

1-1 By: Bettencourt, West S.B. No. 1622  
1-2 (In the Senate - Filed March 11, 2021; March 24, 2021, read  
1-3 first time and referred to Committee on Higher Education;  
1-4 May 3, 2021, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; May 3, 2021, sent  
1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	Creighton	X		
1-10	West	X		
1-11	Birdwell	X		
1-12	Blanco	X		
1-13	Miles	X		
1-14	Paxton	X		
1-15	Springer	X		
1-16	Taylor	X		
1-17	Zaffirini	X		

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 1622 By: Birdwell

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to measures to support the alignment of education and  
1-22 workforce development in the state with state workforce needs,  
1-23 including the establishment of the Tri-Agency Workforce  
1-24 Initiative.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. This Act shall be known as the Texas Education  
1-27 and Workforce Alignment Act.

1-28 SECTION 2. Subtitle G, Title 10, Government Code, is  
1-29 amended by adding Chapter 2308A to read as follows:

1-30 CHAPTER 2308A. TRI-AGENCY WORKFORCE INITIATIVE

1-31 Sec. 2308A.001. DEFINITIONS. In this chapter:

1-32 (1) "Agency," unless the context requires otherwise,  
1-33 means the Texas Education Agency.

1-34 (2) "Career education and training program" means:

1-35 (A) a career and technology education program  
1-36 offered by a public school;

1-37 (B) a career technical or workforce education  
1-38 program, as defined by the coordinating board, offered by an  
1-39 institution of higher education;

1-40 (C) a program administered by the commission  
1-41 relating to jobs training, skills development, or adult education  
1-42 and literacy; and

1-43 (D) a work-based learning program, such as an  
1-44 apprenticeship or internship program, that receives state funding  
1-45 or is administered by the commission.

1-46 (3) "Commission" means the Texas Workforce  
1-47 Commission.

1-48 (4) "Coordinating board" means the Texas Higher  
1-49 Education Coordinating Board.

1-50 (5) "Initiative" means the Tri-Agency Workforce  
1-51 Initiative.

1-52 (6) "Institution of higher education" has the meaning  
1-53 assigned by Section 61.003, Education Code.

1-54 (7) "State workforce development goals" means the  
1-55 state workforce development goals developed under Section  
1-56 2308A.006.

1-57 Sec. 2308A.002. PURPOSE. The Tri-Agency Workforce  
1-58 Initiative is established to coordinate and optimize information  
1-59 and other resources as necessary to:

1-60 (1) align career education and training programs to

2-1 workforce demands;  
2-2 (2) provide residents of the state with timely and  
2-3 accurate information needed to plan education and workforce  
2-4 pathways; and  
2-5 (3) enable local and state policy makers to evaluate  
2-6 the effectiveness of career education and training programs and  
2-7 progress toward the state workforce development goals.  
2-8 Sec. 2308A.003. INTERAGENCY AGREEMENTS AND STAFFING. (a)  
2-9 The agency, coordinating board, and commission shall enter into one  
2-10 or more interagency agreements establishing policies and processes  
2-11 for:  
2-12 (1) sharing and matching relevant data and  
2-13 cooperatively managing education and workforce information  
2-14 collected by each respective agency; and  
2-15 (2) coordinating the assignment of staff and other  
2-16 resources to the initiative as necessary to effectuate the state  
2-17 workforce development goals and the strategies for achieving those  
2-18 goals developed under Section 2308A.006.  
2-19 (b) The time spent by an employee of the agency,  
2-20 coordinating board, or commission in supporting the work of the  
2-21 initiative is not included in calculating the number of full-time  
2-22 equivalent employees allotted to the respective agency under other  
2-23 law.  
2-24 Sec. 2308A.004. QUARTERLY DISCUSSIONS. The commissioner of  
2-25 education, commissioner of higher education, and chair of the  
2-26 commission shall discuss the work of the initiative at least once  
2-27 per quarter.  
2-28 Sec. 2308A.005. UNIFIED WORKFORCE DATA REPOSITORY. (a)  
2-29 The agency, coordinating board, and commission shall use the  
2-30 P-20/Workforce Data Repository established under Section  
2-31 1.005(j-1), Education Code, as the central repository of career and  
2-32 education data. The agency, coordinating board, and commission  
2-33 shall regularly review the data collected by the respective agency  
2-34 and incorporate into the repository data determined by the  
2-35 executive officer of that agency to be integral to the state  
2-36 workforce development goals and the strategies for achieving those  
2-37 goals developed under Section 2308A.006.  
2-38 (b) Any data or reports made accessible to the public under  
2-39 the initiative must comply with applicable state and federal laws  
2-40 governing use of and access to the data.  
2-41 (c) Where applicable, the agency, coordinating board, and  
2-42 commission shall ensure that records deposited in the repository  
2-43 are automatically matched at the student level on a timely basis to  
2-44 ensure that the agency, coordinating board, and commission and  
2-45 other entities authorized to access the repository have timely  
2-46 information to support higher education and workforce application,  
2-47 entry, and success.  
2-48 Sec. 2308A.006. STATE WORKFORCE DEVELOPMENT GOALS AND  
2-49 STRATEGIES. (a) The commissioner of education, commissioner of  
2-50 higher education, and chair of the commission jointly shall develop  
2-51 and post in a prominent location on the initiative's and each  
2-52 respective agency's Internet website state workforce development  
2-53 goals and coordinated interagency strategies for achieving those  
2-54 goals.  
2-55 (b) The goals developed under Subsection (a) must:  
2-56 (1) be developed in consultation with employers;  
2-57 (2) include goals for the attainment of employment in  
2-58 jobs that pay a living wage for all career education and training  
2-59 programs in the state;  
2-60 (3) be disaggregated by race, ethnicity, and gender  
2-61 for each workforce development region; and  
2-62 (4) provide for:  
2-63 (A) locally determined priorities consistent  
2-64 with state goals; and  
2-65 (B) collaborative planning and coordination with  
2-66 local employers, public schools, institutions of higher education,  
2-67 and local workforce development boards.  
2-68 (c) The strategies developed under Subsection (a) must:  
2-69 (1) include strategies for expanding work-based

