

1-1 By: Strama, et al. (Senate Sponsor - Uresti) H.B. No. 4328  
1-2 (In the Senate - Received from the House May 7, 2009;  
1-3 May 7, 2009, read first time and referred to Committee on Economic  
1-4 Development; May 13, 2009, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;  
1-6 May 13, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 4328 By: Watson

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

1-10 relating to the establishment of the Interagency Literacy Council  
1-11 for the study, promotion, and enhancement of literacy in this  
1-12 state.

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

1-14 SECTION 1. Subtitle B, Title 4, Labor Code, is amended by  
1-15 adding Chapter 312 to read as follows:

1-16 CHAPTER 312. INTERAGENCY LITERACY COUNCIL

1-17 Sec. 312.001. DEFINITION. In this chapter, "council" means  
1-18 the Interagency Literacy Council established under this chapter.

1-19 Sec. 312.002. APPLICATION OF SUNSET ACT. The Interagency  
1-20 Literacy Council is subject to Chapter 325, Government Code (Texas  
1-21 Sunset Act). Unless continued in existence as provided by that  
1-22 chapter, the council is abolished and this chapter expires  
1-23 September 1, 2019.

1-24 Sec. 312.003. ESTABLISHMENT AND COMPOSITION. (a) The  
1-25 commission shall establish the Interagency Literacy Council. The  
1-26 council is composed of nine members as follows:

1-27 (1) a representative of the commission, appointed by  
1-28 the executive director;

1-29 (2) a representative of the Texas Education Agency,  
1-30 appointed by the commissioner of education;

1-31 (3) a representative of the Texas Higher Education  
1-32 Coordinating Board, appointed by the commissioner of higher  
1-33 education; and

1-34 (4) six public members who are leaders of the business  
1-35 or nonprofit community engaged in literacy promotion efforts,  
1-36 appointed by the executive director of the commission.

1-37 (b) The representative appointed under Subsection (a)(1)  
1-38 shall serve as the presiding officer of the council.

1-39 Sec. 312.004. COMMISSION DUTIES. The commission shall  
1-40 provide staff and resources as necessary for the operation of the  
1-41 council.

1-42 Sec. 312.005. TERMS; VACANCY. (a) Members of the council  
1-43 serve two-year terms, with the terms expiring February 1 of each  
1-44 odd-numbered year.

1-45 (b) A member may be reappointed.

1-46 (c) A vacancy on the council shall be filled for the  
1-47 remainder of the unexpired term in the same manner as provided by  
1-48 Section 312.003(a).

1-49 Sec. 312.006. MEETINGS. (a) The council shall meet in  
1-50 person at least three times each year and may hold meetings by  
1-51 conference call if necessary. The council shall invite  
1-52 stakeholders to participate in at least one council meeting each  
1-53 year and provide an opportunity for submission of oral or written  
1-54 testimony.

1-55 (b) Section 551.125, Government Code, applies to a meeting  
1-56 held by conference call under this section, except that Section  
1-57 551.125(b), Government Code, does not apply.

1-58 Sec. 312.007. COMPENSATION; REIMBURSEMENT. (a) A member  
1-59 of the council may not receive compensation for service on the  
1-60 council.

1-61 (b) A public member may be reimbursed for the member's  
1-62 actual and necessary expenses for meals, lodging, and  
1-63 transportation incurred while performing council business, subject

2-1 to any applicable limitation on reimbursement prescribed by the  
2-2 General Appropriations Act.

2-3 Sec. 312.008. COUNCIL POWERS AND DUTIES. The council  
2-4 shall:

2-5 (1) study current research to assess the adult  
2-6 literacy needs in this state, including literacy needs relating to  
2-7 business and finance, workforce and technology, civics, and health  
2-8 and wellness;

2-9 (2) consult with key stakeholders to identify:  
2-10 (A) barriers to improving literacy; and  
2-11 (B) evidence-based best practices for improving  
2-12 literacy;

2-13 (3) review the status of the programs and services  
2-14 administered by each agency or entity represented on the council  
2-15 that promote literacy in an effort to coordinate efforts, align  
2-16 services, reduce redundancies, implement best practices, integrate  
2-17 support services, and improve accountability;

2-18 (4) build existing funding streams and identify  
2-19 additional state and federal funding sources available for the  
2-20 promotion of literacy in this state; and

2-21 (5) raise literacy awareness and engage community  
2-22 leaders in creative solution building for improving literacy in  
2-23 this state.

2-24 Sec. 312.009. STATEWIDE LITERACY PLAN; REPORT. (a) The  
2-25 council shall develop a comprehensive statewide action plan for the  
2-26 improvement of literacy in this state, including a recommended  
2-27 timeline for implementation.

2-28 (b) The council shall submit to both houses of the  
2-29 legislature, the governor, and the Texas Workforce Investment  
2-30 Council on or before November 1 of each even-numbered year a written  
2-31 report on:

2-32 (1) the development of the council's statewide action  
2-33 plan;

2-34 (2) the actions taken in furtherance of the plan;  
2-35 (3) the areas that need improvement in implementing  
2-36 the plan;

2-37 (4) any change to the plan; and  
2-38 (5) the programs and services that address literacy  
2-39 needs in this state.

2-40 Sec. 312.010. GIFTS, GRANTS, AND DONATIONS. The commission  
2-41 may accept for the council a gift, grant, or donation from any  
2-42 source to carry out the purposes of this chapter.

2-43 Sec. 312.011. RULES. The commission may adopt rules  
2-44 necessary to implement this chapter.

2-45 SECTION 2. (a) The Interagency Literacy Council shall  
2-46 submit the initial report required under Section 312.009(b), Labor  
2-47 Code, as added by this Act, not later than November 1, 2012.

2-48 (b) As soon as practicable after the effective date of this  
2-49 Act, the designated appointing officials shall appoint the members  
2-50 to the Interagency Literacy Council established under Chapter 312,  
2-51 Labor Code, as added by this Act.

2-52 SECTION 3. This Act takes effect immediately if it receives  
2-53 a vote of two-thirds of all the members elected to each house, as  
2-54 provided by Section 39, Article III, Texas Constitution. If this  
2-55 Act does not receive the vote necessary for immediate effect, this  
2-56 Act takes effect September 1, 2009.

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