corporate businesses.

(4) The student explores the history of and current trends and career opportunities in the meeting and event planning industry. The student is expected to:

(A) describe how the meeting and event planning industry has evolved;

(B) analyze and describe current trends in the meeting and event planning industry;

(C) describe the varied occupations related to meeting and event planning such as meeting planning and management, conference planning and management, trade show planning and management, social event planning and management, association and non-profit meeting planning and management, corporation meeting planning and management, convention and visitor bureau planning and management, and destination management planning and organization;

(D) describe how a professional mentor can be beneficial to a career and identify potential mentors in the meeting and event planning industry; and

(E) create a career plan to achieve the desired career position in the meeting and event planning industry.

(5) The student explores how varying needs of customers or clients impact the event planning industry. The student is expected to:

(A) explain the importance of meeting the varying needs of customers or clients for the successful operation of a business;

(B) explain how a business plan and business activities may be modified to meet the varying needs of customers or clients; and

(C) describe how understanding diversity such as differences in social etiquette, dress, and behaviors may positively impact event and meeting planning.

(6) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:

(A) research and compare event planning software and technology tools such as tools that manage attendee engagement or provide marketing services that help perform workplace tasks and meet business objectives;

(B) create complex multimedia publications and presentations for clients and colleagues;

(C) explain how point-of-sale systems are used in the meeting and event planning industry;

(D) explain how Internet resources can promote industry growth;

(E) investigate and evaluate current and emerging technologies used to improve guest services; and

(F) use electronic tools to produce appropriate communication for planning and selling meetings and events.

(7) The student understands the professional, ethical, and legal responsibilities in event and meeting planning services. The student is expected to:

- (A) explain ethical conduct such as maintaining client confidentiality and privacy of sensitive content when interacting with others;
- (B) identify different components of a meeting or event contract;
- (C) investigate and describe applicable rules, laws, and regulations related to event and meeting planning;
- (D) discuss the reasons for providing event security;
- (E) compare options for event insurance; and
- (F) explain the reasons for event insurance.

(8) The student understands the importance of health, safety, and environmental management systems and their impact on organizational performance and regulatory compliance. The student is expected to:

- (A) explain and discuss the responsibilities of workers and employers to promote safety and health in the workplace and the rights of workers to a secure workplace;
- (B) explain and discuss the importance of Occupational Safety and Health Administration (OSHA) standards and OSHA requirements for organizations, how OSHA inspections are conducted, and the role of national and state regulatory entities;
- (C) explain the role industrial hygiene plays in occupational safety and explain various types of industrial hygiene hazards, including physical, chemical, biological, and ergonomic;
- (D) research and discuss sources of food-borne illness and determine ways to prevent them;
- (E) identify and explain the appropriate use of types of personal protective equipment used in industry;
- (F) discuss the importance of safe walking and working surfaces in the workplace and best practices for preventing or reducing slips, trips, and falls in the workplace;
- (G) describe types of electrical hazards in the workplace and the risks associated with these hazards and describe control methods to prevent electrical hazards in the workplace;
- (H) analyze the hazards of handling, storing, using, and transporting hazardous materials and identify and discuss ways to reduce exposure to hazardous materials in the workplace;
- (I) identify workplace health and safety resources, including emergency plans and Safety Data Sheets, and discuss how these resources are used to make decisions in the workplace;
- (J) describe the elements of a safety and health program, including management leadership, worker participation, and education and training;
- (K) explain the purpose and importance of written emergency action plans and fire protection plans and describe key components of each such as evacuation plans and emergency exit routes, list of fire hazards, and identification of emergency personnel;
- (L) explain the components of a hazard communication program; and
- (M) explain and give examples of safety and health training requirements specified by standard setting organizations.

(9) The student explores marketing strategies and how effective marketing strategies are used in the meeting and event planning industry. The student is expected to:

- (A) develop effective marketing strategies for meetings and events;
- (B) create promotional packages for meetings and events;
- (C) design an effective, comprehensive menu;
- (D) analyze the state of the economy to plan effective meeting and event services; and
- (E) develop a meeting and events business plan.

(10) The student understands and demonstrates appropriate professional customer service skills required by the meeting and event planning industry. The student is expected to:

- (A) create a detailed plan or process to provide maximum customer service;
- (B) describe and demonstrate how critical-thinking and interpersonal skills are effectively used to resolve conflicts with individuals such as coworkers, employers, guests, and clients; and
- (C) analyze customer or client feedback to formulate improvements in services and products.

(11) The student explores different business segments and stakeholders within the event and meeting planning industry. The student is expected to:

- (A) compare roles and responsibilities of various departments in the larger lodging environment, including food and beverage services;
- (B) differentiate between meeting and event planning operations for different clients such as business, leisure, professional organizations, and students; and
- (C) identify the various stakeholders in the MEEC industry.

(12) The student understands the roles and responsibilities within teams, work units, departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:

- (A) differentiate between the roles and responsibilities of meeting and event planning staff and lodging property staff;
- (B) describe the responsibilities of an event manager or planner;
- (C) identify and explain how operating procedures can contribute to profitable operations; and
- (D) identify and explain how inventory management systems used in the meeting and event planning industry can contribute to profitable operations.

(13) The student knows how to create a functional and aesthetic meeting and event plan to meet the customer or client requirements. The student is expected to:

- (A) describe how to conduct a pre-meeting or pre-event meeting with potential clients to identify the meeting or event requirements;
- (B) discuss the importance of a meeting venue floorplan specification chart and appropriate meeting room set-up;

(C) compare various meeting room set-up options and describe the benefits of each option;

(D) describe how meeting room set-up options vary based on the venue;

(E) develop a meeting room set-up for a planned event;

(F) calculate the square footage required for an event based on the number of anticipated attendees for the event;

(G) identify and design effective traffic patterns for a specific event;

(H) explain and demonstrate proper table rotations; and

(I) develop a staffing guide to schedule various staff for a meeting or event.

(14) The student understands the importance of collaborating with various companies to provide an all-inclusive successful meeting or event. The student is expected to:

(A) identify the various entities involved in the meeting and event planning industry such as convention and visitors' bureaus, group travel companies, entertainers, recreations, amusements, attractions, florists, caterers, and venues and differentiate between the roles each entity plays in planning the meeting or event;

(B) differentiate between event sponsors, organizers, and producers and the events that are coordinated by each;

(C) explain and demonstrate how to effectively plan and negotiate with various entities to deliver a successful meeting or event;

(D) compare products and services from related industries; and

(E) explain how the meeting and event planning process differs based on the venue such as hotels and resorts, convention and visitors' centers, event centers, and destination venues and describe the pros and cons of convening a meeting or event at various venues.

§127.604. *Practicum in Event and Meeting Planning (Two Credits), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 11 and 12. Prerequisite: a minimum of two credits with at least one credit in a Level 2 or higher course from the Hospitality and Tourism Career Cluster. Recommended prerequisite: Event and Meeting Planning. Students shall be awarded two credits for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Hospitality and Tourism Career Cluster focuses on the management, marketing, and operations of restaurants and other food/beverage services, lodging, attractions, recreation events, and travel-related services.

(3) The Practicum in Event and Meeting Planning course will reinforce the concepts and topics necessary for the comprehensive understanding of the meetings, events, expositions, and conventions (MEEC) industry. The central focus of this course is to integrate academic education with local MEEC businesses to prepare students for success in the work force and/or postsecondary education. Students will benefit from a combination of classroom instruction and a work-based learning experience. Students will learn employability skills, communication skills, customer service skills, and other activities related to job acquisition. The course is recommended for students who have completed the required prerequisites.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student applies professional advancement skills and strategies in the meeting and event planning industry. The student is expected to:

(A) develop strategies to enhance career advancement and promote lifelong industry learning;

(B) describe historical events that have affected the event and meeting planning industry;

(C) formulate plans to address current events that have an effect on the event and meeting planning industry;

(D) document in manual and electronic format acquired technical knowledge and skills needed for success in the meeting planning industry;

(E) produce and present a professional portfolio, including a current resume, documentation of skill attainment or technical competencies, recognitions, awards, scholarships, community service activities, student organization participation, evaluations, letters of recommendation, and cover letters;

(F) evaluate employment options by comparing salaries and benefits offered by different companies and occupations within the industry; and

(G) develop a personal budget based on career choice using effective money management and financial planning techniques.

(2) The student demonstrates the ethics and etiquette necessary for the meeting and event planning workplace. The student is expected to:

(A) practice appropriate business and personal etiquette in the workplace;

(B) display appropriate electronic communication techniques and etiquette;

(C) exhibit the behaviors that align with the hospitality code of ethics and ethical standards; and

(D) determine the most ethical behavior or course of action in response to various situations experienced in the meeting and event planning industry.

(3) The student develops and demonstrates the interpersonal and customer service skills needed for success in the meeting and event planning environment. The student is expected to:

(A) exhibit essential workplace characteristics such as organization, perseverance, motivation, dependability, punctuality, initiative, self-control, and the ability to accept and act on criticism;

(B) demonstrate effective team-building skills such as collaboration, planning, conflict resolution, rapport-building, decision-making, problem-solving, and persuasion and influencing techniques;

(C) identify and respond to customer or client needs, including resolving customer dissatisfaction;

(D) exercise leadership by anticipating and proactively diffusing potential event issues; and

(E) negotiate to resolve conflicts in the workplace and with customers by using strategies such as active listening, "I" messages, negotiation, and offering win-win solutions.

(4) The student demonstrates the industry-based knowledge and skills required for a successful career in the event and meeting planning industry. The student is expected to:

(A) employ job-specific technical vocabulary with accuracy and fluency;

(B) explain event planning procedures designed to ensure client needs are met such as Banquet Event Orders, rate assignment, event organization, client relations, and determination of payment methods;

(C) assess meeting or event company structures and traits that lead to profitability and business success;

(D) determine the correct procedures for the execution of client events and contracts;

(E) identify and organize tasks for daily operation;

(F) describe societal events that have shaped the event and meeting planning industry both in the past and present; and

(G) interpret the role of the convention and visitors' bureau in the event and meeting planning industry.

(5) The student develops and practices awareness of varying needs of customers or clients understands the impact of diversity on the industry. The student is expected to:

(A) assesses how varying needs of customers or clients impacts the event planning industry both from a planning and profitability aspect;

(B) demonstrate respect for individual differences;

(C) explain the importance of meeting the varying needs of customers or clients for the successful operation of a business;

(D) develop business plans and activities to meet the varying needs of customers or clients; and

(E) describe differences in social etiquette, dress, and behaviors and explain how differences affect the event planning process.

(6) The student uses information technology tools in event and meeting planning to access, manage, integrate, and create information. The student is expected to:

(A) evaluate current and emerging technologies that improve client services;

(B) evaluate and incorporate event planning software and technology tools that help to perform workplace tasks and meet business objectives;

(C) create and present multi-level (complex) multimedia presentations to clients;

(D) use and problem-solve issues with point-of-sale systems;

(E) design a plan for using Internet resources to maximize company profitability; and

(F) use appropriate electronic communication tools for planning and selling meetings and events.

(7) The student differentiates between and adapts to various roles, types of events, and functions. The student is expected to:

(A) differentiate between the types of event sponsors, organizers, and producers and their events such as trade shows, conferences, social events, and corporate meetings;

(B) identify various suppliers for different event planning needs and explain how they service different events;

(C) describe the importance of sales coordinators to events and meetings regardless of organization or type of event;

(D) evaluate and modify different types of catering options and menus based on the needs of the event or organization;

(E) evaluate and modify different types of meeting room set-ups (banquet, classroom, theater, and reception) based on the needs of the event or organization; and

(F) determine and organize staff and resources according to the specific needs of the organization and event.

(8) The student collaborates within departments, organizations, and the larger environment of the meeting and event planning industry. The student is expected to:

(A) analyze the roles and responsibilities of each level of the management structure of a venue;

(B) identify the advantages and disadvantages of different event destinations and facilities and their effects on profitability and customer satisfaction;

(C) analyze the roles and responsibilities of an in-house event manager or planner as compared to independent professionals; and

(D) define specific roles and responsibilities when interfacing with destination venues.

(9) The student understands and can articulate the factors that contribute to a successful and profitable event. The student is expected to:

(A) analyze the expenses associated with the planning and production of a meeting or event;

(B) analyze and evaluate how marketing techniques impact operation and profitability related to an event;

(C) calculate costs of supplies and evaluate how costs affect profitability;

(D) evaluate the impact of payroll expenses on profitability;

(E) analyze and modify operating procedures to result in more profitable or cost-effective operations;

(F) research and create a marketing plan for various markets such as weddings, government and military groups, professional and educational organizations, family or social gatherings, and geography;

(G) identify profit margins associated with various markets; and

(H) evaluate the importance of conducting pre-and post-event evaluations for continuous improvement.

(10) The student demonstrates knowledge of potential liability situations that can affect business reputation and profitability. The student is expected to:

(A) compare and contrast different levels of insurance and liability limits for events;

(B) analyze customer-provided insurance options for events;

(C) identify and explain legal, health, and safety obligations related to event planning;

(D) assess the implications and responsibilities associated with providing or allowing alcohol at an event; and

(E) research law enforcement requirements for events and meetings.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## SUBCHAPTER M. LAW AND PUBLIC SERVICE

### 19 TAC §§127.689 - 127.691, 127.695 - 127.699

STATUTORY AUTHORITY. The new sections are adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002; and TEC, §28.025(b-17), which requires

the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

CROSS REFERENCE TO STATUTE. The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.689. *Advanced Cloud Computing (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: At least one credit from a course in computer science, programming, software development, or networking systems. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) The Advanced Cloud Computing course is an exploration of cloud computing. In this course, students explore cloud computing services, applications, and use cases. Students study cloud computing best practices and learn how cloud computing helps users develop a global infrastructure to support use case at scale while also developing and using innovative technologies.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student understands the impact of cloud computing technology and compares the major services offered by cloud computing providers. The student is expected to:

(A) describe the benefits and risks of cloud computing and the reasons for switching from on-premises computing to cloud computing;

(B) identify and describe the major types of cloud computing;

(C) generate sample cloud usage plans for a business case study, including a description of how each of the services can be used to improve the business;

(D) explain the purpose of a region, availability zone, and edge location; and

(E) compare the major services offered by cloud computing providers.

(2) The student demonstrates how to store and share content in the cloud. The student is expected to:

(A) identify features and functions of commonly used cloud services;

(B) locate and use common services found in cloud computing consoles;

(C) analyze how cloud services are used in real-world industries;

(D) explain the functions of a domain name system (DNS);

(E) create an object storage bucket;

(F) explain benefits and uses of a content delivery network;

(G) configure web content distribution via edge locations and attach it to a website;

(H) identify the benefits, features, and use cases of different types of block storage;

(I) analyze a use case and recommend the best type of virtual storage for the particular situation;

(J) create a block storage volume or physical record;

(K) attach a block storage volume to a virtual computing instance; and

(L) create a virtual computing instance that hosts a simple website.

(3) The student applies cloud security best practices in relation to identity and access management (IAM). The student is expected to:

(A) identify best practices for IAM;

(B) analyze the cultural and societal impacts of cloud security;

(C) differentiate between a role, user, and policy in cloud security;

(D) identify and use a process to resolve vulnerabilities in a web server;

(E) describe cloud security best practices and explain steps to fix security lapses;

(F) identify the best cloud security service for a given scenario;

(G) demonstrate the use of an IAM system to set up a text alert event; and

(H) compare monitoring and logging services.

(4) The student describes when to use various databases, the benefits of caching data, and how to build a virtual private cloud (VPC). The student is expected to:

(A) compare online transactional processing and online analytical processing;

(B) describe the benefits of caching data;

(C) explain and demonstrate how a load balancer is attached to a webpage;

(D) describe features and benefits of load balancing;

(E) evaluate the performance of a load balancer;

(F) create an application using a platform as a service (PaaS); and

(G) demonstrate the use of a template infrastructure as code to build a VPC.

(5) The student understands the landscape of emerging technologies in the cloud. The student is expected to:

(A) define machine learning and discuss its impacts on society, business, and technology;

(B) identify potential use cases for emerging technology in the cloud;

(C) assess value propositions of using cloud technology;

(D) identify cloud services that can analyze and protect data and manage networks;

(E) define blockchain technology and explain its benefits;

(F) explain the infrastructure of cloud development kits or services; and

(G) demonstrate the use of a software development framework to model and provision a cloud application.

(6) The student resolves common security alerts, diagrams instance states and transitions, and explains how to choose the most cost-efficient instance type. The student is expected to:

(A) describe the shared responsibility security model;

(B) identify security responsibility for cloud resources;

(C) analyze how the shared security model accounts for common threats to the cloud computing model;

(D) identify the steps required to resolve an automated security alert;

(E) describe the six instance states, including pending, running, stopping, stopped, shutting down, and terminated;

(F) identify and diagram the transitions between instance states from launch to termination;

(G) explain instance usage billing for each instance state; and

(H) determine the most cost-efficient instance state for a given situation.

(7) The student differentiates between dynamic and static websites. The student is expected to:

(A) describe and demonstrate the process for setting up a static website;

(B) compare static and dynamic websites;

(C) create a content delivery network distribution to increase the speed of a website;

- (D) demonstrate the process to launch a dynamic web server;
  - (E) create a serverless compute function using a serverless compute console;
  - (F) describe the main functions of auto scaling;
  - (G) create a launch template and an auto scaling group;
- and
- (H) develop a plan for monitoring an auto scaling instance or group.

(8) The student demonstrates the benefits and risks of using big data. The student is expected to:

- (A) define big data and identify use cases for it within various industries;
- (B) identify and evaluate the benefits and risks of big data;
- (C) explain how blockchain ensures the validity and immutability of transactions, particularly in the cloud; and
- (D) evaluate the benefits and risks of blockchain business applications.

§127.690. *Foundations of User Experience (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 9-12. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) In Foundations of User Experience (UX), students analyze and assess current trends in a career field that creates meaningful, approachable, and compelling experiences for users of an array of products, services, and/or initiatives of companies, governments, and organizations. Students gain knowledge of introductory observation and research skills, basic design thinking and applied empathy methodologies, collaborative problem-solving and ideation, and interaction design and solution development. The knowledge and skills acquired from this course enable students to identify real-world problems through research and data-driven investigation and to design solutions while participating in collaborative problem solving. Students are introduced to agile practices and methodologies to develop skills to take solutions from conceptual sketch to digital designs using professional

software tools. Students explore how to improve the quality of user interactions and perceptions of products, experiences, and any related services.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student applies professional communications strategies. The student is expected to:

- (A) revise presentations for audience, purpose, situation, and intent;
- (B) interpret and clearly communicate information, data, and observations;
- (C) apply active listening skills to obtain and clarify information;
- (D) identify multiple viewpoints of potential diverse users; and
- (E) define and exhibit public relations skills that are used by UX designers.

(2) The student describes the field of UX and common elements in user-centered design. The student is expected to:

- (A) analyze the current trends and challenges of the UX field;
- (B) analyze and describe the diversity of roles and career opportunities across the UX field;
- (C) define terminology associated with UX, including user, user experience, human-centered design, design thinking, persona, user journey, empathy map, mind maps, roadmaps, wireframes, prototypes, and portfolios;
- (D) identify and explain the differences between relevant, friendly, and useful experience design;
- (E) identify and explain the connection between psychology and behavior with regard to usability;

(F) explain the components of the design thinking methodology for ideation, iteration, co-creation, development, and execution; and

- (G) explain how UX design affects everyday lives.

(3) The student discusses and applies the legal and ethical practices that UX designers follow when working with technology, designs, and clients. The student is expected to:

- (A) identify and explain ethical use of technology;
- (B) explain intellectual property laws, including copyright, trademarks, and patents, and consequences of violating each type of law;
- (C) identify violations of intellectual property laws;
- (D) explain the consequences of plagiarism; and
- (E) demonstrate ethical use of online resources, including using proper citations and avoiding plagiarism.

(4) The student identifies and demonstrates introductory observation and research methods. The student is expected to:

(A) describe the difference between qualitative and quantitative data;

(B) conduct user interviews to gather insights into what users think about a site, an application, a product, or a process;

(C) organize ideas and user data using software tools;

(D) analyze and draw conclusions from qualitative user data collection;

(E) observe and document how users perform tasks through task analysis observations;

(F) define affinity and explain the benefits of affinity and customer journey maps;

(G) use data summaries from user interviews to create personas; and

(H) create a report or presentation, including user interview and observation data summaries, data analysis, and additional findings, for a target audience.

(5) The student applies an understanding of psychological principles used in user-centered design. The student is expected to:

(A) identify and define design principles;

(B) describe how visceral reactions inform the creation of a positive user experience;

(C) select colors to influence human behavior, the human mind, and reactions toward an intended outcome;

(D) explain recognition and scanning patterns and their importance in user-centered design;

(E) define Hick's Law and Weber's Law and explain their impact on UX design decisions;

(F) describe sensory adaptation phenomenon and perceptual set; and

(G) explain the stages of human information processing, including sensing, perceiving, decision-making, and acting.

(6) The student creates effective, accessible, usable, and meaningful solutions for the end user by using UX design principles. The student is expected to:

(A) identify end-user problems and needs in real-world environments;

(B) identify principles of accessibility such as perceivable, operable, understandable, and robust (POUR);

(C) identify and discuss the differences and connections between UX Design, Visual Design, and User Interaction in regard to usability;

(D) communicate potential solutions and ideas with a storytelling approach;

(E) sketch and refine designs within wire-framing and prototypes; and

(F) implement iterations for a design solution using structured testing protocols.

(7) The student collaborates with others to apply UX project management methods. The student is expected to:

(A) identify the relationship between UX research and design-thinking methods; and

(B) explain three different stages and roles of UX project management methods such as agile methods.

(8) The student applies UX design practices and uses technology to create digital assets. The student is expected to:

(A) use design elements such as typeface, color, shape, texture, space, and form to create a visual narrative;

(B) implement design principles such as unity, harmony, balance, scale, novelty, hierarchy, alignment, and contrast to create visual narratives;

(C) identify and explain common elements of Hyper Text Markup Language (HTML) such as tags, style sheets, and hyperlinks;

(D) apply UX design techniques in order to:

(i) create effective user interfaces for browser-based, native, and hybrid mobile applications;

(ii) demonstrate proper use of vector and raster-based design software;

(iii) explain the difference between back-end and front-end development in UX; and

(iv) create a web page containing links, graphics, and text using appropriate design principles;

(E) demonstrate basic sketching skills;

(F) create wireframes using design software;

(G) explain how design fidelity, from sketch to wireframe to prototype to visuals, aligns with and supports agile methodology; and

(H) produce digital assets.

§127.691. *Advanced User Experience Design (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: Foundations of User Experience. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry level, technical, and professional careers related to the design, development, support, and management of hardware, software, digital interactions, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) The Advanced User Experience (UX) Design course allows students to apply skills in science and art to integrate technology as a useful, meaningful, memorable, and accessible source for all users. Students will use knowledge from the Foundations of User Experience course to expand the research, design process, testing, and communication skills essential for success in this user-focused career field.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student understands and demonstrates legal and ethical procedures for UX designers as they apply to the use of information technology. The student is expected to:

(A) identify intellectual property violations within given scenarios; and

(B) formulate and communicate visually, orally, or in writing the ramifications and consequences of plagiarism and copyright infringement within a business context.

(2) The student connects and applies UX design conceptual foundations with real-world scenarios. The student is expected to use proper terms and professional language for UX design context, both orally and in written form.

(3) The student uses different options of project management to produce a successful UX design. The student is expected to:

(A) identify different stages of the UX design process, including research, identification of problem, ideation, prototyping, and testing, and apply these stages to refine or create products;

(B) test partial products during the UX design process and analyze results to inform the refinement phase;

(C) explain the conceptual design, content strategy, and ways to get feedback from various users and stakeholders in the project; and

(D) demonstrate effective time-management and planning to complete project tasks.

(4) The student collects and interprets data through the use of UX tools and protocols. The student is expected to:

(A) create templates for questionnaires, data collection, and summary reports;

(B) analyze data and create a summary of project conclusions that include insights into affordances and constraints of the project design;

(C) distinguish differences in qualitative research methods such as user interviews, ethnography, field studies, focus groups, and usability testing; and

(D) identify and use quantitative methods such as A/B testing, card sorting, heat maps, analytics, and user surveys.

