

## **BILL ANALYSIS**

C.S.H.B. 3062  
By: Clardy  
Higher Education  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

The Jobs and Education for Texans (JET) Grant Program awards grants to certain public junior colleges and public technical institutes to help fund the start-up costs associated with the development of new career and technical education programs at these institutions. In order to receive funding from the JET Grant Program an institution must match funds in a number of ways, including by industry consortia, community or foundation grants, individual contributions, or local governmental agency operating funds. Interested parties have observed a need to extend the program to independent school districts for the purpose of furthering career and technical education development at all levels of education. C.S.H.B. 3062 seeks to address that need, among other provisions.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that rulemaking authority previously granted to the comptroller of public accounts is transferred to the Texas Workforce Commission in SECTION 7 of this bill.

### **ANALYSIS**

C.S.H.B. 3062 takes the following actions, not later than September 1, 2015:

- transfers the administration of the Jobs and Education for Texans (JET) Grant Program from the comptroller of public accounts to the Texas Workforce Commission (TWC);
- continues all rules, forms, policies, procedures, or decisions of the comptroller that are related to the JET Grant Program in effect as rules, forms, policies, procedures, or decisions of the TWC until superseded by a rule or other appropriate act of the TWC;
- transfers all money, obligations, memoranda of understanding, leases, rights, and contracts, including grant agreements, of the comptroller related to the JET Grant Program to the TWC and establishes that the TWC assumes, without a change in status, the position of the comptroller in all such transferred contracts, including grant agreements;
- transfers records in the custody of the comptroller related to the JET Grant Program to the TWC and makes such records the property of the TWC; and
- establishes that a reference in law or administrative rule to the comptroller relating to the administration of the JET Grant Program means the TWC.

The bill requires the comptroller and the TWC, before the transfer of the administration of the JET Grant Program, to coordinate the transfer of powers and duties, including records,

appropriations, disbursements, compliance audits, monitoring and enforcement, and other items, to ensure a smooth transition.

C.S.H.B. 3062 amends the Education Code to remove the comptroller from the advisory board of education and workforce stakeholders created to assist in the administration of the JET Grant Program, replaces the board member appointed by the comptroller with the chair of the TWC, and establishes that the chair serves as the board's presiding officer. The bill authorizes the advisory board to meet as needed to review received applications and to recommend awarding JET grants, as an alternative to meeting at least once each quarter.

C.S.H.B. 3062 authorizes the TWC to award a grant to an independent school district under the JET Grant Program if the district has entered into a partnership with a public junior college or public technical institute for the purpose of promoting career and technical education to the district's students or offering dual credit courses to the district's students.

C.S.H.B. 3062 removes in-kind contributions as a source from which required matching funds may be obtained by an educational institution in order to be eligible to receive a JET grant. The bill authorizes a JET grant to be awarded to an independent school district beginning with the 2016–2017 academic year.

### **EFFECTIVE DATE**

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 3062 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and formatted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

#### INTRODUCED

No equivalent provision.

No equivalent provision.

No equivalent provision.

#### HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Section 134.001, Education Code, is amended by adding Subdivision (1) to read as follows:

(1) "Commission" means the Texas Workforce Commission.

SECTION 2. Section 134.002(a), Education Code, is amended to read as follows:

(a) The commission [~~comptroller~~] shall establish and administer the Jobs and Education for Texans (JET) fund as a dedicated account in the general revenue fund.

SECTION 3. Section 134.003, Education Code, is amended to read as follows:

Sec. 134.003. ADVISORY BOARD. (a) An advisory board of education and workforce stakeholders is created to assist the commission [~~comptroller~~] in administering this chapter.

(b) The advisory board is composed of six [~~seven~~] members who serve two-year terms

and are appointed as follows:

- (1) one member appointed by the governor;
- (2) one member appointed by the lieutenant governor;
- (3) one member appointed by the speaker of the house of representatives;
- (4) one member appointed by the Texas Higher Education Coordinating Board;
- (5) one member appointed by the commission [~~Texas Workforce Commission~~]; and
- (6) the chair of the commission [~~one member of the public appointed by the comptroller; and~~ ~~(7) the comptroller~~], who serves as the presiding officer.

(c) The advisory board shall meet at least once each quarter, or as needed, to review received applications and recommend awarding grants under this chapter.

SECTION 1. Section 134.004, Education Code, is amended to read as follows:

Sec. 134.004. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM.

(a) The comptroller shall establish and administer the Jobs and Education for Texans (JET) Grant Program to provide grants to public junior colleges, ~~and~~ public technical institutes, and independent school districts described under Section 134.007 that apply to the advisory board in the manner prescribed by the advisory board. The comptroller shall award the grants on the advice and recommendations of the advisory board.

(b) Grants may be awarded under this chapter from the Jobs and Education for Texans (JET) fund to defray the start-up costs associated with the development of new career and technical education programs at public junior colleges, ~~and~~ public technical institutes, and independent school districts described under Section 134.007 that meet the requirements of Section 134.006.

