

By: Strama

H.B. No. 2492

A BILL TO BE ENTITLED

AN ACT

relating to the creation, operation, and funding of the Texas YouthBuild Program.

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

SECTION 1. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 312 to read as follows:

CHAPTER 312. TEXAS YOUTHBUILD PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 312.001. DEFINITIONS. In this chapter:

(1) "Energy-efficient" means, with respect to a project, sustainable, long-lasting construction, rehabilitation, or retrofitting that reduces the energy costs of conventional construction, rehabilitation, or retrofitting by not less than 20 percent.

(2) "Participant" means an individual who is receiving training and other services through the program.

(3) "Program" means the Texas YouthBuild Program established under this chapter.

(4) "Project" means a construction, rehabilitation, or other project eligible for funding through a grant awarded under this chapter.

[Sections 312.002-312.050 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES OF COMMISSION

Sec. 312.051. PROGRAM; ADMINISTRATION. (a) The Texas

1 YouthBuild Program is established in the Texas Workforce Commission  
2 as a workforce training and development program.

3 (b) The commission shall administer the program and may  
4 employ personnel as necessary to administer the program.

5 Sec. 312.052. PROGRAM FUNDING. (a) The program is funded by  
6 appropriations from the legislature and other available money,  
7 including funds from federal agencies, identified by the  
8 commission, the Texas Youth Commission, the Texas Juvenile  
9 Probation Commission, the Texas Department of Criminal Justice, the  
10 Texas Education Agency, or other state agencies.

11 (b) The commission may solicit and accept gifts, grants, and  
12 other donations for operation of the program.

13 (c) The commission may not provide more than 75 percent of  
14 the money budgeted for a project.

15 Sec. 312.053. RULES. The commission shall adopt rules as  
16 necessary to implement the program, including rules for auditing  
17 grants awarded under this chapter and accountability requirements  
18 for grant recipients.

19 Sec. 312.054. ANNUAL REPORT. (a) The commission shall  
20 report to the governor and the legislature at the end of each state  
21 fiscal year on the status of the program.

22 (b) The annual report must include for that fiscal year:

23 (1) the number of grants awarded;

24 (2) the total dollar amount of grants awarded;

25 (3) the geographical distribution of grants awarded;

26 (4) the number of youths and other persons  
27 participating in projects funded by grants;

1           (5) the number of youths and other persons who secured  
2 permanent jobs at the conclusion of participation in projects  
3 funded by grants;

4           (6) the number of youths who graduated from high  
5 school or received a high school equivalency certificate while  
6 participating in the program;

7           (7) the rate of job placement among youths  
8 participating in the program;

9           (8) the number of housing units and other buildings  
10 constructed or rehabilitated through projects funded by grants; and

11           (9) the estimated dollar savings due to improved  
12 energy efficiency in projects funded by grants.

13           [Sections 312.055-312.100 reserved for expansion]

14           SUBCHAPTER C. TEXAS YOUTHBUILD PROGRAM

15           Sec. 312.101. PROGRAM PURPOSES. The Texas YouthBuild  
16 Program shall:

17           (1) promote the economic self-sufficiency of  
18 disadvantaged or at-risk youth, non-violent juvenile offenders,  
19 and young veterans by providing those persons with opportunities to  
20 acquire job skills while performing community service activities;

21           (2) create opportunities for communities to restore  
22 abandoned properties and historic areas, enhance public places, and  
23 increase the availability of affordable, energy-efficient housing  
24 for individuals and families of low income; and

25           (3) create training and employment opportunities for  
26 eligible veterans.

27           Sec. 312.102. PARTICIPANT ELIGIBILITY. (a) To be eligible

1 to participate in the program, a participant must be an individual  
2 at least 16 years of age but younger than 24 years of age who:

3 (1) is not attending high school and has not received a  
4 high school diploma or high school equivalency certificate; or

5 (2) is attending high school or a program leading to a  
6 high school equivalency certificate but is at risk of dropping out  
7 of high school or the equivalency certification program.

