

**CHAPTER 814. ADVANCED NUCLEAR ENERGY WORKFORCE DEVELOPMENT PROGRAM**

**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 MARCH 3, 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*: March 20, 2026  
Estimated End of Comment Period: April 20, 2026

The Texas Workforce Commission (TWC) proposes new Chapter 814, relating to Advanced Nuclear Energy Workforce Development Program, comprising the following subchapters:

- Subchapter A. General Provisions, §814.1
- Subchapter B. Program Administration, §§814.11 - 814.13

**PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

The purpose of the Chapter 814 rules is to establish and administer the Advanced Nuclear Energy Workforce Development Program.

Senate Bill 1535 (SB 1535), 89th Texas Legislature, Regular Session, 2025, amended Texas Labor Code, Chapter 302, Subchapter A, by adding §302.0081 relating to the creation of the Advanced Nuclear Energy Workforce Development Program.

SB 1535 tasks TWC, in collaboration with the Texas Education Agency (TEA) and the Texas Higher Education Coordinating Board (THECB), and in consultation with representatives designated by the Public Utility Commission of Texas (PUCT), to establish and administer the program. TWC will also work with the newly established Texas Advanced Nuclear Energy Office, which is responsible for overall planning, coordinating, promoting, and providing other supports to develop the nuclear energy industry in Texas.

SB 1535 also requires TWC to adopt rules as necessary to administer the program for the purpose of addressing urgent skilled labor demands in the advanced nuclear energy industry in Texas. The program will involve creating a strategic plan that meets SB 1535 requirements and developing curriculum requirements in collaboration with TEA and THECB.

## **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

### **SUBCHAPTER A. GENERAL PROVISIONS**

**TWC proposes new Subchapter A, General Provisions, as follows:**

#### **§814.1. Purpose and Goal**

New §814.1 states the Advanced Nuclear Energy Workforce Development Program's purpose and goal.

### **SUBCHAPTER B. PROGRAM ADMINISTRATION**

**TWC proposes new Subchapter B, Program Administration, as follows:**

#### **§814.11. Strategic Plan**

New §814.11 details the requirements for the Advanced Nuclear Energy Workforce Development Program's strategic plan.

#### **§814.12. Curriculum Development**

New §814.12 outlines the requirements for curriculum development.

#### **§814.13. Annual Report**

New §814.13 details reporting requirements for TWC in consultation with TEA and THECB.

## **PART III. IMPACT STATEMENTS**

Chris Nelson, 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 cost reductions to the state and to local governments as a result of enforcing or administering the rules.

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

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

There is no anticipated adverse economic impact on small businesses, microbusinesses, or rural communities as a result of enforcing or administering the 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 action under Texas Government Code, §2007.043. The primary purpose of this proposed rulemaking action, as discussed elsewhere in this preamble, is to establish the Advanced Nuclear Energy Workforce Development Program and develop a strategic plan that meets the requirements of SB 1535 and developing curriculum requirements.

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 rules will be in effect, they:

- will create a government program pursuant to Texas Labor Code, §302.0081, as added by SB 1535, to create the Advanced Nuclear Energy Workforce Development 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 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 rules.

Mary York, 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 the proposed new rules will be to strengthen Texas' nuclear workforce and support industry growth.

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. COORDINATION ACTIVITIES**

SB 1535 requires TWC, in collaboration with TEA and THECB, and in consultation with representatives designated by PUCT, to establish and administer the Advanced Nuclear Energy Workforce Development Program and adopt rules as necessary. Additionally, TWC will coordinate its efforts to establish and administer the program with the Texas Advanced Nuclear Energy Office.

#### **PART V. REQUEST FOR IMPACT INFORMATION**

TWC requests, from any person required to comply with the proposed rules or any other interested person, information related to the cost, benefit, or effect of the proposed rules, including any applicable data, research, or analysis. Please submit the requested information to [TWCPolicyComments@twc.texas.gov](mailto:TWCPolicyComments@twc.texas.gov) no later than April 20, 2026.

