

1-1 By: Bell of Kaufman, et al. H.B. No. 3938
 1-2 (Senate Sponsor - Powell, Hinojosa)
 1-3 (In the Senate - Received from the House April 28, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Natural
 1-5 Resources & Economic Development; May 24, 2021, reported
 1-6 adversely, with favorable Committee Substitute by the following
 1-7 vote: Yeas 9, Nays 0; May 24, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 3938 By: Zaffirini

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to the establishment of the industry-based certification
 1-23 advisory council and the transfer of certain duties to that
 1-24 advisory council.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle B, Title 4, Labor Code, is amended by
 1-27 adding Chapter 312 to read as follows:

1-28 CHAPTER 312. INDUSTRY-BASED CERTIFICATION ADVISORY COUNCIL

1-29 Sec. 312.001. DEFINITION. In this chapter, "advisory
 1-30 council" means the industry-based certification advisory council
 1-31 established under this chapter.

1-32 Sec. 312.002. ADVISORY COUNCIL. (a) The industry-based
 1-33 certification advisory council is established to advise the
 1-34 commission regarding the alignment of public high school career and
 1-35 technology education programs with current and future workforce
 1-36 needs in communities, regions, and the state.

1-37 (b) The advisory council is composed of the following nine
 1-38 members:

1-39 (1) three members representing industry in this state,
 1-40 one each appointed by the governor, the lieutenant governor, and
 1-41 the speaker of the house of representatives;

1-42 (2) three members representing public school teachers
 1-43 who teach career and technology education courses or public school
 1-44 administrators, one each appointed by the governor, the lieutenant
 1-45 governor, and the speaker of the house of representatives; and

1-46 (3) three members representing a public junior
 1-47 college, public state college, or public technical institute, as
 1-48 those terms are defined by Section 61.003, Education Code, one each
 1-49 appointed by the governor, the lieutenant governor, and the speaker
 1-50 of the house of representatives.

1-51 (c) The members of the advisory council serve staggered
 1-52 four-year terms, with the terms of either four or five members
 1-53 expiring February 1 of each odd-numbered year.

1-54 (c-1) Notwithstanding Subsection (c), the initial members
 1-55 appointed shall determine by lot which four of the nine initial
 1-56 members will serve terms that expire February 1, 2023, and which
 1-57 five of the nine initial members will serve terms that expire
 1-58 February 1, 2025. This subsection expires January 1, 2026.

1-59 (d) A vacancy on the advisory council shall be filled in the
 1-60 same manner as the original appointment for that position.

2-1 (e) A member of the advisory council is not entitled to
2-2 compensation for service as a member of the advisory council but is
2-3 entitled to reimbursement for actual and necessary travel expenses
2-4 incurred in performing functions as a member of the advisory
2-5 council, as provided in the General Appropriations Act.

2-6 (f) Using existing resources, the commission shall provide
2-7 administrative and staff support for the advisory council.

2-8 SECTION 2. Section 29.189, Education Code, is transferred
2-9 to Chapter 312, Labor Code, as added by this Act, redesignated as
2-10 Section 312.003, Labor Code, and amended to read as follows:

2-11 Sec. 312.003. [Sec. 29.189.] INVENTORY OF CREDENTIALS AND
2-12 CERTIFICATES. (a) The advisory council [In this section:

2-13 [(1) "Commission" means the Texas Workforce
2-14 Commission.

2-15 [(2) "Coordinating board" means the Texas Higher
2-16 Education Coordinating Board.

2-17 [(b) The agency, the coordinating board, and the
2-18 commission] shall [jointly] develop [and post on their respective
2-19 Internet websites] an inventory of industry-recognized credentials
2-20 and certificates that may be earned by a public high school student
2-21 through a career and technology education program and that:

2-22 (1) are aligned to state and regional workforce needs;
2-23 and

2-24 (2) serve as an entry point to middle- and high-wage
2-25 jobs.

2-26 (b) ~~(c)~~ The inventory must include for each credential or
2-27 certificate:

2-28 (1) the associated career cluster;

2-29 (2) the awarding entity;

2-30 (3) the level of education required and any additional
2-31 requirements for the credential or certificate;

2-32 (4) any fees for obtaining the credential or
2-33 certificate; and

2-34 (5) the average wage or salary for jobs that require or
2-35 prefer the credential or certificate.

2-36 (c) In developing the inventory, the advisory council may
2-37 consult with local workforce boards, the Texas Workforce Investment
2-38 Council, the Texas Economic Development and Tourism Office, and the
2-39 Texas Higher Education Coordinating Board.

2-40 (d) The advisory council shall establish a process for
2-41 developing the inventory, including the criteria for the inclusion
2-42 of a credential or certificate in the inventory.

2-43 (e) The advisory council shall annually review and revise
2-44 the inventory.

2-45 (f) Each year, ~~[the agency, the coordinating board, and]~~ the
2-46 commission ~~[jointly]~~ shall:

2-47 (1) adopt [review] and, if necessary, review [update]
2-48 the inventory; and

2-49 (2) provide a copy of the inventory to the Texas
2-50 Education Agency and to each school district and public institution
2-51 of higher education that offers a career and technology education
2-52 program to public high school students.

2-53 SECTION 3. As soon as practicable after the effective date
2-54 of this Act but not later than January 1, 2022, the industry-based
2-55 certification advisory council established under Chapter 312,
2-56 Labor Code, as added by this Act, shall develop the initial
2-57 inventory required under that chapter.

2-58 SECTION 4. This Act takes effect immediately if it receives
2-59 a vote of two-thirds of all the members elected to each house, as
2-60 provided by Section 39, Article III, Texas Constitution. If this
2-61 Act does not receive the vote necessary for immediate effect, this
2-62 Act takes effect September 1, 2021.

2-63 * * * * *