(5) The student creates and analyzes prototypes for UX design products. The student is expected to:

(A) identify a UX problem and list potential solutions;

(B) evaluate potential solutions and create an action plan to address a problem based on desired features and requirements for a UX design product;

(C) create a presentable content strategy and develop conceptual designs and symbolic messages for a UX design prototype;

(D) generate possible solutions with ideation methods such as unstructured discussion, storyboards, brainstorming, role playing, game storming, mind mapping, teamwork games, and sketching;

(E) refine and select ideas for prototyping with a people-centered rationale for the decision;

(F) create low-fidelity prototypes, including sketches, paper models, and click-through prototypes; and

(G) create mockups and high-fidelity prototypes, including digital and physical versions.

(6) The student structures solutions while applying UX design principles. The student is expected to:

(A) explain how the connected layouts, blocks of content, visual designs, and navigation requirements enhance user experience;

(B) explain how the distinguishing of channels and formats during website development impacts usability across different devices;

(C) develop and implement design activities for co-creation, peer-review, and collaborative feedback;

(D) test and evaluate navigation experiences and compare results with current competitors; and

(E) incorporate best practices for references, including adding the designer's voice and signature.

(7) The student describes best practices and plans for a usability test. The student is expected to:

(A) create a usability test plan that includes cognitive, perceptual, emotional, and cultural information about users, data collection requirements, and user testing methods;

(B) execute testing methodologies and collect data for analysis purposes; and

(C) present conclusions and recommendations that apply design principles, communication, and creative skills.

§127.695. *Information Technology Troubleshooting (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit in a course from the Information Technology Career Cluster. Recommended prerequisites: Principles of Information Technology and Computer Maintenance/Lab. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology (IT) Career Cluster focuses on building linkages in IT occupations for entry-level, technical, and professional careers related to the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) The Informational Technology Troubleshooting course is about applying logic over technical components to identify and resolve problems. The course focuses on developing a methodical approach in IT troubleshooting and leveraging those skills in a workplace environment. In this course, students learn and use proven troubleshooting methods and apply those in a collaborative workplace setting. Students develop personal success skills, including time management and personal accountability measures, strategies for collaboration and teamwork, and effective written and verbal communication skills. The knowledge and skills acquired in the course enables students to use IT resources and data safely, ethically, and within legal guidelines. Students work within a service level model that helps them to interpret, clarify, and diagnose issues with hardware, software, and networking.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student develops and models customer-service skills. The student is expected to:

- (A) identify and model the characteristics of excellent customer service;
- (B) list and demonstrate the steps for opening and greeting a contact;
- (C) explain the benefits of using a client's name;
- (D) identify habits and situations to avoid when interacting with a client;
- (E) explain the importance of keeping clients informed of status changes;
- (F) list and demonstrate the steps for putting a client on hold or transferring a call;
- (G) identify and demonstrate techniques and strategies for handling difficult calls and situations; and
- (H) document all client communications and outcomes clearly and appropriately.

(2) The student applies procedures for various support interaction types. The student is expected to:

- (A) describe the primary responsibilities and skills of an IT support specialist and how to deliver consistent, quality service;
- (B) explain and demonstrate safety procedures for unpacking, handling, and repacking replacement parts;

(C) describe when to use various support delivery methods and technologies such as in-person, email, phone, web, and remote access;

(D) demonstrate the use of various support delivery models, including in-person, email, phone, web, and remote access technologies, to troubleshoot an issue; and

(E) describe the purpose and value of the security management process and the IT support specialist's role in that process.

(3) The student implements proven troubleshooting methods and strategies within the context of a service level model. The student is expected to:

(A) implement and explain a troubleshooting process for diagnosing issues with hardware, software, and the network;

(B) explain the importance of clearly documenting progress throughout the troubleshooting process;

(C) describe activities common to help desk service level model and incident management processes;

(D) interpret and clarify different types of incidents, problems, and events submitted in the help desk service model or trouble ticketing system;

(E) describe an operational level agreement (OLA) and the role of the IT support specialist in an OLA;

(F) describe what is meant by escalation and the reasons an incident may be escalated;

(G) identify and apply relevant system updates for supported devices; and

(H) describe service and support center metrics, including a service level target and the IT support specialist's role in monitoring and reviewing data related to these metrics.

(4) The student describes and applies best practices for the safe, ethical, and legal use of resources and information. The student is expected to:

(A) demonstrate and describe positive digital citizenship and acceptable use policy when using digital resources;

(B) describe best practices for creating passwords such as increasing password length and password complexity, enforcing password blacklists, resetting passwords, limiting password entry attempts, and using multi-factor authentication;

(C) examine, describe, and demonstrate the use of guidelines for using media, information, and applications protected by copyright;

(D) compare and explain copyright, fair use, public domain, and Creative Commons licensing;

(E) identify and apply licensing guidelines for software, media, and other resources;

(F) explain the importance and uses of encryption;

(G) describe and demonstrate best practices for handling confidential information;

(H) analyze cyber threats and social engineering vulnerabilities and discuss ways to prevent them;

(I) describe various types of security policies and summarize the importance of physical security and logical security measures;

(J) explain the importance of reporting security compromises such as addressing prohibited content and activity; and

(K) identify and demonstrate appropriate data destruction and disposal methods relevant to a given scenario.

(5) The student applies foundational knowledge and skills for the installation, configuration, operation, and maintenance of desktops and workstations. The student is expected to:

(A) explain the procedure used to install and configure motherboards, central processing units (CPUs), and add-on cards relevant to a given scenario such as a custom personal computer configuration to meet customer specifications;

(B) describe how to implement security best practices to secure a workstation, including software-based computer protection tools such as software firewalls, antivirus software, and anti-spyware;

(C) demonstrate how to identify symptoms or error codes, including no power, no POST, no BOOT, and no video, that indicate device issues and explain how to troubleshoot symptoms or error codes;

(D) describe the process used to install, troubleshoot, and replace random-access memory (RAM) types and data storage;

(E) describe how to troubleshoot, clean, repair, or replace internal components, including heat sink units and thermal paste, exhaust vents and fans, power supply units, power adapters, batteries, wireless elements, and wireless wide area network (WWAN) components;

(F) explain the importance of conducting periodic maintenance, including both physical and electronic cleaning, disk checks, routine reboots, data dumps, and testing; and

(G) describe and demonstrate how to prevent, detect, and remove malware using appropriate tools and methods.

(6) The student applies foundational knowledge and skills about the installation, configuration, operation, and maintenance of operating systems (OS) and software. The student is expected to:

(A) describe and demonstrate the use of OS features and tools relevant to given scenarios;

(B) describe and demonstrate the use of OS utilities relevant to given scenarios;

(C) execute OS command-line tools such as ipconfig, netstat, dir, nbtstat;

(D) troubleshoot and document OS problems relevant to a given scenario;

(E) demonstrate how to use features and tools of various operating systems properly;

(F) troubleshoot and document problems in various operating systems; and

(G) explain database concepts and the purpose of a database.

(7) The student installs, configures, operates, maintains, and troubleshoots issues related to peripheral devices relevant to a given scenario. The student is expected to:

(A) explain and demonstrate how to install, configure, maintain, and troubleshoot storage devices;

(B) explain and demonstrate how to install, configure, maintain, and troubleshoot printers, copiers, and scanners, including small office home office (SOHO) multifunction devices and printers;

(C) explain and demonstrate how to install, configure, maintain, and troubleshoot video projectors and video displays; and

(D) explain and demonstrate how to install, configure, maintain, and troubleshoot multimedia devices such as sound cards, speakers, microphones, and webcams.

(8) The student monitors current issues related to the installation, configuration, operation, and maintenance of laptops, tablets, and other mobile devices, including internet of things (IoT) devices. The student is expected to:

(A) explain and demonstrate how to install and configure laptop and netbook hardware to meet customer specifications;

(B) explain and demonstrate how to install components within the display of a laptop;

(C) explain and demonstrate how to connect and configure accessories and ports of mobile devices;

(D) analyze and apply methods used to secure mobile devices;

(E) configure mobile device network connectivity and application support;

(F) demonstrate proper methods to perform mobile device synchronization such as synchronizing information to a laptop or desktop computer; and

(G) explain and demonstrate how to troubleshoot issues relevant to mobile devices, OS, and applications.

(9) The student troubleshoots issues with wired and wireless networks and cloud computing resources. The student is expected to:

(A) explain and demonstrate how to install, configure, and secure a wired network;

(B) explain and demonstrate how to install, configure, and secure a wireless network;

(C) compare wireless security protocols and authentication methods;

(D) analyze, describe, and troubleshoot wired and wireless network problems;

(E) demonstrate the use of appropriate networking tools to fix network issues safely;

(F) explain how computing devices such as laptops and cell phones connect and share data;

(G) describe the components of cloud-computing architectures and features of cloud-computing platforms; and

(H) analyze, describe, and troubleshoot cloud computing resources.

§127.696. *Engineering Applications of Computer Science Principles (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter

(relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 9-12. Prerequisite: Algebra I and at least one credit in a course from the Information Technology Career Cluster. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialists and network analysts.

(3) Engineering Applications of Computer Science Principles teaches rigorous engineering design practices, engineering habits of mind, and the foundational tools of computer science. Students apply core computer science principles to solve engineering design challenges that cannot be solved without such knowledge and skills. Students use a variety of computer software and hardware applications to complete projects.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student applies concepts of critical thinking and problem solving to engineering applications in computer science. The student is expected to:

(A) identify, analyze, and discuss elements of an engineering problem to develop creative and innovative solutions;

(B) identify, analyze, and discuss the elements and structure of a programming problem to develop creative and innovative solutions;

(C) identify and discuss pertinent information from a customer and existing program for solving a problem;

(D) compare and discuss alternatives to a solution using a variety of problem-solving and critical-thinking skills; and

(E) conduct research to gather technical information necessary for decision making.

(2) The student conducts computer science and engineering laboratory activities using safe and environmentally appropriate practices. The student is expected to:

(A) identify and demonstrate safe practices during hands-on cutting and building activities during computer science and engineering laboratory activities;

(B) identify and demonstrate safe use and storage of electrical components; and

(C) identify and demonstrate appropriate use and conservation of resources, including disposal, reuse, or recycling of materials.

(3) The student applies ethical considerations in designing solutions. The student is expected to:

(A) define and evaluate constraints pertaining to a problem;

(B) identify safety considerations in designing engineering solutions with respect to the system, engineer, and user; and

(C) investigate and explain the importance and application of relevant legal and ethical concepts in computer science such as intellectual property, use of open-source software, attribution, patents, and trademarks.

(4) The student demonstrates an understanding of the structured methods used to collect and analyze information about customer needs. The student is expected to:

(A) analyze information provided by the customer to identify customer needs;

(B) create a process flow diagram based on customer needs to generate ideas for potential user actions, product functions, and design opportunities;

(C) develop a flowchart for a program using the results of a process flow diagram;

(D) create a target specifications table;

(E) identify and describe similar existing solutions; and

(F) construct a functional model based on customer needs to generate ideas for potential user actions, product functions, and design opportunities.

(5) The student develops a user interface and supplemental instructions. The student is expected to:

(A) identify essential tasks to be completed by the user;

(B) identify points of potential confusion or unexpected input by the user;

(C) design a software or user interface that clearly communicates to the user how to complete desired tasks;

(D) develop supplemental user instructions to inform the user of items that cannot be incorporated into an interface such as how to start the program or frequently asked questions;

(E) test a program and the program instructions with an individual who is not familiar with the project;

(F) evaluate and discuss feedback and results from new user testing;

(G) improve and refine a program and the program instructions based on feedback and results of testing; and

(H) re-test a program and the program instructions as necessary after modifications have been made in response to testing and identify any next steps.

(6) The student systematically reverse engineers a product, examines ways to improve the product, and identifies the type of re-design required to make that improvement. The student is expected to:

(A) write or perform tests, including break testing, for an existing program to determine functionality;

(B) describe unexpected findings from deconstructing existing code;

(C) examine and discuss relevant software libraries to determine their uses and functionality;

(D) construct a flowchart for an existing program;

(E) compare a program's current functionality to the customer's needs;

(F) identify and add missing customer specifications or needs to a program's flowchart;

(G) develop and explain new code that includes customer specifications or improves a product; and

(H) compare and discuss the predicted versus actual functionality of a product to generate ideas for redesign.

(7) The student applies concept generation and selection skills. The student is expected to:

(A) create and explain a black box and functional model of a system;

(B) implement brainstorming, mind mapping, concept sketching, and gallery walk activities to produce new ideas; and

(C) apply concept selection techniques such as a Pugh chart or a weighted decision matrix to design decisions.

(8) The student develops and applies engineering design process skills. The student is expected to:

(A) select and use appropriate tools and techniques to support design activities;

(B) report information about software design solutions in an engineering notebook;

(C) develop, test, and refine programming concepts throughout the development process;

(D) interpret and use an electrical diagram to build a circuit;

(E) create a circuit using a microcontroller, a breadboard, and multiple components;

(F) explain and apply the design process from different starting points by beginning with a baseline design;

(G) use a model or simulation which represents phenomena and mimics real-world events to develop and test hardware;

(H) critique and explain the usefulness and limitations of certain models;

(I) develop a prototype solution; test the prototype solution against requirements, constraints, and specifications; and refine the prototype solution; and

(J) report and describe a product's final design after the prototyping phase.

(9) The student applies mathematics and algorithms in programs. The student is expected to:

(A) apply mathematical concepts from algebra, geometry, trigonometry, or calculus to calculate the angle of a joint;

(B) apply mathematical calculations cyclically in a program using algorithms; and

(C) evaluate and verify algorithms for appropriateness and efficiency.

(10) The student develops computer programs to support design solutions. The student is expected to:

(A) design and explain software interfaces that communicate with hardware;

(B) identify and apply relevant concepts from computer science, science, and mathematics such as functions, electricity, and mechanics; and

(C) employ abstraction in a program by representing numerical sensor readouts in more intuitive variables and functions.

(11) The student develops and applies computer science skills. The student is expected to:

(A) integrate small discrete programs into a larger complete program solution using systems-thinking skills;

(B) use intuitive variable names correctly and add comments to code to improve readability;

(C) employ abstraction in a program by representing images as data arrays and representing numerical tone frequencies as variables;

(D) convert image information into the correct data type necessary for given library functions;

(E) develop an algorithm that includes logic such as "while" and "if" to accept user trackbar input and display image changes in real time;

(F) develop flowcharts, pseudocode, and commented code to document and explain software design solutions;

(G) design software interfaces that communicate with users and hardware;

(H) employ abstraction to program an interface, treating imported code as a "black box";

(I) employ abstraction by representing a joint as four points in a plane; and

(J) select and apply correct programming vocabulary and programming skills during program development.

(12) The student develops and uses computer programs to process data and information to gain insight and discover connections to support design solutions. The student is expected to:

(A) explain how to organize complex image and video data for processing;

(B) analyze complex data to make decisions and instruct users; and

(C) develop programs that use incoming data and algorithms to create output data, information, and commands.

§127.697. *Geographic Information Systems (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisites: Principles of

Art, Audio/Video Technology, Principles of Information Technology, Physics for Engineers, or Principles of Applied Engineering. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) The Geographic Information Systems (GIS) course employs an analytic process using industry standard software to find trends and patterns in collected data. Whether collecting data first-hand or from reputable websites, GIS aims to use scientific methods to find solutions to various problems and issues.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student demonstrates knowledge and appropriate use of computer hardware components and software programs and examines how hardware and software are interrelated. The student is expected to:

(A) use operating systems, software applications, and communication and networking components appropriately;

(B) compare and appropriately use various input, processing, output, and primary/secondary storage devices;

(C) evaluate and select software based on quality, appropriateness, effectiveness, and efficiency; and

(D) solve digital file format and cross platform connectivity compatibility issues.

(2) The student uses data input skills. The student is expected to:

(A) incorporate into a product and use a variety of input devices such as keyboard, scanner, or mouse appropriately; and

(B) use digital keyboarding standards for the input of data.

(3) The student demonstrates knowledge and understanding of what GIS is and the use of GIS technology in different career fields. The student is expected to:

(A) identify historical and contemporary developments in GIS;

(B) describe the basic components of GIS; and

(C) identify appropriate application of GIS technologies in different career fields.

(4) The student demonstrates knowledge and appropriate use of database software. The student is expected to:

(A) design and construct a relational database from a geographic data model using a database software;

(B) use joins, hyperlinks, and relational linking appropriately within a database;

(C) convert data into a data depiction using classifications; and

(D) transfer data from different sources into a database for storage and retrieval.

(5) The student demonstrates knowledge and appropriate use of spatial databases and sources. The student is expected to:

(A) identify and use appropriately various spatial databases and sources such as digital terrain models, digital orthophoto quadrangles, geographic databases, land use and land cover data, digital imagery, hydrographic spatial data, and demographic data; and

(B) describe and demonstrate appropriate use of spatial analysis.

(6) The student demonstrates knowledge and appropriate use of GIS software. The student is expected to:

(A) determine the appropriate software tool from GIS to use for a given task or project;

(B) create queries and spatial queries for finding features, borders, centroids, and networks and determining distance, length, and surface measurements and shapes;

(C) describe characteristics of maps and spatial data; and

(D) identify and use geographical scales, coordinates, and specific map projections.

(7) The student demonstrates knowledge and appropriate use of GIS data collection devices. The student is expected to:

(A) plan and conduct supervised GIS and Global Positioning System (GPS) experiences;

(B) initialize and prepare a GPS receiver for data collection;

(C) collect geographical coordinates from a GPS receiver; and

(D) transfer data from a GPS device to a personal computer.

(8) The student acquires electronic information in a variety of formats. The student is expected to:

(A) collect electronic information in various formats, including text, audio, video, and graphics; and

(B) gather authentic data from a variety of electronic sources to use for individual and group GIS projects.

(9) The student uses appropriate computer-based productivity tools to create and modify solutions to problems. The student is expected to:

(A) explain project management guidelines for designing and developing GIS projects; and

(B) design solutions for a project using visual organizers such as flowcharts or schematic drawings.

(10) The student produces a product using a variety of media. The student is expected to:

(A) publish information in a variety of formats, including hard copies and digital formats; and

(B) prepare a presentation of GIS information using graphs, charts, maps, and presentation software.

(11) The student examines GIS maps, reports, and graphs. The student is expected to:

(A) explain industry-standard legends used in GIS;

(B) describe symbols, scaling, and other map elements used in GIS;

(C) generate GIS reports and graphs; and

(D) create maps using a variety of map display types such as choropleth, heat maps, dot density maps, topographic maps, or graduated symbols maps.

§127.698. *Raster-Based Geographic Information Systems (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(1) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Recommended prerequisite: Geographic Information Systems. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) In Raster-Based Geographic Information Systems (GIS), students study local problems; acquire information, including images or aerial photographs; process the acquired data; and merge the acquired data with vector data. Students plan, conduct, and present solutions for locally based problems.

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student demonstrates knowledge of the GIS field and related careers. The student is expected to:

(A) identify employment and career opportunities in GIS-related fields;

(B) identify and explore career preparation learning experiences, including job shadowing, mentoring, apprenticeship training, and preparation programs;

(C) identify industry certifications for GIS-related careers, including careers related to raster-based GIS; and

(D) discuss and analyze ethical issues related to GIS and technology and incorporate proper ethics in submitted projects.

(2) The student explores various roles in team projects. The student is expected to:

(A) explain the importance of teamwork in the field of GIS;

(B) describe principles of effective teamwork, including collaboration and conflict resolution; and

(C) explain common characteristics of strong team leaders and team members.

(3) The student investigates the history and use of aerial photography. The student is expected to:

(A) explain fundamental principles of cameras and lenses as they pertain to GIS and aerial photography;

(B) research and explain the history of aerial photography, including aerial platforms;

(C) explain various uses of aerial photography;

(D) compare vertical and oblique aerial photography; and

(E) identify cities, bridges, shorelines, roads and other important features in aerial photos.

(4) The student develops an understanding of electromagnetic and thermal radiation. The student is expected to:

(A) explain how forms of radiation propagate through space and interact with matter;

(B) research and describe the behavior of waves, including refraction, scattering, absorption, and reflection, in relation to radiation;

(C) describe the properties and laws of thermal radiation;

(D) compare the particle and wave models of electromagnetic energy;

(E) differentiate maps based on electromagnetic versus thermal radiation imagery; and

(F) evaluate whether electromagnetic or thermal radiation imagery is appropriate based on the conditions.

(5) The student explores active and passive microwave remote sensing. The student is expected to:

(A) compare active and passive microwave remote sensing;

(B) explain geographic characteristics, including surface roughness, moisture content, vegetation, backscatter and biomass, and urban structures, detected by remote sensing images; and

(C) provide a detailed analysis of radar images.

(6) The student learns the functions and applications of the tools, equipment, and materials used in GIS and raster-based analysis. The student is expected to:

(A) describe how to use raster-based software;

(B) download spatial data and raster images and re-project the data and images to match the Digital Orthophoto Quadrangle (DOQ) or Digital Orthophoto Quarter Quadrangle (DOQQ);

(C) identify remote sensing equipment and describe the difference between the Global Positioning System (GPS) and the Global Navigation Satellite System (GLONASS);

(D) describe GPS measurements and perform measurements with handheld GPS devices using GPS or GLONASS systems; and

(E) compare the advantages, disadvantages, and limitations of remote or unmanned sensing.

(7) The student uses scientific practices in imagery analysis. The student is expected to:

(A) plan and implement investigative procedures, including asking questions, formulating testable hypotheses, and selecting, handling, and maintaining appropriate equipment and technology;

(B) collect GIS data;

(C) organize, analyze, evaluate, make inferences, and predict trends from GIS data; and

(D) communicate valid conclusions using appropriate GIS vocabulary, supportive maps, summaries, oral reports, and technology-based reports.

(8) The student uses project-management skills to research and analyze locally based problems. The student is expected to:

(A) identify and collect data necessary to evaluate a local problem, including defining the problem and identifying locations of the concern;

(B) develop a plan and project schedule for completion of a project developed to address a local concern using raster-based GIS technology;

(C) create a GIS map to illustrate a problem using remote sensing images gathered from sites such as the National Aeronautics and Space Administration, National Oceanic and Atmospheric Administrations, and United States Geological Survey;

(D) evaluate GIS map features to identify solutions to a problem;

(E) develop solutions to minimize, reverse, or solve problem using raster-based GIS technology; and

(F) organize and present findings related to a local problem in a final report or portfolio with data and solutions generated using raster-based GIS technology.

§127.699. *Spatial Technology and Remote Sensing (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit in a course from the Information Technology Career Cluster. Recommended prerequisites: Geographic Information Systems and Raster-Based Geographic Information Systems. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Information Technology career cluster focuses on the design, development, support, and management of hardware, software, multimedia, and systems integration services. This career cluster includes occupations ranging from software developer and programmer to cybersecurity specialist and network analyst.

(3) In Spatial Technology and Remote Sensing, students receive instruction in industry standard geospatial extension software and geospatial tools, including global positioning systems (GPS), and training in project management and problem solving related to geographic information systems (GIS).

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student demonstrates knowledge of the GIS field and GIS-related careers. The student is expected to:

(A) identify employment and career opportunities in spatial technology and remote sensing related GIS fields;

(B) describe and explore career preparation learning experiences, including job shadowing, mentoring, apprenticeship training, and preparation programs;

(C) identify industry certifications for GIS-related careers, including careers that use or benefit from spatial technology; and

(D) analyze and discuss ethical issues related to the field of spatial technology and remote sensing technology and spatial technology and remote sensing technology projects.

(2) The student applies basic GIS software knowledge and skills to explore the use of various geographic projections in GIS software. The student is expected to:

(A) identify and use Mercator map projection;

(B) identify and use Albers conic map projection; and

(C) research and explain the evolution of and need for different map projections.

(3) The student explores the application of GPS technology. The student is expected to:

(A) define and use data terminology related to GPS;

(B) identify and use appropriately GPS receiver components;

(C) describe various applications of GPS coordinates such as locating fire hydrants, extinguishers, lighting, and parking lots; and

(D) compare the accuracy of GPS coordinates from different receivers such as smartphones, tablets, and GPS handheld devices.