#### **PART VI. PUBLIC COMMENTS**

Comments on the proposed rules may be submitted to [TWCPolicyComments@twc.texas.gov](mailto:TWCPolicyComments@twc.texas.gov) and must be received no later than April 20, 2026.

#### **PART VII. STATUTORY AUTHORITY**

The new rules are proposed under the authority of:

- Texas Labor Code, §302.0081(b), as added by SB 1535, 89th Texas Legislature, Regular Session, 2025, which requires TWC to adopt rules for the establishment and administration of the Advanced Nuclear Energy Workforce Development Program.
- 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 new rules relate to Title 4, Texas Labor Code, Chapter 302, Subchapter A.

## **CHAPTER 814. ADVANCED NUCLEAR ENERGY WORKFORCE DEVELOPMENT PROGRAM**

### **SUBCHAPTER A. GENERAL PROVISIONS**

#### **§814.1. Purpose and Goal.**

- (a) Purpose. The purpose of the Advanced Nuclear Energy Workforce Development Program is for the Agency, in collaboration with the Texas Education Agency and the Texas Higher Education Coordinating Board, and in consultation with representatives designated by the Public Utility Commission of Texas to establish and administer the Advanced Nuclear Energy Workforce Development Program.
- (b) Goal. The Advanced Nuclear Energy Workforce Development Program's goal is to address urgent skilled labor demands in the advanced nuclear energy industry in this state.

### **SUBCHAPTER B. PROGRAM ADMINISTRATION**

#### **§814.11. Strategic Plan.**

To administer the Advanced Nuclear Energy Workforce Development Program, the Agency shall create a strategic plan for:

- (1) addressing labor supply gaps and talent retention issues in the advanced nuclear energy industry; and
- (2) providing financial assistance, including through the creation of strategic partnerships among public and private entities and advanced nuclear energy industry stakeholders, to incentivize and support:
  - (A) development of programming and outreach efforts designed to create awareness of nuclear science and career opportunities in the field of advanced nuclear energy among public school students;
  - (B) the creation of academic pathways from secondary school to education and training programs at institutions of higher education in the field of advanced nuclear energy;
  - (C) the creation by institutions of higher education of education and training programs in the field of advanced nuclear energy; and
  - (D) research and leadership development in the field of advanced nuclear energy at general academic teaching institutions.

**§814.12. Curriculum Development.**

To establish the Advanced Nuclear Energy Workforce Development Program, the Agency shall develop customized curriculum requirements for degree and certificate programs to prepare students for high-wage jobs in the advanced nuclear energy industry that, subject to the Texas Higher Education Coordinating Board approval under Texas Education Code, §61.0512, may be offered by an institution of higher education. In developing curriculum requirements, the Agency shall:

- (1) consult with:
  - (A) representatives of the Texas Education Agency, Texas Higher Education Coordinating Board, general academic teaching institutions, public technical institutes, and public junior colleges;
  - (B) the designated representatives of the Public Utility Commission of Texas;
  - (C) the Texas Advanced Nuclear Energy Office; and
  - (D) employers in the advanced nuclear energy industry; and
- (2) focus on developing academic pathways to and curricula for programs leading to high-wage jobs in the areas of:
  - (A) nuclear-grade welding;
  - (B) radiological control and monitoring;
  - (C) reactor operations;
  - (D) nuclear instrumentation and control; and
  - (E) nuclear, electrical, chemical, civil, and environmental engineering.

**§814.13. Annual Report.**

No later than September 1 of each year, the Agency, in consultation with the Texas Education Agency and the Texas Higher Education Coordinating Board, shall prepare and submit to each standing committee of the legislature with primary jurisdiction over workforce development, higher education, or energy industry matters, a report summarizing the Agency's activities under the program. The report may include the Agency's recommendations for legislative or other action.