

By: Raney

H.B. No. 3186

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the use of the skills development fund by certain  
3 entities.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 303.001(a), Labor Code, is amended to  
6 read as follows:

7 (a) The purpose of this chapter is to remove administrative  
8 barriers that impede the response of public community and technical  
9 colleges, community-based organizations, local workforce  
10 development boards, the Texas A&M Engineering Experiment Station,  
11 and the Texas A&M Engineering Extension Service to industry and  
12 workforce training needs and to develop incentives for public  
13 community and technical colleges, community-based organizations,  
14 local workforce development boards, the Texas A&M Engineering  
15 Experiment Station, and the Texas A&M Engineering Extension Service  
16 to provide customized assessment and training in a timely and  
17 efficient manner.

18 SECTION 2. Section 303.002(b), Labor Code, is amended to  
19 read as follows:

20 (b) A public community or technical college, the Texas A&M  
21 Engineering Experiment Station, or the Texas A&M Engineering  
22 Extension Service may recover customized assessment and training  
23 costs incurred by the college, station, or service [~~institution~~]  
24 if:

1           (1) there is an actual or projected labor shortage in  
2 the occupation in which training is provided that is not being met  
3 by an existing institution or program in the area; and

4           (2) the wages at the time of job placement for  
5 individuals who successfully complete customized training at the  
6 public community or technical college, the Texas A&M Engineering  
7 Experiment Station, or the Texas A&M Engineering Extension Service  
8 are equal to the prevailing wage for that occupation in the local  
9 labor market area.

10          SECTION 3. Sections 303.003(b), (f), (g), and (h), Labor  
11 Code, are amended to read as follows:

12          (b) The skills development fund may be used by public  
13 community and technical colleges, community-based organizations,  
14 local workforce development boards, the Texas A&M Engineering  
15 Experiment Station, and the Texas A&M Engineering Extension Service  
16 as start-up or emergency funds for the following job-training  
17 purposes:

18           (1) developing customized training programs for  
19 businesses and trade unions; and

20           (2) sponsoring small and medium-sized business  
21 networks and consortiums.

22          (f) The Texas A&M Engineering Experiment Station and the  
23 Texas A&M Engineering Extension Service shall focus the station's  
24 or service's training activities under this chapter on programs  
25 that:

26           (1) are statewide in nature; or

27           (2) are not available from a local junior college

1 district, a local technical college, or a consortium of junior  
2 college districts.

3 (g) This section does not prohibit the Texas A&M Engineering  
4 Experiment Station or the Texas A&M Engineering Extension Service  
5 from participating in a consortium of junior college districts or  
6 with a technical college that provides training under this chapter.

7 (h) A community-based organization may apply for money to  
8 participate in a training program only in partnership with a  
9 community and technical college, the Texas A&M Engineering  
10 Experiment Station, or the Texas A&M Engineering Extension Service.  
11 A community-based organization providing services regulated by the  
12 state shall provide evidence of any certification, license, or  
13 registration required by law.

14 SECTION 4. Section 303.004, Labor Code, is amended to read  
15 as follows:

16 Sec. 303.004. FUND REVIEW; REPORT BY CERTAIN WORKFORCE  
17 TRAINING PROVIDERS REQUIRED. (a) The Texas Higher Education  
18 Coordinating Board shall review all customized training programs  
19 biennially to verify that state funds are being used appropriately  
20 by public community and technical colleges, the Texas A&M  
21 Engineering Experiment Station, and the Texas A&M Engineering  
22 Extension Service under this chapter.

23 (b) Not later than October 1 of each even-numbered year, the  
24 Texas A&M Engineering Experiment Station, the Texas A&M Engineering  
25 Extension Service, and each public community or technical college  
26 that provides workforce training under this chapter shall:

27 (1) conduct a review of the station's, service's, or

1 college's training programs to:

2 (A) determine the effectiveness of the programs  
3 in improving the wages of participants who complete the programs;  
4 and

5 (B) identify strategies for improving the  
6 delivery of workforce training in order to more effectively impact  
7 economic development in this state; and

8 (2) submit to the commission a detailed written report  
9 summarizing the results of the review for inclusion by the  
10 executive director in the report to the governor and the  
11 legislature required by Section 303.006(c).

12 (c) If the Texas A&M Engineering Experiment Station, the  
13 Texas A&M Engineering Extension Service, or a public community or  
14 technical college fails to submit a report required by Subsection  
15 (b)(2):

16 (1) the station, service, or college must refund to  
17 the comptroller any unexpended state funds received by the station,  
18 service, or college under this chapter for the state fiscal  
19 biennium in which the report was due; and

20 (2) the commission may not award any additional grant  
21 to the station, service, or college under this chapter until the  
22 station, service, or college has complied with that reporting  
23 requirement.

24 SECTION 5. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2021.