(4) The student demonstrates knowledge and understanding of the types and components of unmanned remote sensing platforms. The student is expected to:

(A) identify major components of aerial, terrestrial, and submersible remote sensing platforms;

(B) determine the most appropriate remote sensing platform to use based on various conditions;

(C) differentiate the types of sensing systems used by each type of platform, including active, passive, spectrometer, radar, LiDAR, scatter meter, and laser altimeter platforms; and

(D) compare situations in which different unmanned remote sensing platforms and sensing systems might be used.

(5) The student demonstrates skills related to GIS data analysis. The student is expected to:

(A) evaluate findings and potential problems using GIS data;

(B) create models that represent collected GIS data;

(C) create, query, map, and analyze cell-based raster data; and

(D) analyze density, distance, and proximity of various data points using spatial analyst tools.

(6) The student analyzes geospatial socioeconomic data to create three-dimensional maps to demonstrate findings. The student is expected to:

(A) identify key sources of and gather and organize geospatial socioeconomic data;

(B) plan, organize, and create thematic maps;

(C) convert two-dimensional themes to a three-dimensional map to demonstrate features, distributions, and themes; and

(D) interpret, draw conclusions about, and justify findings related to geospatial socioeconomic data.

(7) The student uses spatial technology to develop and analyze a location map. The student is expected to:

(A) identify and collect data using GPS and unmanned systems and identify the boundaries and topography of a location;

(B) analyze how the location of a community impacts resources and hardships such as jobs or traffic in the community;

(C) create a map of a location that includes buildings and facilities, adjacent streets, and transportation sites using GIS software; and

(D) develop a map that includes categories for a facility's features such as restrooms, spaces allocated for core activities, emergency equipment, and excavation routes.

(8) The student documents spatial technology knowledge and skills. The student is expected to:

(A) create a spatial technology and remote sensing portfolio that includes attainment of technical skill competencies and sam-

ples of work such as location maps and spatial technology and remote sensing-based reports; and

(B) present a portfolio to peers or interested stakeholders.

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

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Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

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



## SUBCHAPTER N. LAW AND PUBLIC SERVICE

### 19 TAC §127.773

**STATUTORY AUTHORITY.** The new section is adopted under Texas Education Code (TEC), §7.102(c)(4), which requires the State Board of Education (SBOE) to establish curriculum and graduation requirements; TEC, §28.002(a), which identifies the subjects of the required curriculum; TEC, §28.002(c), which requires the SBOE to identify by rule the essential knowledge and skills of each subject in the required curriculum that all students should be able to demonstrate and that will be used in evaluating instructional materials and addressed on the state assessment instruments; TEC, §28.002(n), which permits the SBOE by rule to develop and implement a plan designed to incorporate foundation curriculum requirements into the career and technical education (CTE) curriculum; TEC, §28.002(o), which requires the SBOE to determine that at least 50% of the approved CTE courses are cost effective for a school district to implement; TEC, §28.025(a), which requires the SBOE to determine by rule the curriculum requirements for the foundation high school graduation program that are consistent with the required curriculum under TEC, §28.002; and TEC, §28.025(b-17), which requires the SBOE to adopt rules to ensure that a student may comply with the curriculum requirements under TEC, §28.025(b-1)(6), by successfully completing an advanced CTE course, including a course that may lead to an industry-recognized credential or certificate or an associate degree.

**CROSS REFERENCE TO STATUTE.** The new sections implement Texas Education Code, §§7.102(c)(4); 28.002(a), (c), (n), and (o); and 28.025(a) and (b-17).

§127.773. *Legal Research and Writing (One Credit), Adopted 2025.*

(a) Implementation.

(1) The provisions of this section shall be implemented by school districts beginning with the 2025-2026 school year.

(2) School districts shall implement the employability skills student expectations listed in §127.15(d)(2) of this chapter (relating to Career and Technical Education Employability Skills, Adopted 2025) as an integral part of this course.

(b) General requirements. This course is recommended for students in Grades 10-12. Prerequisite: at least one credit in a course

from the Law and Public Service Career Cluster. Recommended prerequisite: Court Systems and Practices. Students shall be awarded one credit for successful completion of this course.

(c) Introduction.

(1) Career and technical education instruction provides content aligned with challenging academic standards and relevant technical knowledge and skills for students to further their education and succeed in current or emerging professions.

(2) The Law and Public Service Career Cluster focuses on planning, managing, and providing legal services, public safety, protective services, and homeland security, including professional and technical support services.

(3) Legal Research and Writing provides an introduction to the study and practice of legal writing and research. This course is designed to introduce students to the methods and tools used to conduct legal research, develop and frame legal arguments, produce legal writings such as briefs, memorandums, and other legal documents, study U.S. Constitutional law, and prepare for appellate argument(s).

(4) Students are encouraged to participate in extended learning experiences such as career and technical student organizations and other organizations that foster leadership and career development in the profession such as student chapters of related professional associations.

(5) Statements that contain the word "including" reference content that must be mastered, while those containing the phrase "such as" are intended as possible illustrative examples.

(d) Knowledge and skills.

(1) The student conducts legal research. The student is expected to:

(A) plan a legal research strategy;

(B) access print and online research materials to find and analyze case law;

(C) describe the difference between mandatory and persuasive authority;

(D) research mandatory and persuasive case history using online databases such as Lexis-Nexis;

(E) explain how to Shepardize case law;

(F) critique other's legal writing(s) to determine whether cited case law and other legal sources were correctly referenced and relied upon for precedential holdings;

(G) evaluate and apply concepts found in Bluebook citation rules to one's writing.

(2) The student prepares, drafts, and defends legal arguments. The student is expected to:

(A) read and analyze case law;

(B) read and analyze case procedural history;

(C) apply legal precedent to current legal issues; and

(D) develop arguments based on research, relevant case law, statutes, and public policy.

(3) The student understands, prepares, and drafts legal documents. The student is expected to:

(A) use and interpret legal reference documents such as the Bluebook to follow and apply requirements for legal writing and citations;

(B) prepare and draft legal briefs that include standard elements, including an introduction, table of authorities, brief answer, introduction, argument, counter-argument, and conclusion;

(C) prepare and draft memoranda that follow a standard legal format; and

(D) prepare and draft other legal documents such as demand letters and pleadings.

(4) The student studies and analyzes U.S. Constitutional law. The student is expected to:

(A) analyze the relationship between the U.S. Constitution, Common Law, state law(s), and local law(s);

(B) analyze the legal, social, and historical implications of court decisions affecting the interpretation of the U.S. Constitution;

(C) predict possible outcomes of future cases and frame arguments in ways that are likely to garner the support of the judiciary;

(D) critique cases related to U.S. Constitutional law and other current legal issues such as free exercise clause, establishment clause, due process, and equal protection; and

(E) critique cases related to current legal issues.

(5) The student participates in a class moot court simulation. The student is expected to:

(A) research and evaluate case law on a current legal issue;

(B) read and evaluate appellant, respondent, and amici briefs associated with the chosen case;

(C) write an appellate brief; and

(D) prepare an oral argument and respond to questions during the presentation of the argument.

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 June 16, 2025.

TRD-202502027

Cristina De La Fuente-Valadez

Director, Rulemaking

Texas Education Agency

Effective date: August 1, 2025

Proposal publication date: December 20, 2024

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



## TITLE 34. PUBLIC FINANCE

### PART 11. TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM

#### CHAPTER 302. GENERAL PROVISIONS RELATING TO THE TEXAS EMERGENCY SERVICES RETIREMENT SYSTEM

### 34 TAC §302.1

The Board of Trustees (the "Board") of the Texas Emergency Services Retirement System (the "System") adopts an amendment to 34 Texas Administrative Code (TAC) §302.1, General Provisions Relating to the Texas Emergency Services Retirement System. The amendment is adopted without changes to the proposed text as published in the February 28, 2025, issue of the *Texas Register* (50 TexReg 1649). The rule will not be republished.

The amendment to §302.1 adds a definition for the term "spouse" as used for purposes of the System. Specifically, the definition helps clarify who is eligible for spousal death benefits and what is required to prove the existence of an informal marriage.

The amendment eliminates ambiguity and ensures the efficient administration of the System by establishing clear requirements for proving a legally recognized spousal relationship exists.

No public comments were received.

The amendment is adopted pursuant to Texas Government Code §865.006(b), which authorizes the Board to adopt rules necessary for the administration of the System.

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

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 June 10, 2025.

TRD-202501962

Jessica Almaguer

Executive Director

Texas Emergency Services Retirement System

Effective date: June 30, 2025

Proposal publication date: February 28, 2025

For further information, please call: (512) 936-3422



### 34 TAC §302.7

The Board of Trustees (the "Board") of the Texas Emergency Services Retirement System (the "System") adopts the repeal of 34 Texas Administrative Code (TAC) §302.7, Employees of Participating Departments. The repeal is adopted without changes to the proposed text as published in the February 28, 2025, issue of the *Texas Register* (50 TexReg 1650). The rule will not be republished.

The purpose of the repeal is to eliminate §302.7, an interim rule that has since been replaced by 34 TAC §304.4, Employees of Participating Departments. The repeal is necessary to remove outdated language that no longer serves a purpose.

No public comments were received.

The repeal is adopted pursuant to Texas Government Code §865.006(b), which authorizes the Board to adopt rules necessary for the administration of the System.

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

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

Filed with the Office of the Secretary of State on June 10, 2025.

TRD-202501963

Jessica Almaguer

Executive Director

Texas Emergency Services Retirement System

Effective date: June 30, 2025

Proposal publication date: February 28, 2025

For further information, please call: (512) 936-3422



## TITLE 37. PUBLIC SAFETY AND CORRECTIONS

### PART 1. TEXAS DEPARTMENT OF PUBLIC SAFETY

#### CHAPTER 28. DNA, CODIS, FORENSIC ANALYSIS, AND CRIME LABORATORIES SUBCHAPTER N. TEXAS CRIME LABORATORY RECORDS PORTAL

##### 37 TAC §§28.211 - 28.215

The Texas Department of Public Safety (the department) adopts new §§28.211 - 28.215, concerning Texas Crime Laboratory Records Portal. These rules are adopted with changes to the proposed text as published in the April 25, 2025, issue of the *Texas Register* (50 TexReg 2575) and will be republished.

These new rules implement Senate Bill 991, 88th Leg., R.S. (2023), which establishes an electronic discovery portal hosted by the department that makes crime laboratory records equally available to prosecutors and defense counsel.

The department accepted comments on proposed new §§28.211 - 28.215 through May 27, 2025. Comments were submitted by Lauren Woolridge with NMS Labs and District Attorney Philip Mack Furlow with the 106th District Attorney's Office. Several of the comments were questions on the portal mechanics relating to operational issues, instead of substantive comments on the rules. These items will be addressed by direct communication to the commenter. The comments received and the department's responses are summarized below.

#### COMMENT:

Written comments submitted by Ms. Woolridge indicate that record recipient contact information should be provided to the lab.

#### RESPONSE:

This comment relates to the operational mechanics of the portal and has no impact on the proposed rule. The department will continue to communicate and work with laboratories, prosecutors, and defense counsel in the implementation and operation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

#### COMMENT:

Written comments related to §28.212 submitted by Ms. Woolridge state that labs should be given instructions regarding resource availability and associated plans for setup support and

deployment of the portal with implementation timelines based on resource availability and key milestones.

RESPONSE:

This comment relates to the operational mechanics of the portal implementation and has no impact on the proposed rule. The department will continue to communicate and work with laboratories, prosecutors, and defense counsel in the implementation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.212(c) submitted by Ms. Woolridge recommend that instead of assigning a set number of cases, participation should be required based on the business' overall percentage of Texas casework.

RESPONSE:

The department disagrees with this comment. This recommendation would result in an undue burden on smaller laboratories while simultaneously exempting larger laboratories with more prevalent caseloads in Texas. For example, if a percentage was set at 10%, a small laboratory only capable of working ten cases per year, one of which was in Texas, would be required to participate in the portal. Whereas a large laboratory working 100,000 cases per year could work up to 9,999 cases without participating in the portal. This would result in an imbalance that is not in the best interest of discovery practices in the state of Texas. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.213 submitted by Ms. Woolridge state that the proposed rules do not provide guidance on how to isolate and securely transfer only Texas-relevant data to the portal. She indicates without clear segregation requirements, there is a risk of over-disclosure or inadvertent sharing of non-Texas or non-criminal case data. Ms. Woolridge also suggests the department define how the request mechanism will work and establish a request notification system to ensure compliance.

RESPONSE:

This comment relates to the operational mechanics of the portal and has no impact on the proposed rule. The department will continue to communicate and work with laboratories, prosecutors, and defense counsel in the implementation and operation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.213 submitted by Ms. Woolridge state that labs can produce 30,000+ reports in a calendar year where less than 10% are needed for court and suggests the department rephrase the rule to be in alignment with Government Code §411.162 to include the following language, "Requested case specific records..." in order for labs to comply for records specifically requested.

RESPONSE:

The department disagrees with this comment. The proposed rule was developed in collaboration with a diverse group of stakeholders from the criminal justice community, including representatives from forensic laboratories, prosecutors, and

defense attorneys. Through that process, it was determined that providing complete case records through the portal regardless of whether the records were requested for a specific court proceeding best supported transparency, consistency, and timely access to information in criminal litigation. In addition, discovery requirements under Texas Code of Criminal Procedure, Article 39.14 are not limited to records needed for court. It is the department's position that the rule aligns with the statutory intent and reflects a balanced approach. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.213 submitted by Ms. Woolridge recommend including a specific timeframe by which records must be uploaded, such as one month, instead of "as soon as practicable" because it lacks specificity. Ms. Woolridge also requested to clarify how attorneys in the state of Texas will know when and how to make requests for case records.

RESPONSE:

The department disagrees with this comment. The phrase "as soon as practicable" is consistent with language in the Texas criminal discovery statute under Texas Code of Criminal Procedure, Article 39.14, and provides flexibility while considering feasibility and practicality. The second part of the comment relates to the operational mechanics of the portal and has no impact on the proposed rule. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.214(a) submitted by Ms. Woolridge suggest allowing proprietary records to be flagged and made available only upon request through an NDA, subpoena, or a protective order and allow for the file request mechanism to support file attachments for subpoenas to be included with the request.

RESPONSE:

This comment relates to the operational mechanics of the portal and has no impact on the proposed rule. The department will continue to communicate and work with laboratories, prosecutors, and defense counsel in the implementation and operation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.214(b) submitted by Ms. Woolridge recommend aligning the request mechanism in the portal to include both case and non-case specific records to streamline the process for both the lab and the attorneys; providing additional instructions regarding multiple or supplemental requests following use of the request mechanism through the portal, including guidance on how to conduct communications related to the request; standardizing the education for attorneys and courts on locating documents needed; providing instruction to the lab regarding document hierarchy, data tags, and search criteria to better understand how documents must be made available within the portal; and standardize the education for attorneys and courts on locating documents needed.

RESPONSE:

These comments relate to the operational mechanics of the portal and have no impact on the proposed rule. The department will continue to communicate and work with laboratories, prose-

cutors, and defense counsel in the implementation and operation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.215 submitted by Ms. Woolridge related to the safety and security of portal contents and was a series of questions instead of comments or recommendations on the rule proposal.

RESPONSE:

The questions either relate to the operational mechanics of the portal and have no impact on the proposed rule or ask for legal advice, which is beyond the scope of the rulemaking process. The department will continue to communicate and work with laboratories, prosecutors, and defense counsel in the implementation and operation of the portal as it continues to be developed. No changes were made to the proposed rule based on this comment.

COMMENT:

Written comments related to §28.215 from Mr. Furlow state this section exceeds the scope of the statute by requiring a prosecutor to "maintain up-to-date portal access" for, rather than merely designate, defense counsel and by expanding that duty to include unnamed "others" who may not be included within the scope of the statute. Mr. Furlow also states the phrase "maintain up-to-date portal access" is ambiguous and could be read to mandate more than mere identification of who can use the portal. In lieu of the proposed rule, Mr. Furlow suggests the department consider language more consistent with the statute as follows: Attorneys representing the state must identify at least one contact in their office to designate and keep up to date the person or persons who should be authorized to access the portal under Government Code §411.162.

RESPONSE:

The department does not oppose this recommendation and will adopt the rule with changes as it more closely aligns with the statutory language and does not result in a substantive change. Rule text language in §28.215 is being changed from "Attorney representing the state must designate at least one administrator to maintain up-to-date portal access to defense counsel and others assigned to the case consistent with Texas Code of Criminal Procedure, Article 39.14 (d), (e), and (f)" to "Attorneys representing the state must identify at least one contact in the attorney's office to designate and keep up to date the person(s) authorized to access the portal under Government Code, §411.162."

These rules are 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; §411.162, which authorizes the department by rule to establish and maintain a central computerized portal that facilitates the process for requesting crime laboratory records among crime laboratories, attorneys representing the state, and parties authorized to access the records pursuant to Article 39.14, Code of Criminal Procedure; §411.163, which authorizes the department by rule to require mandatory participation in the transfer of crime laboratory records using the crime laboratory portal and provide exemptions; §411.164, which authorizes the department by rule to require the attorney representing the state to provide access and use of the crime laboratory portal to the defense; and Senate Bill 991, 88th Leg., R.S. (2023).

§28.211. *Definitions and Purpose.*

(a) In this subchapter, the terms "accredited field of forensic science" and "forensic examination or test not subject to accreditation" have the meanings provided by Texas Code of Criminal Procedure, Article 38.01; and the terms "crime laboratory," "criminal action," and "forensic analysis" have the meanings provided by Texas Code of Criminal Procedure, Article 38.35.

(b) The Texas Crime Laboratory Records Portal (the portal) administered by the department, as required by Texas Government Code, §411.162, is a central computerized portal that facilitates the sharing of crime laboratory records between crime laboratories, attorneys representing the state, and defense counsel. The purpose of the portal is to ensure that attorneys representing the state and defense counsel have equal access to relevant forensic analysis records.

§28.212. *Mandatory Participation and Exemption.*

(a) All crime laboratories that operate disciplines in an accredited field of forensic science and conduct forensic analysis for use in a criminal action in Texas must participate in the portal by transferring crime laboratory records as soon as practicable through the portal for at least those accredited fields of forensic science. A crime laboratory may also choose to participate in the portal for any forensic examination or test not subject to accreditation but for which the crime laboratory performs casework.

(b) A crime laboratory that only performs forensic examinations or tests not subject to accreditation is not required to participate in the portal but may choose to participate.

(c) A crime laboratory located outside of Texas but accredited by the Texas Forensic Science Commission that performs an average of fewer than 300 cases annually in Texas during the immediately preceding five-year period may submit a request to be designated exempt from mandatory participation in the portal.

(1) A crime laboratory's request to be designated exempt from mandatory participation must be made to the DPS Crime Laboratory Records Program Manager (manager) at CLRConnect@dps.texas.gov.

(2) The manager must respond to the request for exemption within 60 days of receipt of the request.

(3) A crime laboratory that is denied an exemption request may appeal that decision to the DPS Crime Laboratory Division Chief by mailing an appeal request with relevant information, including the exemption request and the response, to: Crime Laboratory Division Chief, Texas Department of Public Safety, Attn: CLR Connect Exemption Appeal, 5805 N. Lamar Blvd. (MSC 0460), Austin, Texas 78752.

(d) Exemptions are effective for two years. Subsequent exemption requests are not guaranteed and must be requested no fewer than 60 days before the exemption expires.

(e) The department must provide a list on the portal webpage of each crime laboratory that has been designated exempt from mandatory portal participation with the exemption effective date.

(f) A crime laboratory, regardless of an exemption designation, must continue to comply with all discovery obligations as set forth by Texas Code of Criminal Procedure, Article 39.14.

§28.213. *Records Available Through the Portal.*

All case-specific records related to a criminal action's forensic analysis that have reached a crime laboratory's designated completion step must be made available through the portal as soon as practicable and obtainable by any authorized user with sufficient rights to access that case. A case-specific record is a record pertaining solely to a single case or cases linked to a specific criminal action.

§28.214. *Records Available Through the Portal or Public Website.*

(a) A crime laboratory must make non-case-specific records available either through the portal or on the crime laboratory's public website. A non-case-specific record is a record relevant beyond a single case or cases linked to a specific criminal action, including information on instruments, techniques, laboratory personnel, or general methodologies. Crime laboratories that make records available on a public website must include information related to the location of those records on the portal.

(b) The portal must include a process for requesting non-case-specific records not otherwise available through the portal or made publicly available on a crime laboratory's website.

§28.215. *Prosecutor Responsibility to Provide Defense Counsel Access to the Portal.*

Attorneys representing the state must identify at least one contact in the attorney's office to designate and keep up to date the person(s) authorized to access the portal under Government Code, §411.162.

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 June 13, 2025.

TRD-202502000

D. Phillip Adkins

General Counsel

Texas Department of Public Safety

Effective date: July 3, 2025

Proposal publication date: April 25, 2025

For further information, please call: (512) 424-5848



# REVIEW OF AGENCY RULES

This section contains notices of state agency rule review as directed by the Texas Government Code, §2001.039.

Included here are proposed rule review notices, which invite public comment to specified rules under review; and adopted rule review notices, which summarize public comment received as part of the review. The complete text of an agency's rule being reviewed is available in the *Texas Administrative Code* on the Texas Secretary of State's website.

For questions about the content and subject matter of rules, please contact the state agency that is reviewing the rules. Questions about the website and printed copies of these notices may be directed to the *Texas Register* office.

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## Proposed Rule Review

Texas Department of Public Safety

### Title 37, Part 1

The Texas Department of Public Safety (the department) files this notice of intent to review the following chapters in Title 37 of the Texas Administrative Code:

Chapter 4 (Commercial Vehicle Regulations and Enforcement Procedures)

Chapter 6 (License to Carry Handguns)

Chapter 13 (Controlled Substances)

Chapter 28 (DNA, CODIS, Forensic Analysis, and Crime Laboratories)

Chapter 34 (Negotiation and Mediation of Certain Contract Disputes)

Chapter 38 (Fusion Center Operations)

This review is being conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies to review and consider for readoption each of their rules every four years.

Written comments on this notice may be submitted to: Susan Estringel, Office of General Counsel, Texas Department of Public Safety, P.O. Box 4087, Austin, Texas 78773-0140, or by email to Susan.Estringel@dps.texas.gov. To ensure consideration, comments must clearly specify the particular section of the rule to which they apply and be postmarked or emailed no later than the 31st day following publication in the *Texas Register*. General comments should be labeled as such and, when appropriate, include proposed alternative language.

During the review, the department will assess whether the original reasons for adopting these rules continue to exist and whether each rule should be readopted as is, amended, or repealed. Any proposed changes to these chapters resulting from this review will be published in the Proposed Rules section of the *Texas Register*. These proposed rules will be open for the standard 30-day public comment period prior to final adoption by the department.

TRD-202502047

D. Phillip Adkins

General Counsel

Texas Department of Public Safety

Filed: June 17, 2025

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## Adopted Rule Review

Texas Municipal Retirement System

### Title 34, Part 6

The Texas Municipal Retirement System (TMRS) adopts the review of Chapters 123, 125, 127 and 129 of the Texas Administrative Code (TAC), Title 34, Part 6 (the "Chapters"), pursuant to Texas Government Code, §2001.039.

Notice of TMRS' proposed review of the Chapters was published in the May 2, 2025, issue of the *Texas Register* (50 TexReg 2697). TMRS received no comments concerning the review of these Chapters.

TMRS has reviewed Chapters 123, 125, 127 and 129 in accordance with Texas Government Code §2001.039, which requires agencies to assess, every four years, whether the initial reasons for adopting a rule continue to exist. TMRS' Board of Trustees determined that the original reasons for adopting all rules in Chapters 123, 125, 127 and 129 continue to exist and readopts Chapters 123, 125, 127 and 129.

This concludes the review of 34 TAC, Part 6, Chapters 123, 125, 127 and 129.

