

AN ACT

relating to the efficiency of the operations of, and certain information regarding services provided by, the Texas Workforce Commission; providing a criminal penalty.

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

SECTION 1. Subchapter D, Chapter 301, Labor Code, is amended by adding Section 301.068 to read as follows:

Sec. 301.068. EFFICIENCY PILOT PROGRAM. (a) The commission shall establish a pilot program to:

(1) improve the efficiency and quality of commission operations while reducing costs; and

(2) adopt a structured approach for identifying the wasteful use of state resources and improving commission processes.

(b) In implementing the pilot program, the commission shall use:

(1) a methodology that includes a define, measure, analyze, improve, and control structure for reviewing project management;

(2) a continuous improvement technique that:
(A) identifies value and a value stream;
(B) creates a flow for activities;
(C) allows consumers to pull products or services through the process; and

(D) allows for the process to be perfected over

1 time; and

2 (3) a measurement system analysis to evaluate data.

3 (c) Not later than August 1, 2012, the commission shall
4 submit a written report on the effectiveness of the pilot program to
5 the:

6 (1) governor;

7 (2) lieutenant governor;

8 (3) speaker of the house of representatives;

9 (4) Senate Committee on Government Organization;

10 (5) House Government Efficiency and Reform Committee;

11 and

12 (6) house and senate committees with primary
13 jurisdiction over state affairs.

14 (d) The commission shall implement the pilot program from
15 available funds that may be used for that purpose.

16 (e) A state agency, other than the commission, may implement
17 the pilot program established under this section with respect to
18 the agency. An agency that implements the pilot program shall:

19 (1) submit the written report in the time and manner
20 described by Subsection (c); and

21 (2) use available resources to fund the pilot program.

22 (f) A report required by this section may be submitted
23 electronically.

24 (g) This section expires September 1, 2013.

25 SECTION 2. The heading to Section 301.085, Labor Code, is
26 amended to read as follows:

27 Sec. 301.085. UNEMPLOYMENT COMPENSATION AND JOB MATCHING

1 SERVICES INFORMATION; OFFENSE; PENALTY.

2 SECTION 3. Section 301.085, Labor Code, is amended by
3 amending Subsections (a), (c), and (d) and adding Subsection (b-1)
4 to read as follows:

5 (a) In this section:

6 (1) "Job matching services information" means
7 information in the records of the commission that pertains to the
8 commission's job matching services provided to employers and job
9 seekers through the Internet, workforce centers, or other means.

10 (2) "Unemployment~~[, — "unemployment]~~ compensation
11 information" means information in the records of the commission
12 that pertains to the administration of Subtitle A, including any
13 information collected, received, developed, or maintained in the
14 administration of unemployment compensation benefits or the
15 unemployment compensation tax system.

16 (b-1) The commission shall adopt and enforce reasonable
17 rules governing the confidentiality, custody, use, preservation,
18 and disclosure of job matching services information. The rules
19 must include safeguards to protect the confidentiality of
20 identifying information regarding any individual or any past or
21 present employer or employing unit contained in job matching
22 services information, including any information that foreseeably
23 could be combined with other publicly available information to
24 reveal identifying information regarding the individual, employer,
25 or employing unit, as applicable.

26 (c) Unemployment compensation information and job matching
27 services information are ~~[is]~~ not public information for purposes

1 of Chapter 552, Government Code.

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

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

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

13 SECTION 4. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 563 passed the Senate on March 24, 2011, by the following vote: Yeas 31, Nays 0; May 25, 2011, Senate refused to concur in House amendment and requested appointment of Conference Committee; May 26, 2011, House granted request of the Senate; May 28, 2011, Senate adopted Conference Committee Report by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 563 passed the House, with amendment, on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting; May 26, 2011, House granted request of the Senate for appointment of Conference Committee; May 28, 2011, House adopted Conference Committee Report by the following vote: Yeas 148, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor