

TABLES & GRAPHICS

Graphic images included in rules are published separately in this tables and graphics section. Graphic images are arranged in this section in the following order: Title Number, Part Number, Chapter Number and Section Number.

Graphic images are indicated in the text of the emergency, proposed, and adopted rules by the following tag: the word “Figure” followed by the TAC citation, rule number, and the appropriate subsection, paragraph, subparagraph, and so on.

Figure: 19 TAC §13.474(b)

<u>Funded Outcome</u>	<u>Funded Value</u>	<u>Funded Value for Completion in a High-Demand Field</u>
<u>(1) Dual Credit or Dual Enrollment Fundable Outcome</u>	<u>\$1,700</u>	<u>n/a</u>
<u>(2) Transfer Fundable Outcome or Structured Co-Enrollment Fundable Outcome</u>	<u>\$3,500</u>	<u>n/a</u>
<u>(3) Fundable Credentials</u>	<u>See subtypes below</u>	<u>See subtypes below</u>
<u>(A) Licensure/Certification, as defined in 13.472(16)(C)(iii)</u>	<u>\$1,000</u>	<u>\$1,250</u>
<u>(B) Institutional Credential Leading to a Licensure/Certification</u>	<u>\$1,000</u>	<u>\$1,250</u>
<u>(C) Occupational Skills Award</u>	<u>\$750</u>	<u>\$1,000</u>
<u>(D) Certificate (Advanced Technical Certificate, Level 1 or Level 2 Certificate)</u>	<u>\$1,750</u>	<u>\$3,500</u>
<u>(E) Associate Degree</u>	<u>\$3,500</u>	<u>\$4,500</u>
<u>(F) Baccalaureate Degree</u>	<u>\$3,500</u>	<u>\$4,500</u>

Figure: 26 TAC §749.4419

<u>Type of pre-service training</u>	<u>When the caregiver must complete the training</u>
(1) <u>General Pre-Service required in (a)(1) in Figure: 26 TAC §749.863(a)</u>	<u>Before you issue the non-expiring foster home verification, unless you waive the training requirement according to §749.868 of this chapter (relating to Can a child-placing agency waive pre-service training requirements for a foster parent?).</u>
(2) <u>Normalcy required in (a)(2) in Figure: 26 TAC §749.863(a)</u>	<u>Before you issue the non-expiring foster home verification unless you waive the training requirement according to §749.868 of this chapter.</u>
(3) <u>Emergency Behavior Intervention, if you do not allow the use of emergency behavior intervention, required in (a)(3) in Figure: 26 TAC §749.863(a)</u>	<u>Before you issue the non-expiring foster home verification, unless:</u> <u>(A) The caregiver is exempt because the caregiver cares exclusively for children receiving treatment services for primary medical needs; or</u> <u>(B) You waive the training requirement according to §749.868 of this chapter.</u>
(4) <u>Emergency Behavior Intervention, if you allow the use of emergency behavior intervention required in (a)(4) in Figure: 26 TAC §749.863(a)</u>	<u>According to the time frames in (a)(4)(C) in in Figure: 26 TAC §749.863(a), unless:</u> <u>(A) The caregiver is exempt because the caregiver cares exclusively for children receiving treatment services for primary medical needs; or</u> <u>(B) You waive the training requirement according to §749.868 of this chapter.</u>
(5) <u>Safe Sleeping required in (a)(5) in Figure: 26 TAC §749.863(a)</u>	<u>If kinship foster home will care for a child younger than two years of age, according to the time frames in (a)(5)(C) in in Figure: 26 TAC §749.863(a).</u>
(6) <u>Administering Psychotropic Medication in (a)(6) in Figure: 26 TAC §749.863(a)</u>	<u>Before the caregiver administers psychotropic medication.</u>

Figure: 26 TAC §749.4421(b)(2)

