

By: Solomons, Chisum, Gallego, Dunnam

H.B. No. 2171

Substitute the following for H.B. No. 2171:

By: Homer

C.S.H.B. No. 2171

A BILL TO BE ENTITLED

AN ACT

relating to the continuation of the Council on Workforce and Economic Competitiveness as the Texas Workforce Investment Council and to the functions performed by the council.

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

ARTICLE 1. CONTINUATION AS TEXAS WORKFORCE

INVESTMENT COUNCIL

SECTION 1.01. The heading of Chapter 2308, Government Code, is amended to read as follows:

CHAPTER 2308. WORKFORCE INVESTMENT [~~AND ECONOMIC COMPETITIVENESS~~] ACT

SECTION 1.02. Section 2308.001, Government Code, is amended to read as follows:

Sec. 2308.001. SHORT TITLE. This chapter may be cited as the Workforce Investment [~~and Economic Competitiveness~~] Act.

SECTION 1.03. Section 2308.002(1), Government Code, is amended to read as follows:

(1) "Council" means the Texas Workforce Investment Council [~~on Workforce and Economic Competitiveness~~].

SECTION 1.04. Section 2308.005, Government Code, is amended to read as follows:

Sec. 2308.005. APPLICATION OF SUNSET ACT. The Texas Workforce Investment Council [~~on Workforce and Economic Competitiveness~~] is subject to Chapter 325 (Texas Sunset Act).

1 Unless continued in existence as provided by that chapter, the
2 council is abolished September 1, 2015 [~~2003~~].

3 SECTION 1.05. Section 2308.006(a), Government Code, is
4 amended to read as follows:

5 (a) If a change in law made by House Bill 3431, Acts of the
6 76th Legislature, Regular Session, 1999, would have the effect of
7 invalidating an exemption granted under the Workforce Investment
8 Act of 1998 (Pub. L. No. 105-220), the Texas Workforce Investment
9 Council [~~on Workforce and Economic Competitiveness~~] may not operate
10 under that change in law but, instead, shall operate under the law
11 as it existed before September 1, 1999 [~~the effective date of this~~
12 ~~Act~~].

13 ARTICLE 2. COUNCIL MEMBERSHIP AND TRAINING

14 SECTION 2.01. Section 2308.052, Government Code, is amended
15 by amending Subsections (b) and (c) and adding Subsection (e) to
16 read as follows:

17 (b) The council is composed of:

18 (1) three voting members who represent education, one
19 of whom represents local public education, one of whom represents
20 public postsecondary education, and one of whom represents
21 vocational education;

22 (2) five voting members who represent organized labor
23 appointed from recommendations made by recognized labor
24 organizations;

25 (3) five voting members who represent business and
26 industry, including business members serving on local workforce
27 development boards or private industry councils;

1 (4) one [~~two~~] voting member [~~members~~] who represents
2 [~~represent~~] community-based organizations; and

3 (5) the following ex officio voting members:

4 (A) the commissioner of education [~~chair of the~~
5 ~~State Board of Education~~];

6 (B) the commissioner of higher education [~~chair~~
7 ~~of the Texas Higher Education Coordinating Board~~];

8 (C) the commissioner of human services
9 [~~presiding officer of the Texas Board of Human Services~~];

10 (D) the executive director [~~presiding officer of~~
11 ~~the policy advisory board~~] of the Texas Department of Economic
12 Development; and

13 (E) the executive director [~~chair~~] of the Texas
14 Workforce Commission.

15 (c) The membership of the council must represent the [~~ethnic~~
16 ~~and~~] geographic diversity of this state.

17 (e) Appointments to the council shall be made without regard
18 to the race, color, disability, sex, religion, age, or national
19 origin of the appointees.

20 SECTION 2.02. Section 2308.053(a), Government Code, is
21 amended to read as follows:

22 (a) The governor shall designate one of the business or
23 labor representatives on the council [~~to serve~~] as the presiding
24 officer of the council to serve in that capacity at the pleasure of
25 the governor.

26 SECTION 2.03. Section 2308.054(a), Government Code, is
27 amended to read as follows:

1 (a) A member of the council who does not serve as an ex
2 officio member serves a six-year term. Approximately one-third
3 [~~One-third~~] of these members' terms expire in each odd-numbered
4 year.

