

# 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.

## Comptroller of Public Accounts

Certification of the Single Local Use Tax Rate for Remote Sellers - 2024

The Comptroller of Public Accounts, administering agency for the collection of the Single Local Use Tax Rate for Remote Sellers, has determined, as required by Tax Code, §151.0595(e), that the estimated average rate of local sales and use taxes imposed in this state during the preceding state fiscal year ending August 2023 is 1.75%. This rate will be in effect for the period of January 1, 2024 to December 31, 2024.

Inquiries should be submitted to Jenny Burleson, Director, Tax Policy Division, P.O. Box 13528, Austin, Texas 78711-3528.

This agency hereby certifies that legal counsel has reviewed this notice and found it to be within the agency's authority to publish.

Issued in Austin, Texas, on November 10, 2023.

TRD-202304189

Jenny Burleson

Director, Tax Policy

Comptroller of Public Accounts

Filed: November 10, 2023



## Office of Consumer Credit Commissioner

Correction of Error

The Office of Consumer Credit Commissioner proposed amendments to 7 TAC §83.6007 in the November 10, 2023, issue of the *Texas Register* (48 TexReg 6516). Due to an error by the Texas Register, three of the four figures included in the amendments were published incorrectly. The figures included in subsections (a), (b) and (d) were incorrect. The figure included in subsection (c) was published correctly. The correct version of all four figures follows.

# CAB NAME HERE

## Payday Loan

\$\_\_\_\_\_, One Payment

### Cost Disclosure

#### Cost of this loan:

Borrowed amount (cash advance)	\$ _____
Interest paid to lender (interest rate: __ %)	\$ _____
Fees paid to CAB name here	\$ _____
Total of payments (if I pay on time)	\$ _____





APR	_____ %
Term of loan	_____

If I pay off the loan in:	I will have to pay interest and fees of approximately:	I will have to pay a total of approximately:
2 Weeks	\$ _____	\$ _____
1 Month	\$ _____	\$ _____
2 Months	\$ _____	\$ _____
3 Months	\$ _____	\$ _____

#### Cost of other types of loans:

Least Expensive	Credit Cards	Secured Loans	Signature Loans	Pawn Loans	Auto Title Loans	Payday Loans	Most Expensive
	↓	↓	↓	↓	↓	↓	
	22%	30%	89%	180%	223%	415%	Average APR
	\$1.82	\$3.55	\$13.38	\$15.00	\$19.45	\$34.14	Average fees & interest per \$100 borrowed over 1 month

#### Repayment:

Of 10 people who get a new single-payment payday loan:	
	5 ¼ will pay the loan on time as scheduled (typically before 30 days)
	1 ½ will renew 1 time before paying off the loan
	1 ¼ will renew 2 to 4 times before paying off the loan
	1 will renew 5 or more times or will never pay off the loan

This data is from 2022 reports to the OCCC.

#### Before getting this loan, ask yourself:

- Do I need to borrow this money?
- Can I pay back the loan *in full* when it is due?
- Can I pay my bills and repay this loan?
- Can I afford late charges if I miss a payment?
- Do I have other credit options?

#### OCCC notice:

- This company is regulated by the Texas Office of Consumer Credit Commissioner (OCCC).
- OCCC Consumer Helpline: (800) 538-1579, [consumer.complaints@occc.texas.gov](mailto:consumer.complaints@occc.texas.gov).
- Visit [occc.texas.gov](http://occc.texas.gov) for more information.
- This disclosure is provided under Texas Finance Code Section 393.223.

# CAB NAME HERE

## Payday Loan

\$ \_\_\_\_\_, \_\_\_\_\_ Payments

## Cost Disclosure

### Cost of this loan:

Borrowed amount (cash advance)	\$ _____
Interest paid to lender (interest rate: __ %)	\$ _____
Fees paid to CAB name here	\$ _____
Payment amounts (payments due every _____)	Payments #1-# _____ \$ _____ (Final) Payment # _____ \$ _____
Total of payments (if I pay on time)	\$ _____




APR	_____ %
Term of loan	_____

If I pay off the loan in:	I will have to pay interest and fees of approximately:	I will have to pay a total of approximately:
2 Weeks	\$ _____	\$ _____
1 Month	\$ _____	\$ _____
2 Months	\$ _____	\$ _____
3 Months	\$ _____	\$ _____
_____	\$ _____	\$ _____

### Cost of other types of loans:

Least Expensive	Credit Cards	Secured Loans	Signature Loans	Pawn Loans	Auto Title Loans	Payday Loans	Most Expensive
	22%	30%	89%	180%	223%	415%	Average APR
	\$1.82	\$3.51	\$12.52	\$15.00	\$19.45	\$34.14	Average fees & interest per \$100 borrowed over 1 month

### Repayment:

Of 10 people who get a new multi-payment payday loan:	
	6 ¼ will pay the loan on time as scheduled (typically 5 months)
	¼ will renew 1 to 4 times before paying off the loan
	2 ½ will renew 5 or more times or will never pay off the loan.

This data is from 2022 reports to the OCCC.

### Before getting this loan, ask yourself:

- Do I need to borrow this money?
- Can I pay back the loan *in full* when it is due?
- Can I pay my bills and repay this loan?
- Can I afford late charges if I miss a payment?
- Do I have other credit options?

### OCCC notice:

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# CAB NAME HERE

## Auto Title Loan \$\_\_\_\_\_, One Payment Cost Disclosure



**You can lose your car.**  
If you miss a payment or make a late payment, your car can be repossessed.

### Cost of this loan:

<b>Borrowed amount</b> (cash advance)	\$ _____
<b>Interest</b> paid to lender (interest rate: __ %)	\$ _____
<b>Fees</b> paid to CAB name here (includes a one-time \$__ title fee)	\$ _____
<b>Total of payments</b> (if I pay on time)	\$ _____

<b>APR</b>	_____ %
<b>Term of loan</b>	_____

If I pay off the loan in:	I will have to pay interest and fees of approximately:	I will have to pay a total of approximately:
2 Weeks	\$ _____	\$ _____
1 Month	\$ _____	\$ _____
2 Months	\$ _____	\$ _____
3 Months	\$ _____	\$ _____

### Cost of other types of loans:

Least Expensive	Credit Cards	Secured Loans	Signature Loans	Pawn Loans	Auto Title Loans	Payday Loans	Most Expensive
	22%	30%	89%	180%	223%	415%	Average APR
	\$1.82	\$3.55	\$13.38	\$15.00	\$19.45	\$34.14	Average fees & interest per \$100 borrowed over 1 month

### Repayment:

Of 10 people who get a new single-payment auto title loan:

	1 ¼ will pay the loan on time as scheduled (typically 30 days)
	¼ will renew 1 time before paying off the loan
	¾ will renew 2 to 4 times before paying off the loan
	7 ¾ will renew 5 or more times or will never pay off the loan

This data is from 2022 reports to the OCCC.

### Before getting this loan, ask yourself:

- Do I need to borrow this money?
- Can I pay back the loan *in full* when it is due?
- Can I pay my bills and repay this loan?
- Can I afford late charges if I miss a payment?
- Do I have other credit options?

### OCCC notice:

- This company is regulated by the Texas Office of Consumer Credit Commissioner (OCCC).
- OCCC Consumer Helpline: (800) 538-1579, [consumer.complaints@occc.texas.gov](mailto:consumer.complaints@occc.texas.gov).
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- This disclosure is provided under Texas Finance Code Section 393.223.



# CAB NAME HERE

## Auto Title Loan

\$\_\_\_\_\_, \_\_\_ Payments

## Cost Disclosure



### You can lose your car.

If you miss a payment or make a late payment, your car can be repossessed.

### Cost of this loan:

<b>Borrowed amount</b> (cash advance)	\$ _____
<b>Interest paid to lender</b> (interest rate: __ %)	\$ _____
<b>Fees paid to</b> CAB name here <small>(includes a one-time \$ _____ title fee)</small>	\$ _____
<b>Payment amounts</b> (payments due every _____)	Payments #1-# _____ \$ _____ (Final) Payment # _____ \$ _____
<b>Total of payments</b> (if I pay on time)	\$ _____

<b>APR</b>	_____ %
<b>Term of loan</b>	_____

If I pay off the loan in:	I will have to pay interest and fees of approximately:	I will have to pay a total of approximately:
2 Weeks	\$ _____	\$ _____
1 Month	\$ _____	\$ _____
2 Months	\$ _____	\$ _____
3 Months	\$ _____	\$ _____
	\$ _____	\$ _____

### Cost of other types of loans:

Least Expensive	Credit Cards	Secured Loans	Signature Loans	Pawn Loans	Auto Title Loans	Payday Loans	Most Expensive
	22%	30%	89%	180%	223%	415%	Average APR
	\$1.82	\$3.55	\$13.38	\$15.00	\$19.45	\$34.14	Average fees & interest per \$100 borrowed over 1 month

### Repayment:

Of 10 people who get a new multi-payment auto title loan:	
	4 ¼ will pay the loan on time as scheduled (typically 5 - 6 months)
	¾ will renew 1 time before paying off the loan
	1 will renew 2 to 4 times before paying off the loan
	4 will renew 5 or more times or will never pay off the loan

This data is from 2022 reports to the OCCC.

### Before getting this loan, ask yourself:

- Do I need to borrow this money?
- Can I pay back the loan **in full** when it is due?
- Can I pay my bills and repay this loan?
- Can I afford late charges if I miss a payment?
- Do I have other credit options?

### OCCC notice:

- This company is regulated by the Texas Office of Consumer Credit Commissioner (OCCC).
- OCCC Consumer Helpline: (800) 538-1579, [consumer.complaints@occc.texas.gov](mailto:consumer.complaints@occc.texas.gov).
- Visit [occc.texas.gov](http://occc.texas.gov) for more information.
- This disclosure is provided under Texas Finance Code Section 393.223.

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## 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, and §303.009, Texas Finance Code.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/20/23 - 11/26/23 is 18.00% for consumer<sup>1</sup> credit.

The weekly ceiling as prescribed by §303.003 and §303.009 for the period of 11/20/23 - 11/26/23 is 18.00% for commercial<sup>2</sup> credit.

<sup>1</sup> Credit for personal, family, or household use.

<sup>2</sup> Credit for business, commercial, investment, or other similar purpose.

TRD-202304270

Leslie L. Pettijohn

Commissioner

Office of Consumer Credit Commissioner

Filed: November 15, 2023

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## 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 actions taken on the following applications:

Field of Membership - Approved

Members Choice Credit Union (Houston) - See *Texas Register* dated on September 29, 2023.

Merger or Consolidation - Approved

Telco Plus Credit Union (Longview) and Kilgore Shell Employees Credit Union (Kilgore) - See *Texas Register* dated on May 26, 2023.

Field of Membership - Withdrawn

Amplify Credit Union (Austin) - See *Texas Register* dated on June 30, 2023.

Amplify Credit Union (Austin) - See *Texas Register* dated on June 30, 2023.

TRD-202304276

Michael S. Riepen

Commissioner

Credit Union Department

Filed: November 15, 2023

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## 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 **December 28, 2023**. 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 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 **December 28, 2023**. 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: BRAUNTEX MATERIALS, INCORPORATED; DOCKET NUMBER: 2022-1202-EAQ-E; IDENTIFIER: RN100853555; LOCATION: New Braunfels, Comal County; TYPE OF FACILITY: motor freight transportation facility; RULES VIOLATED: 30 TAC §213.4(j)(6) and Edwards Aquifer Aboveground Storage Tank (AST) Facility Plan Number 13-02042601, Standard Condition Number 6, by failing to obtain approval of a modification of an approved Edwards Aquifer AST Facility Plan prior to commencing a regulated activity over the Edwards Aquifer Transition Zone; PENALTY: \$9,000; ENFORCEMENT COORDINATOR: Cheryl Thompson, (817) 588-5865; REGIONAL OFFICE: 14250 Judson Road, San Antonio, Texas 78233-4480, (210) 492-3096.

(2) COMPANY: Chris Thomas Custom Homes, Incorporated; DOCKET NUMBER: 2021-1317-WQ-E; IDENTIFIER: RN111302691; LOCATION: Weatherford, Parker County; TYPE OF FACILITY: residential construction; RULES VIOLATED: 30 TAC §281.25(a)(4), TWC, §26.121, and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with construction activities; PENALTY: \$6,250; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$2,500; ENFORCEMENT COORDINATOR: Mark Gamble, (512) 239-2587; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(3) COMPANY: City of Carrizo Springs; DOCKET NUMBER: 2022-1412-MWD-E; IDENTIFIER: RN101721124; LOCATION: Carrizo Springs, Dimmit 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 WQ0010145001, Effluent Limitations and Monitoring Requirements Number 1, by failing to comply with permitted effluent limitations; PENALTY: \$5,062; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: 707 East Calton Road, Suite 304, Laredo, Texas 78041-3887, (956) 791-6611.

(4) COMPANY: City of Stephenville; DOCKET NUMBER: 2022-0871-PST-E; IDENTIFIER: RN102017308; LOCATION: Stephenville, Erath County; TYPE OF FACILITY: airport with retail sales of aviation gasoline; RULES VIOLATED: 30 TAC §334.8(c)(4)(A)(vii) and (5)(B)(ii), by failing to renew a previously issued underground storage tank (UST) delivery certificate by submit-

ting a properly completed UST registration and self-certification form at least 30 days before the expiration date; 30 TAC §334.8(c)(5)(A)(i) and TWC, §26.3467(a), by failing to make available to a common carrier a valid, current TCEQ delivery certificate before accepting delivery of a regulated substance into the USTs; 30 TAC §334.10(b)(2), by failing to assure that all UST recordkeeping requirements are met; and 30 TAC §334.48(c), by failing to conduct effective manual or automatic inventory control procedures for a UST system at a retail fuel facility; PENALTY: \$11,600; ENFORCEMENT COORDINATOR: Lauren Little, (817) 588-5888; REGIONAL OFFICE: 2309 Gravel Drive, Fort Worth, Texas 76118-6951, (817) 588-5800.

