

SENATE AMENDMENTS

2nd Printing

By: Strama, et al.

H.B. No. 4328

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the establishment of the Interagency Literacy Council
3 for the study, promotion, and enhancement of literacy in this
4 state.

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

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

8 CHAPTER 312. INTERAGENCY LITERACY COUNCIL

9 Sec. 312.001. DEFINITION. In this chapter, "council" means
10 the Interagency Literacy Council established under this chapter.

11 Sec. 312.002. APPLICATION OF SUNSET ACT. The Interagency
12 Literacy Council is subject to Chapter 325, Government Code (Texas
13 Sunset Act). Unless continued in existence as provided by that
14 chapter, the council is abolished and this chapter expires
15 September 1, 2019.

16 Sec. 312.003. ESTABLISHMENT AND COMPOSITION. (a) The
17 commission shall establish the Interagency Literacy Council. The
18 council is composed of nine members as follows:

19 (1) a representative of the commission, appointed by
20 the executive director;

21 (2) a representative of the Texas Education Agency,
22 appointed by the commissioner of education;

23 (3) a representative of the Texas Higher Education
24 Coordinating Board, appointed by the commissioner of higher

1 education; and

2 (4) six public members who are leaders of the business
3 or nonprofit community engaged in literacy promotion efforts,
4 appointed by the executive director of the commission.

5 (b) The representative appointed under Subsection (a)(1)
6 shall serve as the presiding officer of the council.

7 Sec. 312.004. COMMISSION DUTIES. The commission shall
8 provide staff and resources as necessary for the operation of the
9 council.

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

13 (b) A member may be reappointed.

14 (c) A vacancy on the council shall be filled for the
15 remainder of the unexpired term in the same manner as provided by
16 Section 312.003(a).

17 Sec. 312.006. MEETINGS. (a) The council shall meet in
18 person at least three times each year and may hold meetings by
19 conference call if necessary. The council shall invite
20 stakeholders to participate in at least one council meeting each
21 year and provide an opportunity for submission of oral or written
22 testimony.

23 (b) Section 551.125, Government Code, applies to a meeting
24 held by conference call under this section, except that Section
25 551.125(b), Government Code, does not apply.

26 Sec. 312.007. COMPENSATION; REIMBURSEMENT. (a) A member
27 of the council may not receive compensation for service on the

1 council.

2 (b) A public member may be reimbursed for the member's
3 actual and necessary expenses for meals, lodging, transportation,
4 and incidental expenses incurred while performing council
5 business, subject to any applicable limitation on reimbursement
6 prescribed by the General Appropriations Act.

7 Sec. 312.008. COUNCIL POWERS AND DUTIES. The council
8 shall:

9 (1) study current research to assess the adult
10 literacy needs in this state, including literacy needs relating to
11 business and finance, workforce and technology, civics, and health
12 and wellness;

13 (2) consult with key stakeholders to identify:
14 (A) barriers to improving literacy; and
15 (B) evidence-based best practices for improving
16 literacy;

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

22 (4) build existing funding streams and identify
23 additional state and federal funding sources available for the
24 promotion of literacy in this state; and

25 (5) raise literacy awareness and engage community
26 leaders in creative solution building for improving literacy in
27 this state.

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

5 (b) The council shall submit to both houses of the
6 legislature, the governor, and the Texas Workforce Investment
7 Council on or before November 1 of each even-numbered year a written
8 report on:

9 (1) the development of the council's statewide action
10 plan;

11 (2) the actions taken in furtherance of the plan;

12 (3) the areas that need improvement in implementing
13 the plan;

14 (4) any change to the plan; and

15 (5) the programs and services that address literacy
16 needs in this state.

17 Sec. 312.010. GIFTS, GRANTS, AND DONATIONS. The commission
18 may accept for the council a gift, grant, or donation from any
19 source to carry out the purposes of this chapter.

20 Sec. 312.011. RULES. The commission may adopt rules
21 necessary to implement this chapter.

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

25 (b) As soon as practicable after the effective date of this
26 Act, the designated appointing officials shall appoint the members
27 to the Interagency Literacy Council established under Chapter 312,

1 Labor Code, as added by this Act.

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

ADOPTED

MAY 21 2009

Atty Gen
Secretary of the Senate

By: *P. Hest*

H.B. No. 4328

Substitute the following for H.B. No. 4328:

By: *Theresa Dutton*

C.S. H.B. No. 4328

A BILL TO BE ENTITLED

AN ACT

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relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.

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. INTERAGENCY LITERACY COUNCIL

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

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

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

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

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

(3) a representative of the Texas Higher Education Coordinating Board, appointed by the commissioner of higher

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1 education; and

2 (4) six public members who are leaders of the business
3 or nonprofit community engaged in literacy promotion efforts,
4 appointed by the executive director of the commission.

