

CHAPTER 813. SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM EMPLOYMENT AND TRAINING

PROPOSED RULES TO BE PUBLISHED IN THE *TEXAS REGISTER*. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE OFFICE OF THE SECRETARY OF STATE.

ON OCTOBER 6, 2026, THE TEXAS WORKFORCE COMMISSION PROPOSED THE RULES BELOW WITH PREAMBLE TO BE SUBMITTED TO THE TEXAS REGISTER.

Estimated Publication Date of the Proposal in the *Texas Register*: **October 23, 2026**
Estimated End of Comment Period: **November 23, 2026**

The Texas Workforce Commission (TWC) proposes amendments to the following sections of Chapter 813, relating to Supplemental Nutrition Assistance Program Employment and Training:

Subchapter B. Access to Employment and Training Activities and Support Services,
§813.12

PART I. PURPOSE, BACKGROUND, AND AUTHORITY

The purpose of the proposed Chapter 813 rule change is to increase Supplemental Nutrition Assistance Employment and Training (SNAP E&T) participation by allowing exempt SNAP recipients who volunteer for SNAP E&T activities to participate in accordance with the participant's employment plan.

The proposed amendments eliminate administrative barriers for voluntary SNAP E&T participants with the goal of providing services to more SNAP recipients. The amendments do not alter or reduce the established participation requirements for mandatory work registrants.

Coordination Activities

TWC has consulted with the Texas Health and Human Services Commission and incorporated feedback from Local Workforce Development Boards in the development of the proposed changes intended to increase participant engagement and address performance challenges.

PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

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

SUBCHAPTER B. ACCESS TO EMPLOYMENT AND TRAINING ACTIVITIES AND SUPPORT SERVICES

TWC proposes the following amendments to Subchapter B:

§813.12. Participant Responsibilities

Section 813.12 is amended to remove barriers to voluntary SNAP E&T participation for exempt SNAP recipients. As set forth in Title 7 of the Code of Federal Regulations (CFR), §273.7(b)(1),

exempt SNAP recipients are not required to participate in SNAP E&T activities in order to maintain their SNAP benefits. In Texas, exempt SNAP recipients are those individuals who meet a federal exemption at 7 CFR §273.7(b)(1). Under the current rule, exempt SNAP recipients are not allowed to volunteer for SNAP E&T activities unless they are able to participate for 30 hours per week, which limits voluntary participation.

To provide the Boards with more flexibility in serving their SNAP E&T populations and remove barriers to voluntary participation, §813.12 is amended to allow exempt SNAP recipients who volunteer for SNAP E&T to participate in activities in accordance with their employment plan.

PART III. IMPACT STATEMENTS

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

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

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

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

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

There are no anticipated economic costs to individuals required to comply with the proposed rules.

There is no anticipated adverse economic impact on small businesses, microbusinesses, or rural communities as a result of enforcing or administering the proposed rules.

Based on the analyses required by Texas Government Code, §2001.024, TWC has determined that the requirement to repeal or amend a rule, as required by Texas Government Code, §2001.0045, does not apply to this rulemaking.

Takings Impact Assessment

Under Texas Government Code, §2007.002(5), "taking" means a governmental action that affects private real property, in whole or in part or temporarily or permanently, in a manner that requires the governmental entity to compensate the private real property owner as provided by the Fifth and Fourteenth Amendments to the US Constitution or the Texas Constitution, §17 or §19, Article I, or restricts or limits the owner's right to the property that would otherwise exist in the absence of the governmental action, and is the producing cause of a reduction of at least 25 percent in the market value of the affected private real property, determined by comparing the market value of the property as if the governmental action is not in effect and the market value of the property determined as if the governmental action is in effect. TWC completed a Takings

Impact Assessment for the proposed rulemaking under Texas Government Code, §2007.043. The primary purpose of this proposed rulemaking, as discussed elsewhere in this preamble, is to remove barriers to voluntary SNAP E&T participation for exempt SNAP recipients, thereby increasing participation in SNAP E&T activities.

The proposed rulemaking action will not create any additional burden on private real property or affect private real property in a manner that would require compensation to private real property owners under the US Constitution or the Texas Constitution. The proposal also will not affect private real property in a manner that restricts or limits an owner's right to the property that would otherwise exist in the absence of the governmental action. Therefore, the proposed rulemaking will not cause a taking under Texas Government Code, Chapter 2007.

Government Growth Impact Statement

TWC has determined that during the first five years the proposed rules will be in effect, they:

- will not create or eliminate a government program;
- will not require the creation or elimination of employee positions;
- will not require an increase or decrease in future legislative appropriations to TWC;
- will not require an increase or decrease in fees paid to TWC;
- will not create a new regulation;
- will not expand, limit, or eliminate an existing regulation;
- will not change the number of individuals subject to the rules; and
- will not positively or adversely affect the state's economy.

Economic Impact Statement and Regulatory Flexibility Analysis

TWC has determined that the proposed rules will not have an adverse economic impact on small businesses or rural communities, as the proposed rules place no requirements on small businesses or rural communities.

Mariana Vega, Director, Labor Market Information, has determined that there is not a significant negative impact upon employment conditions in the state as a result of the proposed rules.

Mary York, Director, Workforce Development Division, has determined that for each year of the first five years the proposed rules are in effect, the public benefit anticipated as a result of enforcing the proposed rules will be to:

- remove barriers to voluntary SNAP E&T participation for exempt SNAP recipients;
- raise programmatic standards by increasing participation and activity among voluntary participants;
- improve employment outcomes; and
- align the program with SNAP E&T's goal to help participants gain the skills, training, and work experience needed to achieve regular employment and long-term economic self-sufficiency.

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

PART IV. REQUEST FOR IMPACT INFORMATION

TWC requests, from any person required to comply with the proposed rule or any other interested person, information related to the cost, benefit, or effect of the proposed rule, including any applicable data, research, or analysis. Please submit the requested information to TWCPolicyComments@twc.texas.gov no later than November 23, 2026.

PART V. PUBLIC COMMENTS

Comments on the proposed rules may be submitted to TWCPolicyComments@twc.texas.gov and must be received no later than November 23, 2026.

PART VI. STATUTORY AUTHORITY

The rules are proposed under the authority of Texas Labor Code, §301.0015(6) and §302.002(d), which provide TWC with the authority to adopt, amend, or repeal such rules as it deems necessary for the effective administration of TWC services and activities.

The proposed rules relate to Texas Labor Code, Title 4, particularly Chapter 302.

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SUBCHAPTER B. ACCESS TO EMPLOYMENT AND TRAINING ACTIVITIES AND SUPPORT SERVICES

§813.12. Participant Responsibilities.

(a) Mandatory work registrants ~~and exempt recipients who voluntarily participate in SNAP E&T services~~ shall:

- (1) attend scheduled appointments;
- (2) participate in assigned SNAP E&T activities for at least a minimum weekly average of 30 hours, within the restrictions set forth in §813.14 of this subchapter;
- (3) report to an employer to whom they are referred;
- (4) accept a job offer; and
- (5) report activity hours, including hours of employment.

(b) Exempt recipients who voluntarily participate in SNAP E&T services shall participate in accordance with their employment plan.