

By: Bell of Kaufman

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

24 Sec. 312.003. [Sec. 29.189.] INVENTORY OF CREDENTIALS AND  
25 CERTIFICATES. (a) The advisory council [In this section:

26 [~~(1) "Commission" means the Texas Workforce~~  
27 ~~Commission.~~

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

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

8           (1) are aligned to state and regional workforce needs;  
9 and

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

12           (b) [(c)] The inventory must include for each credential or  
13 certificate:

14           (1) the associated career cluster;

15           (2) the awarding entity;

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

18           (4) any fees for obtaining the credential or  
19 certificate; and

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

22           (c) In developing the inventory, the advisory council may  
23 consult with local workforce boards, the Texas Workforce Investment  
24 Council, the Texas Economic Development and Tourism Office, and the  
25 Texas Higher Education Coordinating Board.

26           (d) The advisory council shall establish a process for  
27 developing the inventory, including the criteria for the inclusion

1 of a credential or certificate in the inventory.

2 (e) The advisory council shall annually review and revise  
3 the inventory.

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

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

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

12 SECTION 3. As soon as practicable after the effective date  
13 of this Act but not later than September 1, 2021, the industry-based  
14 certification advisory council established under Chapter 312,  
15 Labor Code, as added by this Act, shall develop the initial  
16 inventory required under that chapter.

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