

1 **CHAPTER 800. GENERAL ADMINISTRATION**

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3 **PROPOSED RULES WITH PREAMBLE TO BE SUBMITTED TO THE TEXAS**  
4 **REGISTER. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS**  
5 **SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE TEXAS REGISTER.**

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7 **ON OCTOBER 21, 2015, THE TEXAS WORKFORCE COMMISSION PROPOSED THE**  
8 **BELOW RULES WITH PREAMBLE TO BE SUBMITTED TO THE TEXAS REGISTER.**

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10 Estimated Publication Date of the Proposal in the *Texas Register*: **November 6, 2015**  
11 Estimated End of Comment Period: **December 7, 2015**

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13 The Texas Workforce Commission (Commission) proposes amendments to the following section  
14 of Chapter 800, relating to General Administration:

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16 Subchapter G. Petition for Adoption of Rules, §800.252

- 17  
18 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**  
19 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**  
20 **PART III. IMPACT STATEMENTS**  
21 **PART IV. COORDINATION ACTIVITIES**

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23 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

24 The purpose of the proposed Chapter 800 rule change is to comply with House Bill 763 passed  
25 by the 84<sup>th</sup> Texas Legislature, Regular Session (2015). House Bill 763 amends Texas  
26 Government Code §2001.021, Petition for Adoption of Rules, by providing a definition of  
27 "interested person" for the Commission's long-standing procedures for the submission,  
28 consideration, and disposition of a rulemaking petition.

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30 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

31 (Note: Minor editorial changes are made that do not change the meaning of the rules and,  
32 therefore, are not discussed in the Explanation of Individual Provisions.)

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34 **SUBCHAPTER G. PETITION FOR ADOPTION OF RULES**

35 **The Commission proposes the following amendments to Subchapter G:**

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37 **§800.252. Definitions**

38 New §800.252(2) adds the definition of "interested person" to the list of words and terms in this  
39 subchapter. An interested person is defined as:

- 40 (A) a resident of this state;  
41 (B) a business entity located in this state;  
42 (C) a governmental subdivision located in this state; or  
43 (D) a public or private organization located in this state that is not a state agency.

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45 **PART III. IMPACT STATEMENTS**

1 Randy Townsend, Chief Financial Officer, has determined that for each year of the first five  
2 years the rules will be in effect, the following statements will apply:

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4 There are no additional estimated costs to the state and to local governments expected as a result  
5 of enforcing or administering the rules.

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7 There are no estimated cost reductions to the state and to local governments as a result of  
8 enforcing or administering the rules.

9  
10 There are no estimated losses or increases in revenue to the state or to local governments as a  
11 result of enforcing or administering the rules.

12  
13 There are no foreseeable implications relating to costs or revenue of the state or local  
14 governments as a result of enforcing or administering the rules.

15  
16 There are no anticipated economic costs to persons required to comply with the rules.

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18 There is no anticipated adverse economic impact on small businesses or microbusinesses as a  
19 result of enforcing or administering the rules.

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21 Economic Impact Statement and Regulatory Flexibility Analysis

22 The Agency has determined that the proposed rules will not have an adverse economic impact on  
23 small businesses, as these proposed rules place no requirements on small businesses.

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25 Doyle Fuchs, Director of Labor Market and Career Information, has determined that there is no  
26 significant negative impact upon employment conditions in the state as a result of the rules.

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28 Reagan Miller, Director, Workforce Development Division, has determined that for each year of  
29 the first five years the rules are in effect, the public benefit anticipated as a result of enforcing the  
30 proposed rules will be to provide a definition of "interested person" for the purposes of a  
31 rulemaking petition.

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33 The Agency hereby certifies that the proposal has been reviewed by legal counsel and found to  
34 be within the Agency's legal authority to adopt.

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36 **PART IV. COORDINATION ACTIVITIES**

37 In the development of these rules for publication and public comment, the Commission sought  
38 the involvement of Texas' 28 Boards. The Commission provided the concept paper regarding  
39 these rule amendments to the Boards for consideration and review on August 25, 2015. The  
40 Commission also conducted a conference call with Board executive directors and Board staff on  
41 September 11, 2015, to discuss the concept paper. During the rulemaking process, the  
42 Commission considered all information gathered in order to develop rules that provide clear and  
43 concise direction to all parties involved.

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45 Comments on the proposed rules may be submitted to TWC Policy Comments, Workforce  
46 Policy and Service Delivery, attn: Workforce Editing, 101 East 15th Street, Room 440T, Austin,

1 Texas 78778; faxed to (512) 475-3577; or e-mailed to TWCPolicyComments@twc.state.tx.us.  
2 Comments must be received or postmarked no later than 30 days from the date this proposal is  
3 published in the *Texas Register*.  
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5 The rules are proposed under Texas Labor Code §301.0015 and §302.002(d), which provide the  
6 Texas Workforce Commission with the authority to adopt, amend, or repeal such rules as it  
7 deems necessary for the effective administration of Agency services and activities.  
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9 The proposed rules affect Title 4, Texas Labor Code, Chapters 301 and 302.  
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1                                   **CHAPTER 800. GENERAL ADMINISTRATION**

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3                   **SUBCHAPTER G. PETITION FOR ADOPTION OF RULES**

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5                   **§800.252. Definitions.**

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7                   The following words and terms, when used in this subchapter, shall have the following  
8                   meanings~~meaning~~, unless the context clearly indicates otherwise:;

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10                   (1) ~~**Commission--**~~The Texas Workforce Commission-

11                   (2) **Interested person--**An interested person is defined as:

12                   (A) a resident of this state;

13                   (B) a business entity located in this state;

14                   (C) a governmental subdivision located in this state; or

15                   (D) a public or private organization located in this state that is not a state  
16                   agency.

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