

1-1 By: Villarreal, et al. (Senate Sponsor - Duncan) H.B. No. 1935
1-2 (In the Senate - Received from the House May 8, 2009;
1-3 May 12, 2009, read first time and referred to Committee on Higher
1-4 Education; May 23, 2009, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 May 23, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1935 By: Duncan

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the establishment of the Jobs and Education for Texans
1-11 (JET) Grant Program to support adult and postsecondary education
1-12 and workforce development.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Chapter 403, Government Code, is amended by
1-15 adding Subchapter O to read as follows:

1-16 SUBCHAPTER O. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

1-17 Sec. 403.351. DEFINITIONS. In this subchapter:

1-18 (1) "Nonprofit organization" means an organization
1-19 exempt from federal income taxation under Section 501(a), Internal
1-20 Revenue Code of 1986, as an organization described by Section
1-21 501(c)(3) of that code.

1-22 (2) "Public junior college," "public state college,"
1-23 and "public technical institute" have the meanings assigned by
1-24 Section 61.003, Education Code.

1-25 Sec. 403.352. JOBS AND EDUCATION FOR TEXANS (JET) FUND. (a)
1-26 The comptroller shall establish and administer the Jobs and
1-27 Education for Texans (JET) fund as a dedicated account in the
1-28 general revenue fund.

1-29 (b) The following amounts shall be deposited in the fund:

1-30 (1) any amounts appropriated by the legislature for
1-31 the fund for purposes of this subchapter;

1-32 (2) interest earned on the investment of money in the
1-33 fund; and

1-34 (3) gifts, grants, and other donations received for
1-35 the fund.

1-36 Sec. 403.353. ADVISORY BOARD. (a) An advisory board of
1-37 education and workforce stakeholders is created to assist the
1-38 comptroller in administering this subchapter.

1-39 (b) The advisory board is composed of seven members who
1-40 serve two-year terms and are appointed as follows:

1-41 (1) one member appointed by the governor;

1-42 (2) one member appointed by the lieutenant governor;

1-43 (3) one member appointed by the speaker of the house of
1-44 representatives;

1-45 (4) one member appointed by the Texas Higher Education
1-46 Coordinating Board;

1-47 (5) one member appointed by the Texas Workforce
1-48 Commission;

1-49 (6) one member of the public appointed by the
1-50 comptroller; and

1-51 (7) the comptroller, who serves as the presiding
1-52 officer.

1-53 (c) The advisory board shall meet at least once each quarter
1-54 to review received applications and recommend awarding grants under
1-55 this subchapter.

1-56 Sec. 403.354. JOBS AND EDUCATION FOR TEXANS (JET) GRANT
1-57 PROGRAM. The comptroller shall establish and administer the Jobs
1-58 and Education for Texans (JET) grant program to provide grants to
1-59 public junior colleges, public technical institutes, and eligible
1-60 nonprofit organizations that apply to the advisory board in the
1-61 manner prescribed by the advisory board. The comptroller shall
1-62 award the grants on the advice and recommendations of the advisory
1-63 board. Grants may be awarded under this subchapter from the JET

2-1 fund for the following purposes:
2-2 (1) to develop, support, or expand programs of
2-3 nonprofit organizations that meet the requirements of Section
2-4 403.355 and that prepare low-income students for careers in
2-5 high-demand occupations;
2-6 (2) to defray the startup costs associated with the
2-7 development of new career and technical education programs at
2-8 public junior colleges and public technical institutes that meet
2-9 the requirements of Section 403.356; and
2-10 (3) to provide scholarships for students in career and
2-11 technical education programs who meet the requirements of Section
2-12 403.357.
2-13 Sec. 403.355. GRANTS TO NONPROFIT ORGANIZATIONS FOR
2-14 INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The comptroller may award
2-15 a grant to a nonprofit organization eligible under Subsection (b)
2-16 for the development, support, or expansion of programs to prepare
2-17 low-income students for careers in high-demand occupations.
2-18 (b) To be eligible to receive a grant under this section, a
2-19 nonprofit organization must:
2-20 (1) provide a program to offer assistance to
2-21 low-income students in preparing for, applying to, and enrolling in
2-22 a public junior college or public technical institute;
2-23 (2) be governed by a board or other governing
2-24 structure that includes recognized leaders of broad-based
2-25 community organizations and members of the local business
2-26 community;
2-27 (3) demonstrate to the satisfaction of the advisory
2-28 board that the organization's program has achieved or will achieve
2-29 the following measures of success among program participants, to
2-30 the extent applicable to the type of program the organization
2-31 provides:
2-32 (A) above average completion of developmental
2-33 education among participating public junior college or public
2-34 technical institute students;
2-35 (B) above average persistence rates among
2-36 participating public junior college or public technical institute
2-37 students;
2-38 (C) above average certificate or degree
2-39 completion rates by participating students within a three-year
2-40 period compared to demographically comparable public junior
2-41 college and public technical institute students; and
2-42 (D) employment of participating students at an
2-43 average full-time starting wage that is equal to or greater than the
2-44 prevailing wage for the occupation entered; and
2-45 (4) provide matching funds in accordance with rules
2-46 adopted under Section 403.358.
2-47 (c) The matching funds required under Subsection (b)(4) may
2-48 be obtained from any source available to the nonprofit
2-49 organization, including in-kind contributions, community or
2-50 foundation grants, individual contributions, and local
2-51 governmental agency operating funds.
2-52 (c-1) In determining which eligible nonprofit organizations
2-53 should be awarded a grant under this section among two or more
2-54 eligible nonprofit organizations offering similar programs, the
2-55 comptroller shall give priority to any of those organizations that
2-56 has an existing program in place to assist veterans.
2-57 (d) Grants awarded under this section must be awarded in a
2-58 manner that takes a balanced geographical distribution into
2-59 consideration.
2-60 (e) This section does not authorize the comptroller to award
2-61 a grant to:
2-62 (1) a nonprofit organization to provide a
2-63 comprehensive educational program to students that serves as a
2-64 substitute for a regular educational program provided by a school
2-65 district or open-enrollment charter school; or
2-66 (2) a private elementary or secondary school.
2-67 Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER
2-68 AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a
2-69 grant for the development of new career and technical education

