

House Bill 1935
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SECTION 1. Chapter 403, Government Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

Sec. 403.351. DEFINITIONS. In this subchapter:

(1) "Nonprofit organization" means an organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code.

(2) "Public junior college," "public state college," and "public technical institute" have the meanings assigned by Section 61.003, Education Code.

Sec. 403.352. JOBS AND EDUCATION FOR TEXANS (JET) FUND. (a) The comptroller shall establish and administer the Jobs and Education for Texans (JET) fund as a dedicated account in the general revenue fund.

(b) The following amounts shall be deposited in the fund:

(1) any amounts appropriated by the legislature for the fund for purposes of this subchapter;

(2) interest earned on the investment of money in the fund; and

(3) gifts, grants, and other donations received for the fund.

Sec. 403.353. ADVISORY BOARD. (a) An advisory board of education and workforce stakeholders is created to assist the comptroller in administering this subchapter.

(b) The advisory board is composed of seven members

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who serve two-year terms and are appointed as follows:

- (1) one member appointed by the governor;
- (2) one member appointed by the lieutenant governor;
- (3) one member appointed by the speaker of the house of representatives;
- (4) one member appointed by the Texas Higher Education Coordinating Board;
- (5) one member appointed by the Texas Workforce Commission;
- (6) one member of the public appointed by the comptroller; and
- (7) the comptroller, who serves as the presiding officer.

(c) The advisory board shall meet at least once each quarter to review received applications and recommend awarding grants under this subchapter.

Sec. 403.354. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM. The comptroller shall establish and administer the Jobs and Education for Texans (JET) grant program to provide grants to public junior colleges, public technical institutes, and eligible nonprofit organizations that apply to the advisory board in the manner prescribed by the advisory board. The comptroller shall award the grants on the advice and recommendations of the advisory board. Grants may be awarded under this subchapter from the JET fund for the following purposes:

- (1) to develop, support, or expand programs of nonprofit organizations that meet the requirements of Section 403.355 and that prepare low-income students for careers

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- (1) to develop, support, or expand programs of nonprofit organizations that meet the requirements of Section 403.355 and that prepare low-income students for careers

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in high-demand occupations;

(2) to defray the startup costs associated with the development of new career and technical education programs at public junior colleges and public technical institutes that meet the requirements of Section 403.356;

and

(3) to provide scholarships for students in career and technical education programs who meet the requirements of Section 403.357.

Sec. 403.355. GRANTS TO NONPROFIT ORGANIZATIONS FOR INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The comptroller may award a grant to a nonprofit organization eligible under Subsection (b) for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations.

(b) To be eligible to receive a grant under this section, a nonprofit organization must:

(1) provide a program to offer assistance to low-income students in preparing for, applying to, and enrolling in a public junior college or public technical institute;

(2) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and members of the local business community;

(3) demonstrate to the satisfaction of the advisory board that the organization's program has achieved or will achieve the following measures of success among program participants, to the extent applicable to the type

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in high-demand occupations;

(2) to defray the startup costs associated with the development of new career and technical education programs at public junior colleges and public technical institutes that meet the requirements of Section 403.356;

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of program the organization provides:

(A) above average completion of developmental education among participating public junior college or public technical institute students;

(B) above average persistence rates among participating public junior college or public technical institute students;

(C) above average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college and public technical institute students; and

(D) employment of participating students at an average full-time starting wage that is equal to or greater than the prevailing wage for the occupation entered; and

(4) provide matching funds in accordance with rules adopted under Section 403.358.

(c) The matching funds required under Subsection (b)(4) may be obtained from any source available to the nonprofit organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds.

(c-1) In determining which eligible nonprofit organizations should be awarded a grant under this section among two or more eligible nonprofit organizations offering similar programs, the comptroller shall give priority to any of those organizations that has an existing program in place to assist veterans.

(d) Grants awarded under this section must be awarded

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in a manner that takes a balanced geographical distribution into consideration.

Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes.

(b) A grant received under this section may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance initial costs of career and technical education course or program development, including the costs of constructing or renovating facilities, purchasing equipment, and other expenses associated with the development of a new course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this section, the

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in a manner that takes a balanced geographical distribution into consideration.

(e) This section does not authorize the comptroller to award a grant to:

(1) a nonprofit organization to provide a comprehensive educational program to students that serves as a substitute for a regular educational program provided by a school district or open-enrollment charter school; or

(2) a private elementary or secondary school.

Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes.

(b) A grant received under this section may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance initial costs of career and technical education course or program development, including the costs of constructing or renovating facilities, purchasing equipment, and other expenses associated with the development of a new course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this section, the

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comptroller shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program. The comptroller may also consider whether the course or program:

(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college or public technical institute must provide matching funds in accordance with rules adopted under Section 403.358. The matching funds may be obtained from any source available to the college, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may award a scholarship to a public junior college or public technical institute student.