3-1 learning;  
3-2 (2) articulate the ways in which the state can best  
3-3 leverage state and federal funding for career education and  
3-4 training programs; and  
3-5 (3) be demonstrably guided by:  
3-6 (A) education and workforce data;  
3-7 (B) evidence of success and considerations of  
3-8 cost-effectiveness; and  
3-9 (C) prioritized occupational classifications,  
3-10 including all target occupations and critical career pathways  
3-11 designated under Subsection (e).  
3-12 (d) In consultation with employers, the commissioner of  
3-13 education, commissioner of higher education, and chair of the  
3-14 commission jointly shall update the state workforce development  
3-15 goals and strategies developed under Subsection (a) at least every  
3-16 four years, or more frequently if needed to reflect available data  
3-17 and circumstances.  
3-18 (e) In consultation with employers, the commissioner of  
3-19 education, commissioner of higher education, and chair of the  
3-20 commission shall designate and update every two years a list of  
3-21 career pathways that includes the following two priority  
3-22 categories:  
3-23 (1) target occupations, which include current needs  
3-24 that exist in one or more regions of the state as reflected in  
3-25 regional workforce assessments that:  
3-26 (A) use the best available data and local  
3-27 employer requests; and  
3-28 (B) satisfy minimum federal standards for  
3-29 designations, such as a foundation for qualified use of federal  
3-30 workforce funding; and  
3-31 (2) critical career pathways that reflect the best  
3-32 statewide data and forecasts of skills and careers for which demand  
3-33 in the state is expected to grow that may:  
3-34 (A) be associated with new emerging industries or  
3-35 new specialty occupations within an industry; or  
3-36 (B) reflect pathways to better wages for workers  
3-37 with documented skills that provide promotional opportunities  
3-38 within or across occupations with targeted upskill training.  
3-39 (f) Not later than June 1, 2022, the commissioner of  
3-40 education, commissioner of higher education, and chair of the  
3-41 commission jointly shall make recommendations regarding the  
3-42 development of a modern and publicly accessible job skills  
3-43 inventory for public and private sector jobs in the state,  
3-44 including recommendations on:  
3-45 (1) cataloging worker skills and matching those skills  
3-46 to public and private sector jobs in the state;  
3-47 (2) creating skills profiles for all jobs and career  
3-48 pathways designated under Subsection (e) that are vital to the  
3-49 state; and  
3-50 (3) identifying skills and competencies offered by  
3-51 each career education and training program in the state.  
3-52 (g) Subsection (f) and this subsection expire September 1,  
3-53 2023.  
3-54 Sec. 2308A.007. CREDENTIAL LIBRARY. (a) The agency,  
3-55 coordinating board, and commission jointly shall establish a  
3-56 publicly accessible web-based library of credentials, such as  
3-57 diplomas, certificates, certifications, digital badges,  
3-58 apprenticeships, licenses, or degrees, that are:  
3-59 (1) delivered, issued, funded, or governed by the  
3-60 state;  
3-61 (2) aligned with recognized skills and industry  
3-62 standards;  
3-63 (3) available to residents of the state; and  
3-64 (4) used by employers in the state.  
3-65 (b) The agency, coordinating board, and commission jointly  
3-66 shall designate a host agency or operating entity for the  
3-67 credential library.  
3-68 (c) The credential library must be updated at least once per  
3-69 year.