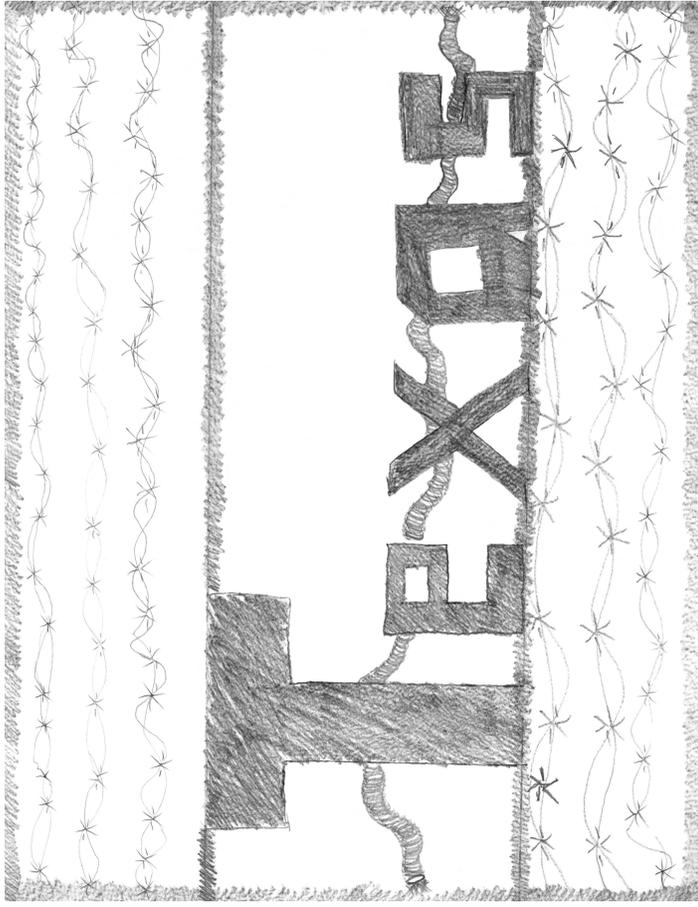
TRD-202502050

Christine Sweeney

Chief Legal Officer

Texas Municipal Retirement System

Filed: June 17, 2025



# TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 1 TAC Chapter 18 - Preamble

Threshold	<5,000	<7,500	<10,000	<15,000
Number of Reports under Threshold	6	16	18	25
Percent Reduction of “deemed late” reports	12%	33%	37%	51%

Figure 1: 1 TAC §18.31(a)

<b>Campaign Finance Reports: Section of Election Code</b>	<b>Threshold Description</b>	<b>Original Threshold Amount</b>	<b>Adjusted Amount</b>
253.031(b)	PAC: Amount of contributions or expenditures permitted before TA is required	\$500	<u>\$1,110</u> <del>[\$1,080]</del>
253.031(d)(2)	CEC: Amount of contributions or expenditures permitted before TA is required	\$25,000	<u>\$41,460</u> <del>[\$40,330]</del>
253.032(a)	Contribution by Out-of-state PAC: Threshold above which certain paperwork is required	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
253.032(a)(1)	Contribution to Out-of-state PAC: Threshold above which certain contribution information is required	\$100	<u>\$230</u> <del>[\$220]</del>
253.032(e)	Contribution by Out-of-state PAC: Threshold at or below which certain information is required	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
254.031(a)(1)	Contributions: Threshold over which more information is required	\$50	\$110
254.031(a)(2)	Loans: Threshold over which more information is required	\$50	\$110
254.031(a)(3)	Expenditures: Threshold over which more information is required	\$100	<u>\$230</u> <del>[\$220]</del>
254.031(a)(5)	Contributions: Threshold at or below which more information is not required	\$50	\$110
254.031(a)(5)	Expenditures: Threshold at or below which more information is not required	\$100	<u>\$230</u> <del>[\$220]</del>
254.031(a)(9)	Interest, credits, refunds: Threshold over which more information is required	\$100	\$140
254.031(a)(10)	Sale of political assets: Threshold over which proceeds must be reported	\$100	\$140
254.031(a)(11)	Investment Gain: Threshold over which more information is required	\$100	\$140
254.031(a)(12)	Contribution Gain: Threshold over which more information is required	\$100	\$140
254.0311(b)(1)	Caucus, contributions from non-caucus members: Threshold over which more information is required	\$50	\$110
254.0311(b)(2)	Caucus, loans: Threshold over which more information is required	\$50	\$110
254.0311(b)(3)	Caucus, expenditures: Threshold over which more information is required	\$50	\$110
254.0311(b)(4)	Caucus, contributions and expenditures: Threshold at or below which more information is not required	\$50	\$110

<b>Campaign Finance Reports: Section of Election Code</b>	<b>Threshold Description</b>	<b>Original Threshold Amount</b>	<b>Adjusted Amount</b>
254.0312	Contributions, Best Efforts: Threshold under which filer is not required to request contributor information to be in compliance	\$500	<u>\$870</u> <del>[\$850]</del>
254.036	Electronic Filing Exemption: Threshold at or below which a filer may qualify	\$20,000	<u>\$34,890</u> <del>[\$33,190]</del>
254.038(a)	Daily Reports by certain candidates and PACs: Contribution threshold triggering report	\$1,000	<u>\$2,290</u> <del>[\$2,220]</del>
254.039	Daily Reports by GPACs: Contribution threshold triggering report	\$5,000	<u>\$7,820</u> <del>[\$7,600]</del>
254.039	Daily reports by GPACs: DCE expenditure thresholds (single candidate/group of candidates)	\$1,000/\$15,000	<u>\$2,290/\$34,330</u> <del>[\$2,220/\$33,370]</del>
254.0611(a)(2)	Judicial candidates, contributions: Threshold over which more information is required	\$50	\$110
254.0611(a)(3)	Judicial candidates, asset purchase: Threshold over which more information is required	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
254.0612	Statewide executive and legislative candidates, contributions: Threshold over which more information is required	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
254.095	Local officeholders, contributions: Threshold under which reporting is not required	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
254.151(6)	GPAC, contributions: Threshold over which more information is required	\$50	\$110
254.1541(a)	GPAC, higher itemization threshold: Threshold under which it applies	\$20,000	<u>\$33,170</u> <del>[\$32,240]</del>
254.1541(b)	GPACs that meet higher itemization threshold: Threshold over which more contributor information is required	\$100	<u>\$230</u> <del>[\$220]</del>
254.156(1)	MPAC: Threshold over which contribution, lender and expenditure information is required	\$10	\$20
254.156(2)	MPACs that meet higher itemization threshold: Threshold over which more contributor information is required	\$20	<u>\$50</u> <del>[\$40]</del>
254.181 254.182 254.183	Candidate or SPACs, modified reporting: Contribution or expenditure threshold at or below which filers may avoid pre-election reports	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
254.261	DCE filers: Threshold over which a report must be filed	\$100	<u>\$170</u> <del>[\$160]</del>

Figure 2: 1 TAC §18.31(a)

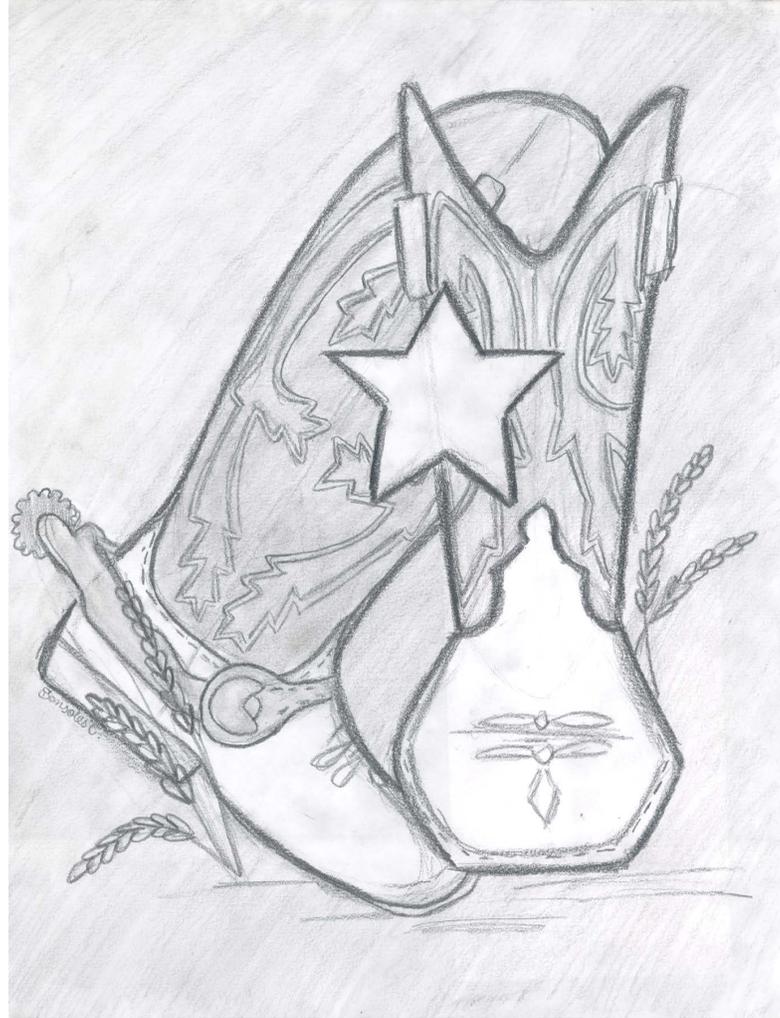
Lobby Registrations and Reports: Section of Government Code	Threshold Description	Original Threshold Amount	Adjusted Amount
305.003(1)	Lobbyist, expenditures: Threshold over which registration is required	\$500, by 1 Tex. Admin. Code §34.41	<u>\$990</u> [ <del>\$970</del> ]
305.003(2)	Lobbyist, compensation: Threshold over which registration is required	\$1,000, by 1 Tex. Admin. Code §34.43	<u>\$1,990</u> [ <del>\$1,930</del> ]
305.004(7)	Lobbying for political party: Threshold at or below which registration is not required	\$5,000	<u>\$11,440</u> [ <del>\$11,120</del> ]
305.005(g)(2)	Lobbyist: Compensation threshold	\$10,000	Less than <u>\$22,890</u> [Less than <u>\$22,240</u> ]
305.005(g)(3)	Lobbyist: Compensation threshold	\$25,000	<u>\$22,890 to less than \$57,220</u> [ <u>\$22,240 to less than \$55,610</u> ]
305.005(g)(4)	Lobbyist: Compensation threshold	\$50,000	<u>\$57,220 to less than \$114,430</u> [ <u>\$55,610 to less than \$111,220</u> ]
305.005(g)(5)	Lobbyist: Compensation threshold	\$100,000	<u>\$114,430 to less than \$228,870</u> [ <u>\$111,220 to less than \$222,440</u> ]
305.005(g)(6)	Lobbyist: Compensation threshold	\$150,000	<u>\$228,870 to less than \$343,300</u> [ <u>\$222,440 to less than \$333,660</u> ]
305.005(g)(7)	Lobbyist: Compensation threshold	\$200,000	<u>\$343,300 to less than \$457,730</u> [ <u>\$333,660 to less than \$444,880</u> ]
305.005(g)(8)	Lobbyist: Compensation threshold	\$250,000	<u>\$457,730 to less than \$572,160</u> [ <u>\$444,880 to less than \$556,100</u> ]
305.005(g)(9)	Lobbyist: Compensation threshold	\$300,000	<u>\$572,160 to less than \$686,600</u> [ <u>\$556,100 to less than \$667,320</u> ]
305.005(g)(10)	Lobbyist: Compensation threshold	\$350,000	<u>\$686,600 to less than \$801,030</u> [ <u>\$667,320 to less than \$778,540</u> ]

Lobby Registrations and Reports: Section of Government Code	Threshold Description	Original Threshold Amount	Adjusted Amount
305.005(g)(11)	Lobbyist: Compensation threshold	\$400,000	<del>\$801,030 to less than \$915,460</del> [\$778,540 to less than \$889,760]
305.005(g)(12)	Lobbyist: Compensation threshold	\$450,000	<del>\$915,460 to less than \$1,029,890</del> [\$889,760 to less than \$1,000,980]
305.005(g)(13)	Lobbyist: Compensation threshold	\$500,000	<del>\$1,029,890 to less than \$1,144,330</del> [\$1,000,980 to less than \$1,112,200]
305.005(g-1)	Lobbyist: Compensation threshold	\$500,000	<del>\$1,144,330 or more</del> [\$1,112,200 or more]
305.0061(c) <del>(3)</del>	Lobbyist, legislative/executive branch member: Threshold over which gifts, awards and mementos must be disclosed	\$50	\$110
305.0061(e-1)	Lobbyist, food and beverage: Threshold at or below which it is considered a gift and reported as such	\$50	\$110
305.0063	Lobbyist, annual filer: Expenditure threshold at or below which filer may file annually	\$1,000	<del>\$2,290</del> [\$2,220]

Figure 3: 1 TAC §18.31(a)

Personal Financial Statements: Section of Gov't Code	Threshold Description	Original Threshold Amount	Adjusted Amount
572.022(a)(1)	PFS threshold	less than \$5,000	less than <u>\$11,440</u> <del>[\$11,420]</del>
572.022(a)(2)	PFS threshold	\$5,000 to less than \$10,000	<u>\$11,440</u> <del>[\$11,120]</del> to less than <u>\$22,890</u> <del>[\$22,240]</del>
572.022(a)(3)	PFS threshold	\$10,000 to less than \$25,000	<u>\$22,890</u> <del>[\$22,240]</del> to less than <u>\$57,220</u> <del>[\$55,610]</del>
572.022(a)(4)	PFS threshold	\$25,000 or more	<u>\$57,220</u> <del>[\$55,610]</del> or more
572.005, 572.023(b)(1)	PFS, retainer: Threshold over which filer with a substantial interest in a business entity must report more information	\$25,000	<u>\$57,220</u> <del>[\$55,610]</del>
572.023(b)(4)	PFS, interest, dividends, royalties and rents: Threshold over which information must be reported	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
572.023(b)(5)	PFS, loans: Threshold over which information must be reported	\$1,000	<u>\$2,290</u> <del>[\$2,220]</del>
572.023(b)(7)	PFS, gifts: Threshold over which information must be reported	\$250	<u>\$570</u> <del>[\$560]</del>
572.023(b)(8)	PFS, income from trust: Threshold over which information must be reported	\$500	<u>\$1,140</u> <del>[\$1,110]</del>
572.023(b)(15)	PFS, government contracts: Threshold of aggregate over which more information must be reported	Exceeds \$10,000	Exceeds <u>\$12,560</u> <del>[\$12,210]</del>
572.023(b)(15)(A)	PFS, government contracts: Itemization threshold	\$2,500 or more	<u>\$3,140</u> <del>[\$3,050]</del> or more
572.023(b)(16)(D)(i)	PFS, bond counsel fees paid to legislator: Threshold	less than \$5,000	less than <u>\$6,280</u> <del>[\$6,100]</del>
572.023(b)(16)(D)(ii)	PFS, bond counsel fees paid to legislator: Threshold	at least \$5,000 but less than \$10,000	at least <u>\$6,280</u> <del>[\$6,100]</del> but less than <u>\$12,560</u> <del>[\$12,210]</del>
572.023(b)(16)(D)(iii)	PFS, bond counsel fees paid to legislator: Threshold	at least \$10,000 but less than \$25,000	at least <u>\$12,560</u> <del>[\$12,210]</del> but less than <u>\$31,410</u> <del>[\$30,520]</del>
572.023(b)(16)(D)(iv)	PFS, bond counsel fees paid to legislator: Threshold	\$25,000 or more	<u>\$31,410</u> <del>[\$30,520]</del> or more

<b>Personal Financial Statements: Section of Gov't Code</b>	<b>Threshold Description</b>	<b>Original Threshold Amount</b>	<b>Adjusted Amount</b>
572.023(b)(16)(E)(i)	PFS, bond counsel fees paid to individual's firm: Threshold	less than \$5,000	less than <u>\$6,280</u> [ <del>\$6,100</del> ]
572.023(b)(16)(E)(ii)	PFS, bond counsel fees paid to individual's firm: Threshold	at least \$5,000 but less than \$10,000	at least <u>\$6,280</u> [ <del>\$6,100</del> ] but less than <u>\$12,560</u> [ <del>\$12,210</del> ]
572.023(b)(16)(E)(iii)	PFS, bond counsel fees paid to individual's firm: Threshold	at least \$10,000 but less than \$25,000	at least <u>\$12,560</u> [ <del>\$12,210</del> ] but less than <u>\$31,410</u> [ <del>\$30,520</del> ]
572.023(b)(16)(E)(iv)	PFS, bond counsel fees paid to individual's firm: Threshold	\$25,000 or more	<u>\$31,410</u> [ <del>\$30,520</del> ] or more



# 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.

## Texas State Affordable Housing Corporation

Public Comment Needed: 2026 Multifamily Tax-Exempt Bond Programs Policies and Request for Proposals (RFP)

The Texas State Affordable Housing Corporation ("Corporation") has posted for public comment amendments to its 2026 Tax-Exempt Bond Program Policies and Request for Proposals (RFP). A copy of the proposed amended policies and RFP are available on the Corporation's website at [www.tsahc.org](http://www.tsahc.org). All public comments or questions about the Draft Policies and RFP may be submitted via email to [MFbonds@tsahc.org](mailto:MFbonds@tsahc.org). **The Corporation will include written public comments received before August 1st, 2025, at 5:00 p.m.**

TRD-202502045

David Long

President

Texas State Affordable Housing Corporation

Filed: June 17, 2025



Public Comment Needed: FY2026 Draft Texas Foundations Fund Disaster Recovery Guidelines

The 2026 Texas Foundations Fund Disaster Recovery Draft Guidelines are now available for public comment. A copy of the 2026 Texas Foundations Fund Disaster Recovery Draft Guidelines may be found on the Corporation's website at [www.tsahc.org](http://www.tsahc.org). Please submit public comment via email to Anna Orendain at [aorendain@tsahc.org](mailto:aorendain@tsahc.org) with the subject line 'Texas Foundations Fund Disaster Recovery Public Comment'. **Public comments must be submitted for consideration by July 18, 2025, at 5:00 p.m.**

TRD-202502046

David Long

President

Texas State Affordable Housing Corporation

Filed: June 17, 2025



## Office of the Attorney General

Texas Health and Safety Code and Texas Water Code Settlement Notice

The State of Texas gives notice of the following proposed resolution of an environmental enforcement action under the Texas Water Code and the Texas Health and Safety Code. Before the State may enter into a voluntary settlement agreement, pursuant to Section 7.110 of the Texas Water Code, the State shall permit the public to comment in writing. The Attorney General will consider any written comments and may withdraw or withhold consent to the proposed agreement if the comments disclose facts or considerations indicating that consent is inappropriate, improper, inadequate, or inconsistent with the requirements of the law.

Case Title and Court: *State of Texas v. Valicor Environmental Services, LLC*; Cause No. D-1-GN-23-007660; in the 201st Judicial District Court, Travis County, Texas.

Background: Valicor Environmental Services, LLC (Valicor) owned and operated an industrial solid waste processing facility in Nueces County, Texas and owns and operates an industrial solid waste processing facility in Dallas County. Concerning the Nueces County facility, Valicor allegedly disposed of unauthorized industrial solid waste at an off-site disposal facility. Concerning the Dallas County facility, Valicor allegedly treated industrial solid waste without authorization and allegedly did not register or accurately report all of its solid waste management activities to the Texas Commission on Environmental Quality.

Proposed Settlement: The State and Valicor Environmental Services, LLC propose an Agreed Final Judgment that will award the State \$501,000 in civil penalties and \$64,000 in attorney's fees.

For a complete description of the proposed settlement, the Agreed Final Judgment should be reviewed in its entirety. Requests for copies of the proposed judgment and settlement, and written comments on the same, should be directed to Jake Marx, Assistant Attorney General, Office of the Attorney General of Texas, P.O. Box 12548, MC 066, Austin, Texas 78711-2548, (512) 463-2012, facsimile (512) 320-0911, email: [Jake.Marx@oag.texas.gov](mailto:Jake.Marx@oag.texas.gov). Written comments must be received within 30 days of publication of this notice to be considered.

TRD-202501998

Justin Gordon

General Counsel

Office of the Attorney General

Filed: June 12, 2025



## Comptroller of Public Accounts

Certification of the Average Closing Price of Gas and Oil - May 2025

The Comptroller of Public Accounts, administering agency for the collection of the Oil Production Tax, has determined, as required by Tax Code, §202.058, that the average taxable price of oil for reporting period May 2025 is \$41.06 per barrel for the three-month period beginning on February 1, 2025, and ending April 30, 2025. Therefore, pursuant to Tax Code, §202.058, oil produced during the month of May 2025, 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 May 2025 is \$1.97 per mcf for the three-month period beginning on February 1, 2025, and ending April 30, 2025. Therefore, pursuant to Tax Code, §201.059, gas produced during the month of May 2025, from a qualified low-producing well, is eligible for a 100% credit on the natural gas production tax imposed by Tax Code, Chapter 201.

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 May 2025 is \$60.94 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 May 2025, from a qualified low-producing oil well.

The Comptroller of Public Accounts, administering agency for the collection of the Franchise Tax, has determined, as required by Tax Code, §171.1011(s), that the average closing price of gas for the month of May 2025 is \$3.77 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 May 2025, from a qualified low-producing gas well.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

TRD-202502029  
Jenny Burleson  
Director, Tax Policy  
Comptroller of Public Accounts  
Filed: June 16, 2025



### Notice of General Meeting of the Multistate Tax Commission

Pursuant to Texas Tax Code § 141.003, the comptroller provides notice of the general meeting of the Multistate Tax Commission.

The annual meeting of the commission will be held in person and virtually at 8:30 a.m., Wednesday, July 23, 2025.

The in-person meeting will be held at the Hilton Salt Lake City Center, 255 South West Temple, Salt Lake City, Utah 84101. Registration information for the Annual Meeting may be found at: <https://www.mtc.gov/events-training/58th-annual-meetings/>

For questions, please contact Shannon Brandt, Tax Policy Counsel, at [shannon.brandt@cpa.texas.gov](mailto:shannon.brandt@cpa.texas.gov)

TRD-202502019  
Jenny Burleson  
Director, Tax Policy  
Comptroller of Public Accounts  
Filed: June 13, 2025



### 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, §303.009, and §304.003 Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/23/25 - 06/29/25 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 06/23/25 - 06/29/25 is 18.00% for commercial<sup>2</sup> credit.

The postjudgment interest rate as prescribed by §304.003 for the period of 07/01/25 - 07/31/25 is 7.50%.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202502056

Leslie L. Pettijohn  
Commissioner  
Office of Consumer Credit Commissioner  
Filed: June 18, 2025



### Credit Union Department

#### Notice of Final Action Taken

In accordance with the provisions of 7 TAC §91.103, the Credit Union Department provides notice of the final action taken on the following applications:

Field of Membership- Approved

Firstmark CU - See *Texas Register* dated on March 28, 2025.

First Community CU #1- See *Texas Register* dated March 28, 2025.

First Community CU #2- See *Texas Register* dated March 28, 2025.

First Community CU #3- See *Texas Register* dated March 28, 2025.

First Community CU #4- See *Texas Register* dated March 28, 2025.

First Community CU #5- See *Texas Register* dated March 28, 2025.

First Community CU #6- See *Texas Register* dated March 28, 2025.

First Community CU #7- See *Texas Register* dated March 28, 2025.

First Community CU #8- See *Texas Register* dated March 28, 2025.

First Community CU #9- See *Texas Register* dated March 28, 2025.

First Community CU #10- See *Texas Register* dated March 28, 2025.

First Community CU #11- See *Texas Register* dated March 28, 2025.

First Community CU #12- See *Texas Register* dated March 28, 2025.

First Community CU #13- See *Texas Register* dated March 28, 2025.

First Community CU #14- See *Texas Register* dated March 28, 2025.

First Community CU #15- See *Texas Register* dated March 28, 2025.

First Community CU #16- See *Texas Register* dated March 28, 2025.

TRD-202502055  
Michael S. Riepen  
Commissioner  
Credit Union Department  
Filed: June 18, 2025



### Texas Commission on Environmental Quality

#### Agreed Orders

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 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 **July 29, 2025**. 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 require-

ments 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 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. Written comments about an AO should be sent to the enforcement coordinator designated for each AO at the commission's central office at P.O. Box 13087, Austin, Texas 78711-3087 and must be received by 5:00 p.m. on **July 29, 2025**. Written comments may also be sent by facsimile machine to the enforcement coordinator at (512) 239-2550. The commission's enforcement coordinators are available to discuss the AOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the AOs shall be submitted to the commission in writing.

