88R7901 SCP-F

By:  Button H.B. No. 4390

A BILL TO BE ENTITLED

AN ACT

relating to the Texas Industry-Recognized Apprenticeship Programs Grant Program.

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

SECTION 1.  Section 302.252(1), Labor Code, is amended to read as follows:

(1)  "Industry-recognized apprenticeship program" means a training program that:

(A)  provides on-the-job training, preparatory instruction, supplementary instruction, or related instruction in an occupation that has been recognized as an apprenticeable occupation by the commission as provided by commission rule [~~Office of Apprenticeship of the United States Department of Labor~~]; or

(B)  is certified by the commission as an industry-recognized apprenticeship program as provided by commission rule [~~by a third-party certifier that has received from the United States Department of Labor a favorable determination of qualification to award that certification~~].

SECTION 2.  Section 302.257, Labor Code, is amended by amending Subsection (a) and adding Subsection (a-1) to read as follows:

(a)  The commission shall adopt rules to administer and enforce this subchapter, including rules establishing:

(1)  which occupations are recognized by the commission as an apprenticeable occupation for purposes of this subchapter and the criteria for that determination, which must include that the occupation:

(A)  be customarily learned in a practical way through a structured, systematic program of on-the-job supervised training;

(B)  be clearly identified and commonly recognized throughout an industry;

(C)  involve manual, mechanical, or technical skills or knowledge which requires significant on-the-job work experience; and

(D)  require related instruction to supplement the on-the-job training; and

(2)  a process for and the criteria by which the commission may certify a training program as an industry-recognized apprenticeship program for purposes of this subchapter.

(a-1)  The criteria adopted by the commission under Subsection (a)(2) must be generally consistent with the standards of apprenticeship prescribed by 29 C.F.R. Section 29.

SECTION 3.  As soon as practicable after the effective date of this Act, the Texas Workforce Commission shall adopt the rules required by Section 302.257, Labor Code, as amended by this Act.

SECTION 4.  The change in law made by this Act applies only to a grant awarded under Subchapter I, Chapter 302, Labor Code, on or after the effective date of this Act. A grant awarded before that date is governed by the law in effect on the date the grant was awarded, and the former law is continued in effect for that purpose.

SECTION 5.  This Act takes effect September 1, 2023.