

By: Castro

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. CHILD SUPPORT OBLIGOR EMPLOYMENT

SERVICES PROGRAM

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) To assist eligible child support obligors in obtaining employment to enable the obligors to satisfy their child support obligations, the commission and the Title IV-D agency jointly shall develop and administer a statewide employment services program under which the commission and the Title IV-D agency:

(1) offer to each 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) refer eligible obligors, in appropriate cases, to
4 local workforce development boards for skills assessment, job
5 training, and job placement.

6 (b) A referral to employment services under this chapter may
7 be made in conjunction with a referral by the Title IV-D agency
8 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 the obligor's child support obligation, the
22 agency shall request the court exercising continuing jurisdiction
23 with respect to the child for which support is ordered to render an
24 order requiring the obligor to participate in the program.

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

27 (1) refer the obligor to an appropriate workforce

1 development board for skills assessment, job training, and job
2 placement; and

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

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

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

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 for the
15 identification of eligible child support obligors and the referral
16 of those obligors to the services offered under the program.

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

21 SECTION 3. This Act takes effect immediately if it receives
22 a vote of two-thirds of all the members elected to each house, as
23 provided by Section 39, Article III, Texas Constitution. If this
24 Act does not receive the vote necessary for immediate effect, this
25 Act takes effect September 1, 2009.