

By: Strama

H.B. No. 1432

A BILL TO BE ENTITLED

AN ACT

relating to the creation, operation, and funding of the Texas Sustainable Youth Program.

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. TEXAS SUSTAINABLE YOUTH PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 313.001. DEFINITIONS. In this chapter:

(1) "Energy-efficient" means, with respect to a project, sustainable, long-lasting construction, rehabilitation, or retrofitting that reduces the energy costs of conventional construction, rehabilitation, or retrofitting by not less than 20 percent.

(2) "Participant" means an individual who is enrolled in a project under this chapter and is receiving training and other services through the program.

(3) "Program" means the Texas Sustainable Youth Program established under this chapter.

(4) "Project" means a construction, rehabilitation, or retrofitting project eligible for funding through a grant awarded under this chapter.

[Sections 313.002-313.050 reserved for expansion]

1 SUBCHAPTER B. POWERS AND DUTIES OF COMMISSION

2 Sec. 313.051. PROGRAM; ADMINISTRATION. (a) The Texas
3 Sustainable Youth Program is established in the Texas Workforce
4 Commission as a workforce training and development program.

5 (b) The commission shall administer the program and may
6 employ personnel as necessary to administer the program.

7 Sec. 313.052. PROGRAM FUNDING. (a) The program is funded
8 by appropriations from the legislature and other available money,
9 including funds from federal agencies, identified by the
10 commission, the Texas Youth Commission, the Texas Juvenile
11 Probation Commission, the Texas Department of Criminal Justice, the
12 Texas Education Agency, or other state agencies.

13 (b) The commission may solicit and accept gifts, grants, and
14 other donations for operation of the program.

15 (c) The commission may not provide more than 75 percent of
16 the money budgeted for a project.

17 Sec. 313.053. RULES. The commission shall adopt rules as
18 necessary to implement the program, including rules for auditing
19 grants awarded under this chapter and accountability requirements
20 for grant recipients.

21 Sec. 313.054. ANNUAL REPORT. (a) The commission shall
22 report to the governor and the legislature in January of each year
23 on the status of the program as of the end of the previous state
24 fiscal year.

25 (b) The annual report must include for that fiscal year:

26 (1) the number of grants awarded;

27 (2) the total dollar amount of grants awarded;

1 (3) the geographical distribution of grants awarded;

2 (4) the number of youths and other participants
3 enrolled in projects funded by grants;

4 (5) the number of youths and other participants who
5 are projected to secure full-time jobs at the conclusion of
6 participation in projects funded by grants;

7 (6) the number of youths who are projected to graduate
8 from high school or receive a high school equivalency certificate
9 while participating in the program;

10 (7) the number of housing units and other buildings
11 constructed, rehabilitated, or retrofitted through projects funded
12 by grants; and

13 (8) the estimated dollar savings due to improved
14 energy efficiency in projects funded by grants.

15 [Sections 313.055-313.100 reserved for expansion]

16 SUBCHAPTER C. TEXAS SUSTAINABLE YOUTH PROGRAM

17 Sec. 313.101. PROGRAM PURPOSES. The Texas Sustainable
18 Youth Program shall:

19 (1) promote the economic self-sufficiency of youth and
20 young veterans by providing those persons with opportunities to
21 acquire job skills while performing community service activities;

22 (2) create opportunities for communities to restore
23 abandoned properties and historic areas, enhance public places, and
24 increase the availability of affordable, energy-efficient housing
25 for individuals and families of low income; and

26 (3) create training and employment opportunities for
27 eligible veterans.

1 Sec. 313.102. PARTICIPANT ELIGIBILITY. (a) To be eligible
2 to participate in the program, a participant must be an individual
3 who is at least 16 years of age but not older than 24 years of age on
4 the date of enrollment in a project and who:

5 (1) is not attending high school and has not received a
6 high school diploma or high school equivalency certificate;

7 (2) is not attending high school but has enrolled in an
8 alternative education program as part of a sequential service
9 strategy;

10 (3) has graduated from high school but did not perform
11 satisfactorily on eighth grade level assessment instruments for
12 reading or math; or

13 (4) is:

14 (A) attending high school or a program leading to
15 a high school equivalency certificate but is at risk of dropping out
16 of high school or the equivalency certification program; and

17 (B) recommended for enrollment in the project by
18 the high school or the equivalency certification program.

19 (b) In addition to meeting the requirements of Subsection
20 (a), a program participant must be:

21 (1) an individual who:

22 (A) is a member of a household that receives
23 public assistance or earns not more than 80 percent of the area
24 median income; or

25 (B) is referred to the program by a school
26 district, state agency, or court; or

27 (2) a veteran who is not older than 24 years of age on

1 initial participation in the program.