<p><u>If DFPS or SSCC:</u></p>	<p><u>Then you must complete the following home screening requirements before you issue a provisional foster home verification:</u></p>
<p><u>(A) Provides you with a kinship home assessment</u></p>	<p><u>(i) Review and evaluate the kinship home assessment for compliance with the foster home screening requirements in Subchapter M, Division 2 of this chapter;</u></p> <p><u>(ii) After you review and evaluate the assessment, document the following in an addendum to the assessment:</u></p> <p style="padding-left: 40px;"><u>(I) Any additional information required for the overall assessment to comply with Subchapter M, Division 2 of this chapter; and</u></p> <p style="padding-left: 40px;"><u>(II) How you addressed any areas of non-compliance, risk factors, or risk indicators you identified during your review and evaluation with the kinship foster parents; and</u></p> <p><u>(iii) Meet the requirements in §749.4423 of this division (relating to What information must I obtain from a Texas Department of Family and Protective Services (DFPS) kinship development worker or Single Source Continuum Contractor (SSCC) equivalent and document in a foster home screening for a provisional kinship foster home verification?).</u></p>
<p><u>(B) Does not provide you with a copy of the kinship home assessment or did not complete a kinship home assessment</u></p>	<p><u>(i) Complete a home screening that meets the requirements specified in Subchapter M, Division 2 of this chapter; and</u></p> <p><u>(ii) Meet the requirements in §749.4423 of this division.</u></p>

Figure: 37 TAC §35.52(a)

Violation	1 st Action	2 nd Action within 2 years	3 rd Action within 2 years	4 th Action within 2 years
Failure to display required items on uniform — TAC 35.14	\$250	\$500	Suspension, 60 days	Revocation
Failure to establish drug-free workplace policy —TAC 35.13	\$250	\$500	Suspension, 60 days	Revocation
Failing to complete required continuing education – TAC 35.161	\$250	\$500	Suspension, 60 days	Revocation
Failure to notify Department of change in ownership — OCC 1702.129	\$500	\$1000	Suspension, 60 days	Revocation
Failure to notify Department of required information —OCC 1702.129	\$250	\$500	Suspension, 60 days	Revocation
Failure to maintain records — TAC 35.3, 35.111; 35.112	\$250	\$500	Suspension, 60 days	Revocation
Failure to conduct pre-employment check – TAC 35.3	\$250	\$500	Suspension, 60 days	Revocation
Failure to license employee —OCC 1702.386	\$500	\$1000	Suspension, 60 days	Revocation
Failure to license employee -- ineligible individual -- OCC 1702.386	\$1000	Suspension, 60 days	Revocation	
Failure to provide report to client within 7 days— TAC 35.6	\$500	\$1000	Suspension, 60 days	Revocation
Failure to qualify company representative (90 days) — TAC 35.43	\$250	\$500	Suspension, 60 days	Revocation
Comp. Rep. failing to oversee business— TAC 35.41 (company violation)	\$1,000	Suspension, 60 days	Revocation	
Operating while suspended or expired —OCC 1702.101 -- .1025; 1702.361	\$500	\$1000	Suspension, 60 days	Revocation
Operating outside of scope of license —OCC 1702.101 --.1025; 1702.361	\$5000	Revocation		
Failure to present pocket card, valid ID upon request -- TAC 35.5	\$250	\$500	Suspension, 60 days	Revocation
Failure to cooperate with investigation or inspection -- TAC 35.5	\$500	\$1000	Revocation	

Consumer information violation -- TAC 35.8	\$250	\$500	Suspension, 60 days	Revocation
Advertising violation -- TAC 35.5; 35.9	\$500	\$1000	Suspension, 60 days	Revocation
Capias or arrest warrant violation – TAC 35.10	\$500	\$1,000	Suspension, 60 days	Revocation
Operating without license – OCC. 1702.101 – 1025; 1702.388	\$5,000	\$5,000	\$5,000	\$5,000
School record violation -- TAC 35.147; 35.162	\$250	\$500	Suspension, 60 days	Revocation
Firearm violations -- TAC 35.7	\$500	\$1000	Suspension, 60 days	Revocation
Requiring proof of vaccination — TAC 35.5(d)	\$250	\$500	Suspension, 60 days	Revocation
Employee/public interactions – TAC 35.5 (e) or (f)	\$250	\$500	Suspension, 60 days	Revocation

Figure: 37 TAC §36.60(a)