5 (b) The representative appointed under Subsection (a)(1)
6 shall serve as the presiding officer of the council.

7 Sec. 312.004. COMMISSION DUTIES. The commission shall
8 provide staff and resources as necessary for the operation of the
9 council.

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

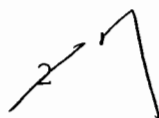
13 (b) A member may be reappointed.

14 (c) A vacancy on the council shall be filled for the
15 remainder of the unexpired term in the same manner as provided by
16 Section 312.003(a).

17 Sec. 312.006. MEETINGS. (a) The council shall meet in
18 person at least three times each year and may hold meetings by
19 conference call if necessary. The council shall invite
20 stakeholders to participate in at least one council meeting each
21 year and provide an opportunity for submission of oral or written
22 testimony.

23 (b) Section 551.125, Government Code, applies to a meeting
24 held by conference call under this section, except that Section
25 551.125(b), Government Code, does not apply.

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27 of the council may not receive compensation for service on the



1 council.

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4 transportation incurred while performing council business, subject
5 to any applicable limitation on reimbursement prescribed by the
6 General Appropriations Act.

7 Sec. 312.008. COUNCIL POWERS AND DUTIES. The council
8 shall:

9 (1) study current research to assess the adult
10 literacy needs in this state, including literacy needs relating to
11 business and finance, workforce and technology, civics, and health
12 and wellness;

13 (2) consult with key stakeholders to identify:
14 (A) barriers to improving literacy; and
15 (B) evidence-based best practices for improving
16 literacy;

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

22 (4) build existing funding streams and identify
23 additional state and federal funding sources available for the
24 promotion of literacy in this state; and

25 (5) raise literacy awareness and engage community
26 leaders in creative solution building for improving literacy in
27 this state.

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2 council shall develop a comprehensive statewide action plan for the
3 improvement of literacy in this state, including a recommended
4 timeline for implementation.

5 (b) The council shall submit to both houses of the
6 legislature, the governor, and the Texas Workforce Investment
7 Council on or before November 1 of each even-numbered year a written
8 report on:

9 (1) the development of the council's statewide action
10 plan;

11 (2) the actions taken in furtherance of the plan;

12 (3) the areas that need improvement in implementing
13 the plan;

14 (4) any change to the plan; and

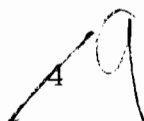
15 (5) the programs and services that address literacy
16 needs in this state.

17 Sec. 312.010. GIFTS, GRANTS, AND DONATIONS. The commission
18 may accept for the council a gift, grant, or donation from any
19 source to carry out the purposes of this chapter.

20 Sec. 312.011. RULES. The commission may adopt rules
21 necessary to implement this chapter.

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

25 (b) As soon as practicable after the effective date of this
26 Act, the designated appointing officials shall appoint the members
27 to the Interagency Literacy Council established under Chapter 312,

A handwritten mark or signature, possibly a stylized 'A' or '9', is located at the bottom right of the page.

1 Labor Code, as added by this Act.

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

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 21, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4328 by Strama (Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Labor Code relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state. The bill requires the Texas Workforce Commission (TWC) to create an Interagency Literacy Council (Council). The bill provides that the TWC shall provide staff and resources necessary to operate the Council and requires that the Council meet at least three times a year and authorizes it to hold meetings by conference call, if necessary. In addition, the bill directs the Council to develop a statewide action plan for improvement of literacy and submit it to the legislature and governor by November 1 of each even-numbered year. The report is to address: (1) the development of the Council's plan; (2) the actions taken in furtherance of the plan; (3) the areas that need improvement in implementing the plan; (4) any changes to the plan; and (5) the programs and services that address literacy in the state. The bill provides that the Council must submit its initial report by November 1, 2012.

Based on the analysis of the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JOB, SD, JRO, MW, NV

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 12, 2009

TO: Honorable Chris Harris, Chair, Senate Committee on Economic Development

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4328** by Strama (Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

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Based on the analysis of the Texas Workforce Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 320 Texas Workforce Commission

LBB Staff: JOB, JRO, MW, NV

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 8, 2009

TO: Honorable Chris Harris, Chair, Senate Committee on Economic Development

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB4328** by Strama (Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

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Source Agencies: 320 Texas Workforce Commission

LBB Staff: JOB, JRO, MW, NV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 20, 2009

TO: Honorable Mark Strama, Chair, House Committee on Technology, Economic Development & Workforce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4328 by Strama (Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

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Source Agencies: 320 Texas Workforce Commission

LBB Staff: JOB, JRO, MW, NV

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 13, 2009

TO: Honorable Mark Strama, Chair, House Committee on Technology, Economic Development & Workforce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4328 by Strama (Relating to the establishment of the Interagency Literacy Council for the study, promotion, and enhancement of literacy in this state.), **As Introduced**

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