(1) COMPANY: ANGIE REEDS CONSTRUCTION AND DESIGN LLC; DOCKET NUMBER: 2025-0782-WQ-E; IDENTIFIER: RN112169131; LOCATION: Tyler, Smith County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Jasmine Jimerson, (512) 239-2552; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(2) COMPANY: ARNOLD, KEEGAN S; DOCKET NUMBER: 2025-0476-OSI-E; IDENTIFIER: RN106274798; LOCATION: Krum, Denton County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §30.5(a), by failing to obtain a required occupational license; PENALTY: \$175; ENFORCEMENT COORDINATOR: Sarah Castillo, (512) 239-1130; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(3) COMPANY: Barehide Ranch, Incorporated; DOCKET NUMBER: 2023-0326-PWS-E; IDENTIFIER: RN105642052; LOCATION: Poolville, Parker County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.43(e), by failing to ensure that all potable water storage tanks and pressure maintenance facilities are installed in a lockable building that is designed to prevent intruder access or enclosed by an intruder-resistant fence with lockable gates; and 30 TAC §290.45(c)(1)(B)(iii) and Texas Health and Safety Code, §341.0315(c), by failing to provide two or more service pumps which have a total capacity of 1.0 gallons per minute per unit; PENALTY: \$1,100; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(4) COMPANY: City of Baird; DOCKET NUMBER: 2024-0032-PWS-E; IDENTIFIER: RN101387462; LOCATION: Baird, Callahan County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(d)(13), by failing to identify the influent, effluent, waste backwash, and chemical feed lines by the use of labels or various colors of paint; 30 TAC §290.42(e)(3)(C), by failing to ensure disinfection equipment is installed so that continuous and effective disinfection can be secured under all conditions and to provide a functional standby chlorine pump to ensure uninterrupted disinfection of the surface water; 30 TAC §290.42(f)(1)(E), by failing to provide chemical bulk storage facilities and day tanks that are designed to minimize the possibility of leaks and spills; 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.43(c)(5), by failing to ensure the facility's three ground storage tank inlet and outlet connections are properly located so as to prevent short-circuiting or

the stagnation of water; 30 TAC §290.44(h)(1)(A), by failing to ensure additional protection was provided at all residences or establishments where an actual or potential contamination hazard exists in the form of an air gap or backflow prevention assembly, as identified in 30 TAC §290.47(f); 30 TAC §290.45(b)(2)(A) and Texas Health and Safety Code (THSC), §341.0315(c), by failing provide a raw water pump capacity of 0.6 gallons per minute (gpm) per connection with the largest pump out of service; 30 TAC §290.45(b)(2)(F) and THSC, §341.0315(c), by failing to provide two or more service pumps having a total capacity of 0.6 gpm per connection; and 30 TAC §290.46(f)(2) and (3)(A)(ii) and (vii)(II), (C)(iv), and (E)(i), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; PENALTY: \$4,805; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(5) COMPANY: City of Fulshear; DOCKET NUMBER: 2024-1790-PWS-E; IDENTIFIER: RN101270296; LOCATION: Fulshear, Fort Bend County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.45(b)(1)(D)(iv) and Texas Health and Safety Code, §341.0315(c), by failing to provide an elevated storage capacity of 100 gallons per connection or a pressure tank capacity of 20 gallons per connection; PENALTY: \$1,500; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(6) COMPANY: City of Post; DOCKET NUMBER: 2024-1469-PWS-E; IDENTIFIER: RN101421519; LOCATION: Post, Garza County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.44(h)(4), by failing to have all backflow prevention assemblies tested upon installation and on annual basis by a recognized backflow assembly tester and certified that they are operating within specifications; 30 TAC §290.46(d)(2)(B) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.5 mg/L of chloramine throughout the distribution system and in each water storage tank at all times; 30 TAC §290.46(f)(2) and (3)(A)(i)(II), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(i), by failing to adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to ensure that neither cross-connections nor other unacceptable plumbing practices are permitted; 30 TAC §290.46(j), by failing to complete a Customer Service Inspection certificate prior to providing continuous service to new construction or any existing service when the water purveyor has reason to believe cross-connections or other potential contamination hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities; 30 TAC §290.46(m)(1)(B), by failing to inspect the facility's pressure tank annually; 30 TAC §290.46(s)(2)(C)(i), by failing to verify the accuracy of the manual disinfectant residual analyzers at least once every 90 days using chlorine solutions of known concentrations; 30 TAC §290.46(s)(2)(D), by failing to verify the accuracy of the analyzers used to determine the effectiveness of chloramination in accordance with the manufacturer's recommendations every 90 days; 30 TAC §290.110(c)(4)(B), by failing to monitor the disinfectant residual at representative locations in the distribution system at least once per day; 30 TAC §290.110(c)(5), by failing to conduct chloramine effectiveness sampling to ensure that monochloramine is the prevailing chloramine species and that nitrification is controlled; and 30 TAC §290.121(a) and (b), by failing to maintain an up-to-date chemical and microbiological monitoring plan that identifies all

sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with monitoring; PENALTY: \$17,006; ENFORCEMENT COORDINATOR: Savannah Jackson, (512) 239-4306; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(7) COMPANY: City of Wolfe City; DOCKET NUMBER: 2024-1727-PWS-E; IDENTIFIER: RN101387579; LOCATION: Wolfe City, Hunt County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(3)(K), by failing to seal the wellhead by a gasket or sealing compound and provide a well casing vent for Well Number 1 that is covered with 16-mesh or finer corrosion-resistant screen, facing downward, elevated and located so as to minimize the drawing of contaminants into the well; 30 TAC §290.46(d)(2)(A) and §290.110(b)(4) and Texas Health and Safety Code, §341.0315(c), by failing to maintain a disinfectant residual of at least 0.2 milligrams per liter of free chlorine throughout the distribution system and in each finished water storage tank at all times; 30 TAC §290.46(f)(2) and (3)(A)(i)(II), (v), and (vi) and (B)(iv), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(l), by failing to flush all dead-end mains at monthly intervals; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; and 30 TAC §290.46(m)(4), by failing to maintain all water treatment units, storage and pressure maintenance facilities, distribution system lines, and related appurtenances in a watertight condition and free of excessive solids; PENALTY: \$3,126; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(8) COMPANY: Columbus Sand and Gravel, LLC; DOCKET NUMBER: 2024-1413-WQ-E; IDENTIFIER: RN111960365; LOCATION: Alleyton, Colorado County; TYPE OF FACILITY: aggregate production operation (APO); RULES VIOLATED: 30 TAC §281.25(a)(4) and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; 30 TAC §342.25(b), by failing to register the site as an APO no later than the tenth business day before the beginning date of regulated activities; and TWC, §26.121(a)(1), by failing to prevent an unauthorized discharge of industrial wastewater into or adjacent to water in the state; PENALTY: \$9,063; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(9) COMPANY: Comanche County Water Supply Corporation; DOCKET NUMBER: 2024-0685-PWS-E; IDENTIFIER: RN102675337; LOCATION: De Leon, Comanche County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for total trihalomethanes, based on the locational running annual average; PENALTY: \$3,250; ENFORCEMENT COORDINATOR: Tessa Bond, (512) 239-1269; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(10) COMPANY: Comanche County Water Supply Corporation; DOCKET NUMBER: 2024-1418-PWS-E; IDENTIFIER: RN102674835; LOCATION: De Leon, Comanche County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.44(d) and §290.46(r), by failing to provide a minimum pressure of 35 pounds per square inch (psi) throughout the distribution system under normal operating conditions and 20 psi during emergencies such as firefighting; 30 TAC §290.46(d)(2)(B) and §290.110(b)(4)

and Texas Health and Safety Code (THSC), §341.0315(c), by failing to maintain a disinfectant residual of at least 0.5 milligrams per liter of chloramines throughout the distribution system at all times; 30 TAC §290.46(e)(3)(A) and THSC, §341.033(a), by failing to operate the facility under the direct supervision of a water works operator who holds an applicable, valid Class D or higher license issued by the executive director (ED); and 30 TAC §290.46(q)(1), by failing to provide a copy of the boil water notice (BWN) to the ED within 24 hours after issuance by the facility and a signed Certificate of Delivery to the ED within ten days after issuance of the BWN; PENALTY: \$1,776; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(11) COMPANY: Coming of Christ Full Gospel Church, a community church; DOCKET NUMBER: 2024-0871-PWS-E; IDENTIFIER: RN103010211; LOCATION: Italy, Ellis County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j)(1)(A) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the Executive Director and receive approval prior to making a significant change or addition where the change in the existing system results in an increase or decrease in production, treatment, storage, or pressure maintenance; 30 TAC §290.43(c)(3), by failing to provide an overflow discharge opening on the ground storage tank with a gravity-hinged and weighted cover that closes automatically and fits tightly with no gap over 1/16 of an inch, an elastomeric duckbill valve, or other approved device to prevent the entrance of insects and other nuisances; 30 TAC §290.45(b)(1)(B)(iv) and THSC, §341.0315(c), by failing to provide a minimum pressure tank capacity of 20 gallons per connection; and 30 TAC §290.109(d)(1)(A), by failing to collect routine distribution coliform samples at a customer's premise, dedicated sampling station, or other designated compliance sampling location at active service connections which are representative of water quality throughout the distribution system; PENALTY: \$1,225; ENFORCEMENT COORDINATOR: Katherine Argueta, (512) 239-4131; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(12) COMPANY: CSWR-Texas Utility Operating Company, LLC; DOCKET NUMBER: 2024-1605-PWS-E; IDENTIFIER: RN101247815; LOCATION: Broadus, San Augustine County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.115(e)(2), by failing to conduct an operation evaluation and submit a written operation evaluation report to the executive director (ED) within 90 days after being notified of analytical results that caused an exceedance of the operational evaluation level for total trihalomethanes (TTHM) for Stage 2 Disinfection Byproducts; 30 TAC §290.115(f)(1) and Texas Health and Safety Code, §341.0315(c), by failing to comply with the maximum contaminant level of 0.080 milligrams per liter for TTHM, based on the locational running annual average; and 30 TAC §290.117(e)(2), (h), and (i)(3), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the ED for the January 1, 2023 - June 30, 2023, July 1, 2023 - December 31, 2023, and January 1, 2024 - June 30, 2024, monitoring periods; PENALTY: \$13,120; ENFORCEMENT COORDINATOR: De'Shaune Blake, (210) 403-4033; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(13) COMPANY: CSWR-Texas Utility Operating Company, LLC; DOCKET NUMBER: 2024-1801-PWS-E; IDENTIFIER: RN106182058; LOCATION: Sealy, Austin County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(f)(2) and (5)(B), by failing to maintain water works operation

and maintenance records and make them readily available by the Executive Director upon request; and 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; PENALTY: \$1,050; ENFORCEMENT COORDINATOR: Rachel Frey, (512) 239-4330; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(14) COMPANY: DC Caliche, LLC; DOCKET NUMBER: 2024-1208-AIR-E; IDENTIFIER: RN110278835; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: permanent rock and concrete crushing plant; RULES VIOLATED: 30 TAC §116.115(c) and §116.615(2), Standard Permit Registration Number 150784, Air Quality Standard Permit for Permanent Rock and Concrete Crushers, Operational Requirements Number (3)(E), and Texas Health and Safety Code, §382.085(b), by failing to locate all associated sources at least 100 feet from the property line; PENALTY: \$1,250; ENFORCEMENT COORDINATOR: Michael Wilkins, (325) 698-6134; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

(15) COMPANY: DENTON COUNTY ELECTRIC COOPERATIVE, INCORPORATED; DOCKET NUMBER: 2024-1405-WQ-E; IDENTIFIER: RN111973871; LOCATION: Highland Village, Denton County; TYPE OF FACILITY: electric utility transformer; RULE VIOLATED: TWC, §26.121(a)(2), by failing to prevent an unauthorized discharge of other waste into or adjacent to any water in the state; PENALTY: \$8,125; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$8,125; ENFORCEMENT COORDINATOR: Alejandra Basave, (512) 239-4168; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(16) COMPANY: Eden Farms Ltd; DOCKET NUMBER: 2024-1700-EAQ-E; IDENTIFIER: RN105600175; LOCATION: San Marcos, Hays County; TYPE OF FACILITY: commercial development; RULES VIOLATED: 30 TAC §213.4(a)(1) and (j) and Edwards Aquifer Protection Plan ID Number 11-0808061, Proposed Exception, by failing to obtain approval of a Water Pollution Abatement Plan prior to commencing a regulated activity over the Edwards Aquifer Recharge Zone; PENALTY: \$20,000; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$8,000; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(17) COMPANY: Enterprise Products Operating LLC; DOCKET NUMBER: 2024-1283-IWD-E; IDENTIFIER: RN100210665; LOCATION: La Porte, Harris County; TYPE OF FACILITY: marine loading facility and petroleum bulk storage terminal; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0000440000, Effluent Limitations and Monitoring Requirements Number 1, Outfall Number 003, by failing to comply with permitted effluent limitations; PENALTY: \$29,647; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$11,859; ENFORCEMENT COORDINATOR: Taylor Williamson, (512) 239-2097; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(18) COMPANY: Estela Turner dba Cerro Alto Water System; DOCKET NUMBER: 2024-1855-PWS-E; IDENTIFIER: RN102672284; LOCATION: El Paso, Hudspeth County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.46(e) and Texas Health and Safety Code (THSC), §341.033(a), by failing to use a water works operator who holds an applicable, valid license issued by the executive director (ED); 30 TAC §290.46(q)(1), by failing to issue a boil water notice (BWN) to customers of the facility within 24 hours of a low disinfectant residual using the pre-

scribed notification format as specified in 30 TAC §290.47(c); 30 TAC §290.46(q)(6)(A)(v) and THSC, §341.0315(c), by failing to collect water samples for microbiological analysis, marked as special on the laboratory sample submission form, collected from representative locations throughout the distribution system or in the affected areas of the distribution system prior to rescinding the BWN issued on September 25, 2024; and 30 TAC §290.46(q)(6)(B) and (C), by failing to notify customers that the BWN issued on September 25, 2024 had been rescinded within 24 hours or no later than the next business day, using language and format specified by the ED once the public water system had met the requirements and provide a copy of the rescind notice, a copy of the associated microbiological laboratory analysis results, and a signed Certificate of Delivery to the ED within ten days after the public water system had issued the rescind notice to customers in accordance with §290.122(f); PENALTY: \$2,475; ENFORCEMENT COORDINATOR: Mason DeMasi, (210) 657-8425; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(19) COMPANY: G.T. Sirizzotti, Ltd.; DOCKET NUMBER: 2024-1579-MLM-E; IDENTIFIER: RN106511389; LOCATION: San Antonio, Comal County; TYPE OF FACILITY: limestone mining business; RULES VIOLATED: 30 TAC §116.110(a) and Texas Health and Safety Code (THSC), §382.0518(a) and §382.085(b), by failing to obtain authorization prior to constructing or modifying a source of air contaminants; 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXR05FV11, Part III, Section A.3(b), by failing to maintain a complete Stormwater Pollution Prevention Plan (SWP3); 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR05FV11, Part III, Section A.4(g), by failing to provide training to all employees who are responsible for implementing or maintaining activities in the SWP3; 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR05FV11, Part III, Section B.2, by failing to adequately conduct periodic routine facility inspections to determine the effectiveness of the Pollution Prevention Measures and Controls; and 30 TAC §281.25(a)(4) and TPDES General Permit Number TXR05FV11, Part III, Section D.1(c), by failing to monitor a rain gauge a minimum of once per week, and once per day during storm events, and if there is no rain during a given week, to monitor and record a zero rainfall total or no rain for the week; PENALTY: \$3,651; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(20) COMPANY: Gulf Coast Authority dba Bayport Facility; DOCKET NUMBER: 2024-1620-IHW-E; IDENTIFIER: RN100219211; LOCATION: Pasadena, Harris County; TYPE OF FACILITY: industrial wastewater treatment facility; RULES VIOLATED: 30 TAC §335.2(b) and §335.4, by failing to not cause, suffer, allow, or permit the disposal of industrial solid waste at an unauthorized facility; PENALTY: \$6,975; ENFORCEMENT COORDINATOR: Eresha DeSilva, (512) 239-5084; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(21) COMPANY: I-27 Hub City Group LLC; DOCKET NUMBER: 2023-0413-PWS-E; IDENTIFIER: RN101271518; LOCATION: Idalou, Lubbock County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.42(g), by failing to obtain an exception, in accordance with 30 TAC §290.39(l), prior to using innovative/alternate treatment processes; and 30 TAC §290.45(b)(1)(B)(iii) and Texas Health and Safety Code, §341.0315(c), by failing to provide two or more service pumps having a total capacity of 2.0 gallons per minute per connection; PENALTY: \$5,839; ENFORCEMENT COORDINATOR: Taner Hengst, (512) 239-1143; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(22) COMPANY: INEOS US Chemicals Company; DOCKET NUMBER: 2024-1306-AIR-E; IDENTIFIER: RN102536307; LOCATION: Texas City, Galveston County; TYPE OF FACILITY: chemical manufacturing plant; RULES VIOLATED: 30 TAC §§101.20(3), 116.115(c), and 122.143(4), 40 Code of Federal Regulations §60.18(c)(3)(ii), New Source Review Permit Number 31936, Special Condition Numbers 3.A and 6.A, Federal Operating Permit Number O1513, General Terms and Conditions and Special Terms and Conditions Numbers. 1.A and 20, and Texas Health and Safety Code, 382.085(b), by failing to maintain the net heating value of the gas being combusted at 300 British thermal units per standard cubic foot or greater if the flare is steam-assisted or air-assisted; PENALTY: \$25,350; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$10,140; ENFORCEMENT COORDINATOR: Caleb Martin, (512) 239-2091; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(23) COMPANY: J&J STONE COMPANY, INCORPORATED; DOCKET NUMBER: 2024-1688-WQ-E; IDENTIFIER: RN106848450; LOCATION: Jarrell, Williamson County; TYPE OF FACILITY: stone mining facility; RULES VIOLATED: 30 TAC §281.25(a)(4) and Texas Pollutant Discharge Elimination System General Permit Number TXR05BV15, Part III, Section E.6, by failing to timely submit monitoring results at the intervals specified in the permit; PENALTY: \$500; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(24) COMPANY: JWS LAND LTD; DOCKET NUMBER: 2025-0327-WQ-E; IDENTIFIER: RN112093935; LOCATION: Crandall, Kaufman County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$875; ENFORCEMENT COORDINATOR: Sarah Castillo, (512) 239-1130; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(25) COMPANY: Marluc, LLC; DOCKET NUMBER: 2024-1747-WR-E; IDENTIFIER: RN112032628; LOCATION: Graford, Jack County; TYPE OF FACILITY: campground; RULES VIOLATED: 30 TAC §297.11 and TWC, §11.081 and §11.121, by failing to obtain authorization prior to diverting, impounding, storing, taking or using state water; PENALTY: \$4,050; ENFORCEMENT COORDINATOR: Alejandra Basave, (512) 239-4168; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(26) COMPANY: Martins Mill Water Supply Corporation; DOCKET NUMBER: 2024-1678-PWS-E; IDENTIFIER: RN101217669; LOCATION: Ben Wheeler, Van Zandt County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.41(c)(1)(F), by failing to obtain a sanitary control easement covering land within 150 feet of each of the facility's two wells; and 30 TAC §290.41(c)(3)(j), by failing to provide the facility's Well Number 1 with a concrete sealing block that extends a minimum of three feet from the well casing in all directions, with a minimum thickness of six inches and sloped away from the wellhead at not less than 0.25 inches per foot; PENALTY: \$506; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(27) COMPANY: Mike Neutze; DOCKET NUMBER: 2025-0042-PST-E; IDENTIFIER: RN102466588; LOCATION: Ingram, Kerr County; TYPE OF FACILITY: convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.49(a)(1) and TWC, §26.3475(d), by failing to provide corrosion protection for the underground storage tank (UST) system; and 30 TAC §334.50(b)(1)(A) and (2) and TWC, §26.3475(a) and (c)(1), by failing to monitor the

USTs in a manner which will detect a release at a frequency of at least once every 30 days, and failing to provide release detection for the pressurized piping associated with the UST system; PENALTY: \$11,390; ENFORCEMENT COORDINATOR: Adriana Fuentes, (956) 430-6057; REGIONAL OFFICE: 1804 West Jefferson Avenue, Harlingen, Texas 78550-5247, (956) 425-6010.

(28) COMPANY: RIVER OAKS WATER SUPPLY CORPORATION; DOCKET NUMBER: 2024-1262-MLM-E; IDENTIFIER: RN101187318; LOCATION: Bay City, Matagorda County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §288.20(a) and §288.30(5)(B), and TWC, §11.1272(c), by failing to adopt a drought contingency plan which includes all elements for municipal use by a retail public water supplier; 30 TAC §290.42(l), by failing to maintain a thorough and up-to-date plant operations manual for operator review and reference; 30 TAC §290.46(f)(2) and (3)(D)(vii), by failing to maintain water works operation and maintenance records and make them readily available for review by the Executive Director upon request; 30 TAC §290.46(n)(1), by failing to maintain at the public water system accurate and up-to-date detailed as-built plans or record drawings and specifications for each treatment plant, pump station, and storage tank until the facility is decommissioned; 30 TAC §290.46(n)(3), by failing to keep on file copies of well completion data as defined in 30 TAC §290.41(c)(3)(A) for as long as the well remains in service; and 30 TAC §290.121(a) and (b), by failing to develop and maintain an up-to-date chemical and microbiological monitoring plan that identifies all sampling locations, describes the sampling frequency, and specifies the analytical procedures and laboratories that the facility will use to comply with the monitoring requirements; PENALTY: \$2,791; ENFORCEMENT COORDINATOR: Ronica Rodriguez Scott, (512) 239-2510; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(29) COMPANY: Slocum Water Supply Corporation; DOCKET NUMBER: 2024-1709-PWS-E; IDENTIFIER: RN101280196; LOCATION: Elkhart, Anderson County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.39(j)(1)(A) and Texas Health and Safety Code (THSC), §341.0351, by failing to notify the executive director (ED) and receive prior approval to making a significant change or addition where the change in the existing systems results in an increase or decrease in production, treatment, storage or pressure maintenance; 30 TAC §290.39(j)(2) and THSC, §341.0351, by failing to notify the ED in writing of the addition of treatment chemicals, including long-term treatment changes that will impact the corrosivity of the water; 30 TAC §290.42(e)(4)(C), by failing to provide forced air ventilation, which includes both high level and floor level screened and louvered vents, a fan which is located at and draws air in through the top vent and discharges to the outside atmosphere through the floor level vent, and a fan switch outside, for enclosures containing more than one operating 150-pound cylinder of chlorine; 30 TAC §290.43(c)(4), by failing to provide all ground storage tanks with a liquid level indicator; 30 TAC §290.45(b)(1)(D)(i) and THSC, §341.0315(c), by failing to provide the minimum total production capacity; 30 TAC §290.46(e)(4)(C) and THSC, §341.033(a), by failing to operate the facility under the direct supervision of at least two water works operators who hold a Class C or higher groundwater license who work at least 16 hours per month; 30 TAC §290.46(m), by failing to initiate maintenance and housekeeping practices to ensure the good working condition and general appearance of the system's facilities and equipment; and 30 TAC §290.46(s)(1), by failing to calibrate the facility's well meters at least once every three years; PENALTY: \$7,503; ENFORCEMENT COORDINATOR: Kaisie Hubschmitt, (512) 239-1482; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(30) COMPANY: Sooner Pipe, LLC; DOCKET NUMBER: 2024-0989-PWS-E; IDENTIFIER: RN104423132; LOCATION: Crosby, Harris County; TYPE OF FACILITY: public water supply; RULES VIOLATED: 30 TAC §290.117(e)(2), (h), and (i)(3), by failing to conduct water quality parameter sampling at each of the facility's entry points and the required distribution sample sites, have the samples analyzed, and report the results to the executive director (ED) for the June 1, 2023 - November 30, 2023, monitoring period; 30 TAC §290.117(f)(3)(A), by failing to submit a recommendation to the ED for optimal corrosion control treatment within six months after the end of the January 1, 2021 - December 31, 2023, monitoring period during which the lead action level was exceeded; and 30 TAC §290.117(g)(2)(A), by failing to submit a recommendation to the ED for source water treatment within 180 days after the end of the January 1, 2023 - December 31, 2023, monitoring period during which the lead action level was exceeded; PENALTY: \$1,837; ENFORCEMENT COORDINATOR: Emerson Rinewalt, (512) 239-1131; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(31) COMPANY: SOUTHWEST BULK LLC; DOCKET NUMBER: 2025-0553-WQ-E; IDENTIFIER: RN100569532; LOCATION: Cleburne, Johnson County; TYPE OF FACILITY: operator; RULE VIOLATED: 30 TAC §281.25(a)(4), by failing to obtain a multi-sector general permit for stormwater discharges; PENALTY: \$875; ENFORCEMENT COORDINATOR: Jasmine Jimerson, (512) 239-2552; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(32) COMPANY: SOUTHWEST ENVIRONMENT SERVICES LLC; DOCKET NUMBER: 2025-0461-WR-E; IDENTIFIER: RN105169080; LOCATION: Tyler, Smith County; TYPE OF FACILITY: operator; RULES VIOLATED: TWC, §11.081 and §11.121, by failing to obtain authorization prior to appropriating any state water or beginning construction of any work designed for the storage, taking, or diversion of water; PENALTY: \$350; ENFORCEMENT COORDINATOR: Nancy Sims, (512) 239-5053; REGIONAL OFFICE: 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

(33) COMPANY: Town of Ponder; DOCKET NUMBER: 2024-0996-MWD-E; IDENTIFIER: RN102739349; LOCATION: Ponder, Denton County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1), TWC, §26.121(a)(1), and Texas Pollutant Discharge Elimination System Permit Number WQ0011287003, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$16,875; ENFORCEMENT COORDINATOR: Madison Stringer, (512) 239-1126; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(34) COMPANY: Triple C Concrete of Lubbock, LTD; DOCKET NUMBER: 2023-0980-AIR-E; IDENTIFIER: RN104156286; LOCATION: Lubbock, Lubbock County; TYPE OF FACILITY: concrete batch plant; RULES VIOLATED: 30 TAC §116.115(c) and §116.615(2), Standard Permit Registration Number 71025, Amendments to the Air Quality Standard Permit for Concrete Batch Plants Number (9)(F), and Texas Health and Safety Code, §382.085(b), by failing to pave all entry and exit roads and main traffic routes associated with the operation of the plant with a cohesive hard surface that can be maintained intact and cleaned; PENALTY: \$3,000; ENFORCEMENT COORDINATOR: Mackenzie Mehlmann, (512) 239-2572; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

(35) COMPANY: U.S. LAND CORPORATION; DOCKET NUMBER: 2024-1350-MWD-E; IDENTIFIER: RN102095288; LOCATION: Willis, Montgomery County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §217.63(a), by failing

to post and maintain proper signage; 30 TAC §305.125(1) and Texas Pollutant Discharge Elimination System (TPDES) Permit Number WQ0013960001, Monitoring and Reporting Requirements Number 7.b.i, by failing to report an unauthorized discharge orally to the Regional Office within 24 hours of becoming aware of the noncompliance; and 30 TAC §305.125(1) and (4), TWC, §26.121(a)(1) and TPDES Permit Number WQ0013960001, Permit Conditions Number 2.g, by failing to prevent an unauthorized discharge of wastewater into or adjacent to any water in the state; PENALTY: \$18,750; ENFORCEMENT COORDINATOR: Harley Hobson, (512) 239-1337; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 239-2545.