Violation	1st Violation	2nd within 2 years	3rd within 2 years	4th within 2 years
Address				
Address on File. (37 TAC §36.3)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Forms				
Forms. (37 TAC §36.4)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Declaration of Extent of Catalytic Converter Transactions (Occ. Code §1956.022, .024, or .127)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Ownership				
Change in Ownership. (37 TAC §36.13)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Locations				
Adding or Changing Locations. (37 TAC §36.18)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Notice to Sellers. (Occ. Code, §1956.031)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Display Current Certificate of Registration (37 TAC §36.15(c))	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Records				
Information Regarding Seller. (Occ. Code, §1956.032)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Record of Purchase. (Occ. Code, §1956.033)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Documentation of Fire-Salvaged Insulated Communications Wire. (37 TAC §36.33)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Photograph or Recording Requirement (Occ. Code, §1956.0331)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Preservation of Records. (Occ. Code, §1956.034)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Inspection of Records. (Occ. Code, §1956.035)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Reporting Requirements. (37 TAC §36.31)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Furnishing of Report to Department. (Occ. Code, §1956.036)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Placement of Items on Hold. (Occ. Code, §1956.037)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Conduct				
Standards of Conduct. (37 TAC §36.36 (a), (b), (d), (f) or (g).	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation
Explosives. (37 TAC §36.36 (c))	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation

Hours for Purchasing Material. (Occ. Code, §1956.039)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Notice of Restrictions. (Occ. Code, §1956.104)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Operating After Expiration of Registration (§1956.021; §1956.023(d))	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Misrepresentation of Registration Status When Expired (§1956.021; §1956.023(d))	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Catalytic Converter Requirements. (Occ. Code §1956.0321; §1956.033; §1956.034; §1956.123--.125)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Training				
Texas Metals Program Recycler Training. (37 TAC §36.34)	Reprimand	Admin Penalty up to \$250	Suspension 60 days	Revocation
Payment				
Payment by Metal Recycling Entity. (37 TAC §36.35, Occ. Code §1702.0381, or §1956.038(b)).	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Cash Transaction Card. (Occ. Code, §1956.0382)	Admin Penalty up to \$500	Admin Penalty up to \$1000	Suspension 60 days	Revocation
Cash Transaction Card. (37 TAC §36.37)	Reprimand	Admin Penalty up to \$500	Admin Penalty up to \$1000	Revocation
Solicitation				
Solicitation of Purchase at Prohibited Location. (Occ. Code, §1956.203)	Admin Penalty up to \$250	Admin Penalty up to \$500	Suspension 60 days	Revocation

Please note: For violations not listed above, the department may impose a penalty not to exceed \$500 for the first violation, and \$1,000 for the second violation within the preceding one-year period, under the authority of Rule 36.60(a).

Figure: 37 TAC §439.19(b)

Examination	Section	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
Combined Basic Structure FP	Hazardous Materials Awareness	25		
	Hazardous Materials Operations	25		
	Firefighter I	100		
	Firefighter II	75		
	TOTAL	225	25	4.5 Hours
Basic Fire Inspector	Inspector I	50		
	Inspector II	50		
	TOTAL	100	15	2.0 Hours
Sectional Exams	Hazardous Materials Awareness	50	5	1.0 Hour
	Hazardous Materials Operations	50	5	1.0 Hour
	Firefighter I	100	10	2.0 Hour
	Firefighter II	75	8	1.5 Hours
	Inspector I	50	5	1.0 Hours
	Inspector II	50	5	1.0 Hours
	FOR ALL OTHER EXAMINATIONS, SECTIONAL EXAMINATIONS, AND RETESTS			
	Recommended Hours	Number of Exam Questions	Maximum Possible Number of Pilot Questions	Time Allowed
IF THE RECOMMENDED HOURS FOR THE CURRICULUM OR SECTION IS:	Less than 30	25 [50]	3	30 Minutes [1.0 hour]
	31 to 100	50	5	1.0 Hour
	101 to 200	75	8	1.5 Hours
	201 to 300	100	10	2.0 Hours
	301 to 400	125	13	2.5 Hours
	401 or More	150	15	3.0 Hours