(b) To be eligible to receive a scholarship under this section, a student must:

(1) demonstrate financial need; and

(2) be enrolled in a training program for a high-demand

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(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college or public technical institute must provide matching funds in accordance with rules adopted under Section 403.358. The matching funds may be obtained from any source available to the college, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

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occupation, as determined by the comptroller on the recommendation of the advisory board.

Sec. 403.358. RULES. The comptroller shall adopt rules as necessary for the administration of this subchapter.

Sec. 403.359. STUDY. (a) The comptroller shall conduct a study of the feasibility of:

(1) basing a portion of all public postsecondary technical training program funding on the economic benefit of the program to the state; and

(2) for purposes of Subdivision (1), estimating the amount of any additional tax revenue generated by employers that results from the ability of public junior colleges, public state colleges, or public technical institutes to prepare students for employment fields for which there is employer demand.

(b) The comptroller shall begin the study not later than January 1, 2010. Not later than January 1, 2011, the comptroller shall make recommendations to the lieutenant governor and the speaker of the house of representatives for legislative action based on the results of the study.

(c) This section expires September 1, 2011.

SECTION 2. Grants provided through the Texas Adult Career Education Grant Program established under Section 403.351, Government Code, as added by this Act may only benefit a permanent legal resident or citizen of

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occupation, as determined by the comptroller on the recommendation of the advisory board.

Sec. 403.358. RULES. The comptroller shall adopt rules as necessary for the administration of this subchapter.

Sec. 403.359. STUDY. (a) The comptroller shall conduct a study of the feasibility of:

(1) basing a portion of all public postsecondary technical training program funding on the economic benefit of the program to the state; and

(2) for purposes of Subdivision (1), estimating the amount of any additional tax revenue generated by employers that results from the ability of public junior colleges, public state colleges, or public technical institutes to prepare students for employment fields for which there is employer demand.

(b) The comptroller shall begin the study not later than January 1, 2010. Not later than January 1, 2011, the comptroller shall make recommendations to the lieutenant governor and the speaker of the house of representatives for legislative action based on the results of the study.

(c) This section expires September 1, 2011.

Same as House version.

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the United States.

No equivalent provision.

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

No equivalent provision.

SECTION 3. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of this Act is provided in a general appropriations act of the 81st Legislature.

SECTION 4. Same as House version.

SECTION __. Subsection (a), Section 2155.505, Government Code, is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:
(2) "Small business" means a small business concern as defined by regulations of the United States Small Business Administration in 13 C.F.R. Section 121.201 or a veterans service agency.
(3) "Veterans service agency" means a community-based organization that:
(A) is exempt from taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described in Section 501(c)(3) of that code;
(B) has as its principal purpose to provide housing, substance abuse treatment, case management services, and employment training to low-income veterans,

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disabled veterans, and homeless veterans and their families; and

(C) employs veterans to provide at least 75 percent of the hours of direct labor by individuals required to produce goods or provide services required under a contract entered into under this section.

No equivalent provision.

SECTION __. Subsection (a), Section 2155.505, Government Code, as amended by this Act, applies only to a contract for the procurement of goods and services for which the solicitation of bids or proposals, request for proposals, or similar required notification as to the goods or services is published on or after September 1, 2009. A contract for the procurement of goods and services for which the solicitation of bids or proposals, request for proposals, or similar required notification as to the goods or services is published before September 1, 2009, is governed by the law in effect at the time the solicitation, request, or notification is published, and that law is continued in effect for that purpose.

No equivalent provision.

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

The following rows were presented as identical to Senate

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Bill 1125, relating to transition and employment services for public school students enrolled in special education programs.

No equivalent provision.

SECTION __. Section 29.011, Education Code, is amended to read as follows:

Sec. 29.011. TRANSITION PLANNING. (a) The commissioner shall by rule adopt procedures for compliance with federal requirements relating to transition services for students who are enrolled in special education programs under this subchapter. The procedures must:

(1) provide that transition planning begins for a student not later than when the student reaches 14 years of age; and

(2) specify the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address the following issues in the student's individualized education program:

(A) [~~1~~] appropriate student involvement in the student's transition to life outside the public school system;

(B) [~~2~~] if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;

(C) [~~3~~] if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is

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enrolled;
~~(D) [(4)]~~ any postsecondary education options;
~~(E) [(5)]~~ a functional vocational evaluation;
~~(F) [(6)]~~ employment goals and objectives;
~~(G) [(7)]~~ if the student is at least 18 years of age, the availability of age-appropriate instructional environments;
~~(H) [(8)]~~ independent living goals and objectives; and
~~(I) [(9)]~~ appropriate circumstances for referring a student or the student's parents to a governmental agency for services.
(b) The commissioner shall require each school district or shared services arrangement to designate an employee as the school transition and employment services coordinator to serve as the district's or shared services arrangement's specialist on transition and employment services for students enrolled in special education programs under this subchapter. An individual designated under this subsection must meet minimum transition training requirements established by the commissioner.