TRD-202502038

Gitanjali Yadav

Deputy Director, Litigation Division

Texas Commission on Environmental Quality

Filed: June 17, 2025

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**Enforcement Orders**

An agreed order was adopted regarding City of Junction, Docket No. 2020-1533-MWD-E on June 18, 2025 assessing \$38,868 in administrative penalties with \$7,773 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Red River Authority of Texas, Docket No. 2022-0747-PWS-E on June 18, 2025 assessing \$14,997 in administrative penalties with \$2,999 deferred. Information concerning any aspect of this order may be obtained by contacting Ronica Rodriguez Scott, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Horizon Regional Municipal Utility District, Docket No. 2022-1612-MWD-E on June 18, 2025 assessing \$29,250 in administrative penalties with \$5,850 deferred. Information concerning any aspect of this order may be obtained by contacting Mistie Gonzales, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Commerce Sand & Select, LLC, Docket No. 2023-0710-WQ-E on June 18, 2025 assessing \$29,375 in administrative penalties. Information concerning any aspect of this order may be obtained by contacting William Hogan, Staff Attorney at (512) 239-3400, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding City of Fredericksburg, Docket No. 2023-0977-PWS-E on June 18, 2025 assessing \$20,100 in administrative penalties with \$4,020 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Freer Water Control and Improvement District, Docket No. 2024-0848-PWS-E on June 18, 2025 assessing \$5,500 in administrative penalties with \$5,500 deferred. Information concerning any aspect of this order may be obtained by contacting Kaisie Hubschmitt, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Park Sewer Company, Docket No. 2024-0868-MWD-E on June 18, 2025 assessing \$16,250 in administrative penalties with \$3,250 deferred. Information concerning any aspect of this order may be obtained by contacting Monica Larina, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Blaine Larsen Farms, Inc., Docket No. 2024-1155-AIR-E on June 18, 2025 assessing \$24,750 in administrative penalties with \$4,950 deferred. Information concerning any aspect of this order may be obtained by contacting Rajesh Acharya, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Lincoln Pointe Development, LLC, Docket No. 2024-1281-WQ-E on June 18, 2025 assessing \$31,500 in administrative penalties with \$6,300 deferred. Information concerning any aspect of this order may be obtained by contacting Nancy Sims, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding Beach Road Municipal Utility District, Docket No. 2024-1297-MWD-E on June 18, 2025 assessing \$13,500 in administrative penalties with \$2,700 deferred. Information concerning any aspect of this order may be obtained by contacting Harley Hobson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

An agreed order was adopted regarding 32SII, LLC dba Chipper Point Apartments, Docket No. 2024-1421-PWS-E on June 18, 2025 assessing \$19,500 in administrative penalties with \$19,500 deferred. Information concerning any aspect of this order may be obtained by contacting Savannah Jackson, Enforcement Coordinator at (512) 239-2545, Texas Commission on Environmental Quality, P.O. Box 13087, Austin, Texas 78711-3087.

TRD-202502062

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2025



### Notice of an Amendment to a Certificate of Adjudication Application No. 14033

Notices Issued June 5, 2025

Plum Creek Conservation District P.O. Box 328, Lockhart, Texas 78644-0348, Applicant, seeks a temporary water use permit to divert and use not to exceed 214 acre-feet of water, within a period of three years from Tenney Creek, Guadalupe River Basin, for industrial and agricultural purposes for dam rehabilitation in Caldwell County. More information on the application and how to participate in the permitting process is given below.

The application was received on October 17, 2024, and fees were received on October 22, 2024. The application was declared administratively complete and accepted for filing with the Office of the Chief Clerk on November 14, 2024.

The Executive Director completed the technical review of the application and prepared a draft permit. The draft permit, if granted, would include special conditions including, but not limited to, streamflow restrictions. The application, technical memoranda, and Executive Director's draft permit are available for viewing on the TCEQ web

page at: [https://www.tceq.texas.gov/permitting/water\\_rights/wr-permitting/view-wr-pend-apps](https://www.tceq.texas.gov/permitting/water_rights/wr-permitting/view-wr-pend-apps). Alternatively, you may request a copy of the documents by contacting the TCEQ Office of the Chief Clerk by phone at (512) 239-3300 or by mail at TCEQ OCC, Notice Team (MC-105), P.O. Box 13087, Austin, Texas 78711.

Written public comments and requests for a public meeting should be submitted to the Office of the Chief Clerk, at the address provided in the information section below, by June 26, 2025. A public meeting is intended for the taking of public comment and is not a contested case hearing. A public meeting will be held if the Executive Director determines that there is a significant degree of public interest in the application.

The TCEQ may grant a contested case hearing on this application if a written hearing request is filed by June 26, 2025. The Executive Director may approve the application unless a written request for a contested case hearing is filed by June 26, 2025.

To request a contested case hearing, you must submit the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number, and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the proposed activity. You may also submit proposed conditions for the requested permit which would satisfy your concerns. Requests for a contested case hearing must be submitted in writing to the Office of the Chief Clerk at the address provided in the information section below.

If a hearing request is filed, the Executive Director will not issue the permit and will forward the application and hearing request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

Written hearing requests, public comments, or requests for a public meeting should be submitted to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at <https://www14.tceq.texas.gov/epic/eComment/> by entering WRTP 14033 in the search field. For information concerning the hearing process, please contact the Public Interest Counsel, MC 103, at the same address.

For additional information, individual members of the general public may contact the Public Education Program at (800) 687-4040. General information regarding the TCEQ can be found at our web site at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040 o por el internet al <http://www.tceq.texas.gov>.

TRD-202502063

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2025



### Notice of Completion of Technical Review Radioactive Material License Number R01811

**APPLICATION.** Nuclear Sources & Services, Inc., P.O. Box 34042, Houston, Texas 77234, has applied to the Texas Commission on Environmental Quality (TCEQ) for a renewal with minor amendment of a radioactive material license to authorize the storage and processing of radioactive waste. The facility is located at 5711 Etheridge Street, Houston, 77087 in Harris County, Texas. The licensee submitted an original application dated March 31, 1995, and updated applications

dated October 2, 2002, and June 1, 2008 for renewal of their radioactive material license without amendment, and updated supplemental packages dated September 10, 2010, May 12, 2011, October 3, 2011, June 14, 2018, June 27, 2018, August 8, 2018, August 15, 2018, November 20, 2018, June 27, 2019, August 27, 2019, and December 6, 2019. The June 1, 2008 application was revised by a minor amendment application, dated June 22, 2023, to add the waste processing technique of decay-in-storage. Supplemental packages were submitted in response to requests for additional information dated July 8, 2023, July 31, 2023, August 6, 2023, and September 15, 2023. The following link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/Location-Mapper/?marker=-95.3166,29.6813&level=18>

**PRELIMINARY DECISION.** The TCEQ Executive Director has completed the technical review of the application and prepared a draft license. The draft license if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this license, if issued, meets all statutory and regulatory requirements.

The license application, Executive Director's technical summary, and draft license are available for viewing and copying at the TCEQ's central office in Austin, Texas and at Mancuso Neighborhood Library, 6767 Bellfort Avenue, Houston, Texas 77087.

**PUBLIC COMMENT / PUBLIC MEETING.** You may submit public comments or request a public meeting about this application. The purpose of a public meeting is to provide the opportunity to submit comments or to ask questions about the application. TCEQ will hold a public meeting if the Executive Director determines that there is a significant degree of public interest in the application or if requested by a local legislator. A public meeting is not a contested case hearing. After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments.

**OPPORTUNITY FOR A CONTESTED CASE HEARING.** After the deadline for submitting public comments, the Executive Director will consider all timely comments and prepare a response to all relevant and material, or significant public comments. **Unless the application is directly referred for a contested case hearing, the response to comments, and the Executive Director's decision on the application, will be mailed to everyone who submitted public comments and to those persons who are on the mailing list for this application. If comments are received, the mailing will also provide instructions for requesting reconsideration of the Executive Director's decision and for requesting a contested case hearing.** A contested case hearing is a legal proceeding similar to a civil trial in state district court.

**TO REQUEST A CONTESTED CASE HEARING, YOU MUST INCLUDE THE FOLLOWING ITEMS IN YOUR REQUEST your name, address, phone number; applicant's name and license number; the location and distance of your property/activities relative to the facility; a specific description of how you would be adversely affected by the facility in a way not common to the general public; a list of all disputed issues of fact that you submit during the comment period and, the statement "[I/we] request a contested case hearing." If the request for contested case hearing is filed on behalf of a group or association, the request must designate the group's representative for receiving future correspondence; identify by name and physical address an individual member of the group who would be adversely affected by the facility or activity; provide the information discussed above regarding the affected member's location and distance from the**

**facility or activity; explain how and why the member would be affected; and explain how the interests the group seeks to protect are relevant to the group's purpose.**

Following the close of all applicable comment and request periods, the Executive Director will forward the application and any requests for reconsideration or for a contested case hearing to the TCEQ Commissioners for their consideration at a scheduled Commission meeting. The Commission may only grant a request for a contested case hearing on issues the requestor submitted in their timely comments that were not subsequently withdrawn.

**The Commission will only grant a contested case hearing on disputed issues of fact or mixed questions of fact and law that are relevant and material to the Commission's decision on the application. Further, the Commission will only grant a hearing on issues that were raised in timely filed comments that were not subsequently withdrawn.**

**EXECUTIVE DIRECTOR ACTION.** The Executive Director may issue final approval of the application unless a timely contested case hearing request or request for reconsideration is filed. If a timely hearing request or request for reconsideration is filed, the Executive Director will not issue final approval of the license and will forward the application and request to the TCEQ Commissioners for their consideration at a scheduled Commission meeting.

**MAILING LIST.** If you submit public comments, a request for a contested case hearing or a reconsideration of the Executive Director's decision, you will be added to the mailing list for this specific application to receive future public notices mailed by the Office of the Chief Clerk. In addition, you may request to be placed on: (1) the permanent mailing list for a specific applicant name and license number; and/or (2) the mailing list for a specific county. If you wish to be placed on the permanent and/or the county mailing list, clearly specify which list(s) and send your request to TCEQ Office of the Chief Clerk at the address below.

**INFORMATION AVAILABLE ONLINE:** For details about the status of the application, visit the Commissioners' Integrated Database at [www.tceq.texas.gov/goto/cid](http://www.tceq.texas.gov/goto/cid). Once you have access to the CID using the above link, enter the license number for this application, which is provided at the top of this notice.

**AGENCY CONTACTS AND INFORMATION.** All public comments and requests must be submitted either electronically at <https://www.tceq.texas.gov/agency/decisions/cc/comments.html>, or in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087 within 30 days from the date of the newspaper publication of this notice or 30 days from the date of publication in the *Texas Register*, whichever is later. Please be aware that any contact information you provide, including your name, phone number, email address and physical address will become part of the agency's public record. For more information about this license application or the licensing process, please call the TCEQ's Public Education Program, Toll Free, at (800) 687-4040 or visit their website at [www.tceq.texas.gov/goto/pep](http://www.tceq.texas.gov/goto/pep). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained from Nuclear Sources and Services, Inc. at the address stated above or by calling Gamaliel Torres at (713) 641-0391.

Issued: June 13, 2025

TRD-202502061

Laurie Gharis  
Chief Clerk  
Texas Commission on Environmental Quality  
Filed: June 18, 2025



#### Notice of Correction to Shutdown/Default Order Number 1

In the May 23, 2025, issue of the *Texas Register* (50 TexReg 3149), the Texas Commission on Environmental Quality (commission) published notice of a Shutdown/Default Order, specifically Item Number 1, for TRIANGLE BUSINESS, INC. dba Honey Stop 22; Docket Number 2022-0840-PST-E. The error is as submitted by the commission.

The reference to the Order Type should be corrected to read: "Default"  
For questions concerning this error, please contact Laney Foeller at (512) 239-6226.

TRD-202502044  
Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: June 17, 2025



#### 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 **July 29, 2025**. 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 copy of each proposed AO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. 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 July 29, 2025**. 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: City of Gunter; DOCKET NUMBER: 2022-0170-MWD-E; TCEQ ID NUMBERS: RN101917904 and RN105115125 ; LOCATIONS: The Gunter Creek Wastewater Treatment Facility (Facility 1) (RN101917904) is located adjacent to the St. Louis-San Francisco and Texas Railway, approximately 2,300 feet northwest of the intersection of State Highway 289 and Farm-to-Market Road 121, Gunter, Grayson County; The Stanley Creek Wastewater Treatment

Facility (Facility 2)(RN105115125) is located approximately 1,800 feet east of the intersection of J.C. Maples Road and Farm-to-Market Road 121, Gunter, Grayson County; TYPE OF FACILITY: wastewater treatment facilities; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.65 and 305.125(2) and Texas Pollutant Discharge Elimination System (TPDES) Permit Numbers WQ0010569001 and WQ0010569002, by failing to maintain authorization to discharge wastewater into or adjacent to any water in the state; PENALTY: \$28,125; Supplemental Environmental Project offset amount of \$28,125 applied to an Air Monitor Installation; 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.

(2) COMPANY: Express Cup, LLC dba Tommy's 15; DOCKET NUMBER: 2020-1148-PST-E; TCEQ ID NUMBER: RN102980406; LOCATION: 101 Southeast 25th Avenue, Mineral Wells, Palo Pinto County; TYPE OF FACILITY: underground storage tank (UST) system and a convenience store with retail sales of gasoline; RULES VIOLATED: 30 TAC §334.72, by failing to report a suspected release to the TCEQ within 24 hours of discovery; and 30 TAC §334.74(3), by failing to file a release determination report with the commission within 45 days after a suspected release has occurred; PENALTY: \$2,576; STAFF ATTORNEY: David Keagle, Litigation, MC 175, (512) 239-3923; REGIONAL OFFICE: Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: TERRA SOUTHWEST, INC.; DOCKET NUMBER: 2023-0472-UTL-E; TCEQ ID NUMBER: RN101265882; LOCATION: the south end of Seaborn Road, Denton, Denton County; TYPE OF FACILITY: a retail public utility, exempt utility, or provider or conveyor of potable or raw water service; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the utility's ability to provide emergency operations; PENALTY: \$500; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(4) COMPANY: TERRA SOUTHWEST, INC.; DOCKET NUMBER: 2023-0473-UTL-E; TCEQ ID NUMBER: RN101242915; LOCATION: at Greenwood Drive, approximately 0.25 miles north of Farm-to-Market Road 720 near Little Elm, Denton County; TYPE OF FACILITY: a retail public utility, exempt utility, or provider or conveyor of potable or raw water service; RULE VIOLATED: TWC, §13.1394(b)(2), by failing to adopt and submit to the TCEQ for approval an emergency preparedness plan that demonstrates the utility's ability to provide emergency operations; PENALTY: \$725; STAFF ATTORNEY: Misty James, Litigation, MC 175, (512) 239-0631; REGIONAL OFFICE: Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

TRD-202502042  
Gitanjali Yadav  
Deputy Director, Litigation  
Texas Commission on Environmental Quality  
Filed: June 17, 2025



#### Notice of Opportunity to Comment on Default Orders of Administrative Enforcement Actions

The Texas Commission on Environmental Quality (TCEQ or commission) staff is providing an opportunity for written public comment on the listed Default Orders (DOs). The commission staff proposes a DOs

when the staff has sent the Executive Director's Preliminary Report and Petition (EDPRP) to an entity outlining the alleged violations; the proposed penalty; the proposed technical requirements necessary to bring the entity back into compliance; and the entity fails to request a hearing on the matter within 20 days of its receipt of the EDPRP or requests a hearing and fails to participate at the hearing. Similar to the procedure followed with respect to Agreed Orders entered into by the executive director of the commission, in accordance with Texas Water Code (TWC), §7.075, this notice of the proposed order and the opportunity to comment is published in the *Texas Register* no later than the 30th day before the date on which the public comment period closes, which in this case is **July 29, 2025**. The commission will consider any written comments received, and the commission may withdraw or withhold approval of a DO if a comment discloses facts or considerations that indicate that consent to the proposed DO is inappropriate, improper, inadequate, or inconsistent with the requirements of the statutes and rules within the commission's jurisdiction, or the commission's orders and permits issued in accordance with the commission's regulatory authority. Additional notice of changes to a proposed DO is not required to be published if those changes are made in response to written comments.

A copy of each proposed DO is available for public inspection at both the commission's central office, located at 12100 Park 35 Circle, Building A, 3rd Floor, Austin, Texas 78753, (512) 239-3400 and at the applicable regional office listed as follows. Written comments about the DO should be sent to the attorney designated for the DO at the commission's central office at P.O. Box 13087, MC 175, Austin, Texas 78711-3087 and must be **received by 5:00 p.m. on July 29, 2025**. The commission's attorneys are available to discuss the DOs and/or the comment procedure at the listed phone numbers; however, TWC, §7.075, provides that comments on the DO shall be submitted to the commission **in writing**.

(1) COMPANY: Complex Ready Mix L.L.C.; DOCKET NUMBER: 2023-1734-WQ-E; TCEQ ID NUMBER: RN11127635; LOCATION: 21986 Farm-To-Market Road 1314, Porter, Montgomery County; TYPE OF FACILITY: a concrete batch plant; RULES VIOLATED: 30 TAC §305.125(1) and (17) and 319.7(d) and Texas Pollutant Discharge Elimination System Permit Number TXG112848, Part IV, Standard Permit Conditions Number 7.f., by failing to submit monitoring results at intervals specified in the permit; PENALTY: \$63,000; STAFF ATTORNEY: A'twar Wilkins, Litigation, MC 175, (512) 239-6515; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H., Houston, Texas 77023-1452, (713) 767-3500.

(2) COMPANY: Steven Sutherlin; DOCKET NUMBER: 2023-1731-MSW-E; TCEQ ID NUMBER: RN111816963; LOCATION: 6232 Southwest County Road 0050, Corsicana, Navarro County; TYPE OF FACILITY: an unauthorized municipal solid waste (MSW) disposal site; RULES VIOLATED: 30 TAC §328.57(c)(1), by failing to obtain a scrap tire transporter registration before transporting used and/or scrap tires; Texas Health and Safety Code, §361.112(a) and 30 TAC §328.60(a), by failing to obtain a scrap tire storage site registration for the site prior to storing more than 500 used or scrap tires on the ground or 2,000 used or scrap tires in enclosed and lockable containers; 30 TAC §328.57(c)(2) and (d), by failing to retain all manifests, work orders, and invoices showing the collection and disposition of all used or scrap tires and tire pieces for a period of at least three years; and 30 TAC §330.15(a) and (c), by causing, suffering, allowing, or permitting the unauthorized disposal of MSW; PENALTY: \$28,851; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Dallas/Fort Worth Regional Office, 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: Diamond Ready Mix, Inc.; DOCKET NUMBER: 2022-0119-WQ-E; TCEQ ID NUMBER: RN108785379; LOCATION: 5521 Breen Drive, Houston, Harris County; TYPE OF FACILITY: concrete production facility; RULES VIOLATED: TWC, §26.121(a)(1), 30 TAC §305.125(1), and Texas Pollutant Discharge Elimination System (TPDES) General Permit Number TXG112031, Part III, Permit Requirements, Section A.1., by failing to comply with permitted effluent limitations; and 30 TAC §305.125(1) and 319.5(b) and TPDES General Permit Number TXG112031, Part III, Permit Requirements, Section A.1., by failing to collect and analyze effluent samples at the intervals specified in the permit; PENALTY: \$14,648; STAFF ATTORNEY: Marilyn Norrod, Litigation, MC 175, (512) 239-5916; REGIONAL OFFICE: Houston Regional Office, 5425 Polk Street, Suite H, Houston, Texas 77023-1452, (713) 767-3500.

TRD-202502043

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: June 17, 2025



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Joseph D. Buerkle SOAH Docket No. 582-25-20545 TCEQ Docket No. 2022-1001-WOC-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing via Zoom videoconference:

**10:00 a.m. - July 10, 2025**

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

**Meeting ID:** 161 984 0712

**Password:** TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

**Meeting ID:** 161 984 0712

**Password:** 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed February 26, 2025 concerning assessing administrative penalties against and requiring certain actions of Joseph D. Buerkle, for violations in Kent County, Texas, of: Tex. Water Code §§26.0301(c) and 37.003, and 30 TAC §30.5(a) and §30.331(b).

The hearing will allow Joseph D. Buerkle, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Joseph D. Buerkle, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the

date of this preliminary hearing. **Upon failure of Joseph D. Buerkle to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Joseph D. Buerkle, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054, Tex. Water Code chs. 7 and 37, and 30 TAC Ch. 30; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 TAC §70.108 and §70.109 and Ch. 80, and 1 TAC Ch. 155.

Further information regarding this hearing may be obtained by contacting Jun Zhang, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Staff Attorney, Office of Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

**Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.**

**In accordance with 1 TAC §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."**

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: June 12, 2025

TRD-202502066

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2025



Notice of Public Hearing on Assessment of Administrative Penalties and Requiring Certain Actions of Solu LLC  
SOAH Docket No. 582-25-20544 TCEQ Docket No. 2023-0345-PST-E

The Texas Commission on Environmental Quality (TCEQ or the Commission) has referred this matter to the State Office of Administrative Hearings (SOAH). An Administrative Law Judge with the State Office of Administrative Hearings will conduct a public hearing via Zoom videoconference:

10:00 a.m. - July 10, 2025

To join the Zoom meeting via computer or smart device:

<https://soah-texas.zoomgov.com>

**Meeting ID:** 161 984 0712

**Password:** TCEQDC1

or

To join the Zoom meeting via telephone dial:

+1 (669) 254-5252

**Meeting ID:** 161 984 0712

**Password:** 5247869

The purpose of the hearing will be to consider the Executive Director's Preliminary Report and Petition mailed March 4, 2025 concerning assessing administrative penalties against and requiring certain actions of Solu LLC, for violations in Cooke County, Texas, of: Tex. Water Code §26.3475(a), (c)(1) and (d), and 30 Texas Administrative Code §§334.49(c)(2)(C) and (c)(4)(C), and 334.50(b)(1)(A) and (b)(2).