8 (b) In addition to meeting the requirements of Subsection  
9 (a), a program participant must be:

10 (1) an individual who is:

11 (A) a member of a household that receives public  
12 assistance and earns not more than 80 percent of the area median  
13 income;

14 (B) errant, homeless, or a potential ward of the  
15 Texas Department of Criminal Justice or the Texas Youth Commission;

16 (C) educationally disadvantaged, as defined by  
17 commission rule; or

18 (D) referred to the program by a school district,  
19 state agency, or court; or

20 (2) a veteran who is younger than 24 years of age.

21 [Sections 312.103-312.150 reserved for expansion]

22 SUBCHAPTER D. PROGRAM GRANTS

23 Sec. 312.151. GRANTS. (a) The executive director shall  
24 award grants under the program to eligible entities for projects  
25 that meet the requirements of this subchapter.

26 (b) To be eligible to receive a grant from the program, a  
27 grant recipient must use the grant for a project that provides

1 services specified in Sections 312.154 and 312.155 to individuals  
2 eligible to participate in the program under Section 312.102.

3 Sec. 312.152. ELIGIBLE ENTITIES. (a) Subject to  
4 Subsection (b), the following entities may apply to receive a grant  
5 for an eligible project under this subchapter:

6 (1) a private, nonprofit, tax-exempt organization  
7 listed in Section 501(c)(3), Internal Revenue Code of 1986;

8 (2) a public agency that operates a community-based  
9 youth employment training program;

10 (3) a community housing development organization  
11 certified by the state;

12 (4) a community educational facility as an alternative  
13 to placement to the Texas Youth Commission and the Texas Department  
14 of Criminal Justice;

15 (5) a corps-based community service organization;

16 (6) an open-enrollment charter school approved by the  
17 Texas Education Agency; or

18 (7) a public school.

19 (b) To be eligible to receive a grant, an applicant must  
20 demonstrate that the applicant:

21 (1) has at least three years of successful experience  
22 operating programs that benefit disadvantaged or at-risk youth;

23 (2) has successful experience in counseling and  
24 support services for high school dropouts and at-risk youth; and

25 (3) has successful experience in job training in the  
26 field of the eligible project.

27 (c) A private school, as defined by Section 5.001, Education

1 Code, or for-profit entity is not eligible to receive a grant under  
2 this subchapter.

3 Sec. 312.153. GRANT APPLICATION. A grant application for a  
4 proposed project must be filed with the commission on a form  
5 prescribed by the commission. The application must include:

6 (1) a statement of the amount of money requested;

7 (2) a description of the proposed project;

8 (3) a description of the applicant's qualifications,  
9 including the applicant's experience with youth, law enforcement  
10 agencies, and educational and community groups;

11 (4) if applicable, a list of proposed sites for  
12 construction or rehabilitation of housing or other buildings;

13 (5) if applicable, a description of proposed  
14 energy-efficient construction or rehabilitation activities,  
15 including an implementation schedule;

16 (6) a description of the applicant's proposed  
17 procedures for recruiting and selecting participants in the  
18 project;

19 (7) a proposed budget, including procedures for  
20 auditing and accountability;

21 (8) if applicable, a description of proposed financing  
22 for property acquisition, rehabilitation, or construction;

23 (9) a list of relevant contracts or other arrangements  
24 between the applicant and public agencies that will facilitate  
25 implementation of the project;

26 (10) a list of prospective donations, grants, or  
27 in-kind contributions for the project that will supplement money

1 received through the grant;

2 (11) a certification satisfactory to the commission of  
3 the applicant's compliance with:

4 (A) state and federal fair housing laws;

5 (B) the Civil Rights Act of 1964 (42 U.S.C.  
6 Section 2000a et seq.);

7 (C) the Americans with Disabilities Act of 1990  
8 (42 U.S.C. Section 12101 et seq.);

9 (D) the Rehabilitation Act of 1973 (29 U.S.C.  
10 Section 701 et seq.); and

11 (E) the Age Discrimination in Employment Act of  
12 1967 (29 U.S.C. Section 621 et seq.); and

13 (12) any other requirements that the commission  
14 establishes by rule.

