

1 **CHAPTER 845. TEXAS WORK & FAMILY CLEARINGHOUSE**

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

7  
8 The Texas Workforce Commission (TWC) adopts amendments to the following sections of  
9 Chapter 845, relating to Texas Work and Family Clearinghouse:

- 10  
11 Subchapter A. General Provisions, §845.1 and §845.2  
12 Subchapter B. Dependent Care Grants, §§845.11 - 845.13  
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14 Amended §§845.1, 845.2, and 845.11 – 845.13 are adopted *without changes* to the proposal, as  
15 published in the November 24, 2023, issue of the *Texas Register* (48 TexReg 6877), and,  
16 therefore, the adopted rule text will not be published.  
17

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

19 The purpose of the amendments to Chapter 845 is to implement House Bill (HB) 2975, 88th  
20 Texas Legislature, Regular Session (2023), relating to TWC's powers and duties with respect to  
21 work and family policies.  
22

23 The Work and Family Policies Clearinghouse was created to house a grant program to provide  
24 assistance and information on dependent care and employment-related family issues, but its  
25 funding mechanism was repealed before it was implemented. HB 2975 amended Texas Labor  
26 Code Chapter 81 to disband the Clearinghouse and assigns all related responsibilities and  
27 rulemaking authority to TWC.  
28

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

30 (Note: Minor editorial changes are made that do not change the meaning of the rules and,  
31 therefore, are not discussed in the Explanation of Individual Provisions.)  
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33 Texas Government Code §2001.039 requires that every four years each state agency review and  
34 consider for re adoption, revision, or repeal each rule adopted by that agency. TWC has  
35 conducted a rule review of Chapter 845, Texas Work & Family Clearinghouse, and any changes  
36 are described in Part II of this preamble.  
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38 **CHAPTER 845. TEXAS WORK AND FAMILY CLEARINGHOUSE**

39 TWC adopts the following amendment to the title of Chapter 845:  
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41 The Chapter 845 title is amended to remove "Clearinghouse" to align with Texas Labor Code  
42 Chapter 81 as amended by HB 2975. The chapter title is amended to read "Texas Work and  
43 Family Policies Resources."  
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45 **SUBCHAPTER A. GENERAL PROVISIONS**

46 TWC adopts the following amendments to Subchapter A:

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2 **§845.1. Goals and Purpose**

3 Section 845.1 is amended to replace "Clearinghouse" with "Policies Resources" to align with  
4 Texas Labor Code Chapter 81, as amended by HB 2975.

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6 **§845.2. Definitions**

7 Section 845.2 is amended to remove the definition of "Clearinghouse" in accordance with Texas  
8 Labor Code §81.001, as amended by HB 2975. Remaining subsections are renumbered  
9 accordingly.

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11 Renumbered §845.2(2) is amended for clarification to replace "Commission" with "Agency."

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13 Renumbered §845.2(3) is amended to replace "Clearinghouse" with "Agency," because HB 2975  
14 removed the clearinghouse from Texas Labor Code Chapter 81 and assigned its former  
15 responsibilities to TWC.

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17 **SUBCHAPTER B. DEPENDENT CARE GRANTS**

18 TWC adopts the following amendments to Subchapter B:

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20 **§845.11. Submission of Grant Requests**

21 Section 845.11 is amended for clarification to replace "Commission" with "Agency."  
22

23 **§845.12. Criteria for Awarding Grants**

24 Section 845.12 is amended for clarification to replace "Commission" with "Agency."  
25

26 **§845.13. Cancellation or Other Corrective Action**

27 Section 845.13 is amended for clarification to replace "Commission" with "Agency."  
28

29 TWC hereby certifies that the rules have been reviewed by legal counsel and found to be within  
30 TWC's legal authority to adopt.

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32 **PART III. PUBLIC COMMENTS**

33 The public comment period closed on December 25, 2023. No comments were received.  
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35 **PART IV. STATUTORY AUTHORITY**

36 The rules are adopted under the general authority of Texas Labor Code §301.0015 and  
37 §302.002(d), which provide TWC with the authority to adopt, amend, or repeal such rules as it  
38 deems necessary for the effective administration of TWC services and activities.

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40 The rules are also adopted under the specific authority of HB 2975, 88th Texas Legislature,  
41 Regular Session (2023). The bill amended Texas Labor Code §81.0045(b) and §81.007 to grant  
42 all program rulemaking authority to TWC, which was previously shared with the Work and  
43 Family Policies Clearinghouse, which was abolished by HB 2975.

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45 The adopted rules affect Title 2, Texas Labor Code, particularly Chapter 81.  
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1                   **CHAPTER 845. TEXAS WORK & FAMILY POLICIES RESOURCES**

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3                   **SUBCHAPTER A. GENERAL PROVISIONS**

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5                   **§845.1. Goals and Purpose.**

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7                   The purpose of the Texas Work and Family Policies Resources is to provide technical  
8                   assistance and information on dependent care and other employment-related family issues  
9                   to public and private employers, state agencies, policymakers, and individuals.

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11                   **§845.2. Definitions.**

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13                   The following words and terms, when used in this chapter, shall have the following  
14                   meanings unless the context clearly indicates otherwise.

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16  
17                   (1)    Dependent care--Care for a child, adult, or disabled relative who is claimed as  
18                   a dependent for federal income tax purposes, that has an impact on  
19                   employment-related family issues.  
20  
21                   (2)    Grant applicant--A public or private person as defined in the request for  
22                   proposal or request for application published by the Agency.  
23  
24                   (3)    Grant recipient--A public or private person awarded a grant from the Agency.

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26                   **SUBCHAPTER B. DEPENDENT CARE GRANTS**

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28                   **§845.11. Submission of Grant Requests.**

- 29  
30                   (a)    A grant applicant may submit a grant request to the Agency in response to requests  
31                   for proposals or requests for applications.  
32  
33                   (b)    The Request for Proposal or Request for Application will include a deadline for  
34                   submission if applicable, a statement of work related to the use of the funds, any  
35                   information related to the use of the funds and any other requirements established by  
36                   the Agency.

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38                   **§845.12. Criteria for Awarding Grants.**

39                   The Agency may consider the following factors in awarding grants:

- 40  
41                   (1)    the purpose for which the specific grant is intended;  
42  
43                   (2)    coordination requirements with employer organizations, employee  
44                   organizations, child health agencies, and the category of dependent care to be  
45                   addressed;  
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- 1  
2 (3) reporting and monitoring requirements;  
3  
4 (4) the appeal process applicable to the grant; and  
5  
6 (5) other criteria included by the Agency.  
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8 **§845.13. Cancellation or Other Corrective Action.**  
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- 10 (a) Cancellation. The Agency may cancel a grant if the Agency determines that the grant  
11 recipient has failed to perform as required in the grant request or award, or for  
12 circumstances that lead the Agency to believe the grant recipient will fail to  
13 substantially comply with the terms set forth in the request for proposal, request for  
14 application, contract, or interagency agreement. Grounds for cancellation may also  
15 include: failure to ensure a program's intended results; waste, fraud or abuse of  
16 resources; and failure to timely capture, report, or use information to improve  
17 decision making.  
18  
19 (b) Corrective Action. The Agency may take corrective action in lieu of cancellation if it  
20 is determined by the Agency to be the best course of action to facilitate the  
21 maximum use of funds.