

BILL ANALYSIS

Senate Research Center
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H.B. 2975
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Natural Resources & Economic Development
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The Work and Family Policies Clearinghouse was created to house a grant program to provide assistance and information on dependent care and employment-related family issues. The Clearinghouse's funding mechanism was repealed before it was implemented and therefore serves very little purpose, justifying an update to the law.

H.B. 2975 seeks to disband the Work and Family Policies Clearinghouse and instead require the Texas Workforce Commission to consolidate and share work and family policies and resources on its website to assist small businesses who may use this information to provide the best possible benefits for their employees.

H.B. 2975 amends current law relating to powers and duties of the Texas Workforce Commission with respect to work and family policies.

RULEMAKING AUTHORITY

Rulemaking authority previously granted to the Texas Workforce Commission is modified in SECTION 1 (Section 81.007, Labor Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Sections 81.001, 81.003, 81.0045, 81.0046, 81.005, 81.007, and 81.008, Labor Code, as follows:

Sec. 81.001. DEFINITIONS. Defines "work and family policies." Deletes existing text defining "clearinghouse." Makes a nonsubstantive change.

Sec. 81.003. New heading: WORK AND FAMILY POLICIES RESOURCES. Requires the Texas Workforce Commission (TWC) to maintain on its Internet website information and resources for employers who are considering, selecting, or implementing work and family policies, together with an explanation that:

- (1) TWC does not and is prohibited from providing legal advice; and
- (2) an employer is not required by law to implement a work and family policy included on TWC's website.

Deletes existing text providing that the Work and Family Policies Clearinghouse (clearinghouse) is within TWC.

Sec. 81.0045. DEPENDENT CARE GRANT PROGRAM. (a) Authorizes TWC, rather than the clearinghouse, to establish a grant program to provide funds to public or private persons to conduct demonstration dependent care projects.

- (b)-(c) Makes conforming changes to these subsections.

Sec. 81.0046. New heading: PROMOTION OF WORK AND FAMILY POLICIES. Authorizes TWC, in providing information and resources under Chapter 81 (Work and Family Policies), to encourage employers to implement work and family policies by:

- (1) providing examples of work and family policies or providing economic data that demonstrates the economic benefits realized by employers who implement work and family policies, rather than promoting the economic benefits realized by employers who provide dependent care benefits, including decreased absenteeism and turnover rates, greater productivity, and federal and state tax incentives;
- (2) advertising the availability of federal and state tax incentives for work and family policies, rather than for employee dependent care benefits; and
- (3) sharing other relevant information and resources provided to TWC voluntarily by employers, employees, and other stakeholders, rather than providing technical assistance to employers who establish employee dependent care benefit programs, including assistance in obtaining federal and state tax incentives.

Deletes existing text requiring the clearinghouse, in providing technical assistance and information under this chapter, to encourage employers to provide employee dependent care benefits by taking certain actions.

Sec. 81.005. New heading: SHARING MATERIALS ON WORK AND FAMILY POLICIES. Authorizes TWC to share materials on work and family policies that are published by state agencies with certain persons. Deletes existing text authorizing material on employment-related family issues that are published by state agencies to be deposited with the clearinghouse for distribution to certain persons.

Sec. 81.007. RULES. Authorizes TWC to adopt rules to implement this chapter, rather than authorizes TWC by rule to adopt procedures to implement functions under Sections 81.004 (Clearinghouse Powers and Duties) and 81.005. Deletes existing text requiring TWC, in adopting rules under this section, to consider the recommendations of the clearinghouse staff.

Sec. 81.008. GIFTS, GRANTS, AND DONATIONS. (a) Authorizes TWC, rather than the clearinghouse, to accept a gift or grant from a public or private entity to fund any activity under this chapter.

- (b) Provides that this subsection does not apply to information and resources voluntarily shared with TWC under Section 81.0046.

SECTION 2. Repealer: Section 81.004 (Clearinghouse Powers and Duties), Labor Code.

SECTION 3. Effective date: September 1, 2023.