

1 AN ACT

2 relating to the establishment of the industry-based certification  
3 advisory council and the transfer of certain duties to that  
4 advisory council.

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

6 SECTION 1. Subtitle B, Title 4, Labor Code, is amended by  
7 adding Chapter 312 to read as follows:

8 CHAPTER 312. INDUSTRY-BASED CERTIFICATION ADVISORY COUNCIL

9 Sec. 312.001. DEFINITION. In this chapter, "advisory  
10 council" means the industry-based certification advisory council  
11 established under this chapter.

12 Sec. 312.002. ADVISORY COUNCIL. (a) The industry-based  
13 certification advisory council is established to advise the  
14 commission regarding the alignment of public high school career and  
15 technology education programs with current and future workforce  
16 needs in communities, regions, and the state.

17 (b) The advisory council is composed of the following nine  
18 members:

19 (1) three members representing industry in this state,  
20 one each appointed by the governor, the lieutenant governor, and  
21 the speaker of the house of representatives;

22 (2) three members representing public school teachers  
23 who teach career and technology education courses or public school  
24 administrators, one each appointed by the governor, the lieutenant

1 governor, and the speaker of the house of representatives; and

2 (3) three members representing a public junior  
3 college, public state college, or public technical institute, as  
4 those terms are defined by Section 61.003, Education Code, one each  
5 appointed by the governor, the lieutenant governor, and the speaker  
6 of the house of representatives.

7 (c) The members of the advisory council serve staggered  
8 four-year terms, with the terms of either four or five members  
9 expiring February 1 of each odd-numbered year.

10 (c-1) Notwithstanding Subsection (c), the initial members  
11 appointed shall determine by lot which four of the nine initial  
12 members will serve terms that expire February 1, 2023, and which  
13 five of the nine initial members will serve terms that expire  
14 February 1, 2025. This subsection expires January 1, 2026.

15 (d) A vacancy on the advisory council shall be filled in the  
16 same manner as the original appointment for that position.

17 (e) A member of the advisory council is not entitled to  
18 compensation for service as a member of the advisory council but is  
19 entitled to reimbursement for actual and necessary travel expenses  
20 incurred in performing functions as a member of the advisory  
21 council, as provided in the General Appropriations Act.

22 (f) Using existing resources, the commission shall provide  
23 administrative and staff support for the advisory council.

24 SECTION 2. Section 29.189, Education Code, is transferred  
25 to Chapter 312, Labor Code, as added by this Act, redesignated as  
26 Section 312.003, Labor Code, and amended to read as follows:

27 Sec. 312.003. [Sec. 29.189.] INVENTORY OF CREDENTIALS AND

1 CERTIFICATES. (a) The advisory council [~~In this section:~~

2           [~~(1) "Commission" means the Texas Workforce~~  
3 ~~Commission.~~

4           [~~(2) "Coordinating board" means the Texas Higher~~  
5 ~~Education Coordinating Board.~~

6           [~~(b) The agency, the coordinating board, and the~~  
7 ~~commission~~] shall [jointly] develop [and post on their respective  
8 ~~Internet websites~~] an inventory of industry-recognized credentials  
9 and certificates that may be earned by a public high school student  
10 through a career and technology education program and that:

11           (1) are aligned to state and regional workforce needs;  
12 and

13           (2) serve as an entry point to middle- and high-wage  
14 jobs.

15           (b) [~~(c)~~] The inventory must include for each credential or  
16 certificate:

17           (1) the associated career cluster;

18           (2) the awarding entity;

19           (3) the level of education required and any additional  
20 requirements for the credential or certificate;

21           (4) any fees for obtaining the credential or  
22 certificate; and

23           (5) the average wage or salary for jobs that require or  
24 prefer the credential or certificate.

25           (c) In developing the inventory, the advisory council may  
26 consult with local workforce boards, the Texas Workforce Investment  
27 Council, the Texas Economic Development and Tourism Office, and the

1 Texas Higher Education Coordinating Board.

2 (d) The advisory council shall establish a process for  
3 developing the inventory, including the criteria for the inclusion  
4 of a credential or certificate in the inventory.

5 (e) The advisory council shall annually review and revise  
6 the inventory.

7 (f) Each year, [~~the agency, the coordinating board, and~~] the  
8 commission [~~jointly~~] shall:

9 (1) adopt [~~review~~] and, if necessary, review [~~update~~]  
10 the inventory; and

11 (2) provide a copy of the inventory to the Texas  
12 Education Agency and to each school district and public institution  
13 of higher education that offers a career and technology education  
14 program to public high school students.

15 SECTION 3. As soon as practicable after the effective date  
16 of this Act but not later than January 1, 2022, the industry-based  
17 certification advisory council established under Chapter 312,  
18 Labor Code, as added by this Act, shall develop the initial  
19 inventory required under that chapter.

20 SECTION 4. This Act takes effect immediately if it receives  
21 a vote of two-thirds of all the members elected to each house, as  
22 provided by Section 39, Article III, Texas Constitution. If this  
23 Act does not receive the vote necessary for immediate effect, this  
24 Act takes effect September 1, 2021.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 3938 was passed by the House on April 28, 2021, by the following vote: Yeas 145, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3938 on May 28, 2021, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 3938 was passed by the Senate, with amendments, on May 25, 2021, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor