

By: Bell of Kaufman, Button,
Bell of Montgomery

H.B. No. 3938

Substitute the following for H.B. No. 3938:

By: Button

C.S.H.B. No. 3938

A BILL TO BE ENTITLED

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 college
3 as defined by Section 61.003, Education Code, one each appointed by
4 the governor, the lieutenant governor, and the speaker of the house
5 of representatives.

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

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

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

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

21 (f) Using existing resources, the Texas State Technical
22 College System shall provide administrative and staff support for
23 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.