

House Bill 3938
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

CHAPTER 312. INDUSTRY-BASED CERTIFICATION ADVISORY COUNCIL

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

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

(b) The advisory council is composed of the following nine members:

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

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

(3) three members representing a public junior college or public state college, as those terms are defined by Section 61.003, Education Code, one each appointed by the governor, the lieutenant governor, and the speaker of the house of representatives.

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

(c-1) Notwithstanding Subsection (c), the initial members appointed shall determine by lot which four of the nine initial

SENATE VERSION (CS)

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

CHAPTER 312. INDUSTRY-BASED CERTIFICATION ADVISORY COUNCIL

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

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

(b) The advisory council is composed of the following nine members:

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

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

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

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

(c-1) Notwithstanding Subsection (c), the initial members appointed shall determine by lot which four of the nine initial

CONFERENCE

House Bill 3938
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

members will serve terms that expire February 1, 2023, and which five of the nine initial members will serve terms that expire February 1, 2025. This subsection expires January 1, 2026.

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

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

(f) Using existing resources, the Texas State Technical College System shall provide administrative and staff support for the advisory council.

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

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

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

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

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

(1) are aligned to state and regional workforce needs; and

SENATE VERSION (CS)

members will serve terms that expire February 1, 2023, and which five of the nine initial members will serve terms that expire February 1, 2025. This subsection expires January 1, 2026.

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

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

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

SECTION 2. Same as House version.

CONFERENCE

House Bill 3938
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SENATE VERSION (CS)

CONFERENCE

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

(b) ~~(e)~~ The inventory must include for each credential or certificate:

(1) the associated career cluster;

(2) the awarding entity;

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

(4) any fees for obtaining the credential or certificate; and

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

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

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

(e) The advisory council shall annually review and revise the inventory.

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

~~(1) adopt [review] and, if necessary, review [update] the inventory; and~~

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

SECTION 3. As soon as practicable after the effective date of this Act but not later than January 1, 2022, the industry-based certification advisory council established under Chapter 312,

SECTION 3. Same as House version.

House Bill 3938
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

Labor Code, as added by this Act, shall develop the initial inventory required under that chapter.

SECTION 4. 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, 2021.

SENATE VERSION (CS)

SECTION 4. Same as House version.

CONFERENCE