**CHAPTER 815. UNEMPLOYMENT INSURANCE**

**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 **JULY 21, 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*: August 7, 2026
Estimated End of Comment Period: September 7, 2026

The Texas Workforce Commission (TWC) proposes amendments to the following section of Chapter 815, relating to Unemployment Insurance:

Subchapter C. Tax Provisions, §815.107

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

The purpose of the proposed amendments to Chapter 815 is to implement provisions of Senate Bill (SB) 1786, House Bill (HB) 2, and HB 120, enacted by the 89th Texas Legislature, Regular Session, 2025, which enhance TWC's ability to collect, analyze, and utilize workforce data.

The statutory changes amended Texas Labor Code, §204.0025 and added Texas Labor Code, §302.0205. Amended Texas Labor Code, §204.0025 directs TWC to work collaboratively with employers to enhance the reporting of employment and earnings data as part of employers' routine wage filings. The amended §204.0025 also specifies that enhanced wage filings must at a minimum include information related to wage, industry, occupational field, full-time and part-time status, county of primary employment, and remote work status.

New Texas Labor Code, §302.0205 requires TWC to produce a biennial Regional Labor Demand Assessment using the best available data to evaluate workforce needs across the state. Additionally, amended Texas Labor Code, §204.0025 permits TWC to collect other important employment information necessary to conduct the biennial Labor Demand Assessment.

The proposed rule amendments modernize workforce data collection by clarifying employer reporting requirements and ensuring TWC has the information necessary to fulfill its statutory responsibilities. Enhanced data collection will enable TWC to produce more accurate and timely labor market information to support economic development, strengthen education and workforce planning, and inform state and local policymaking. Additionally, TWC will leverage this additional data to combat fraud, providing further benefit to employers and taxpayers statewide.

The amendments provide TWC the flexibility to request additional information, as necessary, through existing reporting mechanisms, while minimizing administrative burden on employers by incorporating such requests into established quarterly wage reporting processes. TWC remains committed to engaging employers and stakeholders to support implementation and address any challenges associated with these enhanced reporting requirements.

Coordination Activities
TWC, as directed by Texas Labor Code, §204.0025, actively engaged representatives of employer organizations to ensure the implementation of enhanced wage record reporting is both practical for businesses and effective for data collection. To achieve this engagement, TWC collaborated with national employer groups for this dialogue, including surveying their members on technical feasibility. Additionally, TWC collaborated with industry groups and local chambers of commerce to host stakeholder feedback sessions, ensuring the voices of small and large employers were heard.

## PART II. EXPLANATION OF INDIVIDUAL PROVISIONS

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

### SUBCHAPTER C. TAX PROVISIONS

TWC proposes the following amendments to Subchapter C:

#### §815.107. Reports Required and Their Due Dates

Section 815.107(d) is amended to add new paragraphs (5) and (6) to the list of information that employers are directed to provide in their Quarterly Reports from Taxed Employers. New §815.107(d)(6) requires employers to provide any information requested to comply with the Additional Workforce Data Reporting necessary to conduct the Labor Demand Assessment under Texas Labor Code, §302.0205.

Additionally, §815.107 is amended to add new (e), which states that failure to provide the information requested pursuant to Texas Labor Code, §204.0025 may be considered as one of several factors in TWC's risk-based approach to employer compliance reviews.

## PART III. IMPACT STATEMENTS

Chris Nelson, Chief Financial Officer, has determined that for each year of the first five years the proposed rule 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 proposed rule.

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

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

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 rule.

There are no significant anticipated economic costs to individuals required to comply with the proposed rule. While there could be minimal initial costs for employers to comply with the proposed rule, primarily associated with incorporating additional data elements into existing reporting processes, these costs are expected to decrease or phase out as employers integrate the requirements into routine quarterly wage reporting.

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

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 is to implement statutory requirements for enhancing the collection of employment and workforce data through employer wage reporting to support workforce, education, and economic planning, and ensure program integrity.

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 rule will be in effect, it:

--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 rule; and

--will not positively or adversely affect the state's economy.

Economic Impact Statement and Regulatory Flexibility Analysis
TWC has determined that the proposed rule will not have an adverse economic impact on small businesses or rural communities, as the proposed rule places no requirements on small businesses or rural communities. As noted above in this preamble, while there may be minimal initial costs for employers to comply with the proposed rule, primarily from adding data elements into existing reporting processes, these costs are expected to decrease or phase out as the requirements become part of routine quarterly wage reporting.

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 rule.

Lowell Keig, Director, Unemployment Insurance Division, has determined that for each year of the first five years the proposed rule is in effect, the public benefit anticipated as a result of enforcing the proposed rule will be improved accuracy and completeness of workforce data, thereby enabling more effective economic planning, better alignment of workforce development programs with employer needs, improved educational planning, enhanced transparency in available labor market information, and strengthened fraud detection and prevention efforts.

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 September 7, 2026.

**PART V. PUBLIC COMMENTS**
Comments on the proposed rule may be submitted to TWCPolicyComments@twc.texas.gov and must be received no later than September 7, 2026.

**PART VI. STATUTORY AUTHORITY**
The rule is proposed under Texas Labor Code, §301.0015 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 rule relates to Texas Labor Code, Title 4, particularly Chapters 204 and 302.

## CHAPTER 815. UNEMPLOYMENT INSURANCE

### SUBCHAPTER C. TAX PROVISIONS

#### §815.107. Reports Required and Their Due Dates.

(a) All reports and forms required by the Agency or the Act shall be filed with the Agency in one of the following formats unless a different format is approved in writing by the Agency, a hardship exemption is requested from and granted by the Agency, or as specified in this chapter.