(5) COMPANY: City of Trinity; DOCKET NUMBER: 2022-0048-MWD-E; IDENTIFIER: RN101607182; LOCATION: Trinity, Trinity County; TYPE OF FACILITY: wastewater treatment facility; RULES VIOLATED: 30 TAC §305.125(1) and (17) and §319.7(d) and Texas Pollutant Discharge Elimination System Permit Number WQ0010617001, Monitoring and Reporting Requirements Number 1, by failing to submit monitoring results at intervals specified in the permit; PENALTY: \$13,200; SUPPLEMENTAL ENVIRONMENTAL PROJECT OFFSET AMOUNT: \$10,560; ENFORCEMENT COORDINATOR: Mistie Gonzales, (254) 761-3056; REGIONAL OFFICE: 3870 Eastex Freeway, Beaumont, Texas 77703-1830, (409) 898-3838.

(6) COMPANY: N. Mays Georgetown Owner, LLC; DOCKET NUMBER: 2022-1494-EAQ-E; IDENTIFIER: RN111465373; LOCATION: Gerorgetown, Williamson County; TYPE OF FACILITY: multifamily development; RULE VIOLATED: 30 TAC §213.4(a)(1), by failing to obtain approval of an Edwards Aquifer Protection Plan prior to conducting regulated activities over the Edwards Aquifer Recharge Zone; PENALTY: \$19,500; ENFORCEMENT COORDINATOR: Monica Larina, (361) 881-6965; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(7) COMPANY: OLVERA REFORESTATION SERVICES LLC; DOCKET NUMBER: 2023-1554-WQ-E; IDENTIFIER: RN111798567; LOCATION: Naples, Morris 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: Shane Glantz, (806) 468-0507; REGIONAL OFFICE: 2916 Teague Drive, Tyler, Texas 75701-3734, (903) 535-5100.

(8) COMPANY: Stoney River Ranch, LLC dba Wise Topsoil and Gravel; DOCKET NUMBER: 2022-0336-MLM-E; IDENTIFIER: RN111363354; LOCATION: Liberty Hill, Williamson County; TYPE OF FACILITY: unauthorized recycling and disposal site; RULES VIOLATED: 30 TAC §111.201 and Texas Health and Safety Code, §382.085(b), by failing to not cause, suffer, allow, or permit outdoor burning within the State of Texas; 30 TAC §281.25(a)(4), TWC, §26.121, and 40 Code of Federal Regulations §122.26(c), by failing to obtain authorization to discharge stormwater associated with industrial activities; 30 TAC §328.5(b), by failing to submit a Notice of Intent prior to the commencement of recycling activities; 30 TAC §328.5(d), by failing to establish and maintain financial assurance for the closure of a facility that stores combustible materials outdoors; and 30 TAC §330.15(a) and (c), by failing to not cause, suffer, allow, or permit the unauthorized disposal of municipal solid waste; PENALTY: \$16,232; ENFORCEMENT COORDINATOR: Eresha DeSilva, (512) 239-5084; REGIONAL OFFICE: P.O. Box 13087, Austin, Texas 78711-3087, (512) 339-2929.

(9) COMPANY: Upper Leon River Municipal Utility District; DOCKET NUMBER: 2022-0647-MWD-E; IDENTIFIER: RN104343181; LOCATION: Comanche, Comanche 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 WQ0014544001, Effluent Limitations and Monitoring Requirements Numbers 1 and 3, by failing to comply with permitted effluent limitations; PENALTY: \$10,875; ENFORCEMENT COORDINATOR: Megan Crinklaw, (512) 239-1129; REGIONAL OFFICE: 1977 Industrial Boulevard, Abilene, Texas 79602-7833, (325) 698-9674.

TRD-202304196

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: November 10, 2023



Notice and Comment Hearing Draft Permit No.: O3906

This is a notice for a notice and comment hearing on Federal Operating Permit Number O3906. During the notice and comment hearing informal questions on the Federal Operating Permit will be answered and formal comments will be received. The Texas Commission on Environmental Quality (TCEQ) has scheduled the notice and comment hearing regarding this application and draft permit as follows:

Date: January 11, 2024

Time: 7:00 p.m.

Location: Portland Community Center

200 Billy G. Webb Drive

Portland, Texas 78374

Location phone: (361) 777-4670

**Application and Draft Permit.** Enbridge Ingleside, LLC, 915 N Eldridge Pkwy Ste. 1100, Houston, Texas 77079-2703, a Petroleum Bulk Stations and Terminals facility, has applied to the TCEQ for a Renewal of Federal Operating Permit (herein referred to as permit) No. O3906, Application No. 34024 to authorize operation of the Enbridge Ingleside Oil Terminal, a Petroleum Bulk Stations and Terminals facility. The area addressed by the application is located at 1450 Lexington Blvd in Ingleside, San Patricio County, Texas 78362-6301. This application was received by the TCEQ on July 18, 2022.

The TCEQ Executive Director has completed the technical review of the application and prepared a draft permit. The draft permit, if approved, will codify the conditions under which the site must operate. The TCEQ Executive Director recommends issuance of the draft permit. The purpose of a federal operating permit is to improve overall compliance with the rules governing air pollution control by clearly listing all applicable requirements, as defined in Title 30 Texas Administrative Code (30 TAC) §122.10. The permit will not authorize new construction or new emissions.

**Notice and Comment Hearing.** The hearing will be structured for the receipt of oral or written comments by interested persons. Registration and an informal discussion period with commission staff members will begin during the first 30 minutes. During the informal discussion period, the public is encouraged to ask questions and engage in open discussion with the applicant and the TCEQ staff concerning this application and draft permit. Issues raised during this discussion period **will only** be addressed in the formal response to comments if the issue is also presented during the hearing. After the conclusion of the informal discussion period, the TCEQ will conduct a notice and comment hearing regarding the application and draft permit. Individuals may present oral statements when called upon in order of registration. A

five-minute time limit may be established at the hearing to assure that enough time is allowed for every interested person to speak. There will be no open discussion during the hearing; however, commission staff members will be available to discuss the proposal and answer questions after the hearing. The purpose of this hearing will be to receive formal public comment which the TCEQ will consider in determining whether to revise and/or issue the permit and in determining the accuracy and completeness of the permit. Any person may attend this meeting and submit written or oral comments. The hearing will be conducted in accordance with the Texas Clean Air Act § 382.0561, as codified in the Texas Health and Safety Code, and 30 TAC §122.340.

Persons who have special communication or other accommodation needs who are planning to attend the hearing should contact the TCEQ Public Education Program toll free at (800) 687-4040 or (800) RELAY-TX (TDD), at least five business days prior to the hearing.

**Any person may also submit written comments before the hearing to the Texas Commission on Environmental Quality, Office of Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/).** Written comments should include (1) your name, address, and daytime telephone number, and (2) the draft permit number found at the top of this notice.

**A notice of proposed final action that includes a response to comments and identification of any changes to the draft permit will be mailed to everyone who submitted: written comments, and/or hearing requests, attended the hearing, or requested to be on the mailing list for this application.** This mailing will also provide instructions for public petitions to the U.S. Environmental Protection Agency (EPA) to request that the EPA object to the issuance of the proposed permit. After receiving a petition, the EPA may only object to the issuance of a permit which is not in compliance with applicable requirements or the requirements of 30 TAC Chapter 122.

**Mailing List.** In addition to submitting public comments, a person may ask to be placed on a mailing list for this application by sending a request to the TCEQ Office of the Chief Clerk at the address above. Those on the mailing list will receive copies of future public notices (if any) mailed by the Chief Clerk for this application.

**Information.** For additional information about this permit application or the permitting process, please contact the Texas Commission on Environmental Quality, Public Education Program, MC-108, P.O. Box 13087, Austin, Texas 78711-3087 or toll free at (800) 687-4040. General information about the TCEQ can be found at [www.tceq.texas.gov](http://www.tceq.texas.gov). Si desea información en español, puede llamar al (800) 687-4040.

Further information may also be obtained for Enbridge Ingleside, LLC by calling Clayton Curtis, Director Regulatory Affairs, US Gulf Coast Terminals at (855) 385-6645.

Notice Issuance Date: November 8, 2023

TRD-202304278

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 15, 2023



Notice of Application and Public Hearing for an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Proposed Air Quality Registration Number 75339

**APPLICATION.** Martin Marietta Texas Ready-mix LLC, 1503 LBJ Freeway Suite 400, Dallas, Texas 75234-6007 has applied to the Texas Commission on Environmental Quality (TCEQ) for

an Air Quality Standard Permit for a Concrete Batch Plant with Enhanced Controls Registration Number 75339 to authorize the operation of a concrete batch plant. The facility is proposed to be located at 2725 Pipeline Road, Cleburne, Johnson County, Texas 76033. This application is being processed in an expedited manner, as allowed by the commission's rules in 30 Texas Administrative Code, Chapter 101, Subchapter J. This link to an electronic map of the site or facility's general location is provided as a public courtesy and not part of the application or notice. For exact location, refer to application. <https://gisweb.tceq.texas.gov/LocationMapper/?marker=-97.40611,32.3988&level=13>. This application was submitted to the TCEQ on September 26, 2023. The primary function of this plant is to manufacture concrete by mixing materials including (but not limited to) sand, aggregate, cement and water. The executive director has determined the application was technically complete on October 24, 2023.

**PUBLIC COMMENT / PUBLIC HEARING.** Public written comments about this application may be submitted at any time during the public comment period. The public comment period begins on the first date notice is published and extends to the close of the public hearing. Public comments may be submitted either in writing to the Texas Commission on Environmental Quality, Office of the Chief Clerk, MC-105, P.O. Box 13087, Austin, Texas 78711-3087, or electronically at [www14.tceq.texas.gov/epic/eComment/](http://www14.tceq.texas.gov/epic/eComment/). 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.

A public hearing has been scheduled, that will consist of two parts, an informal discussion period and a formal comment period. During the informal discussion period, the public is encouraged to ask questions of the applicant and TCEQ staff concerning the application, but comments made during the informal period will not be considered by the executive director before reaching a decision on the permit, and no formal response will be made to the informal comments. During the formal comment period, members of the public may state their comments into the official record. **Written comments about this application may also be submitted at any time during the hearing.** The purpose of a public hearing is to provide the opportunity to submit written comments or an oral statement about the application. **The public hearing is not an evidentiary proceeding.**

**The Public Hearing is to be held:**

**Tuesday, December 19, 2023, at 6:00 p.m.**

**Holiday Inn Express & Suites**

**1800 West Henderson Street**

**Cleburne, Texas 76033**

**RESPONSE TO COMMENTS.** A written response to all formal comments will be prepared by the executive director after the comment period closes. The response, along with the executive director's decision on the application, will be mailed to everyone who submitted public comments and the response to comments will be posted in the permit file for viewing.

The executive director shall approve or deny the application not later than 35 days after the date of the public hearing, considering all comments received within the comment period, and base this decision on whether the application meets the requirements of the standard permit.

**CENTRAL/REGIONAL OFFICE.** The application will be available for viewing and copying at the TCEQ Central Office and the TCEQ Dallas/Fort Worth Regional Office, located at 2309 Gravel Dr, Fort Worth, Texas 76118-6951, during the hours of 8:00 a.m. to 5:00 p.m.,

Monday through Friday, beginning the first day of publication of this notice.

**INFORMATION. If you need more information about this permit application or the permitting process, please call the Public Education Program toll free at (800) 687-4040. Si desea información en español, puede llamar al (800) 687-4040.**

Further information may also be obtained from Martin Marietta Texas Ready-Mix, LLC, 1503 LBJ Freeway Suite 400, Dallas, Texas 75234-6007, or by calling Mr. Jesse Martindale, Sr. Environmental Engineer at (972) 647-3742.

Notice Issuance Date: November 10, 2023

TRD-202304280

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 15, 2023



#### Notice of Correction to Agreed Order Number 1

In the September 15, 2023, issue of the *Texas Register* (48 TexReg 5184), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 1, for City of Hudson; Docket Number 2021-1501-MWD-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$10,000."

For questions concerning the error, please contact Michael Parrish at (512) 239-2548.

TRD-202304198

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: November 10, 2023



#### Notice of Correction to Agreed Order Number 9

In the August 25, 2023, issue of the *Texas Register* (48 TexReg 4680), the Texas Commission on Environmental Quality (commission) published notice of Agreed Orders, specifically Item Number 9, for Sheldon Road Municipal Utility District; Docket Number 2021-0775-MWD-E. The error is as submitted by the commission.

The reference to the penalty should be corrected to read: "\$12,751."

The reference to the Supplemental Environmental Project Offset Amount should be corrected to read: "\$12,751."

For questions concerning these errors, please contact Michael Parrish at (512) 239-2548.

TRD-202304197

Gitanjali Yadav

Deputy Director, Litigation

Texas Commission on Environmental Quality

Filed: November 10, 2023



#### Notice of Water Quality Application

The following notice was issued on November 10, 2023:

The following notice does not require publication in a newspaper. Written comments or requests for a public meeting may be submitted to the Office of the Chief Clerk, Mail Code 105, P.O. Box 13087, Austin, Texas 78711-3087 WITHIN (10) DAYS FROM THE DATE THIS NOTICE IS MAILED.

#### INFORMATION SECTION

Hudson Bend at Lake Travis, LLC has applied for a minor amendment to the TCEQ permit to authorize public access to the disposal area. The existing permit authorizes the disposal of treated domestic wastewater at a daily average flow not to exceed 14,000 gallons per day via non-public access subsurface drip irrigation system with a minimum area of 3.2 acres. This permit will not authorize a discharge of pollutants into waters in the State. The wastewater treatment facility and disposal site will be located at 6409 Hudson Bend Road, Austin, in Travis County, Texas 78734. The wastewater treatment facility and disposal site will be located in the drainage basin of Lake Travis in Segment No. 1404 of the Colorado River Basin.

TRD-202304279

Laurie Gharis

Chief Clerk

Texas Commission on Environmental Quality

Filed: November 15, 2023



### Texas Ethics Commission

#### List of Delinquent Filers

Below is a list from the Texas Ethics Commission naming the filers who failed to pay the penalty fine for failure to file a required report, or filing a late report, in reference to the specified filing deadline. If you have any questions, you may contact Dave Guilianelli at (512) 463-5800.

