

Amend CSHB 2292 on page 123 by inserting the following between lines 8 and 9:

(e) The rules adopted by the department under this section must provide that it is an affirmative defense to the imposition of sanctions or penalties that a person's failure to cooperate with the requirements of the responsibility agreement resulted from the failure of the department, the Texas Workforce Commission, or a local workforce development board to perform a duty. Sanctions or penalties may not be imposed on a person until the department determines that the department, the Texas Workforce Commission, and the local workforce development board, as applicable, have complied with their respective performance measures.