

BILL ANALYSIS

C.S.H.B. 4328

By: Strama

Technology, Economic Development & Workforce
Committee Report (Substituted)

BACKGROUND AND PURPOSE

A low level of literacy in the workforce presents an enormous challenge to the future of economic prosperity in Texas.

C.S.H.B. 4328 creates the Interagency Literacy Council and requires the council to develop a statewide action plan to address literacy needs, including literacy needs relating to workforce and economic development in Texas.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 1 of this bill.

ANALYSIS

C.S.H.B. 4328 amends the Labor Code to require the Texas Workforce Commission (TWC) to create the Interagency Literacy Council. The bill establishes that the council is subject to the Texas Sunset Act and that unless continued in existence as provided by that act, the council is abolished and these provisions expire September 1, 2019.

C.S.H.B. 4328 establishes that the council is composed of nine members as follows: a representative of TWC, appointed by the executive director of TWC; a representative of the Texas Education Agency, appointed by the commissioner of education; a representative of the Texas Higher Education Coordinating Board, appointed by the commissioner of higher education; and six public members who are leaders of the business or nonprofit community engaged in literacy promotion efforts, appointed by the executive director of TWC. The bill requires the designated appointing officials to appoint the members to the council as soon as practicable after the effective date of this bill. The bill requires the representative of TWC to serve as the presiding officer of the council. The bill requires TWC to provide staff and resources as necessary for the operation of the council. The bill establishes that members of the council serve two-year terms, with the terms expiring February 1 of each odd-numbered year. The bill authorizes a member to be reappointed, and requires a vacancy on the council to be filled for the remainder of the unexpired term in the same manner as appointments made to the council.

C.S.H.B. 4328 requires the council to meet in person at least three times each year and to hold meetings by conference call if necessary. The bill requires the council to invite stakeholders to participate in at least one council meeting each year and to provide an opportunity for submission of oral or written testimony. The bill establishes that the open meetings laws apply to a meeting held by conference call, but exempts the council from provisions specifying when a conference call may be held. The bill prohibits a member of the council from receiving compensation for service on the council and authorizes a public member to be reimbursed for the member's actual and necessary expenses for meals, lodging, transportation, and incidental expenses incurred while performing council business, subject to any applicable limitation on

reimbursement prescribed by the General Appropriations Act.

C.S.H.B. 4328 requires the council to study current research to assess the adult literacy needs in Texas, including literacy needs relating to business and finance, workforce and technology, civics, and health and wellness; consult with key stakeholders to identify barriers to improving literacy and evidence-based best practices for improving literacy; review the status of the programs and services administered by each agency or entity represented on the council that promote literacy in an effort to coordinate efforts, align services, reduce redundancies, implement best practices, integrate support services, and improve accountability; build existing funding streams and identify additional state and federal funding sources available for the promotion of literacy in Texas; and raise literacy awareness and engage community leaders in creative solution building for improving literacy in Texas.

C.S.H.B. 4328 requires the council to develop a comprehensive statewide action plan for the improvement of literacy in Texas, including a recommended timeline for implementation. The bill requires the council to submit to both houses of the legislature, the governor, and the Texas Workforce Investment Council on or before November 1 of each even-numbered year a written report on the development of the council's statewide action plan, the actions taken in furtherance of the plan, the areas that need improvement in implementing the plan, any change to the plan, and the programs and services that address literacy needs in Texas. The bill requires the council to submit the initial report not later than November 1, 2012.

C.S.H.B. 4328 authorizes TWC to accept for the council a gift, grant, or donation from any source to carry out the purposes of the bill. The bill authorizes TWC to adopt rules necessary to implement the bill's provisions. The bill defines "council."

EFFECTIVE DATE

On passage, or, if the act does not receive the necessary vote, the act takes effect September 1, 2009.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4328 differs from the original by requiring the report of the Interagency Literacy Council to be submitted to the Texas Workforce Investment Council in addition to the governor and both houses of the legislature.