#### Deadline: Semiannual Report due July 15, 2022 for Candidates:

Uduakobong Nkanga, 501 E. Oates, P.O. Box #494812, Garland, Texas, 75049

Natalie N. Kohn, 5232 Apache Plume #114323, Fort Worth, Texas, 76109

Michael Lange, P.O. Box 2022 5350 Bellaire Blvd, Bellaire, Texas, 77401

Kate C. Ferrell, 2500 E. TC Jester #290, Houston, Texas, 77008

William Shane Nolen, 5601 Colleyville Blvd., Colleyville, Texas, 76034

Rene Rodriguez, 10268 Pritam, Socorro, Texas, 79927

Jeffrey D. Younger, 1212 Blairwood Dr., Flower Mound, Texas, 75028

Carl N. Sanders, 7 Hayes Court, Trophy Club, Texas, 76262

Rashard S. Davis Baylor, 5102 Westover St., Houston, Texas, 77033

Deauc Nash Dentaen, 2050 Aspen Glade Dr, Kingwood, Texas, 77339

Ken Morrow, P.O. Box 571, Gonzales, Texas, 78629

Fidel Castillo, P.O. Box 17271, San Antonio, Texas, 78217

Phillip J. Drake, 25424 Brushline Rd., Edinburg, Texas, 78542

Katie Farias, 1122 Par Four, San Antonio, Texas, 78221

John D. Roberson, 802 Banister Lane, Austin, Texas, 78704

Will L. Douglas, P.O. Box 113, Rowlett, Texas, 75030

Nathan E. Watkins, 9205 Eagle Dr., Suite 300-173, Mont Belvieu, Texas, 77523

Jeremy Joseph Rios, 26998 Hogan Dr, San Antonio, Texas, 78260

Lynda Nash, 3006 Sun Dance Drive, Harker Heights, Texas, 76548

Brandon L. Davis, 1117 C.R. 355, Winters, Texas, 79567

Aimee Garza Lopez, P.O. Box 262148, Plano, Texas, 75026

Elva Camacho, P.O. Box 6114, Fort Worth, Texas, 76115

Alfredo M. Ramirez, 2056 Hardee Pass, San Antonio, Texas, 78253

Alexis A. Adams, 106 Spritewood Cove, Universal City, Texas, 78148

Reginald E. Jennings, 8436 Kincaid Ln, Frisco, Texas, 75036

Raynie G. Castaneda, 10795 FM 2015, Tyler, Texas, 75708

Michael A. Matranga, P.O. Box 545, Texas City, Texas, 77590

Meghan L. Brown-Scoggins, 700 Wickham Dr., Graniteville, South Carolina, 29829

Connie G. Vasquez, 5773 Woodway Dr., Ste. 156, Houston, Texas, 77057

Alfred Molison, 7623 Candlegreen Ln, Houston, Texas, 77071

Justin W. Harper, 2101 College Dr., Victoria, Texas, 77901

Demetra Jefferson-Wysinger, 3700 Reese Dr., Dallas, Texas, 75238

Celina D. Montoya, P.O. Box 6048, San Antonio, Texas, 78209

Arnoldo A. Alonso, 3719 Rey David, Brownsville, Texas, 78521

Martha M. Gutierrez, 1110 S. Caldwell St., Falfurrias, Texas, 78355

Demetria Y. Smith, 7324 SW Fwy, Ste. 1480, Houston, Texas, 77074

Natalie N. Khon, 5232 Apache Plume #114323, Fort Worth, Texas, 76109

Jeffrey D. Younger, 1212 Blairwood Dr., Flower Mound, Texas, 75028

Kandy Kaye Horn, 3 River Hollow Ln., Houston, Texas, 77027

Matthew B Poole, 512 Lonestar Park Ln, Ponder, Texas, 76259

Susan Mellina Hayslip, 316 Brookbend Drive, Waxahachie, Texas, 75165

Larry McKinzie, 3636 Old Spanish Trail Suite B-1129, Houston, Texas, 77021

Jacinto Martinez, 1230 Duke Rd, San Antonio, Texas, 78264

Alberto A. Dominguez, P.O. Box 131861, Houston, Texas, 77019

Wayne G. Raasch, P.O. Box 644, Lissie, Texas, 77454

Victor Avila Jr., P.O. Box 92185, Southlake, Texas, 76092

Alena Berlanga, P.O. Box 1282, La Vernia, Texas, 78121

Ryan T. McConnico, 1900 W. Gray St. #130712, Houston, Texas, 77219

Rowland Garza, 212 Santa Maria Dr., Del Rio, Texas, 78840

Adalberto J. Sanchez, 100 Warden Ln. 308, San Marcos, Texas, 78666

Allan E. Meagher, 915 Colony Ridge Ct., Irving, Texas, 75061

LaDale A. Buggs, 2425 N. Central Expressway, Ste. 700, Richardson, Texas, 75080

Jonathan Sibley, 202 Cypress Court, Woodway, Texas, 76712

Barbara Jean Stalder, 11200 Fuqua Suite 100, #158, Houston, Texas, 77089

Norma J. Witherspoon, P.O. Box 14209, San Antonio, Texas, 78214

Theresa Bui Creevy, PO Box 452163, Garland, Texas, 75045

**Deadline: Semiannual Report due January 17, 2023 for Candidates:**

Demetra Jefferson-Wysinger, 3700 Reese Dr., Dallas, Texas, 75238

Will L. Douglas, P.O. Box 113, Rowlett, Texas, 75030

Susan Mellina Hayslip, 316 Brookbend Drive, Waxahachie, Texas, 75165

Katie Farias, 1122 Par Four, San Antonio, Texas, 78221

Jacinto Martinez, 1230 Duke Rd, San Antonio, Texas, 78264

Michael Monreal, 923 10th St. Ste. 101 PMB 288, Floresville, Texas, 78114

Denise Brown, 1300 McGowen, Ste. 250, Houston, Texas, 77004

Monica Ramirez Alcantara, 26041 Cypress Oaks, San Antonio, Texas, 78255

Jake Collier, 248 E. Southwest Pkwy, Lewisville, Texas, 75067

Laura E. Marquez, 8900 Viscount Blvd. #A-N 591, El Paso, Texas, 79925

Mike Graham, 11210 Steeplecrest Drive, Ste. 120, Houston, Texas, 77065

Rebecca Garcia, 3619 Savanno Ln #7107, Fort Worth, Texas, 76244

Andrew M. Bayley, 1225 North Loop West, Suite 900, Houston, Texas, 77008

Shannon K. McClendon, 1302 Overland Stage Rd., Ste. 200, Dripping Springs, Texas, 78620

Theresa A. Goline, 1413 E. McKinney St., Denton, Texas, 76209

Staci D. Childs, 2925 Richmond Ave., Suite 1200, Houston, Texas, 77098

Erasmus Castro, 1240 E. Madison St., Brownsville, Texas, 78520

Roy L. Owens, 4100 Hull St, Houston, Texas, 77021

Michael E. Cooper, 3910 N. Dowlen St. Ste. #12012, Beaumont, Texas, 77726

Alycia B. Harvey, 2129 FM 2920, Suite 190 #179, Spring, Texas, 77388

Tristian T.D. Sanders, 5605 Siltstone Loop, Killeen, Texas, 76542

Crystal Dillard, 6323 Creekbend, Houston, Texas, 77096

Gina N. Calanni, P.O. Box 6733, Katy, Texas, 77491

Bree Boulware-West, 320 South R. L. Thornton Fwy, Ste. 300, Dallas, Texas, 75203

James S. Burnett, P.O. Box 722363, Houston, Texas, 77272

Cameron A. Campbell, 9950 Westpark Dr., Suite 103B, Houston, Texas, 77063

John Harvey Slocum, 803 Bethpage Court, College Station, Texas, 77845

Joshua J. Tarbay, 200 S. Oakridge Dr. Ste. 101 #137, Hudson Oaks, Texas, 76087

Gerson I. Hernandez, 2355 W. Pioneer Dr., Irving, Texas, 75061  
 Cary G. Moon, 5016 Exposition Way, Fort Worth, Texas, 76244  
 Casey L. Gray, P.O. Box 69121, Odessa, Texas, 79769  
 Yomi S. Hardison, 1905 River Rock Trail, Harker Heights, Texas, 76548  
 Matthew R. Morgan, 503 FM 359 suite 130 #264, Suite 130 #226, Richmond, Texas, 77406  
 Mackenzie A. Latimer, 3200 Colonial Pkwy, Apt 423, Belton, Texas, 76513  
 Julie Ann Ketterman, 1004 Prairie Street, Ste 300, Houston, Texas, 77002  
 Allenna Bangs, 1501 Hall Johnson Rd., P.O. Box 1363, Colleyville, Texas, 76034  
 Lorenzo Sanchez, 2901 W. Parker Rd., #867104, Plano, Texas, 75086  
 Lyle D. Beasley, 823 W Hickory St, Denton, Texas, 76201  
 Francisco J. Puente, 122 E Lee, Harlingen, Texas, 78550  
 Matthew S. Muller, 1021 Main St. #1275, Houston, Texas, 77002  
 Hilda Duarte, 1413 Range Dr. #210, Mesquite, Texas, 75149  
 Ruben Cortez, 1875 Los Angeles Ct., Brownsville, Texas, 78521  
 Cynthia T. Cavazos, 5470 W. Military Dr., Apt. 405, San Antonio, Texas, 78242  
 Danielle K. Bess, P.O. Box 8367, Houston, Texas, 77288  
 Barbara Jean Stalder, 11200 Fuqua Suite 100, #158, Houston, Texas, 77089  
 Daniel Davis Clayton, P.O. Box 151122, Dallas, Texas, 75315  
 Jonathan Sibley, 202 Cypress Court, Woodway, Texas, 76712  
 Frank A. Ramirez, 2105 Clamp Ave., San Antonio, Texas, 78221  
 Katy Jewett Malone, 8503 Hatton, Houston, Texas, 77025  
 Deanne Price Claire, 320 S. R. L. Thornton Fwy, Suite 300, Dallas, Texas, 75203  
 Bianca Gracia, 6725 Fairmont Pkwy 102, Pasadena, Texas, 77505  
 LaDale A. Buggs, 2425 N. Central Expressway, Ste. 700, Richardson, Texas, 75080  
 Norma J. Witherspoon, P.O. Box 14209, San Antonio, Texas, 78214  
 Osvaldo Carrasco, 11948 Pueblo Del Rio Way, El Paso, Texas, 79936  
 Uduakobong Nkanga, 501 E. Oates, P.O. Box #494812, Garland, Texas, 75049  
 Katharine H. Welch, P.O. Box 201, Seabrook, Texas, 77586  
 George B. Garza, 406 Sligo, San Antonio, Texas, 78223  
 Anthony J. Reed, P.O. Box 14575, Haltom City, Texas, 76117  
 Clyde B. Bostick, P.O. Box 129, Caddo Mills, Texas, 75135  
 Kimberly N. McTorry, 316 E. Main St., Suite 2B, Humble, Texas, 77338  
 Sandragrace Martinez, 1333 Buena Vista St. Ste. 106B, San Antonio, Texas, 78207  
 Chad E. Prather, P.O. Box 151013, Arlington, Texas, 76016  
 Marquis L. Hawkins, 123 E. Woodin Blvd., Dallas, Texas, 75216  
 Samuel L. Milledge, 2500 East TJ Jester, Ste. 510, Houston, Texas, 77008  
 Brittney N. Verdell, 4229 Hunt Dr. #4807, Carrollton, Texas, 75010  
 Misty L. Bishop, 1106 Kanah Lane, Houston, Texas, 77090  
 Jesse Ringness, 8700 Stonebrook Pkwy # 204, Frisco, Texas, 75034  
 Luis H. Villarreal, P.O. Box 1, Harlingen, Texas, 78550  
 Johnny Arredondo, 7518 Stagecoach, San Antonio, Texas, 78227  
 Jonathan Hildner, 300 N 10th Street, P.O. Box 1554, Killeen, Texas, 76541  
 Kathi A. Marvel, 1115 Gemini St, Box #14, Houston, Texas, 77058  
 Nora Stephanie Morales, 1919 Shadow Bend Dr., Houston, Texas, 77043  
 Desarae Lindsey, 1104 Holiday Drive, Tool, Texas, 75143  
 Jonathan Mullins, 13166 Kestrel Avenue, Horizon City, Texas, 79928  
 Allan E. Meagher, 915 Colony Ridge Ct., Irving, Texas, 75061  
 Victor Perez, 722 King Treasure St., Alamo, Texas, 78516  
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 Aimee Garza Lopez, P.O. Box 262148, Plano, Texas, 75026  
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 Meghan L. Brown-Scoggins, 700 Wickham Dr., Graniteville, South Carolina, 29829  
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 Michael Monreal, 923 10th St. Ste. 101 PMB 288, Floresville, Texas, 78114  
 Jake Collier, 2808 Stearns Ave, Wichita Falls, Texas, 76308  
 Crystal Dillard, 6323 Creekbend, Houston, Texas, 77096  
 Jonathan Mullins, 13166 Kestrel Avenue, Horizon City, Texas, 79928  
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 Jeremy Joseph Rios, 26998 Hogan Dr., San Antonio, Texas, 78260  
 Deauc Nash Dentaen, 2050 Aspen Glade Dr., Kingwood, Texas, 77339  
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 Jacinto Martinez, 1230 Duke Rd., San Antonio, Texas, 78264  
 Frank A. Ramirez IV, 2105 Clamp Ave., San Antonio, Texas, 78221  
 Shelley A. Luther, 105 S. Britton St. #2, Tom Bean, Texas, 75489  
 Allan E. Meagher, 915 Colony Ridge Ct., Irving, Texas, 75061  
 Gerson I. Hernandez, 2355 W. Pioneer Dr., Irving, Texas, 75061  
 Cameron A. Campbell, 9950 Westpark Dr. Suite 103B, Houston, Texas, 77063  
 Marcus A. Nervis, 113 Wright Cv., Cibolo, Texas, 78108  
 Cary G. Moon, 5016 Exposition Way, Fort Worth, Texas, 76244  
 Joshua J. Tarbay Ed.D., 200 S. Oakridge Dr. Ste. 101 #137, Hudson Oaks, Texas, 76087  
 Chad E. Prather, P.O. Box 151013, Arlington, Texas, 76016  
 Clyde B. Bostick, P.O. Box 129, Caddo Mills, Texas, 75135  
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 Tristian T.D. Sanders, 5605 Siltstone Loop, Killeen, Texas, 76542  
 Yomi S. Hardison, 1905 River Rock Trail, Harker Heights, Texas, 76548  
 Lorenzo Sanchez, 2901 W. Parker Rd. #867104, Plano, Texas, 75086  
 Taylor M. Mondick, P.O. Box 121, Fort Worth, Texas, 76102  
 Brittney N. Verdell, 4229 Hunt Dr. #4807, Carrollton, Texas, 75010  
 Ken Morrow, P.O. Box 571, Gonzales, Texas, 78629  
 Akilah A. Bacy, P.O. Box 431582, Houston, Texas, 77243  
 Alfred Molison, 7623 Candlegreen Ln, Houston, Texas, 77071  
 Michael A. Matranga, P.O. Box 545, Texas City, Texas, 77590  
 James S. Burnett, P.O. Box 722363, Houston, Texas, 77272  
 Demetra Jefferson-Wysinger, 3700 Reese Drive, Dallas, Texas, 75238  
 Jesse Ringness, 8700 Stonebrook Pkwy #204, Frisco, Texas, 75034  
 Cynthia T. Cavazos, 2423 Lockhill Selma, San Antonio, Texas, 78230  
 Phillip J. Drake, 25424 Brushline Rd., Edinburg, Texas, 78542  
 Laura E. Marquez, 8900 Viscount Blvd. #A-N 591, El Paso, Texas, 79925  
 Mike Graham, 11210 Steeplecrest Drive Ste. 120, Houston, Texas, 77065  
 Raynie G. Castaneda, 10795 FM 2015, Tyler, Texas, 75708  
 George B. Garza, 406 Sligo, San Antonio, Texas, 78223  
 Martha M. Gutierrez, 1110 S Caldwell St., Falfurrias, Texas, 78355  
 Gina N. Calanni, P.O. Box 6733, Katy, Texas, 77491  
 Meghan L. Brown-Scoggins, 700 Wickham Dr., Graniteville, South Carolina, 29829  
 Danielle K. Bess, P.O. Box 8367, Houston, Texas, 77288  
 Casey L. Gray, P.O. Box 69121, Odessa, Texas, 79769  
 Susan Mellina Hayslip, 316 Brookbend Drive, Waxahachie, Texas, 75165  
 Nora Stephanie Morales, 1919 Shadow Bend Dr., Houston, Texas, 77043  
 Jonathan Hildner, 300 N 10th Street P.O. Box 1554, Killeen, Texas, 76541  
 Ori T. White, P.O. Box 160, Fort Stockton, Texas, 78735  
 Larry McKinzie, 3636 Old Spanish Trail Suite B-1129, Houston, Texas, 77021  
 Eduardo R. Rodriguez, P.O. Box 2436, Austin, Texas, 78768  
 Uduakobong Nkanga, 501 E. Oates P.O. Box #494812, Garland, Texas, 75049  
 Victor Perez, 722 King Treasure St., Alamo, Texas, 78516  
 Desarae Lindsey, 1104 Holiday Drive, Tool, Texas, 75143  
 Staci D. Childs, 405 Main Street Suite 450, Houston, Texas, 77002  
 Anthony J. Reed, P.O. Box 14575, Haltom City, Texas, 76117  
 Timmy Westley, 15826 Turfway Park, Selma, Texas, 78154  
 John Harvey Slocum, 803 Bethpage Court, College Station, Texas, 77845  
 Tracy Y. Scott, P.O. Box 122072, Arlington, Texas, 76012  
 Daniel Davis Clayton, P.O. Box 151122, Dallas, Texas, 75315  
 Sandragrace Martinez, 1333 Buena Vista St. Ste. 106B, San Antonio, Texas, 78207  
 Wayne G. Raasch, P.O. Box 644, Lissie, Texas, 77454  
 Michael E. Cooper, 3910 N. Dowlen St. Ste. #12012, Beaumont, Texas, 77726  
 Misty L. Bishop, 1106 Kanah Lane, Houston, Texas, 77090  
 Katie Farias, 1122 Par Four, San Antonio, Texas, 78221  
 Perla Munoz Hopkins, P.O. Box 171272, Austin, Texas, 78717