(1) General Format of Reports and Forms and Methods of Submission. The reports and forms referenced in this section shall be filed using:

(A) forms printed by the Agency;

(B) electronic media in a format prescribed by the Agency; or

(C) any other manner approved and prescribed by the Agency in writing.

(2) Content. The reports and forms shall contain all facts and information necessary to a determination of the amounts due by the employing unit. The Agency may require the furnishing of additional information as it deems necessary for the proper administration of the Act.

(3) Electronic Media Reporting.

(A) Required Electronic Media. All employers and their agents shall file employers' reports, including both summary and detail wage information, as described in §207.004 of the Act, on electronic media using a format prescribed by the Agency.

(B) An electronic media transmission of an employer's report may contain information from more than one employer.

(C) An employer's report filed in an approved medium shall contain both a wage credit report and a summary report.

(b) General Deadlines for Filing Reports and Forms.

(1) Unless otherwise provided in this subchapter, any report or form shall be completed and filed with the Agency within 10 calendar days after the requested report or form is:

(A) mailed to the individual or employing unit at the address on record with the Agency; or

(B) personally delivered to the individual or employing unit by an Agency representative.

(2) Failure to receive notice regarding the reports shall not relieve the individual or employing unit of the responsibility of filing the reports by the date the reports are due.

(3) Good Cause for Extending Deadlines. When good cause is shown, the Agency may extend the due date for filing of a report required under this section; however, the extension shall be effective only if authorized in writing by an Agency representative.

(c) Status Reports.

(1) Status Reports in General. Each employing unit shall file with the Agency a status report within 10 calendar days from the date upon which the employing unit becomes subject to the Act.

(2) Status Reports for New Acquisitions. Any employing unit in the state of Texas that acquires another business or substantially all of the assets of another business shall file a new status report with the Agency within 10 calendar days of the date on which the employing unit made the acquisition.

(3) Status Reports for Additional Information. Each employing unit shall file additional status reports at any time upon the request of the Agency.

(4) Evidence in Support of Status Reports. Employing units filing status reports with the Agency shall:

(A) file with the Agency all facts necessary to a determination of the taxable status of the employing unit; and

(B) if requested, file with the Agency evidence to establish the correctness of information contained in the employing unit's status reports.

(d) Quarterly Reports from Taxed Employers. Each taxed employer, other than a domestic employer who has elected to report and pay annually under §201.027(b) of the Act, shall file with the Agency, within the month during which contributions for any period become due, and not later than the date on which contributions are required to be paid to the Agency, an employer's quarterly report showing for the preceding calendar quarter:

(1) the total amount of remuneration paid for employment (or showing that no remuneration was paid during the quarter);

(2) the total amount of wages paid for employment (as defined in the Act, §201.081 and §201.082);

(3) the amount of wages for benefit wage credits (as defined in the Act, §207.004) paid to each individual employee;

(4) the name and Social Security number of each individual to whom the wages were paid; ~~and~~

(5) information required under §204.0025 of the Act, including at a minimum:

(A) wages;

(B) industry;

(C) occupation field;

(D) full-time or part-time status;

(E) county of primary employment; and

(F) remote work status.

(6) any information requested on the employer's quarterly report required to comply with additional workforce data reporting necessary for the Agency to conduct the assessment required under Texas Labor Code, §302.0205; and

(7)~~(5)~~ any other information requested on the employer's quarterly report, including all facts and information necessary to make a determination of the amount of contributions due.

(e) Failure to provide information in subsection (d)(5) and (6) of this section shall be an indicator of enhanced risk when considering whether to audit employers that choose not to contribute data requested by the legislature under §204.0025 of the Act, to improve education and workforce decision making and combat fraud.

(f)~~(e)~~ Quarterly Reports from Reimbursing Employers and Group Representatives of a Group Account. Each reimbursing employer and the group representative of a group account shall file an employer's quarterly report, by the end of the month following each calendar quarter, that furnishes the following information for the preceding calendar quarter, information specified in subsection (d)(1) - (6) ~~paragraphs (1) - (4) of subsection (d)~~ of this section, and any other information necessary to make a determination of the amount of reimbursements due.

(g)~~(f)~~ Benefits Financed by the Federal Government. Each employer that has employees whose benefits are to be financed by the federal government shall file a separate quarterly report furnishing the names of the employees, their Social Security numbers, and the wages paid to each. The report shall be filed by the end of the month following each calendar quarter.

(h)~~(g)~~ Annual Reports from Domestic Employers.

(1) Making the Election. An election to report wages paid and pay contributions on an annual basis must be made in a format or on a form authorized by the Agency by the deadline specified in §201.027 of the Act.

(2) Each domestic employer that qualifies under the Act, and who has made an election as referenced in paragraph (1) of this subsection, shall file with the Agency, by January 31 of the year after the wages were paid, in a format consistent with subsection (a) of this section, a domestic employer's annual report showing the following for the preceding calendar year in which wages were paid.

(A) The information specified in subsection (d)(1) - (6) ~~paragraphs (1) - (4) of subsection (d)~~ of this section subtotaled for each quarter; and

(B) Other information called for on the domestic employer's annual report including all facts and information necessary to make a determination of the amount of contributions due.

(3) Penalties and interest incurred under this section shall be the same as applicable to other employer reporting requirements as provided in Chapter 213 of the Act and this subchapter.