5 SECTION 2.04. Sections 2308.056(a) and (c), Government
6 Code, are amended to read as follows:

7 (a) It is a ground for removal from the council that a member
8 who is not an ex officio member:

9 (1) does not have at the time of appointment the
10 qualifications required by Section 2308.052;

11 (2) does not maintain during service on the council
12 the qualifications required by Section 2308.052;

13 (3) cannot, because of illness or disability,
14 discharge the member's duties for a substantial part of the member's
15 term [~~for which the member is appointed because of illness or~~
16 ~~disability~~];

17 (4) is absent from more than one-fourth of the
18 regularly scheduled council meetings that the member is eligible to
19 attend during a calendar year without an excuse approved by a
20 majority vote of the council's members; or

21 (5) is absent from two consecutive council meetings
22 for which the member received notice not less than 48 hours before
23 the time of the meeting.

24 (c) If the executive director has knowledge that a potential
25 ground for removal exists, the executive director shall notify the
26 presiding officer of the council of the ground. The presiding
27 officer shall then notify the governor and the attorney general

1 that a potential ground for removal exists. If the potential ground
2 for removal involves the presiding officer, the executive director
3 shall notify the next highest ranking officer of the council, who
4 shall then notify the governor and the attorney general that a
5 potential ground for removal exists.

6 SECTION 2.05. Section 2308.158, Government Code, is amended
7 to read as follows:

8 Sec. 2308.158. COUNCIL TRAINING; STANDARDS OF CONDUCT
9 INFORMATION. (a) A person who is appointed to and qualifies for
10 office as a council member may not vote, deliberate, or be counted
11 as a member in attendance at a meeting of the council until the
12 person completes a training program that complies with this
13 section.

14 (b) The training program must provide the person with
15 information regarding:

16 (1) the legislation that created the council;
17 (2) the programs operated by the council;
18 (3) the role and functions of the council;
19 (4) the rules of the council, with an emphasis on the
20 rules that relate to disciplinary and investigatory authority;

21 (5) the current budget for the council;
22 (6) the results of the most recent formal audit of the
23 council;

24 (7) the requirements of:
25 (A) the open meetings law, Chapter 551;
26 (B) the public information law, Chapter 552;
27 (C) the administrative procedure law, Chapter

1 2001; and

2 (D) other laws relating to public officials,
3 including conflict-of-interest laws; and

4 (8) any applicable ethics policies adopted by the
5 council or the Texas Ethics Commission.

6 (c) Each council member shall comply with the member
7 training requirements established by any other state agency that is
8 given authority to establish the requirements for the council.

9 (d) [~~(b)~~] The executive director shall provide to the
10 council's members and employees, as often as necessary, information
11 regarding the requirements [~~their qualifications~~] for office or
12 employment under this chapter, including information regarding a
13 person's [~~and their~~] responsibilities under applicable laws
14 relating to standards of conduct for state officers and employees.

15 SECTION 2.06. (a) Of the positions on the Texas Workforce
16 Investment Council that must be filled by a member who represents
17 community-based organizations, the position of the member whose
18 term on the council is next scheduled to expire is abolished on
19 September 1, 2003.

20 (b) If, of the positions on the Texas Workforce Investment
21 Council that must be filled by a member who represents
22 community-based organizations, two members have terms that are next
23 scheduled to expire, one of the positions is abolished on September
24 1, 2003. On or before September 1, 2003, both of the members shall
25 determine by unanimous agreement or by lot which of the positions
26 shall be abolished on September 1, 2003, and shall inform the
27 presiding officer of the Texas Workforce Investment Council of that

1 determination.

2 SECTION 2.07. As soon as practicable after the effective
3 date of this Act, the ex officio voting members of the Texas
4 Workforce Investment Council described by Section 2308.052(b),
5 Government Code, as amended by this article, shall begin to serve on
6 the council.