LaDale A. Buggs, 2425 N. Central Expressway Ste. 700, Richardson, Texas, 75080  
Erasmus Castro, 1240 E. Madison St., Brownsville, Texas, 78520  
Kimberly N. McTorry, 316 E. Main St. Suite 2B, Humble, Texas, 77338  
Brian M. McConnell, P.O. Box 713, Georgetown, Texas, 78627  
Matthew S. Muller, 1021 Main St. #127, Houston, Texas, 77002  
Samuel L. Milledge II, 2500 East TJ Jester, Ste. 510, Houston, Texas, 77008  
Katharine H. Welch, P.O. Box 201, Seabrook, Texas, 77586  
Barbara Jean Stalder, 11200 Fuqua Suite 100 #158, Houston, Texas, 77089  
Deanne Price Claire, 320 S. R. L. Thornton Fwy. Suite 300, Dallas, Texas, 75203  
Leslie Lester Osborne, 11131 Wonderland Trail, Dallas, Texas, 75229  
Julie Ann Ketterman, 1004 Prairie Street Ste 300, Houston, Texas, 77002  
Andrew M. Bayley, 1225 North Loop West Suite 900, Houston, Texas, 77008  
Alycia B. Harvey, 2129 FM 2920 Suite 190 #179, Spring, Texas, 77388  
Connie G. Vasquez, 5773 Woodway Dr., Ste. 156, Houston, Texas, 77057  
Paula K. Knippa, 2121 Lohmans Crossing, Lakeway, Texas, 78734  
Teresa J. Hawthorne, 5990 Lindenshire Lane 101, Dallas, Texas, 75230  
Andrea Martin-Lane, P.O. Box 2134, Cedar Hill, Texas, 75106  
Bree Boulware-West, 320 South R. L. Thornton Fwy, Ste. 300, Dallas, Texas, 75203  
Billy E. Pierce, 18119 Blake Valley Ln., Cypress, Texas, 77429  
Mackenzie A. Latimer, 3200 Colonial Pkwy Apt 423, Belton, Texas, 76513  
Lynda Nash, 3006 Sun Dance Drive, Harker Heights, Texas, 76548  
Gerry Monroe, 2731 Trinity Glen Lane, Houston, Texas, 77047  
Walter B. Bius, 3011 Hwy 30 W 101 #231, Huntsville, Texas, 77340  
Michael Krusee, 710 Colorado St. 7E, Austin, Texas, 78701  
Jose A. Lopez, 1809 Lane St., Laredo, Texas, 78043  
Judy L. Nichols, 1520 N. 20th St., Nederland, Texas, 77627  
Elva Camacho, P.O. Box 6114, Fort Worth, Texas, 76115  
Audrey G. Young, P.O. Box 2683, Trinity, Texas, 75862  
Bryan David Denham, P.O. Box 672, White Deer, Texas, 79097  
Shannon K. McClendon, 1302 Overland Stage Rd. Ste. 200, Dripping Springs, Texas, 78620  
Graciela Olvera, 435 W. 12th Street, Dallas, Texas, 75208  
Lawrence A. Allen Jr., 3717 Cork, Houston, Texas, 77047  
Amber N. Givens-Davis, 3824 Cedar Springs Rd. #253, Dallas, Texas, 75219  
Kawanski T. Nichols, 3507 Erin Ct, Missouri City, Texas, 77459  
Nicole D. Collier, P.O. Box 24241, Fort Worth, Texas, 76124

Victor Avila Jr., P.O. Box 92185, Southlake, Texas, 76092  
Theresa A. Goline, 1413 E. McKinney St., Denton, Texas, 76209  
Alena Gutierrez-Berlanga, 740 Killarney Road, Floresville, Texas, 78114  
Jessica Farrar, P.O. Box 30099, Houston, Texas, 77249  
Daniel Lee, 1305 Prairie St., Ste. 300, Houston, Texas, 77002  
Milton I. Fagin, P.O. Box 591429, San Antonio, Texas, 78259  
Luis H. Villarreal Jr., P.O. Box 1, Harlingen, Texas, 78550  
Brian E. Warren, P.O. Box 6807, Houston, Texas, 77265  
Amber Cox, 1001 W. 8th Street, Houston, Texas, 77007  
George Green, 238 Loma Vista St., New Braunfels, Texas, 78130  
Ashley E. Wysocki, 5323 Spring Valley Rd. Unit 150, Dallas, Texas, 75254  
Ruben Cortez Jr., 1875 Los Angeles Ct., Brownsville, Texas, 78521  
Freda C. Heald, 6144 Monticello Ave., Dallas, Texas, 75214  
Rishab R. Oberoi, 112 Tall Trl., Missouri City, Texas, 77459  
Rebecca Garcia, 3619 Savanno Ln, Apt. #7107, Fort Worth, Texas, 76244  
Jacorion X. Randle, 60 Ruth St., Beaumont, Texas, 77707  
Matthew Mackowiak, 807 Brazos Street, Suite 202, Austin, Texas, 78701  
Crystal Dillard, 6323 Creekbend, Houston, Texas, 77096  
Lyle D. Beasley Jr., 823 W Hickory St, Denton, Texas, 76201  
Daniel Davis Clayton, P.O. Box 151122, Dallas, Texas, 75315  
Frank A. Ramirez IV, 2105 Clamp Ave., San Antonio, Texas, 78221  
Jennifer V. Ramos, 5910 Wales St., San Antonio, Texas, 78223  
Charles J. Hasse, 132 Sally Ln., Brownsville, Texas, 78526  
Graciela Olvera, 435 W. 12th Street, Dallas, Texas, 75208  
Mark Watson, 5851 McCommas Blvd, Dallas, Texas, 75206  
Gia Jolene Garcia, 718 Amber Knoll, San Antonio, Texas, 78251  
Gabrien W. Gregory, P.O. Box 700293, San Antonio, Texas, 78270  
TRD-202304200  
Aidan Shaughnessy  
Program Supervisor  
Texas Ethics Commission  
Filed: November 10, 2023

◆ ◆ ◆  
**Texas Commission on Fire Protection**

**Correction of Error**

The Texas Commission on Fire Protection adopted amendments to 37 TAC §§403.3, 403.5, and 403.15 in the November 17, 2023, issue of the *Texas Register* (48 TexReg 6742). Due to an error by the Texas Register, the name of Chapter 403 was published incorrectly. The correct name should be:

**CRIMINAL CONVICTIONS AND ELIGIBILITY FOR CERTIFICATION**

TRD-202304225

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## General Land Office

### Notice and Opportunity to Comment on Requests for Consistency Agreement/Concurrence Under the Texas Coastal Management Program

On January 10, 1997, the State of Texas received federal approval of the Coastal Management Program (CMP) (62 *Federal Register* pp. 1439 - 1440). Under federal law, federal agency activities and actions affecting the Texas coastal zone must be consistent with the CMP goals and policies identified in 31 TAC Chapter 26. Requests for federal consistency review were deemed administratively complete for the following project(s) during the period of November 6, 2023 to November 10, 2023. As required by federal law, the public is given an opportunity to comment on the consistency of proposed activities in the coastal zone undertaken or authorized by federal agencies. Pursuant to 31 TAC §§30.20(f), 30.30(h), and 30.40(e), the public comment period extends 30 days from the date published on the Texas General Land Office web site. The notice was published on the web site on Friday, November 17, 2023. The public comment period for this project will close at 5:00 p.m. on December 17, 2023.

Federal Agency Activities:

**Applicant:** U.S. Fish and Wildlife Service

**Location:** The project site is located in the Gulf Intracoastal Waterway (GIWW), between Cedar Lake and Cowtrap Lake at the San Bernard National Wildlife Refuge, in Brazoria and Matagorda Counties, Texas.

**Latitude and Longitude:**

Begin: 28.864706, -95.469429

End: 28.822816, -95.536953

**Project Description:** The applicant proposes to discharge 31,301 cubic yards of concrete riprap fill material into 6.28 acres of shallow water habitat in the GIWW for the construction of a breakwater in 12 segments for the minimization of shoreline erosion. The breakwaters will have a 2:1 vertical slope and crest elevation of 3.0 feet North American Vertical Datum of 1988 (NAVD88). Riprap will be clean and free of hazardous materials and may include limestone and granite. Fish passages will be incorporated every 500 linear feet and span 30-foot-wide to minimize impacts to near-shore fish and invertebrate movements.

The applicant has stated that they have avoided and minimized the environmental impacts by using clean rock material and employing construction best management practices, including gentle rock placement methods, to limit turbidity in the water column. Breakwater placements are situated in a manner to avoid known oyster reefs. A Shallow Water Access Plan will be implemented to avoid and minimize impacts to Waters of the United States. Mitigation is not proposed.

The project site consists of the shallow, open bay bottoms of the GIWW along a section that is bordered by the San Bernard National Wildlife Refuge. The shoreline has experienced heavy erosion due to wave and wind action that has resulted in coastal marsh degradation and loss. There are no special aquatic sites within the project footprint.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2023-00077. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act.

**CMP Project No:** 24-1065-F2

Federal License and Permit Activities:

**Applicant:** Estes Pointe Development, LLC

**Location:** The project site is located adjacent to Aransas Bay, south of the intersection of TX-35 and TX-188, in Aransas Pass, Aransas County, Texas.

**Latitude and Longitude:** 27.956268, -97.105689

**Project Description:** The applicant proposes to construct a 68-lot subdivision with homesites, two marinas (Community Marina A and Community Marina B), and finger piers for boat slips. The proposed subdivision road for the subdivision would be approximately 24-foot-wide with all utilities installed in upland areas.

Community Marina A (220-foot-long by 95-foot-wide) would be dry excavated to accommodate 26 small boat slips with 13 finger piers to a fixed accessed deck. Community Marina A would be created by excavating approximately 9,000 cubic yards of uplands and would be approximately mean lower low water -5 feet. The excavated material will be spread into uplands within the review area. Proposed seawalls would be connected to the existing ones. The northern seawall would be approximately 675 linear feet. The fixed pier system would be approximately 8-foot-wide, and the finger piers would be approximately 3-foot-wide. The finger piers would be supported by 66, 10-inch pilings and would create 26 boat slips. Boat lifts would be constructed and supported by 78, 8-inch pilings (144 pilings total).