No equivalent provision.

SECTION __. Subchapter A, Chapter 29, Education Code, is amended by adding Sections 29.0111 and 29.0112 to read as follows:
Sec. 29.0111. TRANSITION INFORMATION. The agency shall develop a Performance-Based Monitoring Analysis System indicator regarding the preparation of students enrolled in special education programs to

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transition to life outside the public school system.
Sec. 29.0112. TRANSITION AND EMPLOYMENT
MANUAL. (a) The agency, with assistance from the
Health and Human Services Commission, shall develop a
comprehensive transition and employment manual for
students enrolled in special education programs and their
parents to assist in the transition to life outside the public
school system. The agency may contract with a private
entity to prepare the manual.
(b) The transition and employment manual must contain
information specific to this state regarding:
(1) transition services;
(2) employment and supported employment services;
(3) social security programs;
(4) community and long-term services and support;
(5) postsecondary educational programs and services;
(6) information sharing with health and human services
agencies and providers;
(7) guardianship and alternatives to guardianship;
(8) self-advocacy, person-directed planning, and self-
determination; and
(9) contact information for all relevant state agencies.
(c) The transition and employment manual must be
produced in an electronic format and posted on the
agency's website in a manner that permits the manual to
be easily identified and accessed.
(d) The agency must update the transition and
employment manual posted on the agency's website at
least once every two years.

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(e) The agency shall develop a summary document of the transition and employment manual that briefly describes each topic addressed in the manual and includes contact information for each agency or program described in the manual. The summary must include information about obtaining access to the complete manual.

(f) The agency must update the summary required under Subsection (e) not later than the 30th day after the date the transition and employment manual is updated in accordance with Subsection (d).

(g) A school district shall:

(1) maintain at each campus in the district a hard copy of the transition and employment manual that is posted on the agency's website;

(2) on request, assist a parent or student in obtaining access to the transition and employment manual; and

(3) provide one hard copy of the summary document required under Subsection (e) to each parent of a student enrolled in a special education program or adult student enrolled in a special education program at:

(A) the first meeting of the student's admission, review, and dismissal committee at which transition is discussed;

or

(B) the first committee meeting that occurs after September 1, 2009, if a student has already had an admission, review, and dismissal committee meeting discussing transition.

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No equivalent provision.

SECTION __. Section 29.011, Education Code, as amended by this Act, and Sections 29.0111 and 29.0112, Education Code, as added by this Act, apply beginning with the 2009-2010 school year.

The following row was presented as identical to the language in Senate Bill 108, relating to the establishment and funding of a green job skills training program.

No equivalent provision.

SECTION __. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 303A to read as follows:
CHAPTER 303A. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING PROGRAM
SUBCHAPTER A. GENERAL PROVISIONS
Sec. 303A.001. PURPOSE. The purpose of this chapter is to:
(1) promote green industry employment opportunities, including through the establishment of training programs to enhance green job skills and create career opportunities that result in high-wage jobs;
(2) foster regional collaboration for the development of green industry employment opportunities;
(3) assist in the development of a highly skilled, high-wage, and productive workforce in the green industry;
and
(4) assist workers with obtaining education, skills training, and labor market information to enhance their employability, earnings, and standard of living.

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Sec. 303A.002. DEFINITIONS. In this chapter:

(1) "Development fund" means the Texas green job skills development fund.

(2) "Green job" means a job in the field of renewable energy or energy efficiency, including a job relating to:

(A) energy-efficient building, construction, and retrofitting;

(B) renewable energy, including biomass, hydroelectric, geothermal, and ocean energy, and wind and solar power;

(C) research and development or manufacturing of advanced battery or energy storage technologies;

(D) biofuels from non-feed food stocks;

(E) techniques to reduce, reuse, or recycle waste;

(F) techniques to recycle products and convert used materials into new products;

(G) energy efficiency assessments;

(H) manufacturing of sustainable products using sustainable processes and materials; and

(I) water conservation and water efficiency.

(3) "Recycle" means the process of extracting resources or value from waste by recovering or reusing the material, including the collection and reuse of everyday waste materials.

[Sections 303A.003-303A.020 reserved for expansion]

SUBCHAPTER B. GREEN JOB SKILLS DEVELOPMENT FUND

Sec. 303A.021. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND. (a) The Texas green job

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skills development fund is an account in the general revenue fund. The account is composed of:

- (1) legislative appropriations;
- (2) gifts, grants, donations, and matching funds received under Subsection (b); and
- (3) other money required by law to be deposited in the account.