7 SECTION 2.08. The changes in law made by this article in the
8 prohibitions or qualifications applying to members of the Texas
9 Workforce Investment Council do not affect the entitlement of a
10 member serving on the council immediately before September 1, 2003,
11 to continue to serve and function as a member of the council for the
12 remainder of the member's term. Those changes in law apply only to
13 a member appointed on or after September 1, 2003.

14 ARTICLE 3. COUNCIL DUTIES

15 SECTION 3.01. Section 2308.101, Government Code, is amended
16 by adding Subsection (c) to read as follows:

17 (c) The members of the council shall develop and implement
18 policies that:

19 (1) clearly separate:

20 (A) the policy-making responsibilities of the
21 members of the council; and

22 (B) the management responsibilities of the
23 executive director and the staff of the council; and

24 (2) provide the public with a reasonable opportunity
25 to appear before the council and to speak on any issue under the
26 jurisdiction of the council.

27 SECTION 3.02. Subchapter C, Chapter 2308, Government Code,

1 is amended by adding Section 2308.1015 to read as follows:

2 Sec. 2308.1015. DUTY TO FACILITATE DELIVERY OF INTEGRATED
3 WORKFORCE SERVICES. (a) To facilitate the seamless delivery of
4 integrated workforce services in this state, the council shall:

5 (1) evaluate programs administered by agencies
6 represented on the council to identify:

7 (A) any duplication of or gaps in the services
8 provided by those programs; and

9 (B) any other problems that adversely affect the
10 seamless delivery of those services; and

11 (2) develop and implement immediate and long-range
12 strategies to address problems identified by the council under
13 Subdivision (1).

14 (b) The council shall include in the council's annual report
15 to the governor and to the legislature:

16 (1) a list of specific problems identified by the
17 council under Subsection (a) to be addressed by the council in the
18 following year; and

19 (2) the results of any measures taken by the council to
20 address problems identified by the council under Subsection (a).

21 (c) The long-range strategies developed by the council
22 under Subsection (a) must:

23 (1) identify each agency represented on the council
24 that is responsible for implementing each strategy; and

25 (2) include a time frame for the implementation of
26 each strategy.

27 SECTION 3.03. Section 2308.102, Government Code, is amended

1 to read as follows:

2 Sec. 2308.102. ASSUMPTION OF DUTIES AND RESPONSIBILITIES.

3 (a) The council shall assume the duty to:

4 (1) develop, with the assistance of each appropriate
5 state agency, recommend to the governor, and report to the
6 legislature state plans required by applicable federal law in order
7 for the state to receive federal funds;

8 (2) make policy recommendations to the governor and
9 the legislature on goals and priorities for formula and
10 discretionary funds for all applicable programs; and

11 ~~(3) [participate directly in the development of the~~
12 ~~state plan for career and technology education, as required by law,~~
13 ~~and recommend the plan to the Texas Education Agency;~~

14 ~~[(4) ensure that general revenue funds previously~~
15 ~~available to the Texas Literacy Council are used to support the~~
16 ~~efforts of local literacy councils in a manner consistent with the~~
17 ~~state strategic plan;~~

18 ~~[(5) recommend to the State Board for Career and~~
19 ~~Technology Education the division of federal funds between~~
20 ~~secondary and postsecondary educational agencies under the Carl D.~~
21 ~~Perkins Vocational and Applied Technology Education Act (20 U.S.C.~~
22 ~~Section 2301 et seq.); and~~

23 ~~[(6)]~~ make recommendations to the Texas Workforce
24 Commission on unemployment insurance issues pertinent to the
25 responsibilities of the council.

26 (b) ~~[The council shall assume the responsibilities assigned~~
27 ~~to the state advisory council under the following federal laws:~~

1 ~~[(1) the Job Training Partnership Act (29 U.S.C.~~
2 ~~Section 1501 et seq.)];~~

3 ~~[(2) the Carl D. Perkins Vocational and Applied~~
4 ~~Technology Education Act (20 U.S.C. Section 2301 et seq.)];~~

5 ~~[(3) the National and Community Service Act of 1990~~
6 ~~(42 U.S.C. Section 12501 et seq.)];~~

