

By: Button, Burrows, Schaefer, Canales,
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H.B. No. 4390

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Industry-Recognized Apprenticeship Programs
Grant Program.

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

SECTION 1. Section 302.252(1), Labor Code, is amended to
read as follows:

(1) "Industry-recognized apprenticeship program"
means a training program that [+

~~[(A) provides on-the-job training, preparatory
instruction, supplementary instruction, or related instruction in
an occupation that has been recognized as an apprenticeable
occupation by the Office of Apprenticeship of the United States
Department of Labor, or~~

~~[(B)] is certified by the commission as an
industry-recognized apprenticeship program [by a third-party
certifier that has received from the United States Department of
Labor a favorable determination of qualification to award that
certification].~~

SECTION 2. Subchapter I, Chapter 302, Labor Code, is
amended by adding Section 302.2555 to read as follows:

Sec. 302.2555. EXCLUDED PROGRAMS. The commission may not
certify or award a grant under this subchapter to a training program
in the construction industry, as that industry is described by the
North American Industry Classification System sector number 23.

1 SECTION 3. Section 302.257, Labor Code, is amended by
2 amending Subsection (a) and adding Subsection (a-1) to read as
3 follows:

4 (a) The commission shall adopt rules to administer and
5 enforce this subchapter, including rules establishing the criteria
6 and process for the commission to certify a training program as an
7 industry-recognized apprenticeship program for purposes of this
8 subchapter.

9 (a-1) The certification criteria established under
10 Subsection (a) must include that the training program:

11 (1) lead to the attainment of skills that:

12 (A) are customarily learned in a practical way
13 through a structured, systematic program of on-the-job supervised
14 training; and

15 (B) are clearly identified and commonly
16 recognized throughout an industry;

17 (2) involve manual, mechanical, or technical skills or
18 knowledge requiring significant on-the-job work experience; and

19 (3) require related instruction to supplement the
20 on-the-job training.

21 SECTION 4. As soon as practicable after the effective date
22 of this Act, the Texas Workforce Commission shall adopt the rules
23 required by Section 302.257, Labor Code, as amended by this Act.

24 SECTION 5. The change in law made by this Act applies only
25 to a grant awarded under Subchapter I, Chapter 302, Labor Code, on
26 or after the effective date of this Act. A grant awarded before
27 that date is governed by the law in effect on the date the grant was

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1 awarded, and the former law is continued in effect for that purpose.

2 SECTION 6. This Act takes effect September 1, 2023.