

By: Castro

H.B. No. 120

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

7 CHAPTER 313. EMPLOYMENT SERVICES PROGRAM FOR CERTAIN CHILD SUPPORT

8 OBLIGORS

9 Sec. 313.001. DEFINITIONS. In this chapter:

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

12 (2) "Obligor" has the meaning assigned by Section
13 101.022, Family Code.

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

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

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

24 (1) provide an eligible obligor employment services

1 similar to those services provided to a recipient or nonrecipient
2 parent under Chapter 31, Human Resources Code; and

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

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

9 Sec. 313.003. ELIGIBILITY. To be eligible to receive
10 employment services under the program, a child support obligor must
11 be:

12 (1) a parent of a current or former recipient of
13 financial assistance under Chapter 31, Human Resources Code, or
14 medical assistance under Chapter 32, Human Resources Code; and

15 (2) unable to satisfy the obligor's child support
16 obligation as a result of the obligor's unemployment or
17 underemployment.

18 Sec. 313.004. REQUIRED PARTICIPATION BY CERTAIN OBLIGORS.

19 (a) On a determination by the Title IV-D agency that an obligor in a
20 Title IV-D case who is eligible to participate in the program is
21 delinquent in paying a child support obligation, the agency may
22 request a court of competent jurisdiction to render an order
23 requiring the obligor to participate in the program.

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

26 (1) direct the obligor to an appropriate workforce
27 development board for skills assessment, job training, job

1 placement, and job monitoring; and

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

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

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

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

15 (1) for identifying eligible child support obligors
16 and directing those obligors to the employment services provided by
17 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

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1 Act takes effect September 1, 2011.