2 [Sections 313.103-313.150 reserved for expansion]

3 SUBCHAPTER D. PROGRAM GRANTS

4 Sec. 313.151. GRANTS. (a) The executive director shall
5 award grants under the program to eligible entities for projects
6 that meet the requirements of this subchapter.

7 (b) To be eligible to receive a grant from the program, a
8 grant recipient must use the grant for a project that provides
9 services specified in Sections 313.154 and 313.155 to individuals
10 eligible to participate in the program under Section 313.102.

11 Sec. 313.152. ELIGIBLE ENTITIES. (a) Subject to
12 Subsection (b), the following entities may apply to receive a grant
13 for an eligible project under this subchapter:

14 (1) a private, nonprofit, tax-exempt organization
15 listed in Section 501(c)(3), Internal Revenue Code of 1986,
16 including a faith-based organization;

17 (2) a public agency that operates a community-based
18 youth employment training program;

19 (3) a community housing development organization or
20 community action agency certified by the state;

21 (4) a community educational facility as an alternative
22 to placement to the Texas Youth Commission and the Texas Department
23 of Criminal Justice;

24 (5) a corps-based community service organization
25 including AmeriCorps, Conservation Corps, YouthBuild, and similar
26 corps-based service organizations;

27 (6) an open-enrollment charter school approved by the

1 Texas Education Agency that serves students 16 years of age or
2 older; or

3 (7) a public school that serves students 16 years of
4 age or older.

5 (b) To be eligible to receive a grant, an applicant must
6 demonstrate that the applicant has:

7 (1) successful experience operating programs that
8 benefit disadvantaged or at-risk youth;

9 (2) successful experience in counseling and support
10 services for high school dropouts and at-risk youth; and

11 (3) successful experience in job training in the field
12 of the eligible project.

13 (c) A private school, as defined by Section 5.001, Education
14 Code, or for-profit entity is not eligible to receive a grant under
15 this subchapter.

16 Sec. 313.153. GRANT APPLICATION. A grant application for a
17 proposed project must be filed with the commission on a form
18 prescribed by the commission. The application must include:

19 (1) a statement of the amount of money requested;

20 (2) a description of the proposed project;

21 (3) a description of the proposed service, education,
22 and training activities;

23 (4) a description of the applicant's qualifications,
24 including the applicant's experience with youth, law enforcement
25 agencies, and educational and community groups;

26 (5) if applicable, a list of proposed sites for
27 construction, rehabilitation, or retrofitting of housing or other

1 buildings;

2 (6) if applicable, a description of proposed
3 energy-efficient construction, rehabilitation, or retrofitting
4 activities, including an implementation schedule;

5 (7) a description of the applicant's proposed
6 procedures for recruiting and selecting participants in the
7 project;

8 (8) a proposed budget, including procedures for
9 auditing and accountability;

10 (9) if applicable, a description of proposed financing
11 for construction, rehabilitation, or retrofitting;

12 (10) a list of relevant contracts or other
13 arrangements between the applicant and public agencies that will
14 facilitate implementation of the project;

15 (11) a list of partners or collaborators that the
16 applicant plans to use during the project, including a copy of any
17 memorandum of understanding, letter of support, or other
18 documentation of an agreement;

19 (12) a list of prospective donations, grants, or
20 in-kind contributions for the project that will supplement money
21 received through the grant;

22 (13) a certification satisfactory to the commission of
23 the applicant's compliance with:

24 (A) state and federal fair housing laws;

25 (B) the Civil Rights Act of 1964 (42 U.S.C.
26 Section 2000a et seq.);

27 (C) the Americans with Disabilities Act of 1990

1 (42 U.S.C. Section 12101 et seq.);

2 (D) the Rehabilitation Act of 1973 (29 U.S.C.
3 Section 701 et seq.); and

4 (E) the Age Discrimination in Employment Act of
5 1967 (29 U.S.C. Section 621 et seq.); and

6 (14) any other requirements that the commission
7 establishes by rule.

8 Sec. 313.154. PROJECT REQUIREMENTS; SERVICES TO
9 PARTICIPANTS. A project for which a grant is received under the
10 program must provide to a participant:

11 (1) integrated green job or other in-demand or rapidly
12 growing industry occupational skills training and education,
13 divided between:

14 (A) practical, hands-on work experience at
15 project sites; and

16 (B) if the participant has not received a high
17 school diploma or high school equivalency certificate, academic and
18 project-based instruction designed to result in the attainment of a
19 high school diploma or high school equivalency certificate, of
20 which at least 50 percent of the instruction is devoted to applied
21 academic instruction; and

22 (2) one or more of the following supplemental
23 services:

24 (A) direct access to counseling and support
25 services, including assessment and orientation services,
26 life-skills training, peer tutoring, gang prevention techniques,
27 parenting and child-care skills, and medical and legal screening

1 and referrals;

2 (B) direct access to leadership training
3 designed to develop ethics, citizenship, personal responsibility,
4 critical thinking, and problem-solving skills;

5 (C) direct access to assistance in making the
6 transition from training to economic self-sufficiency, including
7 career counseling, job placement, personal finance training,
8 homebuyer education, and follow-up services;

9 (D) guidance and support in applying to and
10 enrolling in postsecondary education and in earning college
11 scholarships and other forms of financial aid; and

12 (E) after the participant leaves the program,
13 follow-up support as necessary to ensure the participant's success
14 in job placement or postsecondary education, for a period not to
15 exceed 12 months from the date of the participant's exit from the
16 project.

