

By: Castro

H.B. No. 120

Substitute the following for H.B. No. 120:

By: Jackson

C.S.H.B. No. 120

A BILL TO BE ENTITLED

AN ACT

relating to the establishment of an employment services program to assist certain unemployed or underemployed child support obligors.

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

SECTION 1. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 313 to read as follows:

CHAPTER 313. EMPLOYMENT SERVICES PROGRAM FOR CERTAIN CHILD SUPPORT

OBLIGORS

Sec. 313.001. DEFINITIONS. In this chapter:

(1) "Nonrecipient parent" has the meaning assigned by Section 31.0021, Human Resources Code.

(2) "Obligor" has the meaning assigned by Section 101.022, Family Code.

(3) "Title IV-D agency" has the meaning assigned by Section 101.033, Family Code.

(4) "Title IV-D case" has the meaning assigned by Section 101.034, Family Code.

Sec. 313.002. PROGRAM. (a) The commission and the Title IV-D agency jointly shall develop and administer an employment services program to provide eligible child support obligors with assistance in obtaining employment so that the obligors may satisfy their child support obligations. The program shall:

(1) provide an eligible obligor employment services similar to those services provided to a recipient or nonrecipient

1 parent under Chapter 31, Human Resources Code; and

2 (2) direct eligible obligors, in appropriate cases, to
3 local workforce development boards for skills assessment, job
4 training, job placement, and job monitoring.

5 (b) A referral of an eligible obligor to employment services
6 under this chapter may be made in conjunction with a referral by the
7 Title IV-D agency under Section 231.117, Family Code.

8 Sec. 313.003. ELIGIBILITY. The commission, in
9 collaboration with the Title IV-D agency, by rule shall prescribe
10 criteria for determining a child support obligor's eligibility to
11 participate in the program. The criteria must include the
12 requirement that a child support obligor be unemployed or
13 underemployed.

14 Sec. 313.004. REQUIRED PARTICIPATION BY CERTAIN OBLIGORS.
15 (a) On a determination by the Title IV-D agency that an obligor in a
16 Title IV-D case who is eligible to participate in the program is
17 delinquent in paying a child support obligation, the agency may
18 request a court of competent jurisdiction to render an order
19 requiring the obligor to participate in the program. In making
20 requests under this subsection, the Title IV-D agency shall give
21 priority to making requests in regard to obligors who are the parent
22 of a current or former recipient of financial assistance under
23 Chapter 31, Human Resources Code, or medical assistance under
24 Chapter 32, Human Resources Code.

25 (b) If the court orders an obligor to participate in the
26 program, the commission shall:

27 (1) direct the obligor to an appropriate workforce

1 development board for skills assessment, job training, job
2 placement, and job monitoring; and

3 (2) monitor the obligor's participation in any
4 required program activities.

5 (c) An obligor who fails to participate in the program as
6 required by a court order shall be reported to the Title IV-D agency
7 for the imposition of any penalty authorized by law.

8 Sec. 313.005. FUNDING. The commission may allocate for the
9 development, implementation, and administration of the program any
10 money available to the commission through the grant provided under
11 Section 403, Social Security Act (42 U.S.C. Section 603), and may
12 use any other federal or state funds available for that purpose.

13 Sec. 313.006. RULES. The commission, in collaboration with
14 the Title IV-D agency, shall adopt rules as necessary for the
15 administration of this chapter, including rules:

16 (1) for directing eligible child support obligors to
17 the employment services provided by the program; and

18 (2) prescribing the job monitoring and reporting
19 requirements under the program.

20 SECTION 2. As soon as practicable after the effective date
21 of this Act, the Texas Workforce Commission, in collaboration with
22 the Title IV-D agency, shall adopt rules for the administration of
23 Chapter 313, Labor Code, as added by this Act.

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

C.S.H.B. No. 120

1 Act takes effect September 1, 2011.