Approximately 100 cubic yards of material would be dredged from the opening of the proposed Community Marina A to connect it to the channel to Aransas Bay. The dredged material would be placed on-site on lots 50-52.

Community Marina B would be located at the existing boat ramp and would include a fixed pier system with 18 boat slips with 10 finger piers. The fixed pier system would be approximately 8-foot-wide, and the finger piers would be approximately 3-foot-wide. The finger piers would be supported by 50, 10-inch pilings and would create 26 boat slips. Boat lifts would be constructed and supported by 54, 8-inch pilings (104 pilings total). No mitigation is proposed.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2000-01591. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 24-1064-F1

**Applicant:** Layton Property Company, LLC

**Location:** The project site is located in the Gulf Intracoastal Waterway (GIWW) and adjacent wetlands, at the northern most terminus of Lagoon Drive, in Crystal Beach, Galveston County, Texas.

**Latitude and Longitude:** 29.456355, -94.670713

**Project Description:** The applicant proposes to permanently discharge 6,080 cubic yards of fill material into 0.75 acre of waters of the U.S. for erosion control and the development of three residential lots. Specifically, 5,510 cubic yards of clean earthen fill will be discharged into 0.75 acre herbaceous shrub wetlands for residential lot development and 570 cubic yards of rock riprap will be discharged into 0.007 acre of shallow water habitat of the GIWW for erosion control and shoreline protection.

The applicant proposed to mitigate for the proposed impacts by purchasing the appropriate number of functional credit units for herbaceous shrub wetlands from the Gulf Coastal Plains Mitigation Bank. If credits become unavailable, the applicant will investigate an In-Lieu-Fee Program and review options for on- and off-site permittee responsible mitigation.

**Type of Application:** U.S. Army Corps of Engineers permit application # SWG-2023-00074. This application will be reviewed pursuant to Section 10 of the Rivers and Harbors Act of 1899 and Section 404 of the Clean Water Act. Note: The consistency review for this project may be conducted by the Texas Commission on Environmental Quality as part of its certification under §401 of the Clean Water Act.

**CMP Project No:** 24-1068-F1

Further information on the applications listed above, including a copy of the consistency certifications or consistency determinations for inspection, may be obtained from the Texas General Land Office Public Information Officer at 1700 N. Congress Avenue, Austin, Texas 78701, or via email at [pialegal@glo.texas.gov](mailto:pialegal@glo.texas.gov). Comments should be sent to the Texas General Land Office Coastal Management Program Coordinator at the above address or via email at [federal.consistency@glo.texas.gov](mailto:federal.consistency@glo.texas.gov).

TRD-202304261

Mark Havens

Chief Clerk

General Land Office

Filed: November 14, 2023



## Office of the Governor

### Notice of Inflation Rate for Termination of Defunding Municipality Determination during Fiscal Year 2024

Pursuant to Texas Local Government Code Section 109.006(a)(2), the Criminal Justice Division (CJD) of the Office of the Governor publishes this notice to all persons regarding the inflation rate used for termination of a defunding municipality determination during fiscal year 2024. As required by law, the CJD has computed the inflation rate using a price index that accurately reports changes in the purchasing power of the dollar for municipalities in this state. This computation is based on economic data evaluating the difference in the Consumer Price Index (CPI) between September 2023 and September 2022 and made available by the Texas Comptroller's Office available at Key Economic Indicators ([texas.gov](https://www.texas.gov)). The CJD has determined an inflation rate of 3.7% for fiscal year 2024.

TRD-202304174

Aimee Snoddy

Executive Director, Public Safety Office

Office of the Governor

Filed: November 9, 2023



## Texas Health and Human Services Commission

### Public Notice - Methodology for Determining Caseload Reduction Credit for the Temporary Assistance for Needy Families (TANF) Program for Federal Fiscal Year 2024

The Texas Health and Human Services Commission (HHSC) announces its intent to seek comments from the public on its estimate and methodology for determining the Temporary Assistance for Needy Families (TANF) Program caseload reduction credit for Federal Fiscal Year (FFY) 2024. HHSC will base the methodology on caseload reduction occurring from FFY 2005 to FFY 2023. This methodology

and the resulting estimated caseload reduction credit will be submitted for approval to the United States Department of Health and Human Services, Administration for Children and Families.

Section 407(b)(3) of the Social Security Act provides for a TANF caseload reduction credit, which gives a state credit for reducing its TANF caseload between a base year and a comparison year. To receive the credit, a state must complete and submit a report that, among other things, describes the methodology and the supporting data that the state used to calculate its caseload reduction estimates. See 45 C.F.R. §261.41(b)(5). Prior to submitting the report, the state must provide the public with an opportunity to comment on the estimate and methodology. See 45 C.F.R. §261.41(b)(6).

As the state agency that administers the TANF program in Texas, HHSC believes it is eligible for a caseload reduction credit and has developed the requisite estimate and methodology. HHSC hereby notifies the public of the opportunity to submit comments.

HHSC will post the methodology and the estimated caseload reduction credit on the HHSC website for FFY 2024 at <https://hhs.texas.gov/about-hhs/records-statistics/data-statistics/temporary-assistance-needy-families-tanf-statistics> by November 24, 2023. The public comment period begins November 24, 2023 and ends December 8, 2023.

**Written Comments.** Written comments may be sent by U.S. mail, fax, or email.

#### U.S. Mail

Texas Health and Human Services Commission

Attention: Aisha Crawford

701 W. 51st Street

MC 2106

Austin, Texas 78751

Phone number for package delivery: (512) 915-0519

#### Fax

Attention: Access and Eligibility Services - Program Policy, Aisha Crawford

Fax Number: (512) 438-2355

#### Email

[aisha.crawford@hhs.texas.gov](mailto:aisha.crawford@hhs.texas.gov)

TRD-202304262

Karen Ray

Chief Counsel

Texas Health and Human Services Commission

Filed: November 14, 2023



## Department of State Health Services

Licensing Actions for Radioactive Materials

During the first half of October 2023, the Department of State Health Services (Department) has taken actions regarding Licenses for the possession and use of radioactive materials as listed in the tables (in alphabetical order by location). The subheading "Location" indicates the city in which the radioactive material may be possessed and/or used. The location listing "Throughout TX [Texas]" indicates that the radioactive material may be used on a temporary basis at locations throughout the state.

In issuing new licenses and amending and renewing existing licenses, the Department's Radiation Section has determined that the applicant has complied with the licensing requirements in Title 25 Texas Administrative Code (TAC), Chapter 289, for the noted action. In granting termination of licenses, the Department has determined that the licensee has complied with the applicable decommissioning requirements of 25 TAC, Chapter 289. In granting exemptions to the licensing requirements of Chapter 289, the Department has determined that the exemption is not prohibited by law and will not result in a significant risk to public health and safety and the environment.

A person affected by the actions published in this notice may request a hearing within 30 days of the publication date. A "person affected" is defined as a person who demonstrates that the person has suffered or will suffer actual injury or economic damage and, if the person is not a local government, is (a) a resident of a county, or a county adjacent to the county, in which radioactive material is or will be located, or (b) doing business or has a legal interest in land in the county or adjacent county. 25 TAC §289.205(b)(15); Health and Safety Code §401.003(15). Requests must be made in writing and should contain the words "hearing request," the name and address of the person affected by the agency action, the name and license number of the entity that is the subject of the hearing request, a brief statement of how the person is affected by the action what the requestor seeks as the outcome of the hearing, and the name and address of the attorney if the requestor is represented by an attorney. Send hearing requests by mail to: Hearing Request, Radioactive Material Licensing, MC 2835, PO Box 149347, Austin, Texas 78714-9347, or by fax to: (512) 206-3760, or by e-mail to: [RAMlicensing@dshs.texas.gov](mailto:RAMlicensing@dshs.texas.gov).

**NEW LICENSES ISSUED:**

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
THROUGHOUT TX	HIGH MOUNTAIN INSPECTION SERVICES INC	L07197	ODESSA	00	10/09/23
THROUGHOUT TX	METALLURGICAL ENGINEERING SERVICES INC	L07198	RICHARDSON	00	10/13/23

AMENDMENTS TO EXISTING LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
BEAUMONT	BISON ENVIRONMENTAL SERVICES LLC	L06995	BEAUMONT	03	10/03/23
BISHOP	BASF CORPORATION	L06855	BISHOP	15	10/11/23
CONROE	CHEVRON PHILLIPS CHEMICAL COMPANY LP DBA DRILLING SPECIALTIES COMPANY A DIVISION OF CHEVRON PHILLIPS CHEMICAL COMPANY	L04825	CONROE	24	10/06/23
DALLAS	UROLOGY CLINICS OF NORTH TEXAS PLLC DBA CANCER CLINICS OF NORTH TEXAS	L07097	DALLAS	02	10/06/23
DALLAS	MEDWORKS OF ALABAMA LLC	L07023	DALLAS	05	10/13/23
DALLAS	UROLOGY CLINICS OF NORTH TEXAS PLLC DBA CANCER CLINICS OF NORTH TEXAS	L06645	DALLAS	12	10/02/23
DALLAS	UNIVERSITY OF TEXAS SOUTHWESTERN MEDICAL CENTER AT DALLAS	L05947	DALLAS	55	10/02/23
FANNIN	COLETO CREEK POWER LLC	L06950	FANNIN	05	10/12/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

FRISCO	COLUMBIA MEDICAL CENTER OF PLANO SUBSIDIARY LP DBA MEDICAL CITY FRISCO A MEDICAL CENTER OF PLANO FACILITY	L06957	FRISCO	06	10/03/23
HOUSTON	HOUSTON CARDIOVASCUL AR ASSOCIATES	L05070	HOUSTON	23	10/09/23
HOUSTON	UNIVERSITY OF HOUSTON	L01886	HOUSTON	80	10/02/23
LAKE JACKSON	THE DOW CHEMICAL COMPANY	L00451	LAKE JACKSON	115	10/04/23
LUBBOCK	LUBBOCK COUNTY HOSPITAL DISTRICT OF LUBBOCK COUNTY TEXAS	L04719	LUBBOCK	175	10/11/23
MCKINNEY	BAYLOR MEDICAL CENTERS AT GARLAND AND MCKINNEY DBA BAYLOR SCOTT & WHITE MEDICAL CENTER - MCKINNEY	L06470	MCKINNEY	18	10/13/23
NACOGDOCHES	TH HEALTHCARE LTD DBA NACOGDOCHES MEDICAL CENTER	L02853	NACOGDOCHES	61	10/02/23
ODESSA	PERMIAN PREMIER HEALTH SERVICES INC	L06746	ODESSA	02	10/04/23
ODESSA	GCC PERMIAN LLC	L06964	ODESSA	03	10/03/23



AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

ODESSA	TEXAS ONCOLOGY PA DBA TEXAS ONCOLOGY	L05140	ODESSA	26	10/04/23
PLANO	COLUMBIA MEDICAL CENTER OF PLANO SUBSIDIARY LP	L02032	PLANO	130	10/03/23
RICHARDSON	THE UNIVERSITY OF TEXAS AT DALLAS	L02114	RICHARDSON	71	10/04/23
SAN ANTONIO	IIA NUCLEAR SERIVICES INC	L05278	SAN ANTONIO	24	10/04/23
SAN ANTONIO	METHODIST HEALTHCARE SYSTEM OF SAN ANTONIO LTD LLP	L05076	SAN ANTONIO	41	10/13/23
SAN ANTONIO	RLS (USA) INC	L04764	SAN ANTONIO	60	10/10/23
SUGAR LAND	FORT BEND HEART CENTER LTD LLP	L05678	SUGAR LAND	13	10/10/23
THREE RIVERS	DIAMOND SHAMROCK REFINING COMPANY LP	L03699	THREE RIVERS	32	10/05/23
THROUGHOUT TX	TEXAS MATERIALS GROUP INC	L06539	AUSTIN	11	10/06/23
THROUGHOUT TX	WEATHERFORD INTERNATIONAL LLC	L04286	BENBROOK	133	10/12/23
THROUGHOUT TX	DESERT NDT LLC DBA SUPERIOR INTEGRITY SERVICES	L06462	FORT WORTH	59	10/10/23
THROUGHOUT TX	HAIMO AMERICA INC	L06936	HOUSTON	13	10/11/23

AMENDMENTS TO EXISTING LICENSES ISSUED:(continued)

THROUGHOUT TX	ADVANCED CORROSION TECHNOLOGIES & TRAINING LLC DBA ACTT – ADVANCED CORROSION TECHNOLOGIES & TRAINING LLC	L06805	LA PORTE	28	10/05/23
THROUGHOUT TX	HOWLAND ENGINEERING AND SURVEYING CO INC	L05543	LAREDO	10	10/06/23
THROUGHOUT TX	XCEL NDT LLC	L07039	LONGVIEW	05	10/06/23
THROUGHOUT TX	TOTAL NDT LLC	L06736	LONGVIEW	12	10/10/23
THROUGHOUT TX	PROTECT LLC	L07110	MIDLAND	07	10/03/23
THROUGHOUT TX	UNIVERSAL PRESSURE PUMPING INC	L06871	PEARSALL	10	10/06/23
THROUGHOUT TX	TEXAS ONCOLOGY PA	L06240	ROUND ROCK	10	10/13/23
WACO	TEXAS ONCOLOGY PA	L05940	WACO	22	10/11/23

RENEWAL OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
CLEBURNE	TEXAS HEALTH HARRIS METHODIST HOSPITAL CLEBURNE	L02039	CLEBURNE	51	10/11/23
FORT WORTH	FORT WORTH HEART PA	L05480	FORT WORTH	52	10/02/23
SUGAR LAND	FORT BEND HEART CENTER LTD LLP	L05678	SUGAR LAND	14	10/10/23
THROUGHOUT TX	N E TIME LLC	L06590	ROCKPORT	07	10/09/23

TERMINATIONS OF LICENSES ISSUED:

Location of Use/Possession of Material	Name of Licensed Entity	License Number	City of Licensed Entity	Amendment Number	Date of Action
AUSTIN	THERMO FINNIGAN LLC	L01186	AUSTIN	60	10/13/23
DALLAS	DALLAS NEPHROLOGY ASSOCIATES DBA DALLAS TRANSPLANT INSTITUTE	L02604	DALLAS	33	10/02/23
LUBBOCK	META ISOTOPE TECHNOLOGY LLC	L06827	LUBBOCK	08	10/03/23
PASADENA	QUANTUM TECHNICAL SERVICES LLC	L06406	PASADENA	24	10/04/23
STEPHENVILLE	TARLETON STATE UNIVERSITY DBA TEXAS INSTITUTE FOR ENVIRONMENTAL RESEARCH	L06892	STEPHENVILLE	02	10/02/23

TRD-202304282  
 Cynthia Hernandez  
 General Counsel  
 Department of State Health Services  
 Filed: November 15, 2023

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**Texas Department of Housing and Community Affairs**

**HOME Single Family General Notice of Funding Availability**

The Texas Department of Housing and Community Affairs (TDHCA or the Department) announces a NOFA of approximately \$20,437,314 in HOME funds for single family housing programs under the general set-aside utilizing a reservation system. These funds will be made available to HOME Reservation System Participants after a Reservation System Participation (RSP) Agreement has been ratified. Funds will be released subject to the Regional Allocation Formula (RAF) beginning Tuesday, December 5, 2023, at 10:00 a.m. Austin local time.

