

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

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3 **PROPOSED RULES WITH PREAMBLE TO BE SUBMITTED TO THE *TEXAS***
4 ***REGISTER*. THIS DOCUMENT WILL HAVE NO SUBSTANTIVE CHANGES BUT IS**
5 **SUBJECT TO FORMATTING CHANGES AS REQUIRED BY THE *TEXAS REGISTER*.**
6

7 The Texas Workforce Commission (Commission) proposes amendments to the following
8 sections of Chapter 845 relating to the Texas Work & Family Clearinghouse:
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10 Subchapter A. General Provisions, §845.1 and §845.2

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12 Texas Government Code §2001.039 requires that each state agency review and consider for
13 readoption each rule adopted by that agency. The Commission has reviewed Chapter 845 and
14 determined that reasons for adopting the chapter exist; however, amendments to the rules are
15 needed in order to update terminology and reflect recent changes in state law.
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- 17 PART I. PURPOSE, BACKGROUND, AND AUTHORITY
- 18 PART II. EXPLANATION OF INDIVIDUAL PROVISIONS
- 19 PART III. IMPACT STATEMENTS

20
21 **PART I. PURPOSE, BACKGROUND, AND AUTHORITY**

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23 The Commission proposes to amend 40 TAC §845.1 and §845.2 relating to the Texas Work and
24 Family Clearinghouse (Clearinghouse). The purpose of the proposed action is to amend rule
25 language to reflect legislative changes resulting from House Bill 2962 (HB 2962), enacted by the
26 79th Legislature, Regular Session. HB 2962 became effective immediately upon signature of the
27 Governor on May 30, 2005. Among other changes, HB 2962 repeals the following sections of
28 Chapter 81 of the Texas Labor Code relating to the Clearinghouse:
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30 Section 81.002 relating to the Work and Family Policies Advisory Committee; and

31
32 Section 81.004(b) requiring the Clearinghouse to conduct research on child care and other
33 employment-related family issues.
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35 The proposed amendments to 40 TAC §845.1 and §845.2 remove the following:

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37 Section 845.1(b), which states that one of the purposes of the Clearinghouse is to conduct
38 research on child care and other employment-related family issues based on the
39 recommendations of the Work and Family Policies Advisory Committee;
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41 Section 845.2(1), the definition of the Work and Family Policies Advisory Committee; and

42
43 Section 845.2(2), the definition of Commission.
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45
46 **PART II. EXPLANATION OF INDIVIDUAL PROVISIONS**

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

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6 **SUBCHAPTER A. GENERAL PROVISIONS**

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8 **§845.1. Goals and Purpose**

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

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16 **§845.2. Definitions**

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

25
26 **PART III. IMPACT STATEMENTS**

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

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

34
35 Mr. Townsend has determined that enforcing or administering the rule does not have foreseeable
36 implications relating to the cost of the state or local governments

37
38 Mr. Townsend has determined that there are no anticipated economic costs to persons required to
39 comply with the rules.

40
41 Mr. Townsend has also determined that there is no anticipated adverse economic impact on small
42 or microbusinesses as a result of enforcing or administering these rules because they are not
43 regulated by this rule.

44
45 Mark Hughes, Director, Labor Market Information, has determined that there is no significant
46 negative impact upon employment conditions in this state as a result of the proposed rules. Mr.

1 Hughes does not expect any significant impact upon overall employment conditions in the state
2 as a result of the proposed rules.

3
4 Luis M. Macias, Director, Workforce Development Division, has determined that for each year
5 of the first five years the rules are in effect, the public benefit anticipated as a result of enforcing
6 the proposed rules will be to ensure that Commission rules and regulations are streamlined to
7 reflect the current requirements in statute.

8
9 Comments on the proposal may be submitted to TWC Policy Comments, Workforce and UI
10 Policy, 101 East 15th Street, Room 440T, Austin, Texas 78778; faxed to 512-475-3577; or e-
11 mailed to TWCPolicyComments@twc.state.tx.us. The Commission must receive comments
12 postmarked no later than 30 days from the date this proposal is published in the *Texas Register*.

13
14 The amendments are proposed under Texas Labor Code §301.0015 and §302.002(d), which
15 provide the Commission with the authority to adopt, amend, or repeal such rules as it deems
16 necessary for the effective administration of Agency services and activities.

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18 The proposed amendments will affect Texas Labor Code, Title 4, particularly Chapters 301 and
19 302, as well as Texas Labor Code, Chapter 81.

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

4
5 **SUBCHAPTER A. GENERAL PROVISIONS**

6
7 **§845.1. Goals and Purpose**

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

13
14 ~~(b) The Clearinghouse also conducts research on child care and other employment-related~~
15 ~~family issues based on the recommendations of the Advisory Committee and compiles~~
16 ~~the results of that research.~~

17
18 **§845.2. Definitions**

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

23
24 ~~(1) Advisory Committee—The Work and Family Policies Advisory Committee~~
25 ~~established under Texas Labor Code §81.002.~~

26
27 ~~(2) Commission—The Texas Workforce Commission.~~

28
29 (1) ~~(3)~~ Clearinghouse -- The Texas Work and Family Clearinghouse established
30 under Texas Labor Code Chapter 81, relating to Work and Family Policies.

31
32 (2) ~~(4)~~ Dependent care -- Care for a child, adult, or disabled relative, that is
33 claimed as a dependent for federal income tax purposes, that has an impact on
34 employment-related family issues.

35
36 (3) ~~(5)~~ Grant applicant -- A public or private person as defined in the request for
37 proposal or request for application published by the Commission.

38
39 (4) ~~(6)~~ Grant recipient -- A public or private person awarded a grant from the
40 Clearinghouse.