

Chapter 845. TEXAS WORK & FAMILY CLEARINGHOUSE

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

ON DECEMBER 13, 2005, THE TEXAS WORKFORCE COMMISSION PROPOSED THE BELOW RULES WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS REGISTER*.

Estimated Publication Date of the Proposal in the *Texas Register*: **December 30, 2005**
Estimated End of Comment Period: **January 30, 2006**

The Texas Workforce Commission (Commission) proposes amendments to the following sections of Chapter 845 relating to the Texas Work & Family Clearinghouse:

Subchapter A. General Provisions, §845.1 and §845.2

Texas Government Code §2001.039 requires that each state agency review and consider for readoption each rule adopted by that agency. The Commission has reviewed Chapter 845 and determined that reasons for adopting the chapter exist; however, amendments to the rules are needed in order to update terminology and reflect recent changes in state law.

PART I. PURPOSE, BACKGROUND, AND AUTHORITY
PART II. EXPLANATION OF INDIVIDUAL PROVISIONS
PART III. IMPACT STATEMENTS

PART I. PURPOSE, BACKGROUND, AND AUTHORITY

The Commission proposes to amend 40 TAC §845.1 and §845.2 relating to the Texas Work and Family Clearinghouse (Clearinghouse). The purpose of the proposed action is to amend rule language to reflect legislative changes resulting from House Bill 2962 (HB 2962), enacted by the 79th Legislature, Regular Session. HB 2962 became effective immediately upon signature of the Governor on May 30, 2005. Among other changes, HB 2962 repeals the following sections of Chapter 81 of the Texas Labor Code relating to the Clearinghouse:

Section 81.002 relating to the Work and Family Policies Advisory Committee; and

Section 81.004(b) requiring the Clearinghouse to conduct research on child care and other employment-related family issues.

The proposed amendments to 40 TAC §845.1 and §845.2 remove the following:

Section 845.1(b), which states that one of the purposes of the Clearinghouse is to conduct research on child care and other employment-related family issues based on the recommendations of the Work and Family Policies Advisory Committee;

Section 845.2(1), the definition of the Work and Family Policies Advisory Committee; and
Section 845.2(2), the definition of Commission.

PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

(Note: Minor, nonsubstantive, editorial changes are made throughout Subchapter A, General Provisions, of this chapter that do not change the meaning of the rules and, therefore, are not discussed in the Explanation of Individual Provisions.)

SUBCHAPTER A. GENERAL PROVISIONS

§845.1. Goals and Purpose

HB 2962 repealed Texas Labor Code §81.004(b) requiring the Clearinghouse to conduct research on child care and other employment-related family issues. Therefore, the Commission proposes to amend §845.1 by removing subsection (b), which requires the Clearinghouse to conduct and compile research on child care and other employment-related family issues based on the recommendations of the Work and Family Policies Advisory Committee.

§845.2. Definitions

HB 2962 repealed Texas Labor Code §81.002, thus abolishing the Work and Family Policies Advisory Committee. Therefore, the Commission proposes to amend §845.2 by removing paragraph (1) that provides the definition of the Advisory Committee. Additionally, the Commission proposes to amend §845.2 by removing paragraph (2), the definition of Commission. Chapter 800.2 of this title contains the definition of the term Commission; therefore, it is not necessary to redefine it in this chapter. Additionally, the Commission proposes to renumber §§845.2(3)–845.2(6) as §§845.2(1)–845.2(4), respectively.

PART III. IMPACT STATEMENTS

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

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

Mr. Townsend has determined that enforcing or administering the rule does not have foreseeable implications relating to the cost of the state or local governments

Mr. Townsend has determined that there are no anticipated economic costs to persons required to comply with the rules.

Mr. Townsend has also determined that there is no anticipated adverse economic impact on small or microbusinesses as a result of enforcing or administering these rules because they are not regulated by this rule.

Mark Hughes, Director, Labor Market Information, has determined that there is no significant negative impact upon employment conditions in this state as a result of the proposed rules. Mr. Hughes does not expect any significant impact upon overall employment conditions in the state as a result of the proposed rules.

Luis M. Macias, Director, Workforce Development Division, has determined that for each year of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing the proposed rules will be to ensure that Commission rules and regulations are streamlined to reflect the current requirements in statute.

Comments on the proposal may be submitted to TWC Policy Comments, Workforce and UI Policy, 101 East 15th Street, Room 440T, Austin, Texas 78778; faxed to 512-475-3577; or e-mailed to TWCPolicyComments@twc.state.tx.us. The Commission must receive comments postmarked no later than 30 days from the date this proposal is published in the *Texas Register*.

The amendments are proposed under Texas Labor Code §301.0015 and §302.002(d), which provide the Commission with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of Agency services and activities.

The proposed amendments will affect Texas Labor Code, Title 4, particularly Chapters 301 and 302, as well as Texas Labor Code, Chapter 81.

Chapter 845. TEXAS WORK & FAMILY CLEARINGHOUSE

SUBCHAPTER A. GENERAL PROVISIONS

§845.1. Goals and Purpose

~~(a)~~ The purpose of the Texas Work and Family Clearinghouse (~~Clearinghouse~~) is to provide technical assistance and information on dependent care and other employment-related family issues to public and private employers, state agencies, policymakers, and individuals.

~~(b)~~ The ~~Clearinghouse~~ also ~~conducts research on child care and other employment-related family issues based on the recommendations of the Advisory Committee and compiles the results of that research.~~

§845.2. Definitions

~~In addition to the definitions contained in §800.2 of this title, the~~ The following words and terms, when used in this ~~chapter~~ Chapter, shall have the following meanings unless the context clearly indicates otherwise.

~~(1) Advisory Committee -- The Work and Family Policies Advisory Committee established under Texas Labor Code §81.002.~~

~~(2) Commission -- The Texas Workforce Commission.~~

(1) ~~(3)~~ Clearinghouse -- The Texas Work and Family Clearinghouse established under Texas Labor Code Chapter 81, relating to Work and Family Policies.

(2) ~~(4)~~ Dependent care -- Care for a child, adult, or disabled relative, that is claimed as a dependent for federal income tax purposes, that has an impact on employment-related family issues.

(3) ~~(5)~~ Grant applicant -- A public or private person as defined in the request for proposal or request for application published by the Commission.

(4) ~~(6)~~ Grant recipient -- A public or private person awarded a grant from the Clearinghouse.