By:  Manuel H.B. No. 4741

A BILL TO BE ENTITLED

AN ACT

relating to the employment of apprentices on certain public works projects.

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

SECTION 1.  Chapter 2252, Government Code, is amended by adding Subchapter H to read as follows:

SUBCHAPTER H. EMPLOYMENT OF APPRENTICES ON PUBLIC WORKS PROJECTS

Sec. 2252.301.  DEFINITIONS. In this subchapter:

(1)  "Contractor" means a person, firm, or corporation contracting with a governmental entity for a public works project.

(2)  "Governmental entity" means:

(A)  the state, a county, or a municipality;

(B)  a department, board, or agency of the state, a county, or a municipality;

(C)  a school district or a subdivision of a school district; or

(D)  any other governmental or quasi-governmental authority authorized by statute to enter into a public works contract.

(3)  "Office" means the office or program of the Texas Workforce Commission responsible for apprenticeship issues.

(4)  "Public works project" includes the construction, alteration, or repair of a public building or the construction or completion of a public work.

Sec. 2252.302.  EMPLOYMENT OF APPRENTICES. (a) In order to promote employment opportunities for young people and to train a skilled workforce in this state, a contractor who contracts with a governmental entity for a public works project shall designate at least five percent of the project hours in any apprenticeable trade, as certified by the Office of Apprenticeship of the United States Department of Labor, to be worked by apprentices in a program registered with that office.

(b)  A contract for a public works project must include a requirement that at least five percent of the project hours in any apprenticeable trade, as certified by the Office of Apprenticeship of the United States Department of Labor, be designated to be worked by apprentices, unless a waiver has been obtained from the office.

(c)  If the office determines that an insufficient number of registered apprentices is available for a public works project, the office shall:

(1)  certify the number of registered apprentices who are available for the project; and

(2)  issue a waiver for the remaining number of jobs that would otherwise be reserved for registered apprentices in order for the contractor to meet the requirements under this section.

Sec. 2252.303.  EXEMPTIONS. This subchapter does not apply to:

(1)  a public works contract in which the total contract price estimate at the time of the contract's execution is less than $400,000; or

(2)  a public works contract entered into by the Texas Department of Transportation.

SECTION 2.  Subchapter H, Chapter 2252, Government Code, as added by this Act, applies only to a contract executed on or after the effective date of this Act. A contract executed before the effective date of this Act is governed by the law in effect on the date the contract was executed, and the former law is continued in effect for that purpose.

SECTION 3.  This Act takes effect September 1, 2023.