4-1 Sec. 2308A.008. INTERNET-BASED RESOURCES. (a) The agency,  
 4-2 coordinating board, and commission shall cooperatively establish  
 4-3 Internet-based resources for the initiative. The resources must  
 4-4 include:

4-5 (1) a central Internet website for the initiative that  
 4-6 contains information on the state workforce development goals and  
 4-7 the strategies for achieving those goals developed under Section  
 4-8 2308A.006;

4-9 (2) a unified dashboard, updated on an annual or more  
 4-10 frequent basis, that reports progress toward accomplishment of the  
 4-11 state workforce development goals, both statewide and  
 4-12 disaggregated by public school and public school campus,  
 4-13 institution of higher education campus, workforce region, and  
 4-14 county;

4-15 (3) data on the outcomes of students who participate  
 4-16 in career education and training programs, disaggregated to the  
 4-17 extent practicable by income, race, ethnicity, and gender,  
 4-18 including data regarding degree and credential completion,  
 4-19 employment status and industry of employment, and earnings over  
 4-20 time;

4-21 (4) guidance supporting the use of data on the  
 4-22 dashboard described by Subdivision (2) for greater accessibility  
 4-23 for a wide range of public, practitioner, and legislative users;

4-24 (5) tools enabling residents of the state to:

4-25 (A) explore careers that match the resident's  
 4-26 education and skills and lead to a living wage;

4-27 (B) identify and evaluate education and training  
 4-28 opportunities related to the resident's career interests; and

4-29 (C) connect to available jobs through existing  
 4-30 job matching websites; and

4-31 (6) tools to support joint program planning,  
 4-32 budgeting, and performance evaluation among:

4-33 (A) the agency, coordinating board, and  
 4-34 commission; and

4-35 (B) public schools, institutions of higher  
 4-36 education, local workforce development boards, and partnering  
 4-37 entities.

4-38 (b) The agency, coordinating board, and commission jointly  
 4-39 shall:

4-40 (1) solicit public comment on the usefulness of the  
 4-41 initiative's Internet-based resources; and

4-42 (2) in January of each even-numbered year, publish a  
 4-43 summary of the initiative's Internet-based resources, including  
 4-44 actions taken to increase the usefulness of those resources or  
 4-45 address comments received under Subdivision (1).

4-46 Sec. 2308A.009. STUDENT SUCCESS REPORTING. (a) The  
 4-47 agency, coordinating board, and commission shall coordinate data  
 4-48 collection and matching necessary to provide information to each  
 4-49 public school and institution of higher education regarding the  
 4-50 success of students previously enrolled in a career education and  
 4-51 training program offered by the school or institution with respect  
 4-52 to critical student outcomes, such as degree and credential  
 4-53 completion, employment status and industry of employment, and  
 4-54 earnings over time.

4-55 (b) The commissioner of education, commissioner of higher  
 4-56 education, and chair of the commission shall ensure that the  
 4-57 information provided under Subsection (a) is provided in a manner  
 4-58 that complies with applicable state or federal law regarding the  
 4-59 privacy and confidentiality of student information.

4-60 (c) In January of each even-numbered year, the commissioner  
 4-61 of education, commissioner of higher education, and chair of the  
 4-62 commission jointly shall prepare, submit to the legislature, and  
 4-63 post on the initiative's and each respective agency's Internet  
 4-64 website a report on the impact of career education and training  
 4-65 programs on student success and the state workforce development  
 4-66 goals.

4-67 Sec. 2308A.010. OPPORTUNITY FOR COMMENT. At least 30 days  
 4-68 before finalizing state workforce development goals, strategies  
 4-69 for achieving those goals developed under Section 2308A.006, or a

5-1 report under Section 2308A.009, the agency, coordinating board, and  
 5-2 commission jointly shall post on the initiative's and each  
 5-3 respective agency's Internet website the proposed goals,  
 5-4 strategies, or report and instructions for submitting comment on  
 5-5 those items to the agencies.

