

By: Ordaz Perez

H.B. No. 4067

A BILL TO BE ENTITLED

AN ACT

relating to the designation, authority, and funding of the small business ombudsman program of the Texas Workforce Commission.

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

SECTION 1. Sec. 301.009, Labor Code, is amended to read as follows:

(a) The commission shall have:

(1) a division of workforce development;

(2) a division of unemployment compensation; ~~and~~

(3) a civil rights division; ~~and~~

(4) a small business ombudsman program.

(b) In addition to the divisions and program listed in Subsection (a), the executive director may establish additional divisions within the commission for effective administration and performance of commission functions.

(c) The executive director shall appoint the directors of the divisions of the commission. The directors serve at the pleasure of the executive director.

SECTION 2. Chapter 301, Labor Code, is amended by adding Subchapter L to read as follows:

SUBCHAPTER L. SMALL BUSINESS OMBUDSMAN PROGRAM

Sec. 301.2001. DEFINITIONS. In this subchapter:

(1) "Director" means the director of the program.

(2) "Program" means the small business ombudsman

1 program of the commission.

2 Sec. 301.2005. GOVERNANCE; AUTHORITY. (a) The commission  
3 shall establish policies for the program and the executive director  
4 shall supervise the director in administering the activities of the  
5 program.

6 (b) The commission is authorized, with respect to assisting  
7 small businesses during a period of economic disaster or downturn,  
8 to provide to small businesses with resources for legal,  
9 accounting, and other needed services. Any assistance to small  
10 businesses provided under this subchapter shall be strictly  
11 confidential with respect to any resources or services provided by  
12 the commission to a small business, and with respect to all  
13 identity, contact, correspondence, or other information shared  
14 between a small business and the commission for purposes of this  
15 subchapter.

16 (c) Small business assistance described in Subsection (b)  
17 includes assistance with, but is not limited to:

- 18 (1) securing state or federal funds of any kind;
- 19 (2) business taxes and accounting;
- 20 (3) refinancing;
- 21 (4) bankruptcy procedure;
- 22 (5) restructuring;
- 23 (6) debt protection and forgiveness;
- 24 (7) technical and financial opportunities;
- 25 (8) state agency and regulatory applicability; and
- 26 (9) other assistance to small businesses.

27 (d) To achieve the purpose of Subsection (b) and (c), the

1 commission shall, contingent on program funding, provide resources  
2 to staff the program with a minimum of two qualified individuals;  
3 such staffing shall not include more than one attorney and one  
4 certified public accountant.

5 (e) A qualified individual described in Subsection (d) is a  
6 person who is licensed in the State of Texas to provide legal or  
7 accounting services as described in Subsection (b) and (c).

8 Sec. 301.2010. SMALL BUSINESS ECONOMIC OMBUDSMAN FUND. (a)  
9 To achieve the purposes of this subchapter, the small business  
10 ombudsman fund is created. The fund is composed of:

11 (1) any amounts appropriated by the legislature for  
12 the purpose of this subchapter; or

13 (2) any amounts allocated by the legislature for the  
14 purpose of this subchapter from any other resources.

15 SECTION 3. This Act takes effect September 1, 2021.