(b) The commission may solicit and accept gifts, grants, and donations of money from the federal government, local governments, private corporations, or other persons to be used for the purposes of this chapter.

(c) Income from money in the account shall be credited to the account.

(d) Money in the development fund may be used only for the purposes of this chapter.

[Sections 303A.022-303A.030 reserved for expansion]

SUBCHAPTER C. GREEN JOB SKILLS GRANT PROGRAM

Sec. 303A.031. ESTABLISHMENT OF GREEN JOB SKILLS GRANT PROGRAM. The commission shall establish a green job skills grant program, funded by the development fund under Section 303A.021, through which the commission may award grants for the implementation, expansion, and operation of green job skills training programs.

Sec. 303A.032. GRANT PROGRAM REQUIREMENTS. (a) A training program funded through a grant awarded under this subchapter must:

- (1) be hosted by a regional partnership that presents a

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plan to implement training programs that lead trainees to economic self-sufficiency and career pathways and includes at least:

(A) one university, college, technical school, or other nonprofit workforce training provider;

(B) one chamber of commerce, local workforce agency, local employer, or other public or private participating entity;

(C) one economic development authority; and

(D) one community or faith-based nonprofit organization that works with one or more targeted populations;

(2) assist an eligible individual in obtaining education, skills training, and labor market information to enhance the individual's employability in green industries; and

(3) assist in the development of a highly skilled and productive workforce in green industries.

(b) A training program awarded a grant under this subchapter shall target a population of eligible individuals for training that includes:

(1) workers in high-demand green industries who are in or are preparing for high-wage occupations;

(2) workers in declining industries who may be retrained for high-wage occupations in a high-demand green industry;

(3) agriculture, timber, or energy sector workers who may be retrained for high-wage occupations in a high-demand green industry;

(4) veterans or past or present members of the armed

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forces of the United States, including the state military forces, or a reserve component of the armed forces or the national guard;

(5) unemployed workers;

(6) low-income workers, unemployed youth and adults, individuals who did not complete high school, or other underserved sectors of the workforce in high poverty areas; or

(7) individuals otherwise determined by the commission to be disadvantaged and in need of training to obtain employment.

(c) A training program may receive funding under this chapter for a period not to exceed three years.

(d) A training program may use grant funds for support services, including basic skills, literacy, GED, English as a second language, and job readiness training, career guidance, and referral services.

(e) A percentage of the grant, to be determined by the commission, must be devoted to administrative costs, costs related to hiring instructors and purchasing equipment, and tuition assistance.

Sec. 303A.033. APPLICATION. (a) A regional partnership, as described by Section 303A.032, may apply for a grant under this subchapter in the manner prescribed by the commission.

(b) The grant application must require the applicant to provide to the commission the applicant's plan to continue to operate the training program after the grant expires.

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Sec. 303A.034. ADDITIONAL CONSIDERATIONS IN AWARDING GRANTS. (a) In addition to the factors described by Sections 303A.032 and 303A.033, in determining whether to award a grant to an applicant under this subchapter, the commission shall give preference to a training program that:

(1) provides certification and a career advancement mechanism to a worker who receives green job skills training under the program; and

(2) leverages additional public and private resources to fund the program, including cash or in-kind matches.

(b) Grants shall be awarded in a manner that ensures geographic diversity.

Sec. 303A.035. RESERVATION FOR CERTAIN PROGRAMS. Twenty percent of the funds available for grant programs under this chapter must be reserved for job skills training programs that serve the unemployed and individuals whose incomes are at or below 200 percent of the federal poverty level.

Sec. 303A.036. REPORT. (a) Not later than the 30th day after the date funding for a grant under this chapter ends, the grant recipient shall submit a report to the commission that contains the following information:

(1) the number of participants who entered the program;

(2) the demographics of the participants, including race, gender, age, and significant barriers to education such as limited English proficiency, a criminal record, or a physical or mental disability;

(3) services received by participants, including training.

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Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION

CONFERENCE

education, and support services;
(4) the amount of program spending per participant;
(5) program completion rates;
(6) factors determined to interfere significantly with
program participation or completion;
(7) the average wage at placement, including benefits,
and the rate of average wage increases after one year;
and
(8) any post-employment support services provided.
(b) Not later than October 1 of each even-numbered
year, the commission shall submit a report to the
governor, the lieutenant governor, and the speaker of the
house of representatives that includes a summary of all
information submitted under Subsection (a).
Sec. 303A.037. STANDARDS. The commission by
rule shall adopt standards for a green job skills training
program awarded a grant under this subchapter.