

**House Bill 4328**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

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 education; and

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

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

SENATE VERSION

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

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

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

(b) A member may be reappointed.

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

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

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

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

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

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Sec. 312.008. COUNCIL POWERS AND DUTIES.

The council shall:

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

(2) consult with key stakeholders to identify:

(A) barriers to improving literacy; and

(B) evidence-based best practices for improving literacy;

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

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

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

Sec. 312.009. STATEWIDE LITERACY PLAN;

REPORT. (a) The council shall develop a comprehensive statewide action plan for the improvement of literacy in this state, including a recommended timeline for implementation.

(b) The council shall submit to both houses of the legislature, the governor, and the Texas Workforce Investment Council on or before November 1 of each

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even-numbered year a written report on:

- (1) the development of the council's statewide action plan;
- (2) the actions taken in furtherance of the plan;
- (3) the areas that need improvement in implementing the plan;
- (4) any change to the plan; and
- (5) the programs and services that address literacy needs in this state.

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

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

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

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected

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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.

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