17 Sec. 313.155. TRAINING STIPEND. (a) To the extent
18 authorized by federal law and regulations, a project for which a
19 grant is received under the program must provide a training stipend
20 to each participant enrolled in the project. A training stipend
21 under this section must be:

22 (1) in an amount determined by commission rule and in
23 compliance with guidelines set forth by the United States
24 Department of Labor or the Corporation for Community and National
25 Service;

26 (2) provided for a period not to exceed two years; and

27 (3) conditioned on the demonstration by the

1 participant of improved job performance and personal
2 responsibility as determined by commission rule.

3 (b) To the extent authorized by federal law and regulations,
4 a stipend provided under this section does not count as income or
5 resources for purposes of determining the eligibility of the
6 participant or the participant's household for any form of public
7 assistance or in determining the amount of that assistance.

8 (c) A stipend provided under this section may include a plan
9 for incentives under which additional compensation is provided to a
10 participant who demonstrates excellent attendance or performance.

11 Sec. 313.156. ELIGIBLE PROJECTS. A project for which a
12 grant is received under the program must provide at least one of the
13 following services:

14 (1) the construction, rehabilitation, or retrofitting
15 of energy-efficient, affordable housing for:

16 (A) individuals and families earning not more
17 than 80 percent of the area median income;

18 (B) veterans of the United States armed forces;

19 or

20 (C) individuals with a disability, as defined by
21 Sections 2052.003(b) and (c), Government Code;

22 (2) the energy-efficient rehabilitation or
23 retrofitting of:

24 (A) a historic structure, as defined by Section
25 442.001, Government Code;

26 (B) a publicly owned facility, including a public
27 school and a public facility that is part of a designated cultural

1 district;

2 (C) a facility, located in a low-income area as
3 defined by commission rule, that:

4 (i) is owned by a private, nonprofit,
5 tax-exempt organization listed in Section 501(c), Internal Revenue
6 Code of 1986;

7 (ii) provides a public service, as defined
8 by the commission; and

9 (iii) is not owned, leased, or rented by a
10 grant recipient under this chapter; or

11 (D) park structures;

12 (3) park and green space construction work, including
13 trail building, habitat restoration, and public land improvement
14 projects:

15 (A) in state, county, and local parks; or

16 (B) subject to the availability of federal funds
17 for the project, in national parks located in this state; or

18 (4) a green job-training program:

19 (A) that incorporates training of participants
20 in the following:

21 (i) renewable electric power;

22 (ii) biofuels;

23 (iii) deconstruction and reuse of
24 materials;

25 (iv) energy efficiency assessments;

26 (v) weatherization;

27 (vi) the manufacture of sustainable

1 products; or

2 (vii) sustainable manufacturing processes

3 and materials; and

4 (B) the activities of which benefit:

5 (i) a person described by Subdivision (1);

6 or

7 (ii) a private, nonprofit, tax-exempt

8 organization that:

9 (a) is listed in Section 501(c),

10 Internal Revenue Code of 1986; and

11 (b) provides a public service, as

12 defined by the commission.

13 Sec. 313.157. ADVISORY BOARD; PARTICIPANT COUNCIL. An

14 entity awarded a grant for a project under the program shall

15 establish:

16 (1) an advisory board for the project that includes

17 senior staff of the entity operating the project, area employers,

18 business leaders, representatives of nonprofit organizations

19 representing low-income neighborhoods, and participants enrolled

20 in the project; and

21 (2) a participant council to provide comments and

22 suggestions regarding project policies.

23 Sec. 313.158. LIMIT ON ADMINISTRATIVE EXPENSES. Not more

24 than 10 percent of the grant money awarded under the program for a

25 project may be used for administrative costs associated with the

26 project.

27 Sec. 313.159. TRAINING AND TECHNICAL ASSISTANCE. The

1 commission may reserve up to eight percent of grant funds for
2 allocation to qualified organizations that have specific
3 experience in successfully operating programs or providing
4 services to individuals eligible to participate in the sustainable
5 youth program to provide training and technical assistance to grant
6 recipients.

7 SECTION 2. This Act takes effect September 1, 2011.