

Subchapter D - Licensing Requirements

§402.400 - General Licensing Provisions

§402.401 - Temporary License

§402.402 - Registry of Bingo Workers

§402.403 - Licenses for Conduct of Bingo Occasions and to Lease Bingo Premises

§402.404 - License Classes and Fees

§402.405 - Temporary Authorization

§402.406 - Bingo Chairperson

§402.407 - Unit Manager

§402.408 - Designation of Members

§402.409 - Amendment for Change of Premises or Occasions Due to Lease Termination or Abandonment

§402.410 - Amendment of a License - General Provisions

§402.411 - License Renewal

§402.412 - Signature Requirements

§402.413 - Military Service Members, Military Veterans, and Military Spouses

§402.420 - Qualifications and Requirements for Conductor's License

§402.422 - Amendment to a Regular License to Conduct Charitable Bingo

§402.424 - Amendment of a License by Electronic Mail, Telephone or Facsimile

§402.442 - Amendment to a Commercial Lessor License

§402.443 - Transfer of a Grandfathered Lessor's Commercial Lessor License

§402.450 - Request for Waiver

§402.451 - Operating Capital

§402.452 - Net Proceeds

§402.453 - Request for Operating Capital Increase

Subchapter E - Books and Records

§402.500 - General Records Requirements

§402.501 - Charitable Use of Net Proceeds

§402.502 - Charitable Use of Net Proceeds Recordkeeping

§402.503 - Bingo Gift Certificates

§402.504 - Debit Card Transactions

§402.505 - Permissible Expense

§402.506 - Disbursement Records Requirements

§402.511 - Required Inventory Records

§402.514 - Electronic Fund Transfers

Subchapter F - Payment of Taxes, Prize Fees and Bonds

§402.600 - Bingo Reports and Payments

§402.601 - Interest on Delinquent Tax

§402.602 - Waiver of Penalty, Settlement of Prize Fees, Penalty and/or Interest

§402.603 - Bond or Other Security

§402.604 - Delinquent Purchaser

Subchapter G - Compliance and Enforcement

§402.700 - Denials; Suspensions; Revocations; Hearings

§402.701 - Investigation of Applicants for Licenses

§402.702 - Disqualifying Convictions

§402.703 - Audit Policy

§402.705 - Inspection of Premises

§402.706 - Schedule of Sanctions

§402.707 - Expedited Administrative Penalty Guideline

§402.708 - Dispute Resolution

§402.709 - Corrective Action

The Commission will assess whether the reasons for initially adopting each of these rules continue to exist. Each rule will be reviewed to determine whether it is obsolete, whether it reflects current legal and policy considerations, and whether it reflects current procedures of the Commission.

Written comments pertaining to this rule review may be submitted by mail to Deanne Rienstra, Special Counsel, at Texas Lottery Commission, P.O. Box 16630, Austin, Texas 78761-6630; by facsimile at (512) 344-5189; or by email at legal.input@lottery.state.tx.us.

The deadline for comments is 30 days after publication of this notice in the *Texas Register*. Proposed changes to any of these rules as a result of the rule review will be published as separate rulemaking proceedings in the Proposed Rules section of the *Texas Register* at a later date. Any proposed rule changes will be open for public comment prior to final adoption or repeal by the Commission, in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202303811
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: October 13, 2023



The Texas Lottery Commission (Commission) files this notice of intent to review, and to consider for re adoption, amendment, or repeal, the Commission's rules at Title 16 Texas Administrative Code Chapter 403, relating to General Administration. The names and numbers of the rules contained in Chapter 403 are set forth below. This review is being conducted in accordance with the requirements of Texas Government Code §2001.039 (Agency Review of Existing Rules):