5-6 Sec. 2308A.011. SECURE PORTAL. (a) For purposes of state  
 5-7 and local planning, program evaluation, and continuous improvement  
 5-8 of local and regional education and workforce practices, the  
 5-9 agency, coordinating board, and commission jointly shall establish  
 5-10 and support a secure portal through which authorized personnel of  
 5-11 approved entities can view and analyze comprehensive longitudinal  
 5-12 and the most currently available matched data related to the  
 5-13 progress toward meeting state workforce needs.

5-14 (b) The agency, coordinating board, and commission jointly  
 5-15 shall develop role-based security protocols that ensure the privacy  
 5-16 and confidentiality of information made accessible through the  
 5-17 secure portal in a manner that complies with any applicable state or  
 5-18 federal law.

5-19 Sec. 2308A.012. EMPLOYER RECOGNITION. (a) The governor  
 5-20 may award a Talent for Texas Champions Governor's Award to  
 5-21 recognize leading employers in the state who are contributing to  
 5-22 workforce improvement by supporting priority job training,  
 5-23 reskilling, and upskilling programs and whose contributions align  
 5-24 with strategic priorities for the state, including helping to meet  
 5-25 regional workforce demands and enabling more residents of the state  
 5-26 to attain jobs that pay a living wage.

5-27 (b) The agency, coordinating board, and commission jointly  
 5-28 shall nominate employers for the award under this section.

5-29 Sec. 2308A.013. TARGETED FUNDING TO ADDRESS STATE GOALS.  
 5-30 (a) A state agency that receives funding through the Carl D.  
 5-31 Perkins Career and Technical Education Act of 2006 (20 U.S.C.  
 5-32 Section 2301 et seq.) or the Workforce Innovation and Opportunity  
 5-33 Act (Pub. L. No. 113-128) or any other federal funding for career  
 5-34 education and training may, to the extent permissible under federal  
 5-35 law, combine with, transfer to, or delegate to another state agency  
 5-36 that receives such funding the agency's management of  
 5-37 workforce-related funding as necessary to implement the state  
 5-38 workforce development goals.

5-39 (b) The agency, coordinating board, and commission jointly  
 5-40 shall submit to the governor and the standing legislative  
 5-41 committees with jurisdiction over state financial alignment  
 5-42 efforts a biennial report on how federal and state funding for  
 5-43 career education and training programs are being spent in  
 5-44 accordance with the state workforce development goals.

5-45 (c) A state agency that receives federal or state funding  
 5-46 for career education and training programs shall include in the  
 5-47 agency's legislative appropriations request a description of how  
 5-48 the agency's career education and training programs and  
 5-49 expenditures align with the state workforce development goals.

5-50 Sec. 2308A.014. LIVING WAGE. The agency, coordinating  
 5-51 board, and commission jointly shall determine for each county the  
 5-52 wage that constitutes a living wage for purposes of this chapter.  
 5-53 The determination must be based on a common standard that reflects  
 5-54 the regionally adjusted minimum employment earnings necessary to  
 5-55 meet a family's basic needs while also maintaining  
 5-56 self-sufficiency.

5-57 Sec. 2308A.015. GIFTS, GRANTS, AND DONATIONS. (a) The  
 5-58 agency, coordinating board, and commission may accept gifts,  
 5-59 grants, and donations from any public or private source for  
 5-60 purposes of the initiative.

5-61 (b) The agency, coordinating board, and commission shall  
 5-62 investigate potential sources of funding from federal grants or  
 5-63 programs that may be used for purposes of the initiative.

5-64 SECTION 3. Subchapter A, Chapter 204, Labor Code, is  
 5-65 amended by adding Section 204.0025 to read as follows:

5-66 Sec. 204.0025. ADDITIONAL WORKFORCE DATA REPORTING. (a)  
 5-67 The commission shall work in consultation with employers as  
 5-68 provided by this section to enhance and improve the reporting of  
 5-69 employment and earnings data by employers to the commission as part

6-1 of an employer's routine wage filings under this subtitle or  
6-2 commission rule and consistent with federal law and regulations.  
6-3 The enhanced wage filings must include information related to  
6-4 occupation and other important employment information that would  
6-5 improve the state's labor market information.