The hearing will allow Solu LLC, the Executive Director, and the Commission's Public Interest Counsel to present evidence on whether a violation has occurred, whether an administrative penalty should be assessed, and the amount of such penalty, if any. The first convened session of the hearing will be to establish jurisdiction, afford Solu LLC, the Executive Director of the Commission, and the Commission's Public Interest Counsel an opportunity to negotiate and to establish a discovery and procedural schedule for an evidentiary hearing. Unless agreed to by all parties in attendance at the preliminary hearing, an evidentiary hearing will not be held on the date of this preliminary hearing. **Upon failure of Solu LLC to appear at the preliminary hearing or evidentiary hearing, the factual allegations in the notice will be deemed admitted as true, and the relief sought in the notice of hearing may be granted by default. The specific allegations included in the notice are those set forth in the Executive Director's Preliminary Report and Petition, attached hereto and incorporated herein for all purposes.** Solu LLC, the Executive Director of the Commission, and the Commission's Public Interest Counsel are the only designated parties to this proceeding.

Legal Authority: Tex. Water Code §7.054 and Tex. Water Code chs. 7 and 26 and 30 Texas Administrative Code Chs. 70 and 334; Tex. Water Code §7.058, and the Rules of Procedure of the Texas Commission on Environmental Quality and the State Office of Administrative Hearings, including 30 Texas Administrative Code §§70.108 and 70.109 and Ch. 80, and 1 Texas Administrative Code Ch. 155.

Further information regarding this hearing may be obtained by contacting Jun Zhang, Staff Attorney, Texas Commission on Environmental Quality, Litigation Division, Mail Code 175, P.O. Box 13087, Austin, Texas 78711-3087, telephone (512) 239-3400. Information concerning your participation in this hearing may be obtained by contacting Sheldon Wayne, Staff Attorney, Office of Public Interest Counsel, Mail Code 103, at the same P.O. Box address given above, or by telephone at (512) 239-6363.

**Any document filed prior to the hearing must be filed with TCEQ's Office of the Chief Clerk and SOAH. Documents filed with the Office of the Chief Clerk may be filed electronically at [www.tceq.texas.gov/goto/efilings](http://www.tceq.texas.gov/goto/efilings) or sent to the following address: TCEQ Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087. When contacting the Commission or SOAH regarding this matter, reference the SOAH docket number given at the top of this notice.**

**In accordance with 1 Texas Administrative Code §155.401(a), Notice of Hearing, "Parties that are not represented by an attorney may obtain information regarding contested case hearings on the**

**public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH."**

Persons who need special accommodations at the hearing should call the SOAH Docketing Department at (512) 475-3445, at least one week before the hearing.

Issued: June 12, 2025

TRD-202502065

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2025



Notice of Public Meeting for Water Quality Land Application Permit for Municipal Wastewater New Proposed Permit No. WQ0016571001

**APPLICATION.** Firefly Partners, LLC, 200 North Harbor Place, Suite G, Davidson, North Carolina 28036, has applied to the Texas Commission on Environmental Quality (TCEQ) for a new permit, TCEQ Permit No. WQ0016571001 to authorize the disposal of treated domestic wastewater at a daily average flow not to exceed 20,000 gallons per day via evaporation. This permit will not authorize a discharge of pollutants into water in the state. TCEQ received this application on July 12, 2024.

The wastewater treatment facility and disposal site will be located approximately 0.52 miles southwest of the intersection of Farm-to-Market Road 1376 and OK Corral Drive, in Gillespie County, Texas 78624. The wastewater treatment facility and disposal site will be located in the drainage basin of Pedernales River in Segment No. 1414 of the Colorado River Basin. This link to an electronic map of the site or facility's general location is provided as a public courtesy and is not part of the application or notice. For the exact location, refer to the application.

<https://gisweb.tceq.texas.gov/LocationMapper/?marker=-98.751388,30.171111&level=18>

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, would establish the conditions under which the facility must operate. The Executive Director has made a preliminary decision that this permit, if issued, meets all statutory and regulatory requirements. The permit application, Executive Director's preliminary decision, and draft permit are available for viewing and copying at Harper Library, front desk, 23247 West Highway 290, Harper, Texas. The application, including any updates, and associated notices are available electronically at the following webpage:

<https://www.tceq.texas.gov/permitting/wastewater/pending-permits/tlap-applications>. Further information may also be obtained from Firefly Partners, LLC at the address stated above or by calling Mrs. Kendall Longbotham, P.E., Water Resource Engineer, reUse Engineering Inc, at (512) 755-9943.

**PUBLIC COMMENT / PUBLIC MEETING.** A public meeting will be held and will consist of two parts, an Informal Discussion Period and a Formal Comment Period. A public meeting is not a contested case hearing under the Administrative Procedure Act. During the Informal Discussion Period, the public will be encouraged to ask questions of the applicant and TCEQ staff concerning the permit application. The comments and questions submitted orally during the Informal Discussion Period will not be considered before a decision is reached on the permit application and no formal response will be made. Responses

will be provided orally during the Informal Discussion Period. During the Formal Comment Period on the permit application, members of the public may state their formal comments orally into the official record. A written response to all timely, relevant and material, or significant comments will be prepared by the Executive Director. All formal comments will be considered before a decision is reached on the permit application. A copy of the written response will be sent to each person who submits a formal comment or who requested to be on the mailing list for this permit application and provides a mailing address. Only relevant and material issues raised during the Formal Comment Period can be considered if a contested case hearing is granted on this permit application.

**The Public Meeting is to be held:**

**Thursday, July 31, 2025, at 7:00 p.m.**

**Inn on Barons Creek - Nimitz Room**

**308 S Washington Street**

**Fredericksburg, Texas 78624**

**INFORMATION.** Members of the public are encouraged to submit written comments anytime during the meeting or by mail before the close of the public comment period to the Office of the Chief Clerk, TCEQ, Mail Code MC-105, P.O. Box 13087, Austin, Texas 78711-3087 or electronically at [www.tceq.texas.gov/goto/comment](http://www.tceq.texas.gov/goto/comment). If you need more information about the permit application or the permitting process, please call the TCEQ Public Education Program, Toll Free, at (800) 687-4040. *Si desea información en español, puede llamar (800) 687-4040.* General information about the TCEQ can be found at our website at <https://www.tceq.texas.gov>.

Persons with disabilities who need special accommodations at the meeting should call the Office of the Chief Clerk at (512) 239-3300 or (800) RELAY-TX (TDD) at least five business days prior to the meeting.

Issuance Date: June 17, 2025

TRD-202502064

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: June 18, 2025



## **Texas Health and Human Services Commission**

**Public Notice - Texas State Plan for Medical Assistance Amendment**

The Texas Health and Human Services Commission (HHSC) announces its intent to submit amendments to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act. The proposed amendments will be effective September 1, 2025.

The purpose of the amendments is to update and explain the Medicaid rate payment process for the new provider type, Rural Emergency Hospital (REH). The REH provider type was implemented by the Centers for Medicare and Medicaid Services (CMS) on January 1, 2023. The fiscal impact displayed below is the impact of REH hospitals no longer providing inpatient medical services.

The proposed amendments are estimated to result in a decrease in an annual aggregate expenditure of \$714 for federal fiscal year (FFY) 2025, consisting of \$428 in federal funds and \$286 in state general revenue. For FFY 2026, the estimated result is a decrease in an annual aggregate expenditure of \$8,671, consisting of \$5,188 in federal funds and

\$3,483 in state general revenue. For FFY 2027, the estimated result is a decrease to the annual aggregate expenditure of \$8,787, consisting of \$5,257 in federal funds and \$3,530 in state general revenue.

#### Rate Hearings.

No rate hearing was conducted. This amendment is an implementation of a new provider type and not an update to reimbursement.

#### Copy of Proposed Amendment.

Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Nicole Hotchkiss, State Plan Policy Advisor, by mail at the Health and Human Services Commission, P.O. Box 13247, Mail Code H-600, Austin, Texas 78711; by telephone at (512) 487-3349; by facsimile at (512) 730-7472; or by email at [Medicaid\\_Chip\\_SPA\\_Inquiries@hhsc.state.tx.us](mailto:Medicaid_Chip_SPA_Inquiries@hhsc.state.tx.us). Once submitted to the Centers for Medicare and Medicaid Services for approval, copies of the proposed amendment will be available for review at the HHSC Access and Eligibility Services for local benefit offices.

#### Written Comments.

Written comments about the proposed amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, 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, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Provider Finance Department

North Austin Complex

Mail Code H-400

4601 W. Guadalupe St.

Austin, Texas 78751

Phone number for package delivery: (512) 487-3480

#### Fax

Attention: Provider Finance at (512) 730-7475

#### Email

[PFD\\_Hospitals@hhsc.state.tx.us](mailto:PFD_Hospitals@hhsc.state.tx.us)

#### Preferred Communication.

For the quickest response, please use email or phone, if possible, for communication with HHSC related to this state plan amendment.

TRD-202502039

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 17, 2025



## Public Notice: Texas State Plan for Medical Assistance Amendment - Home and Community-Based Services Adult Mental Health (HCBS-AMH) §1915(i) State Plan Benefit

The Texas Health and Human Services Commission (HHSC) announces its intent to submit transmittal number (TN) 25-0006 to the Texas State Plan for Medical Assistance under Title XIX of the Social Security Act.

The Centers for Medicare and Medicaid Services approved HCBS-AMH §1915(i) State Plan benefit through August 31, 2025. The requested effective date for this proposed amendment is September 1, 2025.

The proposed amendment updates the Methods and Standards for Establishing Payment Rates based on the 2026-27 General Appropriations Act, Senate Bill 1, 89th Texas Legislature, Regular Session, 2025 (Article II, HHSC Rider 23), which appropriated funding to increase attendant wages in the Adult Mental Health §1915(i) HCBS AMH State Plan benefit.

The state plan amendment accounts for rate increases in the following services: assisted living, supervised living, and supported home living.

A rate hearing will be held on July 16, 2025, at 9:00 a.m. in Austin, Texas. The hearing will be held in the HHSC John H. Winters Building, Public Hearing Room 125W, First Floor, at 701 W. 51st Street, Austin, Texas 78751. Information and updates about the proposed rate change(s) will be made available at <https://pfd.hhs.texas.gov/rate-packets>.

Written Comments - Written comments regarding the proposed payment rates may be submitted instead of, or in addition to, oral testimony until 5:00 p.m. on the day of the hearing. Written comments may be sent by U.S. mail to the Texas Health and Human Services Commission, Attention: Provider Finance Department, Mail Code H-400, P.O. Box 149030, Austin, Texas 78714-9030; by fax to Provider Finance at (512) 730-7475; or by email to [PFD-LTSS@hhs.texas.gov](mailto:PFD-LTSS@hhs.texas.gov). In addition, written comments may be sent by overnight mail or hand delivered to the Texas Health and Human Services Commission, Attention: Provider Finance, Mail Code H-400, North Austin Complex, 4601 W. Guadalupe St., Austin, Texas 78751.

The proposed amendment is estimated to result in an annual aggregate fee-for-service expenditure of \$283,663 for federal fiscal year 2025, consisting of \$170,198 in federal funds and \$113,465 in state general revenue. For federal fiscal year 2026, the estimated annual aggregate fee-for-service expenditure is \$3,403,961, consisting of \$2,036,590 in federal funds and \$1,367,371 in state general revenue. For federal fiscal year 2027, the estimated annual aggregate fee-for-service expenditure is \$3,423,401, consisting of \$2,048,221 in federal funds and \$1,375,180 in state general revenue.

Copy of Proposed Amendment- Interested parties may obtain additional information and/or a free copy of the proposed amendment by contacting Jayasree Sankaran by U.S. mail or telephone at the address and telephone number provided below or by email. Once submitted to the Centers for Medicare and Medicaid Services for approval, copies of the proposed amendment will be available for review at the HHSC Access and Eligibility Services for local benefit offices.

Written comments about the proposed state plan amendment and/or requests to review comments may be sent by U.S. mail, overnight mail, special delivery mail, hand delivery, fax, or email.

#### U.S. Mail

Texas Health and Human Services Commission

Attention: Jayasree Sankaran, Waiver Coordinator, Federal Coordination, Rules and Committees

Health and Human Services Commission

P.O. Box 13247

Mail Code H-310

Austin, Texas 78711

Overnight mail, special delivery mail, or hand delivery

Texas Health and Human Services Commission

Attention: Jayasree Sankaran, Waiver Coordinator, Federal Coordination, Rules and Committees

John H. Winters Building

Mail Code H-310

701 W. 51st St.

Austin, Texas 78751

Telephone

(512) 438-4331

Fax Attention: Jayasree Sankaran, Waiver Coordinator at (512) 323-1905

Email

TX\_Medicaid\_Waivers@hhs.texas.gov

For the in-person rate hearing, persons with disabilities who wish to attend the hearing and require auxiliary aids or services should contact Provider Finance at (737) 867-7817 at least 72 hours before the hearing so appropriate arrangements can be made.

TRD-202502057

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: June 18, 2025



## Texas Lottery Commission

Scratch Ticket Game Number 2660 "IN THE GREEN"

### 1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2660 is "IN THE GREEN". The play style is "multiple games".

### 1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2660 shall be \$5.00 per Scratch Ticket.

### 1.2 Definitions in Scratch Ticket Game No. 2660.

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 and back of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front and back 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, 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, 5X SYMBOL, 10X SYMBOL, \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100, \$500, \$1,000, \$5,000, \$100,000, STAR SYMBOL, HORSESHOE SYMBOL, POT OF GOLD SYMBOL, COIN SYMBOL, JOKER SYMBOL, KEY SYMBOL, CHERRY SYMBOL, BELL SYMBOL, DIAMOND SYMBOL, BOOT SYMBOL, CACTUS SYMBOL, CLOVER SYMBOL, LADYBUG SYMBOL, WISHBONE SYMBOL, CROWN SYMBOL, HEART SYMBOL, GOLD BAR SYMBOL, RING SYMBOL, ANCHOR SYMBOL, SEVEN SYMBOL, PIG SYMBOL, MONEY ROLL SYMBOL, LEMON SYMBOL, BANANA SYMBOL, MELON SYMBOL, APPLE SYMBOL, GRAPE SYMBOL, PALM TREE SYMBOL, SMILE SYMBOL, LIGHTNING BOLT SYMBOL and MONEY BAG SYMBOL.

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. 2660 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
02	TWO
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	TWN

30	TRTY
31	TRON
32	TRTO
33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
5X SYMBOL	WINX5
10X SYMBOL	WINX10
\$5.00	FIV\$
\$10.00	TEN\$
\$20.00	TWY\$
\$25.00	TWFV\$
\$50.00	FFTY\$
\$100	ONHN
\$500	FVHN
\$1,000	ONTH
\$5,000	FVTH
\$100,000	100TH
STAR SYMBOL	STAR
HORSESHOE SYMBOL	HRSHOE
POT OF GOLD SYMBOL	PTGOLD
COIN SYMBOL	COIN
JOKER SYMBOL	JOKER
KEY SYMBOL	KEY

CHERRY SYMBOL	CHRY
BELL SYMBOL	BELL
DIAMOND SYMBOL	DIMND
BOOT SYMBOL	BOOT
CACTUS SYMBOL	CACTUS
CLOVER SYMBOL	CLOVER
LADYBUG SYMBOL	LBUG
WISHBONE SYMBOL	BONE
CROWN SYMBOL	CROWN
HEART SYMBOL	HEART
GOLD BAR SYMBOL	BAR
RING SYMBOL	RING
ANCHOR SYMBOL	ANCHR
SEVEN SYMBOL	SEVN
PIG SYMBOL	PIG
MONEY ROLL SYMBOL	ROLL
LEMON SYMBOL	LEMN
BANANA SYMBOL	BNNA
MELON SYMBOL	MELN
APPLE SYMBOL	APPL
GRAPE SYMBOL	GRPE
PALM TREE SYMBOL	PALM
SMILE SYMBOL	SMILE
LIGHTNING BOLT SYMBOL	BOLT
MONEY BAG SYMBOL	WIN\$

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 (2660), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start

with 001 and end with 075 within each Pack. The format will be: 2660-0000001-001.

H. Pack - A Pack of the "IN THE GREEN" Scratch Ticket Game contains 075 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). The Packs will alternate. One will show the front of Ticket 001 and back of 075 while the other fold will show the back of Ticket 001 and front of 075.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "IN THE GREEN" Scratch Ticket Game No. 2660.

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 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "IN THE GREEN" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose sixty-five (65) Play Symbols. GAME 1 (TICKET FRONT): If a player matches any of the YOUR NUMBERS Play Symbols to any of the WINNING NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "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. GAME 2 (TICKET BACK): If the player reveals a "MONEY BAG" Play Symbol, the player wins the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

#### 2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly sixty-five (65) Play Symbols must appear under the Latex Overprint on the front and back portions 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-five (65) Play Symbols under the Latex Overprint on the front and back portions 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-five (65) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the sixty-five (65) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

#### 2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. GAME 1 (Ticket Front) - Key Number Match: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

D. GAME 1 (Ticket Front) - Key Number Match: There will be no matching WINNING NUMBERS Play Symbols on a Ticket.

E. GAME 1 (Ticket Front) - Key Number Match: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 20 and \$20).

F. GAME 1 (Ticket Front) - Key Number Match: A non-winning Prize Symbol will never match a winning Prize Symbol.

G. GAME 1 (Ticket Front) - Key Number Match: A Ticket may have up to three (3) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

H. GAME 1 (Ticket Front) - Key Number Match: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

I. GAME 1 (Ticket Front) - Key Number Match: The "10X" (WINX10) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

J. GAME 2 (Ticket Back) - Find: A non-winning Prize Symbol will never match a winning Prize Symbol.

K. GAME 2 (Ticket Back) - Find: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

L. GAME 2 (Ticket Back) - Find: There will be no matching non-winning Play Symbols on a Ticket.

M. GAME 2 (Ticket Back) - Find: No win(s) will appear in GAME 2 on the Ticket back, unless there is at least one (1) win in GAME 1 on the Ticket front.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "IN THE GREEN" Scratch Ticket Game prize of \$5.00, \$10.00, \$20.00, \$25.00, \$50.00, \$100 or \$500, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$25.00, \$50.00, \$100 or \$500 Scratch Ticket Game. In the event the Texas Lottery Retailer cannot verify the claim, the Texas Lottery Retailer shall provide the claimant with a claim form and instruct the claimant on how to file a claim with the Texas Lottery. If the claim is validated by the Texas Lottery, a check shall be forwarded to the claimant in the amount due. In the event the claim is not validated, the claim shall be denied and the claimant shall be notified promptly. A claimant may also claim any of the above prizes under the procedure described in Section 2.3.B and Section 2.3.C of these Game Procedures.

B. To claim a "IN THE GREEN" Scratch Ticket Game prize of \$1,000, \$5,000 or \$100,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "IN THE GREEN" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the

claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent 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 "IN THE GREEN" 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 "IN THE GREEN" 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 7,080,000 Scratch Tickets in Scratch Ticket Game No. 2660. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2660 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$5.00	731,600	9.68
\$10.00	542,800	13.04
\$20.00	94,400	75.00
\$25.00	141,600	50.00
\$50.00	94,400	75.00
\$100	20,945	338.03
\$500	3,540	2,000.00
\$1,000	377	18,779.84
\$5,000	10	708,000.00
\$100,000	6	1,180,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 4.34. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2660 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 §401.302(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. 2660, 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 401, and all final decisions of the Executive Director.

TRD-202502040  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: June 17, 2025



Scratch Ticket Game Number 2661 "PREMIER PLAY"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2661 is "PREMIER PLAY". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2661 shall be \$30.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2661.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, \$30.00, \$50.00, \$75.00, \$100, \$200, \$500, \$1,000, \$3,000, \$25,000, \$1,000,000, 2X SYMBOL,

5X SYMBOL, 10X SYMBOL, 20X SYMBOL, STAR SYMBOL, HEART SYMBOL, MOON SYMBOL, COIN SYMBOL, ELEPHANT SYMBOL, WISHBONE SYMBOL, WALLET SYMBOL, SUN SYMBOL, RAINBOW SYMBOL, GOLD BAR SYMBOL, DICE SYMBOL, DAISY SYMBOL, HORSESHOE SYMBOL, ANCHOR SYMBOL, SAILBOAT SYMBOL, LIGHTNING BOLT SYMBOL, SHELL SYMBOL, CROWN SYMBOL, UMBRELLA SYMBOL, WALNUT SYMBOL, HAT SYMBOL, BOOT SYMBOL, BIRD SYMBOL, LADYBUG SYMBOL, PIGGYBANK SYMBOL, STACK OF CASH SYMBOL, POT OF GOLD SYMBOL and RING SYMBOL.

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. 2661 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
01	ONE
03	THR
04	FOR
06	SIX
07	SVN
08	EGT
09	NIN
11	ELV
12	TLV
13	TRN
14	FTN
15	FFN
16	SXN
17	SVT
18	ETN
19	NTN
21	TWON
22	TWTO
23	TWTH
24	TWFR
25	TWV
26	TWSX
27	TWSV
28	TWET
29	TWNI
30	TRTY
31	TRON
32	TRTO

33	TRTH
34	TRFR
35	TRFV
36	TRSX
37	TRSV
38	TRET
39	TRNI
40	FRTY
41	FRON
42	FRTO
43	FRTH
44	FRFR
45	FRFV
46	FRSX
47	FRSV
48	FRET
49	FRNI
50	FFTY
51	FFON
52	FFTO
53	FFTH
54	FFFR
55	FFFV
\$30.00	TRTY\$
\$50.00	FFTY\$
\$75.00	SVFV\$
\$100	ONHN
\$200	TOHN
\$500	FVHN
\$1,000	ONTH
\$3,000	THTH

\$25,000	25TH
\$1,000,000	TPPZ
2X SYMBOL	DBL
5X SYMBOL	WINX5
10X SYMBOL	WINX10
20X SYMBOL	WINX20
STAR SYMBOL	STAR
HEART SYMBOL	HEART
MOON SYMBOL	MOON
COIN SYMBOL	COIN
ELEPHANT SYMBOL	ELEPHT
WISHBONE SYMBOL	WSHBNE
WALLET SYMBOL	WALLET
SUN SYMBOL	SUN
RAINBOW SYMBOL	RAINBW
GOLD BAR SYMBOL	BAR
DICE SYMBOL	DICE
DAISY SYMBOL	DAISY
HORSESHOE SYMBOL	HRSHOE
ANCHOR SYMBOL	ANCHOR
SAILBOAT SYMBOL	BOAT
LIGHTNING BOLT SYMBOL	BOLT
SHELL SYMBOL	SHELL
CROWN SYMBOL	CROWN
UMBRELLA SYMBOL	UMBRLA
WALNUT SYMBOL	WALNUT
HAT SYMBOL	HAT
BOOT SYMBOL	BOOT
BIRD SYMBOL	BIRD
LADYBUG SYMBOL	LDYBUG
PIGGYBANK SYMBOL	PIGBNK

STACK OF CASH SYMBOL	CASH
POT OF GOLD SYMBOL	GOLD
RING SYMBOL	RING

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 (2661), 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: 2661-000001-001.

H. Pack - A Pack of the "PREMIER PLAY" 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 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "PREMIER PLAY" Scratch Ticket Game No. 2661.