15 Sec. 312.154. PROJECT REQUIREMENTS; SERVICES TO  
16 PARTICIPANTS. A project for which a grant is received under the  
17 program must provide or develop a plan to provide to a participant:

18 (1) integrated green job training and education,  
19 divided between:

20 (A) practical, hands-on work experience at  
21 project sites; and

22 (B) if the participant has not received a high  
23 school diploma or high school equivalency certificate, academic and  
24 project-based instruction designed to result in the attainment of a  
25 high school diploma or high school equivalency certificate;

26 (2) direct access to counseling and support services,  
27 including assessment and orientation services, life-skills

1 training, peer tutoring, gang prevention techniques, parenting and  
2 child-care skills, and medical and legal screening and referrals;

3 (3) direct access to leadership training designed to  
4 develop ethics, citizenship, personal responsibility, critical  
5 thinking, and decision-making, problem-solving, and negotiation  
6 skills;

7 (4) direct access to assistance in making the  
8 transition from training to economic self-sufficiency, including  
9 career counseling, job placement, personal finance, homebuyer  
10 education, and follow-up services; and

11 (5) guidance and support in earning college  
12 scholarships.

13 Sec. 312.155. TRAINING STIPEND. (a) A project for which a  
14 grant is received under the program must provide a training stipend  
15 to each participant who works on the project. A training stipend  
16 under this section must:

17 (1) be in an amount determined by commission rule;

18 (2) be provided for a period not to exceed two years;

19 and

20 (3) be conditioned on the demonstration by the  
21 participant of improved job performance and personal  
22 responsibility as determined by commission rule.

23 (b) A stipend provided under this section does not count as  
24 income or resources for purposes of determining the eligibility of  
25 the participant or the participant's household for any form of  
26 public assistance or in determining the amount of that assistance.

27 Sec. 312.156. ELIGIBLE PROJECTS. A project for which a



1 grant is received under the program must provide at least one of the  
2 following services:

3 (1) the acquisition, rehabilitation, or construction  
4 of energy-efficient, affordable housing for:

5 (A) individuals and families earning not more  
6 than 80 percent of the area median income;

7 (B) veterans of the United States armed forces;  
8 or

9 (C) individuals with a disability, as defined by  
10 Sections 2052.003(b) and (c), Government Code;

11 (2) the energy-efficient rehabilitation or  
12 retrofitting of:

13 (A) a historic structure, as defined by Section  
14 442.001, Government Code;

15 (B) a publicly owned facility, including public  
16 schools and public facilities that are part of a designated  
17 cultural district; or

18 (C) a facility, located in a low-income area as  
19 defined by commission rule, that is owned by a private, nonprofit,  
20 tax-exempt organization listed in Section 501(c), Internal Revenue  
21 Code of 1986;

22 (3) park and green space construction work, including  
23 trail building and the energy-efficient rehabilitation or  
24 retrofitting of park structures:

25 (A) in state, county, and local parks; or

26 (B) subject to the availability of federal funds  
27 for the project, in national parks located in this state; or

1           (4) a green job-training program:

2                   (A) that incorporates training of participants  
3 in the following areas:

4                           (i) renewable electric power;

5                           (ii) biofuels;

6                           (iii) deconstruction and reuse of  
7 materials;

8                           (iv) energy efficiency assessments;

9                           (v) weatherization;

10                          (vi) the manufacture of sustainable  
11 products; and

12                          (vii) sustainable manufacturing processes  
13 and materials; and

14                   (B) the activities of which benefit:

15                           (i) a person described by Subdivision (1);  
16 or

17                           (ii) a private, nonprofit, tax-exempt  
18 organization listed in Section 501(c), Internal Revenue Code of  
19 1986.

20           Sec. 312.157. ADVISORY BOARD; PARTICIPANT COUNCIL. An  
21 entity awarded a grant for a project under the program shall  
22 establish:

23                   (1) an advisory board for the project that includes  
24 senior staff of the entity operating the project, area employers,  
25 industrial leaders, representatives of nonprofit organizations  
26 representing low-income neighborhoods, and participants in the  
27 project; and

1           (2) a participant council to provide comments and  
2 suggestions regarding project policies.

3           Sec. 312.158. LIMIT ON ADMINISTRATIVE EXPENSES. Not more  
4 than 15 percent of the grant money awarded under the program for a  
5 project may be used for administrative costs associated with the  
6 project.

7           SECTION 2. This Act takes effect September 1, 2009.