6-6 (b) The commission, in consultation with employers and  
6-7 human resource technology providers, shall develop viable data  
6-8 priorities and standards for reporting and collecting enhanced wage  
6-9 filings described by Subsection (a).

6-10 (c) Not later than September 1 of each even-numbered year,  
6-11 the commission shall prepare and submit to the legislature and post  
6-12 on the commission's Internet website a report on employer  
6-13 participation in the enhanced wage filings described by Subsection  
6-14 (a), a cost-benefit analysis on the enhanced wage filings to the  
6-15 workforce planning process in the state, and any recommendations  
6-16 for legislative or other action to improve the enhanced wage  
6-17 filings.

6-18 (d) Not later than January 1, 2022, the commission shall  
6-19 design and implement a voluntary pilot program for the reporting  
6-20 and collection of enhanced wage filings described by Subsection  
6-21 (a). To the greatest extent possible, the commission shall include  
6-22 a representative sample of employers in the pilot program.

6-23 (e) Not later than September 1, 2022, the commission shall  
6-24 submit to the legislature a report on the results of the pilot  
6-25 program and any recommendations for legislative or other action.

6-26 (f) Subsections (d) and (e) and this subsection expire  
6-27 September 1, 2023.

6-28 SECTION 4. Not later than October 1, 2021, the Texas  
6-29 Education Agency, Texas Higher Education Coordinating Board, and  
6-30 Texas Workforce Commission shall hold the initial discussion  
6-31 required under Section 2308A.004, Government Code, as added by this  
6-32 Act.

6-33 SECTION 5. (a) Not later than January 31, 2022, the Texas  
6-34 Education Agency, Texas Higher Education Coordinating Board, and  
6-35 Texas Workforce Commission shall develop the initial state  
6-36 workforce development goals required under Section 2308A.006,  
6-37 Government Code, as added by this Act.

6-38 (b) Not later than April 30, 2022, the Texas Education  
6-39 Agency, Texas Higher Education Coordinating Board, and Texas  
6-40 Workforce Commission shall develop the initial strategies required  
6-41 under Section 2308A.006, Government Code, as added by this Act.

6-42 SECTION 6. Not later than January 1, 2024, the Texas  
6-43 Education Agency, Texas Higher Education Coordinating Board, and  
6-44 Texas Workforce Commission shall establish the credential library  
6-45 required under Section 2308A.007, Government Code, as added by this  
6-46 Act.

6-47 SECTION 7. (a) Not later than September 1, 2022, the Texas  
6-48 Workforce Commission shall develop the data priorities and  
6-49 standards for reporting and collecting enhanced wage filings as  
6-50 required under Section 204.0025(b), Labor Code, as added by this  
6-51 Act.

6-52 (b) Not later than September 1, 2024, the Texas Workforce  
6-53 Commission shall submit the commission's initial report required  
6-54 under Section 204.0025(c), Labor Code, as added by this Act.

6-55 SECTION 8. (a) The Texas Education Agency, Texas Higher  
6-56 Education Coordinating Board, and Texas Workforce Commission are  
6-57 required to implement Chapter 2308A, Government Code, as added by  
6-58 this Act, only if:

6-59 (1) the legislature appropriates funds for that  
6-60 purpose;

6-61 (2) federal funding is provided to the agencies for  
6-62 that purpose as part of any federal coronavirus disease (COVID-19)  
6-63 relief spending; or

6-64 (3) the agencies receive gifts, grants, or donations  
6-65 for that purpose under Section 2308A.015, Government Code, as added  
6-66 by this Act.

6-67 (b) If funding described by Subsection (a) of this section  
6-68 is not appropriated or otherwise made available for the purpose  
6-69 described by that subsection, the Texas Education Agency, Texas

7-1 Higher Education Coordinating Board, and Texas Workforce  
7-2 Commission may, but are not required to, implement Chapter 2308A,  
7-3 Government Code, as added by this Act, using other money available  
7-4 to the agencies for that purpose.

7-5 SECTION 9. The Texas Workforce Commission is required to  
7-6 implement Section 204.0025, Labor Code, as added by this Act, only  
7-7 if the legislature appropriates money specifically for that  
7-8 purpose. If the legislature does not appropriate money  
7-9 specifically for that purpose, the commission may, but is not  
7-10 required to, implement that section using other appropriations  
7-11 available for that purpose.

7-12 SECTION 10. This Act takes effect September 1, 2021.

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