

BILL ANALYSIS

Senate Research Center

S.B. 563
By: Jackson
Economic Development
9/6/2011
Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 563 amends current law relating to the efficiency of the operations of, and certain information regarding services provided by, the Texas Workforce Commission and provides penalties.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Workforce Commission in SECTION 3 (Section 301.085, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 301, Labor Code, by adding Section 301.068, as follows:

Sec. 301.068. EFFICIENCY PILOT PROGRAM. (a) Requires the Texas Workforce Commission (TWC) to establish a pilot program to:

- (1) improve the efficiency and quality of TWC operations while reducing costs; and
- (2) adopt a structured approach for identifying the wasteful use of state resources and improving TWC processes.

(b) Requires TWC, in implementing the pilot program, to use:

- (1) a methodology that includes a define, measure, analyze, improve, and control structure for reviewing project management;
- (2) a continuous improvement technique that identifies value and a value stream; creates a flow for activities; allows consumers to pull products or services through the process; and allows for the process to be perfected over time; and a measurement system analysis to evaluate data.

(c) Requires TWC, not later than August 1, 2012, to submit a written report on the effectiveness of the pilot program to the governor; lieutenant governor; speaker of the house of representatives; Senate Committee on Government Organization; House Government Efficiency and Reform Committee; and house and senate committees with primary jurisdiction over state affairs.

(d) Requires TWC to implement the pilot program from available funds that may be used for that purpose.

(e) Authorizes a state agency, other than TWC, to implement the pilot program established under this section with respect to the agency. Requires an agency that implements the pilot program to submit the written report in the time and manner described by Subsection (c); and use available resources to fund the pilot program.

(f) Authorizes that a report required by this section be submitted electronically.

(g) Provides that this section expires September 1, 2013.

SECTION 2. Amends the heading to Section 301.085, Labor Code, to read as follows:

Sec. 301.085. UNEMPLOYMENT COMPENSATION AND JOB MATCHING SERVICES INFORMATION; OFFENSE; PENALTY.

SECTION 3. Amends Section 301.085, Labor Code, by amending Subsections (a), (c), and (d) and adding Subsection (b-1), as follows:

(a) Defines "job matching services information" in this section and makes nonsubstantive changes.

(b-1) Requires TWC to adopt and enforce reasonable rules governing the confidentiality, custody, use, preservation, and disclosure of job matching services information. Requires that the rules include safeguards to protect the confidentiality of identifying information regarding any individual or any past or present employer or employing unit contained in job matching services information, including any information that foreseeably could be combined with other publicly available information to reveal identifying information regarding the individual, employer, or employing unit, as applicable.

(c) Provides that unemployment compensation information and job matching services information are not public information, rather than unemployment compensation information is not public information, for purposes of Chapter 552 (Public Information), Government Code.

(d) Provides that unless permitted by this subchapter or TWC rule, a person commits an offense if the person solicits, discloses, receives, or uses, or authorizes, permits, participates in, or acquiesces in another person's use of, unemployment compensation information or job matching services information that reveals:

(1) identifying information regarding any individual or past or present employer or employing unit; or

(2) information that foreseeably could be combined with other publicly available information to reveal identifying information regarding any individual or past or present employer or employing unit.

SECTION 4. Effective date: September 1, 2011.