7 ~~[(4) the Adult Education Act (20 U.S.C. Section 1201~~
8 ~~et seq.)];~~

9 ~~[(5) the Wagner-Peyser Act (29 U.S.C. Section 49 et~~
10 ~~seq.)];~~

11 ~~[(6) Part F, Subchapter IV, Social Security Act (42~~
12 ~~U.S.C. Section 681 et seq.)];~~

13 ~~[(7) the employment program established under Section~~
14 ~~6(d)(4), Food Stamp Act of 1977 (7 U.S.C. Section 2015(d)(4)); and~~

15 ~~[(8) the National Literacy Act of 1991 (20 U.S.C.~~
16 ~~Section 1201 et seq.).~~

17 ~~[(c)]~~ The council shall assume the responsibilities
18 formerly exercised by ~~[the following state advisory councils and~~
19 ~~committees:~~

20 ~~[(1) the State Job Training Coordinating Council;~~

21 ~~[(2) the Texas Council on Vocational Education;~~

22 ~~[(3) the Texas Literacy Council; and~~

23 ~~[(4)]~~ the Apprenticeship and Training Advisory
24 Committee.

25 SECTION 3.04. Section 2308.104, Government Code, is amended
26 by adding Subsection (h) to read as follows:

27 (h) The council shall include in the strategic plan

1 long-range strategies developed by the council under Section
2 2308.1015 to facilitate the seamless delivery of integrated
3 workforce services in this state.

4 SECTION 3.05. Subchapter C, Chapter 2308, Government Code,
5 is amended by adding Sections 2308.107 and 2308.108 to read as
6 follows:

7 Sec. 2308.107. COMPLAINTS AGAINST COUNCIL. (a) The
8 council shall maintain a file on each written complaint filed with
9 the council. The file must include:

- 10 (1) the name of the person who filed the complaint;
11 (2) the date the complaint is received by the council;
12 (3) the subject matter of the complaint;
13 (4) the name of each person contacted in relation to
14 the complaint;
15 (5) a summary of the results of the review or
16 investigation of the complaint; and
17 (6) an explanation of the reason the file was closed,
18 if the council closed the file without taking action other than to
19 investigate the complaint.

20 (b) The council shall provide to the person filing the
21 complaint and to each person who is a subject of the complaint a
22 copy of the council's policies and procedures relating to complaint
23 investigation and resolution.

24 (c) The council, at least quarterly until final disposition
25 of the complaint, shall notify the person filing the complaint and
26 each person who is a subject of the complaint of the status of the
27 investigation unless the notice would jeopardize an undercover

1 investigation.

2 Sec. 2308.108. POLICY ON TECHNOLOGICAL SOLUTIONS. The
3 members of the council shall develop and implement a policy
4 requiring the executive director and council employees to research
5 and propose appropriate technological solutions to improve the
6 council's ability to perform its functions. The technological
7 solutions must:

8 (1) ensure that:

9 (A) the public is able to easily find information
10 about the council on the Internet; and

11 (B) persons who want to use the council's
12 services are able to:

13 (i) interact with the council through the
14 Internet; and

15 (ii) access any service that can be
16 provided effectively through the Internet;

17 (2) be cost-effective; and

18 (3) be developed through the council's planning
19 processes.

20 SECTION 3.06. Subchapter D, Chapter 2308, Government Code,
21 is amended by adding Section 2308.159 to read as follows:

22 Sec. 2308.159. STATE EMPLOYEE INCENTIVE PROGRAM
23 INFORMATION AND TRAINING. The executive director or the executive
24 director's designee shall provide to council employees information
25 and training on the benefits and methods of participation in the
26 state employee incentive program.

27 SECTION 3.07. The Texas Workforce Investment Council shall

1 implement Sections 2308.101, 2308.1015, 2308.104, 2308.108, and
2 2308.159, Government Code, as amended or added by this article, not
3 later than February 1, 2004.

4 SECTION 3.08. Section 2308.107, Government Code, as added
5 by this article, applies only to a written complaint filed with the
6 Texas Workforce Investment Council on or after the effective date
7 of this Act, regardless of whether the conduct or act that is the
8 subject of the complaint occurred or was committed before, on, or
9 after the effective date of this Act.