The availability and use of these funds are subject to the HOME rules including, but not limited to the following Texas Administrative Code (TAC) rules in effect at the time of application review or contract execution (as applicable): Title 10, Part 1, Chapter 1, Administration; Chapter 2, Enforcement; Chapter 20, the Single Family Programs Umbrella Rule; Chapter 21, the Minimum Energy Efficiency Requirements for Single Family Construction Activities; Chapter 23, the Single Family

HOME Program, (State HOME Rules); and Tex. Gov't Code §2306. Other federal and state regulations include but are not limited to: 24 CFR Part 58 for environmental requirements, 2 CFR Part 200 for Uniform Administrative Requirements, 24 CFR §135.38 for Section 3 requirements, 24 CFR Part 5, Subpart A for fair housing, (Federal HOME Rules), and for units of government, the Uniform Grant and Contract Management requirements as outlined in Chapter 783 in the Texas Local Government (UGMS or TxGMS, as applicable). Applicants must familiarize themselves with all of the applicable state and federal rules that govern the HOME Program.

**Eligible Activities**

Homeowner Reconstruction Assistance (HRA). HRA provides funds for the reconstruction or new construction of a single family residence owned and occupied by eligible low-income Households. Specific program guidelines can be found at 10 TAC Chapter 23, Single Family HOME Program, Subchapter C, Homeowner Reconstruction Assistance Program, §§23.30 - 23.32.

Tenant-Based Rental Assistance (TBRA). TBRA provides rental subsidies to eligible low-income Households. Assistance may include rental, security, and utility deposits. Specific program guidelines can be found at 10 TAC Chapter 23, Single Family HOME Program, Subchapter F, Tenant-Based Rental Assistance Program, §§23.50 - 23.52.

Eligible Applicants include Units of General Local Government, Non-profit Organizations, Public Housing Authorities, Local Mental Health

Authorities, and Councils of Government. Funds may not be used in a Participating Jurisdiction (PJ).

#### Additional Information

The NOFA is available on the Department's website at <http://www.td-hca.state.tx.us/nofa.htm>.

All Application materials are available on the Department's website at <http://www.td-hca.state.tx.us/home-division/applications.htm>.

For questions regarding this NOFA, please contact the Single Family and Homeless Programs Division via email at [HOME@td-hca.state.tx.us](mailto:HOME@td-hca.state.tx.us).

TRD-202304180

Bobby Wilkinson

Executive Director

Texas Department of Housing and Community Affairs

Filed: November 10, 2023

## Texas Department of Insurance

### Texas Windstorm Insurance Association--Declarations Pages Filings

In accordance with 28 TAC §5.4911, the Texas Windstorm Insurance Association (TWIA) has filed revised forms with the Texas Department of Insurance for approval:

--TWIA Commercial Policy - Builders Risk Declarations Page

--TWIA Commercial Policy - Business Property Only Declarations Page

--TWIA Commercial Policy - Habitational (Not Condo) Declarations Page

--TWIA Commercial Policy - Condo Building Master Declarations Page

TWIA is revising the declarations pages to reflect House Bill 3208, 88th Legislature, 2023. Under HB 3208, if an insured cancels their policy, TWIA will keep the entire annual premium unless the cancellation is for one of the reasons listed in Insurance Code §2210.204(d).

You can view the revised declarations pages, TWIA's description of the filings, and other supporting information online at [www.tdi.texas.gov/submissions/indextwia.html#form](http://www.tdi.texas.gov/submissions/indextwia.html#form). You can also get a copy of the filings from the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030.

*Public Comment:* Send comments on the revised form filings to Chief Clerk@tdi.texas.gov or to the Office of the Chief Clerk, MC: GC-CCO, Texas Department of Insurance, P.O. Box 12030, Austin, Texas 78711-2030 by 5:00 p.m., central time, on December 26, 2023.

*Hearing Requests:* To request a public hearing about the revised form filings, you must submit a request separately by 5:00 p.m., central time, on December 14, 2023. Send the hearing request by email to Chief Clerk@tdi.texas.gov or by mail to the Texas Department of Insurance, Office of the Chief Clerk, MC: GC-CCO, P.O. Box 12030, Austin, Texas 78711-2030.

Reference Nos. P-1123-01, P-1123-02, P-1123-03, and P-1123-04; SERFF State Tracking Nos. S716555, S716556, S716557, and S716558

TRD-202304142

Jessica Barta

General Counsel

Texas Department of Insurance

Filed: November 9, 2023

## Texas Lottery Commission

### Scratch Ticket Game Number 2541 "20X POWER BLITZ"

#### 1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2541 is "20X POWER BLITZ". The play style is "key number match".

#### 1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 2541 shall be \$1.00 per Scratch Ticket.

#### 1.2 Definitions in Scratch Ticket Game No. 2541.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: 01, 02, 03, 04, 06, 07, 08, 09, 11, 12, 13, 14, 15, 16, 17, 18, 19, 5X SYMBOL, 10X SYMBOL, 20X SYMBOL, \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$40.00, \$100, \$500 and \$5,000.

D. Play Symbol Caption - The printed material appearing below each Play Symbol which explains the Play Symbol. One caption appears under each Play Symbol and is printed in caption font in black ink in positive. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2541 - 1.2D

<b>PLAY SYMBOL</b>	<b>CAPTION</b>
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
5X SYMBOL	WINX5
10X SYMBOL	WINX10
20X SYMBOL	WINX20
\$1.00	ONE\$
\$2.00	TWO\$
\$3.00	THR\$
\$5.00	FIV\$
\$10.00	TEN\$

\$20.00	TWY\$
\$40.00	FRTY\$
\$100	ONHN
\$500	FVHN
\$5,000	FVTH

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 (2541), a seven (7) digit Pack number, and a three (3) digit Ticket number. Ticket numbers start with 001 and end with 150 within each Pack. The format will be: 2541-0000001-001.

H. Pack - A Pack of "20X POWER BLITZ" Scratch Ticket Game contains 150 Scratch Tickets, packed in plastic shrink-wrapping and fan-folded in pages of five (5). Tickets 001 to 005 will be on the top page; Tickets 006 to 010 on the next page; etc.; and Tickets 146 to 150 will be on the last page with backs exposed. Ticket 001 will be folded over so the front of Ticket 001 and 010 will be exposed.

I. Non-Winning 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 - A Texas Lottery "20X POWER BLITZ" Scratch Ticket Game No. 2541.

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 "20X POWER BLITZ" Scratch Ticket Game is determined once the latex on the Scratch Ticket is scratched off to expose eleven (11) Play Symbols. If a player matches any of the YOUR NUMBERS Play Symbols to the WINNING NUMBER Play Symbol, 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. 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 eleven (11) 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 eleven (11) 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 eleven (11) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
17. Each of the eleven (11) 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. A Ticket can win up to five (5) times in accordance with the prize structure.

B. Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.

C. The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.

D. Each Ticket will have one (1) WINNING NUMBER Play Symbol.

E. Non-winning YOUR NUMBERS Play Symbols will all be different.

F. Non-winning Prize Symbols will never appear more than one (1) time.

G. The "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols will never appear in the WINNING NUMBER Play Symbol spot.

H. The "5X" (WINX5), "10X" (WINX10) and "20X" (WINX20) Play Symbols will only appear on winning Tickets as dictated by the prize structure.

I. Non-winning Prize Symbols will never be the same as the winning Prize Symbol(s).

J. No prize amount in a non-winning spot will correspond with the YOUR NUMBERS Play Symbol (i.e., 03 and \$3).

## 2.3 Procedure for Claiming Prizes.

A. To claim a "20X POWER BLITZ" Scratch Ticket Game prize of \$1.00, \$2.00, \$3.00, \$5.00, \$10.00, \$20.00, \$40.00, \$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 \$40.00, \$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 "20X POWER BLITZ" Scratch Ticket Game prize of \$5,000, 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 "20X POWER BLITZ" 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.

F. If a person is indebted or owes delinquent taxes to the State, and is selected as a winner in a promotional second-chance drawing, the debt to the State must be paid within 14 days of notification or the prize will be awarded to an Alternate.

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 "20X POWER BLITZ" 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 "20X POWER BLITZ" 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 Game 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.

2.9 Promotional Second-Chance Drawings. Any Non-Winning "20X POWER BLITZ" Scratch Ticket may be entered into one (1) of five (5)

promotional drawings for a chance to win a promotional second-chance drawing prize. See instructions on the back of the Scratch Ticket for information on eligibility and entry requirements.

### 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 30,000,000 Scratch Tickets in the Scratch Ticket Game No. 2541. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2541 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$1.00	2,800,000	10.71
\$2.00	1,800,000	16.67
\$3.00	400,000	75.00
\$5.00	900,000	33.33
\$10.00	150,000	200.00
\$20.00	150,000	200.00
\$40.00	11,375	2,637.36
\$100	3,500	8,571.43
\$500	63	476,190.48
\$5,000	8	3,750,000.00

\*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 4.83. 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. 2541 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 Game 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. 2541, 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-202304271  
 Bob Biard  
 General Counsel  
 Texas Lottery Commission  
 Filed: November 15, 2023



Scratch Ticket Game Number 2542 "30X POWER WORD BLITZ"

1.0 Name and Style of Scratch Ticket Game.

A. The name of Scratch Ticket Game No. 2542 is "30X POWER WORD BLITZ". The play style is "other".

1.1 Price of Scratch Ticket Game.

A. Tickets for Scratch Ticket Game No. 2542 shall be \$3.00 per Scratch Ticket.

1.2 Definitions in Scratch Ticket Game No. 2542.

A. Display Printing - That area of the Scratch Ticket outside of the area where the overprint and Play Symbols appear.

B. Latex Overprint - The removable scratch-off covering over the Play Symbols on the front of the Scratch Ticket.

C. Play Symbol - The printed data under the latex on the front of the Scratch Ticket that is used to determine eligibility for a prize. Each Play Symbol is printed in Symbol font in black ink in positive except for dual-image games. The possible black Play Symbols are: A, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, 2X SYMBOL, 3X SYMBOL, 5X SYMBOL, 30X SYMBOL, \$3.00,

\$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$45.00, \$90.00, \$150, \$300, \$2,000 and \$60,000.

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. Miscellaneous word style games may not have Play Symbol Captions. The Play Symbol Caption which corresponds with and verifies each Play Symbol is as follows:

Figure 1: GAME NO. 2542 - 1.2D

PLAY SYMBOL	CAPTION
A	
B	
C	
D	
E	
F	
G	
H	
I	
J	
K	
L	
M	
N	
O	
P	
Q	
R	
S	
T	
U	
V	
W	
X	
Y	
Z	
2X SYMBOL	DBL

3X SYMBOL	TRP
5X SYMBOL	WINX5
30X SYMBOL	WINX30
\$3.00	THR\$
\$5.00	FIV\$
\$10.00	TEN\$
\$15.00	FFN\$
\$20.00	TWY\$
\$30.00	TRTY\$
\$45.00	FRFV\$
\$90.00	NITY\$
\$150	ONFF
\$300	THHN
\$2,000	TOTH
\$60,000	60TH

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 (2542), 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: 2542-0000001-001.

H. Pack - A Pack of "30X POWER WORD BLITZ" Scratch Ticket Game contains 125 Scratch Tickets, packed in plastic shrink-wrapping and fanfolded in pages of one (1). There will be 2 fanfold configurations for this game. Configuration A will show the front of Ticket 001 and the back of Ticket 125. Configuration B will show the back of Ticket 001 and the front of Ticket 125.

I. Non-Winning 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 - A Texas Lottery "30X POWER WORD BLITZ" Scratch Ticket Game No. 2542.