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 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "PREMIER PLAY" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose seventy-six (76) Play Symbols. BONUS PLAY AREAS PLAY INSTRUCTIONS: \$30 BONUS: If the player reveals 2 matching Play Symbols in the \$30 BONUS play area, the player wins \$30. \$50 BONUS: If the player reveals 2 matching Play Symbols in the \$50 BONUS play area, the player wins \$50. \$75 BONUS: If the player reveals 2 matching Play Symbols in the \$75 BONUS play area, the player wins \$75. \$100 BONUS: If the player reveals 2 matching Play Symbols in the \$100 BONUS play area, the player wins \$100. \$200 BONUS: If the player reveals 2 matching Play Symbols in the \$200 BONUS play area, the player wins \$200. \$500 BONUS: If the player reveals 2 matching Play Symbols in the \$500 BONUS play area, the player wins \$500. \$1,000 BONUS: If the player reveals 2 matching Play Symbols in the \$1,000 BONUS, the player wins \$1,000. PREMIER PLAY INSTRUCTIONS: 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 "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. If the player reveals a "10X" Play Symbol, the player wins 10 TIMES the prize for that symbol. If the player reveals a "20X" Play Symbol, the player wins 20 TIMES the prize for that symbol. No portion of the Display Printing nor any extraneous matter whatsoever shall be usable or playable as a part of the Scratch Ticket.

2.1 Scratch Ticket Validation Requirements.

A. To be a valid Scratch Ticket, all of the following requirements must be met:

1. Exactly seventy-six (76) Play Symbols must appear under the Latex Overprint on the front portion of the Scratch Ticket;
2. Each of the Play Symbols must have a Play Symbol Caption underneath, unless specified, and each Play Symbol must agree with its Play Symbol Caption;
3. Each of the Play Symbols must be present in its entirety and be fully legible;
4. Each of the Play Symbols must be printed in black ink except for dual image games;
5. The Scratch Ticket shall be intact;
6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
9. The Scratch Ticket must not be counterfeit in whole or in part;
10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
13. The Scratch Ticket must be complete and not miscut, and have exactly seventy-six (76) Play Symbols under the Latex Overprint on the front portion of the Scratch Ticket, exactly one Serial Number and exactly one Game-Pack-Ticket Number on the Scratch Ticket;
14. The Serial Number of an apparent winning Scratch Ticket shall correspond with the Texas Lottery's Serial Numbers for winning Scratch Tickets, and a Scratch Ticket with that Serial Number shall not have been paid previously;

15. The Scratch Ticket must not be blank or partially blank, misregistered, defective or printed or produced in error;

16. Each of the seventy-six (76) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;

17. Each of the seventy-six (76) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;

18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and

19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

A. GENERAL: 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 thirty-five (35) times.

D. GENERAL: The "2X" (DBL), "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols will never appear in any of the BONUS play areas.

E. \$30 BONUS: A non-winning \$30 BONUS play area will have two (2) different Play Symbols.

F. \$30 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$30 BONUS play area and will win \$30.

G. \$50 BONUS: A non-winning \$50 BONUS play area will have two (2) different Play Symbols.

H. \$50 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$50 BONUS play area and will win \$50.

I. \$75 BONUS: A non-winning \$75 BONUS play area will have two (2) different Play Symbols.

J. \$75 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$75 BONUS play area and will win \$75.

K. \$100 BONUS: A non-winning \$100 BONUS play area will have two (2) different Play Symbols.

L. \$100 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$100 BONUS play area and will win \$100.

M. \$200 BONUS: A non-winning \$200 BONUS play area will have two (2) different Play Symbols.

N. \$200 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$200 BONUS play area and will win \$200.

O. \$500 BONUS: A non-winning \$500 BONUS play area will have two (2) different Play Symbols.

P. \$500 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$500 BONUS play area and will win \$500.

Q. \$1,000 BONUS: A non-winning \$1,000 BONUS play area will have two (2) different Play Symbols.

R. \$1,000 BONUS: Winning Tickets will contain two (2) matching Play Symbols in the \$1,000 BONUS play area and will win \$1,000.

S. PREMIER PLAY: This play area can win up to twenty-eight (28) times.

T. PREMIER PLAY: A non-winning Prize Symbol will never match a winning Prize Symbol.

U. PREMIER PLAY: On winning and Non-Winning Tickets, the top cash prizes of \$1,000, \$3,000, \$25,000 and \$1,000,000 will each appear at least one (1) time, except on Tickets winning thirty-five (35) times and with respect to other parameters, play action or prize structure.

V. PREMIER PLAY: No matching WINNING NUMBERS Play Symbols will appear on a Ticket.

W. PREMIER PLAY: 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.

X. PREMIER PLAY: All non-winning YOUR NUMBERS Play Symbols will be different.

Y. PREMIER PLAY: All YOUR NUMBERS Play Symbols, excluding the "2X" (DBL), "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols, will never equal the corresponding Prize Symbol (i.e., 30 and \$30 and 50 and \$50).

Z. PREMIER PLAY: On all Tickets, a Prize Symbol will not appear more than four (4) times, except as required by the prize structure to create multiple wins.

AA. PREMIER PLAY: On Non-Winning Tickets, a WINNING NUMBERS Play Symbol will never match a YOUR NUMBERS Play Symbol.

BB. PREMIER PLAY: The "2X" (DBL) Play Symbol will never appear more than one (1) time on a Ticket.

CC. PREMIER PLAY: The "2X" (DBL) Play Symbol will win DOUBLE the prize for that Play Symbol and will win as per the prize structure.

DD. PREMIER PLAY: The "2X" (DBL) Play Symbol will never appear on a Non-Winning Ticket.

EE. PREMIER PLAY: The "2X" (DBL) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

FF. PREMIER PLAY: The "5X" (WINX5) Play Symbol will never appear more than one (1) time on a Ticket.

GG. PREMIER PLAY: The "5X" (WINX5) Play Symbol will win 5 TIMES the prize for that Play Symbol and will win as per the prize structure.

HH. PREMIER PLAY: The "5X" (WINX5) Play Symbol will never appear on a Non-Winning Ticket.

II. PREMIER PLAY: The "5X" (WINX5) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

JJ. PREMIER PLAY: The "10X" (WINX10) Play Symbol will never appear more than one (1) time on a Ticket.

KK. PREMIER PLAY: The "10X" (WINX10) Play Symbol will win 10 TIMES the prize for that Play Symbol and will win as per the prize structure.

LL. PREMIER PLAY: The "10X" (WINX10) Play Symbol will never appear on a Non-Winning Ticket.

MM. PREMIER PLAY: The "10X" (WINX10) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

NN. PREMIER PLAY: The "20X" (WINX20) Play Symbol will never appear more than one (1) time on a Ticket.

OO. PREMIER PLAY: The "20X" (WINX20) Play Symbol will win 20 TIMES the prize for that Play Symbol and will win as per the prize structure.

PP. PREMIER PLAY: The "20X" (WINX20) Play Symbol will never appear on a Non-Winning Ticket.

QQ. PREMIER PLAY: The "20X" (WINX20) Play Symbol will never appear as a WINNING NUMBERS Play Symbol.

RR. PREMIER PLAY: No two (2) different multiplier Play Symbols can appear on the same Ticket, as per the prize structure.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "PREMIER PLAY" Scratch Ticket Game prize of \$30.00, \$50.00, \$75.00, \$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 \$30.00, \$50.00, \$75.00, \$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 "PREMIER PLAY" Scratch Ticket Game prize of \$1,000, \$3,000, \$25,000 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 "PREMIER PLAY" Scratch Ticket Game prize, the claimant may submit the signed winning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not

responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;

2. in default on a loan made under Chapter 52, Education Code;

3. in default on a loan guaranteed under Chapter 57, Education Code; or

4. delinquent 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 "PREMIER PLAY" 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 "PREMIER PLAY" 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. 2661. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2661 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$30.00	600,000	10.00
\$50.00	300,000	20.00
\$75.00	180,000	33.33
\$100	480,000	12.50
\$200	120,000	50.00
\$500	9,600	625.00
\$1,000	1,200	5,000.00
\$3,000	130	46,153.85
\$25,000	15	400,000.00
\$1,000,000	10	600,000.00

\*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 3.55. The individual odds of winning for a particular prize level may vary based on sales, distribution, testing, and number of prizes claimed.

A. The actual number of Scratch Tickets in the game may be increased or decreased at the sole discretion of the Texas Lottery Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2661 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 §401.302(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. 2661, 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 401, and all final decisions of the Executive Director.

TRD-202502058

Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: June 18, 2025



Scratch Ticket Game Number 2700 "BREAK THE BANK"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2700 is "BREAK THE BANK". The play style is "key number match".

1.1 Price of Scratch Ticket Game.

A. The price for Scratch Ticket Game No. 2700 shall be \$2.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2700.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 03, 04, 06, 07, 08, 09, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23,

24, 25, 26, 27, 28, 29, 30, 2X SYMBOL, 5X SYMBOL, \$2.00, \$4.00, \$5.00, \$8.00, \$10.00, \$15.00, \$20.00, \$50.00, \$200, \$1,000, \$3,000 and \$30,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2700 - 1.2D

PLAY SYMBOL	CAPTION
01	ONE
03	THR
04	FOR
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	TWV
26	TWSX
27	TWSV
28	TWET
29	TWN

30	TRTY
2X SYMBOL	DBL
5X SYMBOL	WINX5
\$2.00	TWO\$
\$4.00	FOR\$
\$5.00	FIV\$
\$8.00	EGT\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$50.00	FFTY\$
\$200	TOHN
\$1,000	ONTH
\$3,000	THTH
\$30,000	30TH

E. Serial Number - A unique thirteen (13) digit number appearing under the latex scratch-off covering on the front of the Scratch Ticket. The Serial Number is for validation purposes and cannot be used to play the game. The format will be: 0000000000000.

F. Bar Code - A twenty-four (24) character interleaved two (2) of five (5) Bar Code which will include a four (4) digit game ID, the seven (7) digit Pack number, the three (3) digit Ticket number and the ten (10) digit Validation Number. The Bar Code appears on the back of the Scratch Ticket.

G. Game-Pack-Ticket Number - A fourteen (14) digit number consisting of the four (4) digit game number (2700), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 125 within each Pack. The format will be: 2700-0000001-001.

H. Pack - A Pack of the "BREAK THE BANK" Scratch Ticket Game contains 125 Tickets, packed in plastic shrink-wrapping and fanfolded in pages of two (2). One Ticket will be folded over to expose a front and back of one Ticket on each Pack. Please note the Packs will be in an A, B, C and D configuration.

I. Non-Winning Scratch Ticket - A Scratch Ticket which is not programmed to be a winning Scratch Ticket or a Scratch Ticket that does not meet all of the requirements of these Game Procedures, the State Lottery Act (Texas Government Code, Chapter 466), and applicable rules adopted by the Texas Lottery pursuant to the State Lottery Act and referenced in 16 TAC, Chapter 401.

J. Scratch Ticket Game, Scratch Ticket or Ticket - Texas Lottery "BREAK THE BANK" Scratch Ticket Game No. 2700.

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 401.302, Scratch Ticket Game Rules, these Game Procedures, and the requirements set out on the back of each Scratch Ticket. A prize winner in the "BREAK THE BANK" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose eighteen (18) Play Symbols. The player scratches the entire play area to reveal 2 LUCKY NUMBERS Play Symbols and 8 YOUR NUMBERS Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to either of the LUCKY NUMBERS Play Symbols, the player wins the prize for that number. If the player reveals a "2X" Play Symbol, the player wins DOUBLE the prize for that symbol. If the player reveals a "5X" Play Symbol, the player wins 5 TIMES the prize for that symbol. 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 eighteen (18) 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 eighteen (18) 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 eighteen (18) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the eighteen (18) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.

B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.

C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion, refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or

a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

A. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. KEY NUMBER MATCH: There will be no matching non-winning YOUR NUMBERS Play Symbols on a Ticket.

D. KEY NUMBER MATCH: There will be no matching LUCKY NUMBERS Play Symbols on a Ticket.

E. KEY NUMBER MATCH: No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 04 and \$4).

F. KEY NUMBER MATCH: A non-winning Prize Symbol will never match a winning Prize Symbol.

G. KEY NUMBER MATCH: A Ticket may have up to two (2) matching non-winning Prize Symbols, unless restricted by other parameters, play action or prize structure.

H. KEY NUMBER MATCH: The "2X" (DBL) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

I. KEY NUMBER MATCH: The "5X" (WINX5) Play Symbol will only appear on winning Tickets, as dictated by the prize structure.

## 2.3 Procedure for Claiming Prizes.

A. To claim a "BREAK THE BANK" Scratch Ticket Game prize of \$2.00, \$4.00, \$5.00, \$8.00, \$10.00, \$15.00, \$20.00, \$50.00 or \$200, a claimant shall sign the back of the Scratch Ticket in the space designated on the Scratch Ticket and may present the winning Scratch Ticket to any Texas Lottery Retailer. The Texas Lottery Retailer shall verify the claim and, if valid, and upon presentation of proper identification, if appropriate, make payment of the amount due the claimant and physically void the Scratch Ticket; provided that the Texas Lottery Retailer may, but is not required, to pay a \$50.00 or \$200 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 "BREAK THE BANK" Scratch Ticket Game prize of \$1,000, \$3,000 or \$30,000, the claimant must sign the winning Scratch Ticket and may present it at one of the Texas Lottery's Claim Centers. If the claim is validated by the Texas Lottery, payment will be made to the bearer of the validated winning Scratch Ticket for that prize upon presentation of proper identification. When paying a prize of \$600 or more, the Texas Lottery shall file the appropriate income reporting form with the Internal Revenue Service (IRS) and shall withhold federal income tax at a rate set by the IRS if required. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

C. As an alternative method of claiming a "BREAK THE BANK" Scratch Ticket Game prize, the claimant may submit the signed win-

ning Scratch Ticket and a thoroughly completed claim form via mail. If a prize value is \$1,000,000 or more, the claimant must also provide proof of Social Security number or Tax Payer Identification (for U.S. Citizens or Resident Aliens). Mail all to: Texas Lottery Commission, P.O. Box 16600, Austin, Texas 78761-6600. The Texas Lottery is not responsible for Scratch Tickets lost in the mail. In the event that the claim is not validated by the Texas Lottery, the claim shall be denied and the claimant shall be notified promptly.

D. Prior to payment by the Texas Lottery of any prize, the Texas Lottery shall deduct the amount of a delinquent tax or other money from the winnings of a prize winner who has been finally determined to be:

1. delinquent in the payment of a tax or other money to a state agency and that delinquency is reported to the Comptroller under Government Code §403.055;
2. in default on a loan made under Chapter 52, Education Code;
3. in default on a loan guaranteed under Chapter 57, Education Code; or
4. delinquent 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 "BREAK THE BANK" 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 "BREAK THE BANK" 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 24,000,000 Scratch Tickets in Scratch Ticket Game No. 2700. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2700 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$2.00	2,304,000	10.42
\$4.00	1,344,000	17.86
\$5.00	288,000	83.33
\$8.00	96,000	250.00
\$10.00	480,000	50.00
\$15.00	192,000	125.00
\$20.00	192,000	125.00
\$50.00	90,000	266.67
\$200	10,000	2,400.00
\$1,000	300	80,000.00
\$3,000	130	184,615.38
\$30,000	10	2,400,000.00

\*The number of prizes in a game is approximate based on the number of tickets ordered. The number of actual prizes available in a game may vary based on number of tickets manufactured, testing, distribution, sales and number of prizes claimed.

\*\*The overall odds of winning a prize are 1 in 4.80. 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 Commission.

5.0 End of the Scratch Ticket Game. The Executive Director may, at any time, announce a closing date (end date) for the Scratch Ticket Game No. 2700 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 §401.302(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. 2700, 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 401, and all final decisions of the Executive Director.

TRD-202502059  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: June 18, 2025

**North Central Texas Council of Governments**

Notice of Contract Award for In-Plant Vehicle Inspection Services

Pursuant to the provisions of Government Code, Chapter 2254, the North Central Texas Council of Governments publishes this notice of contract award. The request appeared in the July 5, 2024, issue of the *Texas Register* (49 TexReg 4969). The selected entity will perform technical and professional work for In-Plant Vehicle Inspection Services for 19 small light-duty cutaway non-electric transit vehicles.

The entity selected for this project is TRC Engineering Services, LLC, 2200 Winter Springs Boulevard, Suite 106-344, Oviedo, FL 32765 for a contract not to exceed \$75,000.

Issued in Arlington, Texas on June 16, 2025.

TRD-202502037  
 Todd Little  
 Executive Director  
 North Central Texas Council of Governments  
 Filed: June 16, 2025



## Permian Basin Metropolitan Planning Organization

### Notice to Professional Consultants Request for Qualifications (RFQ)

The Permian Basin Metropolitan Planning Organization (MPO) for the Midland-Odessa metropolitan area, is seeking proposals from qualified individuals or firms for consultant services to assist with an ADA Accessibility Plan.

To view the full RFQ document, visit our website at [www.permianbasinmppo.com](http://www.permianbasinmppo.com).

For more information, contact Cameron Walker at Permian Basin MPO, (432) 617-0129.

TRD-202502021

Cameron Walker

Executive Director

Permian Basin Metropolitan Planning Organization

Filed: June 16, 2025

## Public Utility Commission of Texas

### Preliminary Request for Comments

The Public Utility Commission of Texas (commission) publishes this preliminary notice of intention to review Chapter 25, Substantive Rules Applicable to Electric Service Providers, in accordance with Texas Government Code §2001.039, Agency Review of Existing Rules. The text of the rules may be found in the Texas Administrative Code, Title 16, Economic Regulation, Part 2, or through the commission's website at [www.puc.texas.gov](http://www.puc.texas.gov).

The commission seeks comments on whether any rule in Chapter 25 should be repealed or amended. Interested persons may file comments electronically through the interchange on the commission's website or may submit comments to the filing clerk, Public Utility Commission of Texas, 1701 North Congress Avenue, P.O. Box 13326, Austin, Texas 78711-3326, by Friday, July 11, 2025. When filing comments, interested persons are requested to comment on the sections in the same order they are found in the chapter and to clearly designate which section is being commented upon. All comments should refer to Project Number 57999.

Given the large number of rules in Chapter 25, please make sure to use a clear organizational method, especially if you are recommending changes to multiple rules. Charts, tables, and other strategies that will allow Commission Staff to efficiently organize and evaluate comments are encouraged. Similarly, including clear, succinct statements of recommended changes that can be readily distinguished from any extended analysis is greatly appreciated. As is filing documents in native format, rather than PDF.

If it is determined that any section of Chapter 25 needs to be repealed or amended, and that the repeal or amendment can be completed as a part of this rule review, the commission will include the proposed repeal or amendment into its formal notice of intention to review Chapter 25. Interested persons will have an opportunity to comment on these proposed rule repeals and amendments at that time.

If it is determined that any section of Chapter 25 may need to be repealed or amended, but the repeal or amendment requires further investigation or is inappropriate for consideration as a part of a rule review, the commission may consider the repeal or amendment in a future rule-making proceeding.

TRD-202501993

Adriana Gonzales  
Rules Coordinator  
Public Utility Commission of Texas  
Filed: June 11, 2025

## Texas Department of Transportation

### Public Hearing Notice - Unified Transportation Program

The Texas Department of Transportation (department) will hold a virtual public hearing on Wednesday, July 23, 2025 at 2:00 p.m. Central Daylight Time (CDT) via electronic means. Instructions for accessing the hearing will be published on the department's website at: <https://www.txdot.gov/projects/planning/utp/utp-public-involvement.html>. The purpose of the hearing is to receive public input on the development of the 2026 Unified Transportation Program (UTP), including the highway project selection process related to the UTP.

Transportation Code, §201.991 provides that the department shall develop a UTP covering a period of 10 years to guide the development and authorize construction of transportation projects. Transportation Code, §201.602 requires the Texas Transportation Commission (commission) to annually conduct a hearing on its highway project selection process and the relative importance of the various criteria on which the commission bases its project selection decisions. The commission has adopted rules located in Title 43, Texas Administrative Code, Chapter 16, governing the planning and development of transportation projects, which include guidance regarding public involvement related to the project selection process and the development of the UTP.

Information regarding the 2026 UTP and highway project selection process will be available on the department's website at: <https://www.txdot.gov/projects/planning/utp.html>.

Persons wishing to speak at the hearing may register in advance by notifying the Transportation Planning and Programming Division at (800) 687-8108 no later than Friday, July 18, 2025. Speakers will be taken in the order registered and will be limited to three minutes. Speakers who do not register in advance will be taken at the end of the hearing. Any interested person may offer comments or testimony; however, questioning of witnesses will be reserved exclusively to the presiding authority as may be necessary to ensure a complete record. While any persons with pertinent comments or testimony will be granted an opportunity to present them during the course of the hearing, the presiding authority reserves the right to restrict testimony in terms of time or repetitive content. Groups, organizations, or associations should be represented by only one speaker. Speakers are requested to refrain from repeating previously presented testimony.

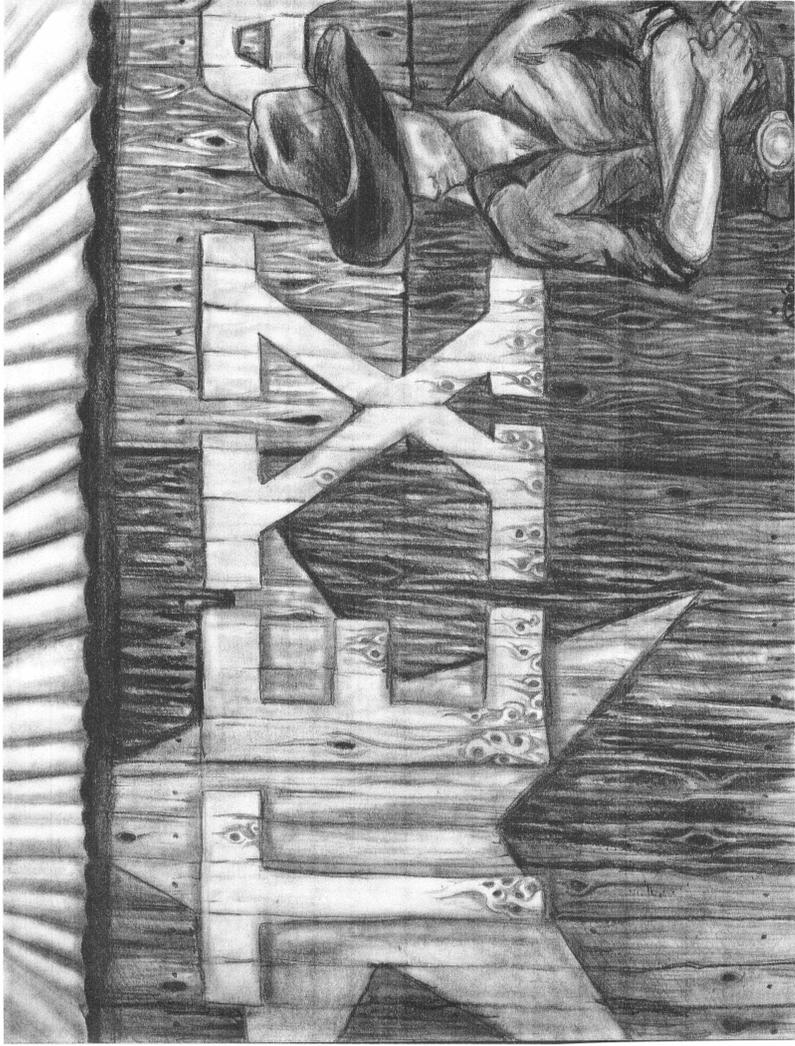
The public hearing will be conducted in English. Persons who have special communication or accommodation needs and who plan to participate are encouraged to contact the Transportation Planning and Programming Division at (800) 687-8108. Requests should be made at least three working days prior to the public hearing. Every reasonable effort will be made to accommodate these needs.

Interested parties who are unable to participate may submit written comments regarding the proposed 2026 UTP to the Texas Department of Transportation, Attention: TPP-UTP, 125 E 11th Street, Austin, Texas 78701. Interested parties may also submit comments by e-mail to [UTP-PublicComments@txdot.gov](mailto:UTP-PublicComments@txdot.gov), phone at (800) 767-1744, or through the online options that will be available on the department's website at: <https://www.txdot.gov/projects/planning/utp/utp-public-involvement.html>. In order to be considered, comments must be received by 4:00 p.m. CDT on Monday, July 28, 2025.

TRD-202501994

Becky Blewett  
Deputy General Counsel  
Texas Department of Transportation  
Filed: June 11, 2025





## 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 50 (2025) is cited as follows: 50 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 “50 TexReg 2 issue date,” while on the opposite page, page 3, in the lower right-hand corner, would be written “issue date 50 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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