§403.101 - Public Information

§403.102 - Items Mailed to the Commission

§403.110 - Petition for Adoption of Rule Changes

§403.115 - Negotiated Rulemaking and Alternative Dispute Resolution

§403.201 - Definitions

§403.202 - Prerequisites to Suit

§403.203 - Sovereign Immunity

§403.204 - Notice of Claim of Breach of Contract

§403.205 - Agency Counterclaim

- §403.206 - Request for Voluntary Disclosure of Additional Information
- §403.207 - Duty to Negotiate
- §403.208 - Timetable
- §403.209 - Conduct of Negotiation
- §403.210 - Settlement Approval Procedures
- §403.211 - Settlement Agreement
- §403.212 - Costs of Negotiation
- §403.213 - Request for Contested Case Hearing
- §403.214 - Mediation Timetable
- §403.215 - Conduct of Mediation
- §403.216 - Qualifications and Immunity of the Mediator
- §403.217 - Confidentiality of Mediation and Final Settlement Agreement
- §403.218 - Costs of Mediation
- §403.219 - Settlement Approval Procedures
- §403.220 - Initial Settlement Agreement
- §403.221 - Final Settlement Agreement
- §403.222 - Referral to the State Office of Administrative Hearings
- §403.223 - Use of Assisted Negotiation Processes
- §403.301 - Historically Underutilized Businesses
- §403.401 - Use of Commission Motor Vehicles
- §403.501 - Custody and Use of Criminal History Record Information
- §403.600 - Complaint Review Process
- §403.700 - Employee Tuition Reimbursement
- §403.701 - Family Leave Pool
- §403.800 - Savings Incentive Program

The Commission will assess whether the reasons for initially adopting each of these rules continue to exist. Each rule will be reviewed to determine whether it is obsolete, whether it reflects current legal and policy considerations, and whether it reflects current procedures of the Commission.

Written comments pertaining to this rule review may be submitted by mail to Deanne Rienstra, Special Counsel, at Texas Lottery Commission, P.O. Box 16630, Austin, Texas 78761-6630; by facsimile at (512) 344-5189; or by email at legal.input@lottery.state.tx.us.

The deadline for comments is 30 days after publication of this notice in the *Texas Register*. Proposed changes to any of these rules as a result of the rule review will be published as separate rulemaking proceedings in the Proposed Rules section of the *Texas Register* at a later date. Any proposed rule changes will be open for public comment prior to final adoption or repeal by the Commission, in accordance with the requirements of the Administrative Procedure Act, Texas Government Code, Chapter 2001.

TRD-202303812
 Bob Biard
 General Counsel
 Texas Lottery Commission
 Filed: October 13, 2023



Department of State Health Services

Title 25, Part 1

The Texas Health and Human Services Commission (HHSC), on behalf of the Texas Department of State Health Services (DSHS), proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 25, Part 1, of the Texas Administrative Code:

Chapter 104, Children Participating in Rodeos

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 104, Children Participating in Rodeos, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSCRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 104" in the subject line. The deadline for comments is on or before 5:00 p.m. central time on the 31st day after the date this notice is published in the *Texas Register*.

The text of the rule sections being reviewed will not be published, but may be found in Title 25, Part 1, of the Texas Administrative Code or on the Secretary of State's website at State Rules and Open Meetings (texas.gov).

TRD-202303852
 Jessica Miller
 Director, Rules Coordination Office
 Department of State Health Services
 Filed: October 17, 2023



Health and Human Services Commission

Title 26, Part 1

The Texas Health and Human Services Commission (HHSC) proposes to review and consider for readoption, revision, or repeal the chapter listed below, in its entirety, contained in Title 26, Part 1, of the Texas Administrative Code:

Chapter 87, Ombudsman Services

- Subchapter A Office of The Ombudsman
- Subchapter B Ombudsman Managed Care Assistance
- Subchapter C Ombudsman for Children and Youth in Foster Care
- Subchapter D Ombudsman for Behavioral Health
- Subchapter E Intellectual or Developmental Disability Ombudsman

This review is conducted in accordance with the requirements of Texas Government Code §2001.039, which requires state agencies, every four years, to assess whether the initial reasons for adopting a rule continue to exist. After reviewing its rules, the agency will readopt, readopt with amendments, or repeal its rules.

Comments on the review of Chapter 87, Ombudsman Services, may be submitted to HHSC Rules Coordination Office, Mail Code 4102, P.O. Box 13247, Austin, Texas 78711-3247, or by email to HHSCRulesCoordinationOffice@hhs.texas.gov. When emailing comments, please indicate "Comments on Proposed Rule Review Chapter 87" in the subject line. The deadline for comments is on or before 5:00 p.m. central time