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. Each Scratch Ticket contains exactly seventy-eight (78) Play Symbols. GAMES 1 - 10 PLAY INSTRUCTIONS: The player will completely scratch all of the YOUR 18 LETTERS Play Symbols. The player will then scratch all of the letters found in GAMES 1 - 10 that exactly match the YOUR 18 LETTERS Play Symbols. If the player matches all the letters in the same GAME with the YOUR 18 LETTERS Play Symbols, the player wins the PRIZE for that GAME. MULTIPLIER PLAY INSTRUCTIONS: The player will scratch the MULTIPLIER play area to reveal 2 MULTIPLIER Play Symbols. If the player reveals 2 matching MULTIPLIER Play Symbols, the player multiplies the prize won in GAMES 1 - 10 by that multiplier and wins that amount. For example, revealing 2 "30X" MULTIPLIER Play Symbols will multiply the total prize won by 30 TIMES. 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-eight (78) 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; Miscellaneous word style games may not have Play Symbol Captions;
  3. Each of the Play Symbols must be present in its entirety and be fully legible;
  4. Each of the Play Symbols must be printed in black ink except for dual image games;
  5. The Scratch Ticket shall be intact;
  6. The Serial Number and Game-Pack-Ticket Number must be present in their entirety and be fully legible;
  7. The Serial Number must correspond, using the Texas Lottery's codes, to the Play Symbols on the Scratch Ticket;
  8. The Scratch Ticket must not have a hole punched through it, be mutilated, altered, unreadable, reconstituted or tampered with in any manner;
  9. The Scratch Ticket must not be counterfeit in whole or in part;
  10. The Scratch Ticket must have been issued by the Texas Lottery in an authorized manner;
  11. The Scratch Ticket must not have been stolen, nor appear on any list of omitted Scratch Tickets or non-activated Scratch Tickets on file at the Texas Lottery;
  12. The Play Symbols, Serial Number and Game-Pack-Ticket Number must be right side up and not reversed in any manner;
  13. The Scratch Ticket must be complete and not miscut, and have exactly seventy-eight (78) 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-eight (78) Play Symbols must be exactly one of those described in Section 1.2.C of these Game Procedures;
  17. Each of the seventy-eight (78) Play Symbols on the Scratch Ticket must be printed in the Symbol font and must correspond precisely to the artwork on file at the Texas Lottery; the Scratch Ticket Serial Numbers must be printed in the Serial font and must correspond precisely to the artwork on file at the Texas Lottery; and the Game-Pack-Ticket Number must be printed in the Game-Pack-Ticket Number font and must correspond precisely to the artwork on file at the Texas Lottery;
  18. The Display Printing on the Scratch Ticket must be regular in every respect and correspond precisely to the artwork on file at the Texas Lottery; and
  19. The Scratch Ticket must have been received by the Texas Lottery by applicable deadlines.
- B. The Scratch Ticket must pass all additional validation tests provided for in these Game Procedures, the Texas Lottery's Rules governing the award of prizes of the amount to be validated, and any confidential validation and security tests of the Texas Lottery.
- C. Any Scratch Ticket not passing all of the validation requirements is void and ineligible for any prize and shall not be paid. However, the Executive Director may, solely at the Executive Director's discretion,

refund the retail sales price of the Scratch Ticket. In the event a defective Scratch Ticket is purchased, the only responsibility or liability of the Texas Lottery shall be to replace the defective Scratch Ticket with another unplayed Scratch Ticket in that Scratch Ticket Game (or a Scratch Ticket of equivalent sales price from any other current Texas Lottery Scratch Ticket Game) or refund the retail sales price of the Scratch Ticket, solely at the Executive Director's discretion.

## 2.2 Programmed Game Parameters.

- A. GENERAL: A Ticket can win up to four (4) times in accordance with the prize structure.
- B. GENERAL: Consecutive Non-Winning Tickets within a Pack will not have matching patterns, in the same order, of either Play Symbols or Prize Symbols.
- C. GENERAL: The top Prize Symbol will appear on every Ticket, unless restricted by other parameters, play action or prize structure.
- D. GENERAL: Each Ticket consists of a YOUR 18 LETTERS play area, a GAMES 1 - 10 play area and a MULTIPLIER play area.
- E. GENERAL: Exposed words on winning Tickets must be identical to exposed words on Non-Winning Tickets, to avoid pick out of winners and non-winners.
- F. YOUR LETTERS: Each letter will appear once per Ticket in the YOUR 18 LETTERS play area.
- G. YOUR LETTERS: There will be a minimum of three (3) vowels in the YOUR 18 LETTERS play area. Vowels are A, E, I, O and U.
- H. YOUR LETTERS: A player will never find a word horizontally (in any direction), vertically (in any direction) or diagonally (in any direction) in the YOUR 18 LETTERS play area that matches a word in GAMES 1 - 10.
- I. YOUR LETTERS: A minimum of fourteen (14) YOUR 18 LETTERS will open at least one (1) letter in GAMES 1 - 10.
- J. YOUR LETTERS: None of the words from the TX\_Prohibited\_Words\_Vers.2.042321.docx that contain three (3) or more letters will appear horizontally, vertically or diagonally (in any direction) in the YOUR 18 LETTERS play area.
- K. YOUR LETTERS: The words "VD" and "ED" will not be presented in a row horizontally or diagonally in the YOUR 18 LETTERS play area.
- L. GAMES 1 - 10: Each word will appear only once per Ticket in GAMES 1 - 10.
- M. GAMES 1 - 10: The length of the words found in GAMES 1 - 10 will range from three (3) to seven (7) letters, as shown on the artwork.
- N. GAMES 1 - 10: The \$3 and \$5 Prize Symbols will only appear in GAMES 3 - 10. The \$150 and \$300 Prize Symbols will only appear in GAMES 1 - 7. The \$2,000 and \$60,000 Prize Symbols will only appear in GAMES 1 - 4.
- O. GAMES 1 - 10: Only words from the approved word list (TX\_Approved\_Words\_Vers.2.042321.doc) will appear in GAMES 1 - 10.
- P. GAMES 1 - 10: None of the words from the TX\_Prohibited\_Words\_Vers.2.042321.docx that contain three (3) or more letters will appear vertically or diagonally (in any direction) in GAMES 1 - 10.
- Q. GAMES 1 - 10: The \$10.00, \$15.00, \$20.00, \$30.00, \$45.00 and \$90.00 Prize Symbols can appear in GAMES 1 - 10.
- R. MULTIPLIER: The "2X" (DBL), "3X" (TRP), "5X" (WINX5) and "30X" (WINX30) Play Symbols will only appear in the MULTIPLIER

play area and will never appear in the GAMES 1 - 10 or YOUR 18 LETTERS play areas.

S. MULTIPLIER: Two (2) matching MULTIPLIER Play Symbols of "2X" (DBL), "3X" (TRP), "5X" (WINX5) or "30X" (WINX30) will only appear on winning Tickets, as dictated by the prize structure.

T. MULTIPLIER: Tickets that do not win in the MULTIPLIER play area will display two (2) different MULTIPLIER Play Symbols.

U. MULTIPLIER: On Non-Winning Tickets and Tickets winning a prize in the GAMES 1 - 10 not multiplied by the MULTIPLIER play area, the MULTIPLIER Play Symbols will be used approximately evenly in each possible spot on a Ticket.

### 2.3 Procedure for Claiming Prizes.

A. To claim a "30X POWER WORD BLITZ" Scratch Ticket Game prize of \$3.00, \$5.00, \$10.00, \$15.00, \$20.00, \$30.00, \$45.00, \$90.00, \$150 or \$300, 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, \$45.00, \$90.00, \$150 or \$300 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 "30X POWER WORD BLITZ" Scratch Ticket Game prize of \$2,000 or \$60,000, 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 "30X POWER WORD BLITZ" 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.

F. If a person is indebted or owes delinquent taxes to the State, and is selected as a winner in a promotional second-chance drawing, the debt to the State must be paid within 14 days of notification or the prize will be awarded to an Alternate.

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 "30X POWER WORD BLITZ" 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 "30X POWER WORD BLITZ" 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 Game 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.

2.9 Promotional Second-Chance Drawings. Any Non-Winning "30X POWER WORD BLITZ" Scratch Ticket may be entered into one (1) of five (5) promotional drawings for a chance to win a promotional second-chance drawing prize. See instructions on the back of the Scratch Ticket for information on eligibility and entry requirements.

### 3.0 Scratch Ticket Ownership.

A. Until such time as a signature is placed upon the back portion of a Scratch Ticket in the space designated, a Scratch Ticket shall be owned by the physical possessor of said Scratch Ticket. When a signature is placed on the back of the Scratch Ticket in the space designated, the



player whose signature appears in that area shall be the owner of the Scratch Ticket and shall be entitled to any prize attributable thereto. Notwithstanding any name or names submitted on a claim form, the Executive Director shall make payment to the player whose signature appears on the back of the Scratch Ticket in the space designated. If more than one name appears on the back of the Scratch Ticket, the Executive Director will require that one of those players whose name appears thereon be designated by such players to receive payment.

B. The Texas Lottery shall not be responsible for lost or stolen Scratch Tickets and shall not be required to pay on a lost or stolen Scratch Ticket.

4.0 Number and Value of Scratch Ticket Prizes. There will be approximately 24,000,000 Scratch Tickets in the Scratch Ticket Game No. 2542. The approximate number and value of prizes in the game are as follows:

Figure 2: GAME NO. 2542 - 4.0

Prize Amount	Approximate Number of Winners*	Approximate Odds are 1 in **
\$3.00	2,496,000	9.62
\$5.00	960,000	25.00
\$10.00	912,000	26.32
\$15.00	624,000	38.46
\$20.00	192,000	125.00
\$30.00	240,000	100.00
\$45.00	24,000	1,000.00
\$90.00	20,000	1,200.00
\$150	4,800	5,000.00
\$300	800	30,000.00
\$2,000	50	480,000.00
\$60,000	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 4.38. 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. 2542 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 Game 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. 2542, 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-202304268

Bob Biard  
General Counsel  
Texas Lottery Commission  
Filed: November 15, 2023

*in the print version of the Texas Register. The order is available in the on-line version of the November 24, 2023, issue of the Texas Register.)*

TRD-202304178  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: November 10, 2023

◆ ◆ ◆  
**Supreme Court of Texas**

Final Approval of Amendments to Canons 3B, 5, and 6 of the Texas Code of Judicial Conduct and the Procedural Rules for the Removal or Retirement of Judges, Now Titled the Procedural Rules for the State Commission on Judicial Conduct

*(Editor's note: In accordance with Texas Government Code, §2002.014, which permits the omission of material which is "cumbersome, expensive, or otherwise inexpedient," this order is not included*

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Final Approval of Amendments to Texas Rules of Civil Procedure 221, 222, 225, and 504.2

# Supreme Court of Texas

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Misc. Docket No. 23-9088

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## Final Approval of Amendments to Texas Rules of Civil Procedure 221, 222, 225, and 504.2

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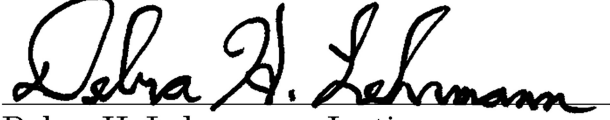
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**ORDERED** that:


1. On July 14, 2023, in Misc. Dkt. No. 23-9044, the Court preliminarily approved amendments to Texas Rules of Civil Procedure 221, 222, 225, and 504.2 and invited public comment.
2. No comments were received, and no additional changes have been made to the rules. This Order gives final approval to the amended rules as set forth in Misc. Dkt. No. 23-9044 and reproduced below, effective September 1, 2023.
3. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.


Dated: November 7, 2023.

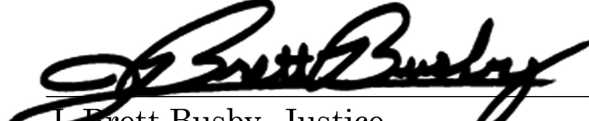
  
Nathan L. Hecht, Chief Justice

  
Debra H. Lehrmann, Justice


  
Jeffrey S. Boyd, Justice


  
John P. Devine, Justice

  
James D. Blacklock, Justice

  
J. Brett Busby, Justice

  
Jane N. Bland, Justice

  
Rebeca A. Huddle, Justice

  
Evan A. Young, Justice

## TEXAS RULES OF CIVIL PROCEDURE

### RULE 221. CHALLENGE TO THE ARRAY

When the jurors summoned have not been selected by jury commissioners or by drawing the names from a jury wheel, any party to a suit which is to be tried by a jury may, before the jury is drawn challenge the array upon the ground that the ~~officer~~sheriff or clerk summoning the jury has acted corruptly, and has wilfully summoned jurors known to be prejudiced against the party challenging or biased in favor of the adverse party. All such challenges must be in writing setting forth distinctly the grounds of such challenge and supported by the affidavit of the party or some other credible person. When such challenge is made, the court shall hear evidence and decide without delay whether or not the challenge shall be sustained.

### RULE 222. WHEN CHALLENGE IS SUSTAINED

If the challenge be sustained, the array of jurors summoned shall be discharged, and the court shall order other jurors summoned in their stead, and shall direct that the ~~officer~~sheriff or clerk who summoned the persons so discharged, and on account of whose misconduct the challenge has been sustained, shall not summon any other jurors in the case.

### RULE 225. SUMMONING TALESMAN

When there are not as many as twenty-four names drawn from the box, if in the district court, or as many as twelve, if in the county court, the court shall direct the sheriff or clerk to summon such number of qualified persons as the court deems necessary to complete the panel. The names of those thus summoned shall be placed in the box and drawn and entered upon the slips as provided in the preceding rules.

### RULE 504. JURY

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#### RULE 504.2. EMPANELING THE JURY

- (a) *Drawing Jury and Oath.* If no method of electronic draw has been implemented, the judge must write the names of all prospective jurors present on separate slips of paper as nearly alike as may be, place them in a box, mix them well, and then draw the names one by one from the box. The judge must list the names drawn and deliver a copy to each of the parties or their attorneys.

- (b) *Oath.* After the draw, the judge must swear the panel as follows: “You solemnly swear or affirm that you will give true and correct answers to all questions asked of you concerning your qualifications as a juror.”
- (c) *Questioning the Jury.* The judge, the parties, or their attorneys will be allowed to question jurors as to their ability to serve impartially in the trial but may not ask the jurors how they will rule in the case. The judge will have discretion to allow or disallow specific questions and determine the amount of time each side will have for this process.
- (d) *Challenge for Cause.* A party may challenge any juror for cause. A challenge for cause is an objection made to a juror alleging some fact, such as a bias or prejudice, that disqualifies the juror from serving in the case or that renders the juror unfit to sit on the jury. The challenge must be made during jury questioning. The party must explain to the judge why the juror should be excluded from the jury. The judge must evaluate the questions and answers given and either grant or deny the challenge. When a challenge for cause has been sustained, the juror must be excused.
- (e) *Challenges Not for Cause.* After the judge determines any challenges for cause, each party may select up to 3 jurors to excuse for any reason or no reason at all. But no prospective juror may be excused for membership in a constitutionally protected class.
- (f) *The Jury.* After all challenges, the first 6 prospective jurors remaining on the list constitute the jury to try the case.
- (g) *If Jury Is Incomplete.* If challenges reduce the number of prospective jurors below 6, the judge may direct the sheriff, ~~or constable,~~ or clerk to summon others and allow them to be questioned and challenged by the parties as before, until at least 6 remain.
- (h) *Jury Sworn.* When the jury has been selected, the judge must require them to take substantially the following oath: “You solemnly swear or affirm that you will render a true verdict according to the law and the evidence presented.”