SECTION 2. Sections 134.006(a) and (d), Education Code, are amended to read as follows:

(a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges, ~~and~~ public technical

SECTION 4. Section 134.004, Education Code, is amended to read as follows:

Sec. 134.004. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM.

(a) The commission [~~comptroller~~] shall establish and administer the Jobs and Education for Texans (JET) Grant Program to provide grants to public junior colleges, ~~and~~ public technical institutes, and independent school districts described under Section 134.007 that apply to the advisory board in the manner prescribed by the advisory board. The commission [~~comptroller~~] shall award the grants on the advice and recommendations of the advisory board.

(b) Grants may be awarded under this chapter from the Jobs and Education for Texans (JET) fund to defray the start-up costs associated with the development of new career and technical education programs at public junior colleges, ~~and~~ public technical institutes, and independent school districts described under Section 134.007 that meet the requirements of Section 134.006.

SECTION 5. Sections 134.006(a), (c), and (d), Education Code, are amended to read as follows:

(a) The commission [~~comptroller~~] may award a grant for the development of new career and technical education courses or programs at public junior colleges, ~~and~~

institutes, and independent school districts.

public technical institutes, and independent school districts.

(c) In awarding a grant under this section, the commission ~~[comptroller]~~ shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program. The commission ~~[comptroller]~~ may also consider whether the course or program:

(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college, ~~[or]~~ public technical institute, or independent school district described under Section 134.007 must provide matching funds in accordance with rules adopted under Section 134.008. The matching funds may be obtained from any source available to the public junior college, public ~~[or]~~ technical institute, or independent school district, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

(d) To be eligible to receive a grant under this section, a public junior college, ~~[or]~~ public technical institute, or independent school district described under Section 134.007 must provide matching funds in accordance with rules adopted under Section 134.008. The matching funds may be obtained from any source available to the public junior college, public ~~[or]~~ technical institute, or independent school district, including ~~[in-kind contributions,]~~ industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

SECTION 3. Chapter 134, Education Code, is amended by adding Section 134.007 to read as follows:

Sec. 134.007. GRANTS AWARDED TO INDEPENDENT SCHOOL DISTRICT. The ~~comptroller~~ may award a grant to an independent school district under this chapter if the district has entered into a partnership with a public junior college or public technical institute for the purpose of promoting career and technical education to the district's students.

SECTION 6. Chapter 134, Education Code, is amended by adding Section 134.007 to read as follows:

Sec. 134.007. GRANTS AWARDED TO INDEPENDENT SCHOOL DISTRICT. The ~~comptroller~~ may award a grant to an independent school district under this chapter if the district has entered into a partnership with a public junior college or public technical institute for the purpose of:  
(1) promoting career and technical education to the district's students; or  
(2) offering dual credit courses to the district's students.

SECTION 4. This Act applies beginning with grants awarded for the 2016-2017 academic year.

~~No equivalent provision. (But see SECTION 9 below.)~~

~~No equivalent provision.~~

SECTION 7. Section 134.008, Education Code, is amended to read as follows:  
Sec. 134.008. RULES. The commission

[~~comptroller~~] shall adopt rules as necessary for the administration of this chapter.

No equivalent provision.

SECTION 8. (a) Not later than September 1, 2015:

(1) the administration of the Jobs and Education for Texans Grant Program shall be transferred from the ~~comptroller~~ to the Texas Workforce Commission;

(2) all rules, forms, policies, procedures, or decisions of the ~~comptroller~~ that are related to the Jobs and Education for Texans Grant Program are continued in effect as rules, forms, policies, procedures, or decisions of the Texas Workforce Commission until superseded by a rule or other appropriate act of the Texas Workforce Commission;

(3) all money, obligations, memoranda of understanding, leases, rights, and contracts, including grant agreements, of the ~~comptroller~~ related to the Jobs and Education for Texans Grant Program are transferred to the Texas Workforce Commission, and the Texas Workforce Commission assumes, without a change in status, the position of the ~~comptroller~~ in all transferred contracts, including grant agreements, related to the Jobs and Education for Texans Grant Program;

(4) records in the custody of the ~~comptroller~~ related to the Jobs and Education for Texans Grant Program are transferred to and become the property of the Texas Workforce Commission; and

(5) a reference in law or administrative rule to the ~~comptroller~~ relating to the administration of the Jobs and Education for Texans Grant Program means the Texas Workforce Commission.

(b) Before the transfer of the administration of the Jobs and Education for Texans Grant Program, the ~~comptroller~~ and the Texas Workforce Commission shall coordinate the transfer of powers and duties, including records, appropriations, disbursements, compliance audits, monitoring and enforcement, and other items, to ensure a smooth transition.

No equivalent provision. (*But see SECTION 4 above.*)

SECTION 9. An independent school district may be awarded a grant in accordance with Section 134.007, Education Code, as added by this Act, beginning with the 2016-2017 academic year.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

SECTION 10. Same as introduced version.