10 ARTICLE 4. TRANSFER OF MAINTENANCE OF WORKFORCE
11 DEVELOPMENT EVALUATION SYSTEM FROM COUNCIL TO
12 TEXAS WORKFORCE COMMISSION

13 SECTION 4.01. The heading of Section 2308.151, Government
14 Code, is amended to read as follows:

15 Sec. 2308.151. ESTABLISHMENT OF FUNDING FORMULA FOR
16 EVALUATION SYSTEM [~~, FUNDING~~].

17 SECTION 4.02. Section 2308.151(c), Government Code, is
18 amended to read as follows:

19 [~~(c)~~] The council shall establish, with the approval of the
20 governor, a funding formula to determine the level of support each
21 agency administering a workforce program must provide to operate
22 the automated follow-up and evaluation system administered by the
23 Texas Workforce Commission under Subchapter E, Chapter 302, Labor
24 Code [~~required by this section~~].

25 SECTION 4.03. Chapter 302, Labor Code, is amended by adding
26 Subchapter E to read as follows:

27 SUBCHAPTER E. WORKFORCE DEVELOPMENT EVALUATION SYSTEM

1 Sec. 302.081. MAINTENANCE AND OPERATION OF WORKFORCE
2 DEVELOPMENT EVALUATION SYSTEM. (a) The commission shall maintain
3 and operate an automated follow-up and evaluation system derived
4 from appropriate available information, including:

5 (1) unemployment insurance wage records maintained by
6 the commission; and

7 (2) student follow-up information available through
8 the Texas Higher Education Coordinating Board.

9 (b) The agencies represented on the council shall fund the
10 maintenance and operation of the evaluation system by using funds
11 available to the agencies for evaluation of each agency's workforce
12 development programs.

13 Sec. 302.082. INFORMATION AND DATA FOR EVALUATION SYSTEM.

14 (a) Each state agency represented on the council shall provide
15 information to support the commission's follow-up and evaluation
16 system as requested.

17 (b) Evaluation data in the system must include:

18 (1) placement rates;

19 (2) wages paid;

20 (3) retention in employment statistics;

21 (4) the number of education and training-related
22 placements; and

23 (5) other appropriate factors, including public
24 welfare dependency and the pursuit of additional education.

25 (c) The commission may develop a method for collecting
26 occupational information to supplement wage record information
27 collected by the commission. The commission may request employers,

1 providers, and other appropriate sources to provide placement,
2 employment, and earnings information to the commission.

3 Sec. 302.083. ANALYSIS. (a) At least annually, the
4 commission shall issue an analysis, by occupation and by the
5 provider of the job placement performance, of each workforce
6 development program for the previous one-year, three-year, and
7 five-year periods to:

8 (1) each provider of workforce education or workforce
9 training and services;

10 (2) the Texas Higher Education Coordinating Board for
11 each provider of workforce education approved and administered by
12 the coordinating board;

13 (3) each local workforce development board for each
14 provider of workforce training and services in the workforce
15 development area; and

16 (4) the division.

17 (b) The commission shall post each analysis issued under
18 Subsection (a) on the commission's Internet website in a format
19 that is readily accessible to and understandable by a member of the
20 public.

21 Sec. 302.084. USE BY TEXAS HIGHER EDUCATION COORDINATING
22 BOARD. The Texas Higher Education Coordinating Board shall use the
23 job placement information received under this subchapter and other
24 information to:

25 (1) evaluate the effectiveness of workforce
26 education;

27 (2) determine whether a public or private workforce

1 education program is effective in placing persons who successfully
2 complete the program in jobs related to the persons' training; and

3 (3) determine whether to continue, expand, or
4 terminate a program established under Section 61.051, Education
5 Code.

6 Sec. 302.085. USE BY COUNCIL AND WORKFORCE DEVELOPMENT
7 BOARD. The council and each local workforce development board
8 shall use the information developed under this subchapter and other
9 information to determine whether a specific workforce training and
10 services program administered by or funded by the local board is
11 effective and whether to continue the training and services
12 program.

13 Sec. 302.086. USE OF EVALUATION SYSTEM. The follow-up and
14 evaluation system shall be used to assist the commission, the
15 council, local workforce development boards, institution boards,
16 the Texas Higher Education Coordinating Board, the Texas Education
17 Agency, and other agencies in evaluating the labor market success
18 and effectiveness of workforce development in this state.

19 SECTION 4.04. As soon as practicable after the effective
20 date of this Act, the Texas Workforce Investment Council shall
21 transfer all records and information relating to the maintenance
22 and operation of the workforce development evaluation system to the
23 Texas Workforce Commission.

24 ARTICLE 5. REPEALER

25 SECTION 5.01. Sections 2308.151(a) and (b), Government
26 Code, are repealed.

27 SECTION 5.02. Sections 2308.152-2308.156, Government Code,

1 are repealed.

2 ARTICLE 6. CONFORMING AMENDMENTS

3 SECTION 6.01. Section 19.011, Education Code, is amended to
4 read as follows:

5 Sec. 19.011. COORDINATION WITH OTHER STATE AGENCIES. (a)
6 In order to achieve the goals stated in Section 19.003, the district
7 with the cooperation of the Health and Human Services Commission,
8 the Texas Workforce Investment Council [~~on Workforce and Economic~~
9 ~~Competitiveness~~], the Texas Department of Economic Development
10 [~~Commerce~~], and the department shall provide persons confined or
11 imprisoned in the department:

12 (1) information from local workforce and development
13 boards on job training and employment referral services; and

14 (2) information on the tax refund voucher program
15 under Subchapter H [~~D~~], Chapter 301 [~~31~~], Labor [~~Human Resources~~]
16 Code[, ~~and~~

17 [~~(3) information on the smart jobs fund program~~].

18 (b) The district may coordinate vocational education and
19 job training programs with a local workforce development board
20 authorized by the Texas Workforce Investment Council [~~on Workforce~~
21 ~~and Economic Competitiveness~~].

22 SECTION 6.02. Section 30.103, Education Code, is amended
23 to read as follows:

24 Sec. 30.103. MEMORANDUM OF UNDERSTANDING. The Texas Youth
25 Commission with the assistance of the Texas Workforce [~~Employment~~]
26 Commission and the Texas Workforce Investment Council [~~on Workforce~~
27 ~~and Economic Competitiveness~~] shall by rule adopt a memorandum of

1 understanding that establishes the respective responsibility of
2 those entities to provide through local workforce development
3 boards job training and employment assistance programs to children
4 committed or formerly sentenced to the Texas Youth Commission. The
5 Texas Youth Commission shall coordinate the development of the
6 memorandum of understanding and include in its annual report
7 information describing the number of children in the preceding year
8 receiving services under the memorandum.

9 SECTION 6.03. Section 61.051(f), Education Code, is amended
10 to read as follows:

11 (f) The board shall encourage and develop new certificate
12 programs in technical and vocational education in Texas public
13 technical institutes and public community colleges as the needs of
14 technology and industry may demand and shall recommend the
15 elimination of such programs for which a need no longer exists. The
16 board shall conduct a review of the certificate programs at least
17 every four years or on the request of the Texas Workforce Investment
18 Council [~~on Workforce and Economic Competitiveness~~] and shall
19 terminate a program that does not meet performance review standards
20 and other criteria established by the board. The board shall assume
21 the leadership role and administrative responsibilities for state
22 level administration of postsecondary technical-vocational
23 education programs in Texas public community colleges, public
24 technical institutes, and other eligible public postsecondary
25 institutions. The board shall ensure that standardized minimum
26 technical and skill-specific competency and performance standards
27 for each workforce education program, as developed by the Texas

1 Workforce Investment Council [~~on Workforce and Economic~~
2 ~~Competitiveness~~], are used in the board's review, approval, or
3 disapproval of a vocational and technical program financed by state
4 and federal funds.

