

By: Castro, et al.

H.B. No. 2636

Substitute the following for H.B. No. 2636:

By: Rodriguez

C.S.H.B. No. 2636

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an employment services program to assist certain unemployed or underemployed child support obligors.

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. EMPLOYMENT SERVICES PROGRAM FOR CERTAIN CHILD SUPPORT

OBLIGORS

Sec. 312.001. DEFINITIONS. In this chapter:

(1) "Nonrecipient parent" has the meaning assigned by Section 31.0021, Human Resources Code.

(2) "Obligor" has the meaning assigned by Section 101.022, Family Code.

(3) "Title IV-D agency" has the meaning assigned by Section 101.033, Family Code.

(4) "Title IV-D case" has the meaning assigned by Section 101.034, Family Code.

Sec. 312.002. PROGRAM. (a) The commission and the Title IV-D agency jointly shall develop and administer a statewide employment services program to provide eligible child support obligors with assistance in obtaining employment so that the obligors may satisfy their child support obligations. The program shall:

(1) provide an eligible obligor employment services

1 similar to those services provided to a recipient or nonrecipient  
2 parent under Chapter 31, Human Resources Code; and

3 (2) direct eligible obligors, in appropriate cases, to  
4 local workforce development boards for skills assessment, job  
5 training, job placement, and job monitoring.

6 (b) A referral of an eligible obligor to employment services  
7 under this chapter may be made in conjunction with a referral by the  
8 Title IV-D agency under Section 231.117, Family Code.

9 Sec. 312.003. ELIGIBILITY. To be eligible to receive  
10 employment services under the program, a child support obligor must  
11 be:

12 (1) a parent of a current or former recipient of  
13 financial assistance under Chapter 31, Human Resources Code, or  
14 medical assistance under Chapter 32, Human Resources Code; and

15 (2) unable to satisfy the obligor's child support  
16 obligation as a result of the obligor's unemployment or  
17 underemployment.

18 Sec. 312.004. REQUIRED PARTICIPATION BY CERTAIN OBLIGORS.

19 (a) On a determination by the Title IV-D agency that an obligor in a  
20 Title IV-D case who is eligible to participate in the program is  
21 delinquent in paying a child support obligation, the agency may  
22 request a court of competent jurisdiction to render an order  
23 requiring the obligor to participate in the program.

24 (b) If the court orders an obligor to participate in the  
25 program, the commission shall:

26 (1) direct the obligor to an appropriate workforce  
27 development board for skills assessment, job training, job

1 placement, and job monitoring; and

2 (2) monitor the obligor's participation in any  
3 required program activities.

4 (c) An obligor who fails to participate in the program as  
5 required by a court order shall be reported to the Title IV-D agency  
6 for the imposition of any penalty authorized by law.

7 Sec. 312.005. FUNDING. The commission may allocate for the  
8 development, implementation, and administration of the program any  
9 money available to the commission through the grant provided under  
10 Section 403, Social Security Act (42 U.S.C. Section 603), and may  
11 use any other federal or state funds available for that purpose.

12 Sec. 312.006. RULES. The commission, in collaboration with  
13 the Title IV-D agency, shall adopt rules as necessary for the  
14 administration of this chapter, including rules:

15 (1) for identifying eligible child support obligors  
16 and directing those obligors to the employment services provided by  
17 the program; and

18 (2) prescribing the job monitoring and reporting  
19 requirements under the program.

20 SECTION 2. As soon as practicable after the effective date  
21 of this Act, the Texas Workforce Commission, in collaboration with  
22 the Title IV-D agency, shall adopt rules for the administration of  
23 Chapter 312, Labor Code, as added by this Act.

24 SECTION 3. This Act takes effect immediately if it receives  
25 a vote of two-thirds of all the members elected to each house, as  
26 provided by Section 39, Article III, Texas Constitution. If this  
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2009.