

BILL ANALYSIS

C.S.H.B. 4390

By: Button

International Relations & Economic Development
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Apprenticeships are a beneficial tool in addressing skills gaps in the Texas workforce. Industry-recognized apprenticeship programs provide on-the-job experience and training that result in an industry-recognized certification and employment while allowing participants to "earn while they learn." It has been suggested that statutes relating to such programs need updating to expand apprenticeship opportunities in Texas. Current law provides for apprenticeships only for occupations recognized and programs certified by the Department of Labor for eligibility in the Texas Industry-Recognized Apprenticeship Programs Grant Program. C.S.H.B. 4390 seeks to provide the authority to the Texas Workforce Commission to adopt its own rules in determining which apprenticeships qualify for the Industry-Recognized Apprenticeship Programs Grant Program.

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 is expressly granted to the Texas Workforce Commission in SECTION 2 of this bill.

ANALYSIS

C.S.H.B. 4390 amends the Labor Code to require the Texas Workforce Commission (TWC), with respect to the Texas Industry-Recognized Apprenticeship Programs Grant Program, to adopt rules as soon as practicable after the bill's effective date establishing the criteria and process for TWC to certify a training program as an industry-recognized apprenticeship program. The certification criteria must include the following:

- the training program leads to the attainment of skills that are customarily learned in a practical way through a structured, systematic program of on-the-job supervised training and are clearly identified and commonly recognized throughout an industry;
- the program involves manual, mechanical, or technical skills or knowledge requiring significant on-the-job work experience; and
- the program requires related instruction to supplement the on-the-job training.

The bill applies only to a grant awarded under the Texas Industry-Recognized Apprenticeship Programs Grant Program on or after the bill's effective date. The bill redefines "industry-recognized apprenticeship program" to mean a training program that is certified by the commission as an industry-recognized apprenticeship program.

EFFECTIVE DATE

September 1, 2023.

COMPARISON OF INTRODUCED AND SUBSTITUTE

While C.S.H.B. 4390 may differ from the introduced in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute removes the requirement present in the introduced for the rules regarding the Texas Industry-Recognized Apprenticeship Programs Grant Program to establish which occupations are recognized by TWC as an apprenticeable occupation for purposes of the program.