TRD-202304177  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: November 10, 2023

Final Approval of Amendments to the Rule for Magistrates in  
Inmate Litigation to Expand the Applicability of the Rule to  
Litigation Involving Certain Civilly Committed Individuals



# Supreme Court of Texas

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Misc. Docket No. 23-9090

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## Final Approval of Amendments to the Rule for Magistrates in Inmate Litigation to Expand the Applicability of the Rule to Litigation Involving Certain Civilly Committed Individuals

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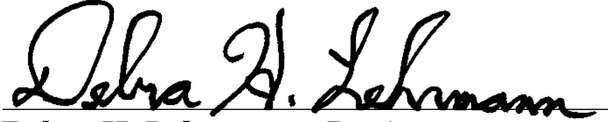
**ORDERED** that:

1. On July 19, 2023, in Misc. Dkt. No. 23-9045, the Court preliminarily approved amendments to the Rule for Magistrates in Inmate Litigation, now titled the Rule for Magistrates in Inmate Litigation and Litigation Involving Certain Civilly Committed Individuals, and invited public comment.
2. No comments were received, and no additional changes have been made to the amended rule. This Order gives final approval to the amended rule as set forth in Misc. Dkt. No. 23-9045 and reproduced below, effective December 1, 2023.
3. The Clerk is directed to:
  - a. file a copy of this Order with the Secretary of State;
  - b. cause a copy of this Order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this Order to each elected member of the Legislature; and
  - d. submit a copy of this Order for publication in the *Texas Register*.

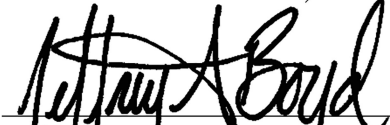
Dated: November 7, 2023.



Nathan L. Hecht, Chief Justice



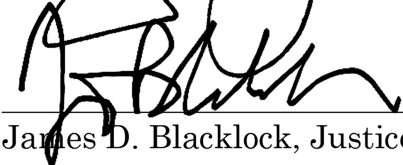
Debra H. Lehrmann, Justice



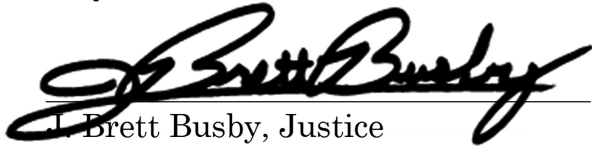
Jeffrey S. Boyd, Justice



John P. Devine, Justice



James D. Blacklock, Justice



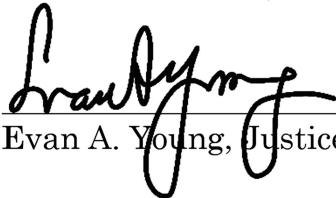
J. Brett Busby, Justice



Jane N. Bland, Justice



Rebeca A. Huddle, Justice



Evan A. Young, Justice



**RULE FOR MAGISTRATES IN INMATE LITIGATION AND LITIGATION  
INVOLVING CERTAIN CIVILLY COMMITTED INDIVIDUALS**

1.01 AUTHORITY

This rule is promulgated under authority of Sections 14.013 and 14A.061, Civil Practice and Remedies Code.

2.01 APPOINTMENT

(a) A judge of a court having jurisdiction of a suit subject to Chapters 14 or 14A, Civil Practice and Remedies Code, may appoint a full-time or part-time magistrate to perform the duties authorized by ~~that~~those chapters if the commissioners court of a county in which the court has jurisdiction authorizes the employment of a magistrate.

(b) If a court has jurisdiction in more than one county, a magistrate appointed by that court may serve only in a county in which the commissioners court has authorized the magistrate's appointment.

(c) If more than one court in a county has jurisdiction of a suit under Chapters 14 or 14A, the commissioners court may authorize the appointment of a magistrate for each court or may authorize one or more magistrates to share service with two or more courts.

(d) If a magistrate serves more than one court, the magistrate's appointment must be made with the unanimous approval of all the judges under whom the magistrate serves.

3.01 QUALIFICATIONS

To be eligible for appointment as a magistrate, a person must meet the requirements and qualifications to serve as a judge of the court or courts for which the magistrate is appointed.

4.01 COMPENSATION

(a) If funds are provided to the Supreme Court by appropriation or interagency contracts as provided by Section 14.013-(b) or 14A.061(b), Civil Practice and Remedies Code, a magistrate may be paid a salary, on an hourly basis, or on a per-case basis, ~~or on such other basis as may be specified by administrative order of the Supreme Court.~~

(b) If funds are not provided to the Supreme Court, a magistrate may be paid a salary or fees provided in the schedule of fees adopted by the judges of the county pursuant to Article 26.05, Code of Criminal Procedure, as approved by the commissioners court in which the magistrate serves.

(c) If paid a salary, the magistrate's salary is paid from the county fund available for payment of officers' salaries. If paid by fee, the magistrate's fees are paid from the general fund of the county.

#### 5.01 TERMINATION OF MAGISTRATE

(a) A magistrate who serves a single court serves at the will of the judge of that court.

(b) The employment of a magistrate who serves more than two courts may only be terminated by a majority vote of all the judges of the courts which the magistrate serves.

(c) The employment of a magistrate who serves two courts may be terminated by either of the judges of the courts which the magistrate serves.

#### 6.01 CASES THAT MAY BE REFERRED

Except as provided by this rule, a judge of a court may refer to a magistrate any suit brought by an inmate, as defined in section 14.001(3), Civil Practice and Remedies Code, or a civilly committed individual, as defined in section 14A.001(1), Civil Practice and Remedies Code, in a district, county, or justice of the peace, or small-claims court in which a Statement of Inability to Afford Payment of Court Costs or a similar an affidavit or unsworn declaration of inability to pay costs is filed by the inmate or civilly committed individual. This rule does not apply to an action brought under the Family Code.

#### 7.01 ORDER OF REFERRAL

(a) In referring a case to a magistrate, the judge of the referring court ~~shall~~must render:

(1) an individual order of referral; or

(2) a general order of referral specifying the class and type of cases to be heard by the magistrate.

(b) The order of referral may limit the power or duties of a magistrate.

## 8.01 AUTHORITY OF MAGISTRATES

Except as limited by an order of referral, a magistrate has the same jurisdiction, authority, and power as the judge of the referring court under Chapters 14 and 14A, Civil Practice and Remedies Code, including, but not limited to the authority to:

- (1) dismiss a claim pursuant to Sections 14.003, 14.005, 14.006, ~~or~~ 14.010, 14A.051, 14A.053, 14A.054, or 14A.058, Civil Practice and Remedies Code,
- (2) order payment of costs pursuant to Sections 14.006, ~~and~~ 14.007, 14A.054, or 14A.055, Civil Practice and Remedies Code, and
- (3) hold hearings as provided in Sections 14.003, 14.008, 14A.051, or 14A.056, Civil Practice and Remedies Code.

## 9.01 POWERS OF MAGISTRATE

A magistrate may:

- (1) conduct a hearing;
- (2) hear evidence;
- (3) compel production of relevant evidence;
- (4) rule on the admissibility of evidence;
- (5) issue a summons for the appearance of witnesses;
- (6) examine a witness;
- (7) swear a witness for a hearing;
- (8) make findings of fact on evidence;
- (9) formulate conclusions of law;
- (10) recommend an order to be rendered in a case;
- (11) regulate all proceedings in a hearing before the magistrate; and

- (12) take action as necessary and proper for the efficient performance of the magistrate's duties.

#### 10.01 ATTENDANCE OF BAILIFF

A bailiff may attend a hearing by a magistrate if directed by the referring court.

#### 11.01 COURT REPORTER

(a) A court reporter is not required during a hearing held by a magistrate appointed under this rule.

(b) A party, the magistrate, or the referring court may provide for a reporter during the hearing.

(c) The record may be preserved by any other means approved by the magistrate.

(d) The referring court or magistrate may tax the expense of preserving the record as costs.

#### 12.01 WITNESS

(a) A witness appearing before a magistrate is subject to the penalties for perjury provided by law.

(b) A referring court may fine or imprison a witness who:

(1) failed to appear before a magistrate after being summoned; or

(2) improperly refused to answer questions if the refusal has been certified to the court by the magistrate.

#### 13.01 REPORT

(a) The magistrate's report may contain the magistrate's findings, conclusion, or recommendations. The magistrate's report must be in writing in the form directed by the referring court. The form may be a notation on the referring court's docket sheet.

(b) ~~After a hearing, t~~The magistrate ~~shall~~must provide the parties participating in the hearing notice of the substance of the magistrate's report.

(c) Notice ~~may~~must be given to the parties: by a method authorized by section 80.002, Government Code.

~~(1) — in open court, or an oral statement or a copy of the magistrate's written report; or~~

~~(2) — by certified mail, return receipt requested.~~

(d) If notice is given by mail, ~~T~~the magistrate shall~~must~~ certify the date of mailing of notice ~~by certified mail~~. Notice is considered given on the third day after the date of mailing.

(e) ~~After a hearing conducted by a magistrate, t~~The magistrate shall~~must~~ send the magistrate's signed and dated report and all other papers relating to the case to the referring court.

#### 14.01 NOTICE OF RIGHT TO APPEAL

~~(a) —~~ Notice of the right of appeal to the judge of the referring court ~~shall~~must be given to ~~all~~the parties in the magistrate's report.

~~(b) —~~ The notice ~~may~~ be given:

~~(1) — by oral statement in open court;~~

~~(2) — by posting inside or outside the courtroom of the referring court;~~  
or

~~(3) — as otherwise directed by the referring court.~~

#### 15.01 ORDER OF COURT

(a) Pending appeal of the magistrate's report to the referring court, the decisions and recommendations of the magistrate are in full force and effect and are enforceable as an order of the referring court, except for orders providing for incarceration, civil commitment, or for the appointment of a receiver.

(b) If an appeal to the referring court is not filed or the right to an appeal to the referring court is waived, the findings and recommendations of the magistrate become the order of the referring court only on the referring court's signing an order conforming to the magistrate's report.

## 16.01 JUDICIAL ACTION ON MAGISTRATE'S REPORT

Unless a party files a written notice of appeal, the referring court may:

- (1) adopt, modify, or reject the magistrate's report;
- (2) hear further evidence; or
- (3) recommit the matter to the magistrate for further proceedings.

## 17.01 APPEAL TO REFERRING COURT

(a) A party may appeal a magistrate's report by filing notice of appeal not later than ~~the third~~10 days after the date the party receives notice of the substance of the magistrate's report as provided by 13.01.

(b) An appeal to the referring court must be in writing specifying the findings and conclusions of the magistrate to which the party objects. The appeal is limited to the specified findings and conclusions.

(c) On appeal to the referring court, the parties may present witnesses as in a hearing de novo on the issues raised in the appeal.

(d) Notice of an appeal to the referring court ~~shall~~must be given to the opposing attorney under Rule 21a, Texas Rules of Civil Procedure.

(e) If an appeal to the referring court is filed by a party, any other party may file an appeal to the referring court not later than the seventh day after the date the initial appeal was filed.

(f) The referring court, after notice to the parties, ~~shall~~must hold a hearing on all appeals not later than ~~the 30th~~days after the date ~~on which the magistrate's report was adopted by the referring court~~the appeal is submitted in writing.

(g) The parties may waive the right of appeal to the referring court in writing or on the record.

## 18.01 APPELLATE REVIEW

(a) Failure to appeal to the referring court, by waiver or otherwise, ~~the approval by the referring court of a magistrate's report~~ does not deprive a party of the right to appeal to or request other relief from a court of appeals or the ~~s~~Supreme eCourt.

(b) The date an order or judgment by the referring court is signed is the controlling date for the purposes of appeal to or request for other relief from a court of appeals or the sSupreme eCourt.

## 19.01 IMMUNITY

A magistrate appointed under the subchapter has the judicial immunity of a district judge. All existing immunity granted a magistrate by law, express or implied, continues in full force and effect.

TRD-202304179  
Jaclyn Daumerie  
Rules Attorney  
Supreme Court of Texas  
Filed: November 10, 2023



### Texas Water Development Board

#### Request for Applications - Regional Flood Planning

Pursuant to 31 TAC 361, Subchapter F, the Texas Water Development Board (TWDB) requests submission of regional flood planning grant applications leading to the possible award of contracts to develop a regional flood plan as described in 31 TAC Chapter 361. In order to receive a grant, the applicant must be a political subdivision of the state and must have been designated a planning group sponsor by a regional flood planning group (RFPG) as set forth in 31 TAC §361.12(a)(1).

#### Purpose and Objectives

Activities to be performed under this Request for Applications (RFA) will be based on a scope of work developed by TWDB that supports RFPG efforts to complete their 2028 Regional Flood Plans in accordance with statute, rule, and guidance requirements.

#### Description of Funding Consideration

Total funding for activities related to the development or revision of a regional flood plan must not exceed 100 percent of the total cost of the planning for that flood planning region.

In the event that acceptable applications are not submitted or that insufficient funds are available to fund proposed activities, TWDB retains the right to not award and/or commit contract funds.

Applicants should review and utilize the following documents, also found online at <http://www.twdb.texas.gov/flood/planning/planning-docu/2028/index.asp>

Regional Flood Planning Grant Application Instructions

Regional Flood Planning Grant Application Checklist

Draft Regional Flood Planning Grant Scope of Work

Draft Recommended Contractor (RFPG Sponsor) Task Budget

#### Contact Person for Additional Information

Requests for information may be directed to Anita Machiavello at [floodplanning@twdb.texas.gov](mailto:floodplanning@twdb.texas.gov) or by calling (512) 463-5158.

#### Deadline

One complete regional flood planning grant application must be submitted electronically via email and in Portable Document Format (PDF) to **TWDB no later than 5:00 p.m. (CST) on February 22, 2024**. TWDB file limit is 100 MB.

Applications must be emailed to [Bid-Room@twdb.texas.gov](mailto:Bid-Room@twdb.texas.gov) with a copy to [floodplanning@twdb.texas.gov](mailto:floodplanning@twdb.texas.gov)

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Ashley Harden

General Counsel

Texas Water Development Board

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