5 SECTION 6.04. Section 61.077, Education Code, is amended to
6 read as follows:

7 Sec. 61.077. JOINT ADVISORY COMMITTEE. (a) A joint
8 advisory committee shall advise the Texas Higher Education
9 Coordinating Board and the State Board of Education in coordinating
10 postsecondary career and technology activities, career and
11 technology teacher education programs offered or proposed to be
12 offered in the colleges and universities of this state, and other
13 relevant matters, including those listed in Section 61.076 of this
14 code. The committee shall be composed of three members from the
15 State Board of Education[~~7~~] appointed by the chair [~~chairman~~]
16 the board, [~~and~~] three members from the Texas Higher Education
17 Coordinating Board[~~7~~] appointed by the chairman of the board, one
18 member designated by the presiding officer of the Texas Workforce
19 Investment Council [~~on Workforce and Economic Competitiveness~~],
20 and one member representing business designated by the chair of the
21 Texas Partnership for Economic Development. A member of the board
22 shall be designated as chairman of the joint advisory committee by
23 the chairman of the board. The committee shall hold regular annual
24 meetings as called by the chairman.

25 (b) The purposes of this committee shall include the
26 following:

27 (1) to advise the two boards on the coordination of

1 postsecondary career and technology education and the articulation
2 between postsecondary career and technology education and
3 secondary career and technology education;

4 (2) to facilitate the transfer of responsibilities for
5 the administration of postsecondary career and technology
6 education from the State Board of Education to the board in
7 accordance with Section 111(a)(I) of the Carl D. Perkins Vocational
8 Education Act, Public Law 98-524;

9 (3) to advise the State Board of Education, when it
10 acts as the State Board for Career and Technology Education, on the
11 following:

12 (A) the transfer of federal funds to the board
13 for allotment to eligible public postsecondary institutions of
14 higher education;

15 (B) the career and technology education funding
16 for projects and institutions as determined by the board when the
17 State Board for Career and Technology Education is required by
18 federal law to endorse such determinations;

19 (C) the development and updating of the state
20 plan for career and technology education and the evaluation of
21 programs, services, and activities of postsecondary career and
22 technology education and such amendments to the state plan for
23 career and technology education as may relate to postsecondary
24 education;

25 (D) other matters related to postsecondary
26 career and technology education; and

27 (E) the coordination of curricula, instructional

1 programs, research, and other functions as appropriate, including
2 areas listed in Section 61.076 of this code, school-to-work and
3 school-to-college transition programs, and professional
4 development activities; and

5 (4) to advise the Texas Workforce Investment Council
6 [~~on Workforce and Economic Competitiveness~~] on educational policy
7 issues related to workforce preparation.

8 SECTION 6.05. Sections 76.014(a) and (c), Government Code,
9 are amended to read as follows:

10 (a) A department, with the assistance of the Texas Workforce
11 Commission, the Texas Workforce Investment Council [~~on Workforce~~
12 ~~and Economic Competitiveness~~], local workforce development boards,
13 and other appropriate public and private entities, may establish a
14 developmental program for a defendant under the supervision of the
15 department on the basis of information obtained in the presentence
16 investigation report prepared for the defendant.

17 (c) To decrease expenditures by departments for the
18 educational and vocational skills assessment and enhancement
19 program established under this section, the Texas Department of
20 Economic Development [~~Commerce~~] shall provide information to
21 departments, the Texas Workforce Commission, the Texas Workforce
22 Investment Council [~~on Workforce and Economic Competitiveness~~],
23 local workforce development boards, and other appropriate public
24 and private entities for obtaining financial assistance through
25 programs under Chapter 301, Labor Code, and other applicable
26 programs of public or private entities.

27 SECTION 6.06. Section 481.168(a), Government Code, is

1 amended to read as follows:

2 (a) The attorney general, the comptroller, the Texas
3 Department of Economic Development, and the Texas Workforce
4 Investment Council [~~on Workforce and Economic Competitiveness~~]
5 shall:

6 (1) conduct a survey of tax incentive laws and
7 economic development laws enacted in other states since 1990; and

8 (2) deliver to the governor, the lieutenant governor,
9 and the speaker of the house of representatives a joint report of
10 the results of the survey.

11 SECTION 6.07. Section 497.094(b), Government Code, is
12 amended to read as follows:

13 (b) The department and the Texas Workforce Investment
14 Council [~~on Workforce and Economic Competitiveness~~] by rule shall
15 adopt a memorandum of understanding that establishes the respective
16 responsibility of those entities to provide through local workforce
17 development boards job training and employment assistance to
18 persons formerly sentenced to the institutional division or the
19 state jail division and information on services available to
20 employers or potential employers of those persons. The department
21 shall coordinate the development of the memorandum of
22 understanding.