3-1 courses or programs at public junior colleges and public technical
 3-2 institutes.

3-3 (b) A grant received under this section may be used only:

3-4 (1) to support courses or programs that prepare
 3-5 students for career employment in occupations that are identified
 3-6 by local businesses as being in high demand;

3-7 (2) to finance initial costs of career and technical
 3-8 education course or program development, including the costs of
 3-9 constructing or renovating facilities, purchasing equipment, and
 3-10 other expenses associated with the development of a new course; and

3-11 (3) to finance a career and technical education course
 3-12 or program that leads to a license, certificate, or postsecondary
 3-13 degree.

3-14 (c) In awarding a grant under this section, the comptroller
 3-15 shall primarily consider the potential economic returns to the
 3-16 state from the development of the career and technical education
 3-17 course or program. The comptroller may also consider whether the
 3-18 course or program:

3-19 (1) is part of a new, emerging industry or high-demand
 3-20 occupation;

3-21 (2) offers new or expanded dual credit career and
 3-22 technical educational opportunities in public high schools; or

3-23 (3) is provided in cooperation with other public
 3-24 junior colleges or public technical institutes across existing
 3-25 service areas.

3-26 (d) To be eligible to receive a grant under this section, a
 3-27 public junior college or public technical institute must provide
 3-28 matching funds in accordance with rules adopted under Section
 3-29 403.358. The matching funds may be obtained from any source
 3-30 available to the college, including in-kind contributions,
 3-31 industry consortia, community or foundation grants, individual
 3-32 contributions, and local governmental agency operating funds.

3-33 Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may award
 3-34 a scholarship to a public junior college or public technical
 3-35 institute student.

3-36 (b) To be eligible to receive a scholarship under this
 3-37 section, a student must:

3-38 (1) demonstrate financial need; and

3-39 (2) be enrolled in a training program for a
 3-40 high-demand occupation, as determined by the comptroller on the
 3-41 recommendation of the advisory board.

3-42 Sec. 403.358. RULES. The comptroller shall adopt rules as
 3-43 necessary for the administration of this subchapter.

3-44 Sec. 403.359. STUDY. (a) The comptroller shall conduct a
 3-45 study of the feasibility of:

3-46 (1) basing a portion of all public postsecondary
 3-47 technical training program funding on the economic benefit of the
 3-48 program to the state; and

3-49 (2) for purposes of Subdivision (1), estimating the
 3-50 amount of any additional tax revenue generated by employers that
 3-51 results from the ability of public junior colleges, public state
 3-52 colleges, or public technical institutes to prepare students for
 3-53 employment fields for which there is employer demand.

3-54 (b) The comptroller shall begin the study not later than
 3-55 January 1, 2010. Not later than January 1, 2011, the comptroller
 3-56 shall make recommendations to the lieutenant governor and the
 3-57 speaker of the house of representatives for legislative action
 3-58 based on the results of the study.

3-59 (c) This section expires September 1, 2011.

3-60 SECTION 2. Grants provided through the Texas Adult Career
 3-61 Education Grant Program established under Section 403.351,
 3-62 Government Code, as added by this Act may only benefit a permanent
 3-63 legal resident or citizen of the United States.

3-64 SECTION 3. This Act does not make an appropriation. This
 3-65 Act takes effect only if a specific appropriation for the
 3-66 implementation of this Act is provided in a general appropriations
 3-67 act of the 81st Legislature.

3-68 SECTION 4. This Act takes effect immediately if it receives
 3-69 a vote of two-thirds of all the members elected to each house, as

4-1 provided by Section 39, Article III, Texas Constitution. If this
4-2 Act does not receive the vote necessary for immediate effect, this
4-3 Act takes effect September 1, 2009.

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