23 SECTION 6.08. Section 31.0126(f), Human Resources Code, is
24 amended to read as follows:

25 (f) In this section, a "local workforce development board"
26 means a local workforce development board created under Chapter
27 2308, Government Code [~~Section 4.01, Workforce and Economic~~

1 ~~Competitiveness Act (Article 5190.7a, Vernon's Texas Civil~~
2 ~~Statutes)]~~.

3 SECTION 6.09. Sections 301.001(d)(3) and (6), Labor Code,
4 are amended to read as follows:

5 (3) "Council" means the Texas Workforce Investment
6 Council [~~on Workforce and Economic Competitiveness~~].

7 (6) "Local workforce development board" means an
8 entity formed under Chapter 2308, Government Code [~~Section 4.01,~~
9 ~~Workforce and Economic Competitiveness Act (Article 5190.7a,~~
10 ~~Vernon's Texas Civil Statutes)]~~.

11 SECTION 6.10. Sections 306.007(a) and (b), Labor Code, are
12 amended to read as follows:

13 (a) To assist in the reintegration into the labor force of
14 persons formerly sentenced to the institutional division or the
15 state jail division, the commission through Project RIO shall
16 provide:

17 (1) to those persons:

18 (A) information from local workforce development
19 boards on job training and employment referral services;

20 (B) information from the Texas Commission on
21 Alcohol and Drug Abuse on substance abuse treatment services;

22 (C) information from the Texas Department of
23 Housing and Community Affairs on housing services;

24 (D) information from the Texas Veterans
25 Commission on services for veterans; and

26 (E) information [~~from the Texas Department of~~
27 ~~Human Services~~] on tax refund voucher programs under Subchapter H

1 [D], Chapter 301 [~~31, Human Resources Code~~]; and

2 (2) to the employers and potential employers of those
3 persons:

4 (A) information from the Texas Department of
5 Economic Development [~~Commerce~~] on the enterprise zone program [~~and~~
6 ~~smart jobs fund program~~]; and

7 (B) information from local workforce development
8 boards on services listed in Section 2308.304, Government Code.

9 (b) The commission shall adopt a memorandum of
10 understanding with each of the following agencies that establishes
11 the respective responsibilities of the commission and the agencies
12 in providing information described by Subsection (a) to persons
13 formerly sentenced to the institutional division or the state jail
14 division of the Texas Department of Criminal Justice, to employers
15 or potential employers of those persons, and to local workforce
16 development boards:

17 (1) the Texas Commission on Alcohol and Drug Abuse;

18 (2) the Texas Department of Housing and Community
19 Affairs;

20 (3) the Texas Veterans Commission;

21 (4) the Texas Department of Human Services;

22 (5) the Texas Department of Economic Development
23 [~~Commerce~~]; and

24 (6) the Texas Workforce Investment Council [~~on~~
25 ~~Workforce and Economic Competitiveness~~].

26 SECTION 6.11. Section 313.025(c), Tax Code, is amended to
27 read as follows:

1 (c) In determining whether to grant an application, the
2 governing body of the school district is entitled to request and
3 receive assistance from:

4 (1) the comptroller;

5 (2) the Texas Department of Economic Development;

6 (3) the Texas Workforce Investment Council [~~on~~
7 ~~Workforce and Economic Competitiveness~~]; and

8 (4) the Texas Workforce Commission.

9 ARTICLE 7. TRANSITION PROVISIONS; EFFECTIVE DATE

10 SECTION 7.01. The name of the Council on Workforce and
11 Economic Competitiveness is changed to the Texas Workforce
12 Investment Council. Any reference in law to the Council on
13 Workforce and Economic Competitiveness means the Texas Workforce
14 Investment Council.

15 SECTION 7.02. All appropriations made by the legislature
16 for the use and benefit of the Council on Workforce and Economic
17 Competitiveness are available for the use and benefit of the Texas
18 Workforce Investment Council.

19 SECTION 7.03. This Act takes effect September 1, 2003.