

By: Muñoz, Jr.

H.B. No. 2368

A BILL TO BE ENTITLED

AN ACT

relating to requirements for certain skills development fund grant proposals.

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

SECTION 1. Chapter 303, Labor Code, is amended by adding Section 303.0032 to read as follows:

Sec. 303.0032. REQUIREMENTS FOR CERTAIN GRANT PROPOSALS.

(a) In this section, "public junior college" and "public technical institute" have the meanings assigned by Section 61.003, Education Code.

(b) Any requirements adopted by the commission with respect to a grant proposal by an employer or trade union and a public junior college, a public technical institute, or the Texas A&M Engineering Extension Service for a skills development fund grant for a customized training project or other appropriate use of the fund must include a requirement that the employer or trade union and the college, institute, or service, as applicable, submit to the commission a written agreement outlining each entity's respective roles and duties if the grant is awarded, including:

(1) the duty of the college, institute, or service to:

(A) meet grant administration requirements in accordance with commission rule;

(B) develop and deliver courses customized to meet the employer's or trade union's specific business needs; and

1           (C) manage and maintain the confidentiality of  
2 the employer's or trade union's training information in compliance  
3 with federal and state law, including by not sharing the  
4 information with any party other than the commission without the  
5 employer's or trade union's advanced written approval; and

6           (2) the duty of the employer or trade union to  
7 reimburse the college, institute, or service any amount owed by the  
8 employer or trade union for:

9           (A) as calculated by the commission, failure to:

10           (i) retain at least 85 percent of trainees  
11 for the 90-day period following training completion; or

12           (ii) pay trainees on training completion  
13 wages equal to at least any required amount of increased wages or  
14 the applicable prevailing wage; and

15           (B) as calculated by the college, institute, or  
16 service, any costs not covered by the grant incurred by the college,  
17 institute, or service as a result of the employer or trade union:

18           (i) canceling or postponing a class less  
19 than 72 hours before the scheduled class time;

20           (ii) failing to send the scheduled number  
21 of trainees to classes;

22           (iii) sending a trainee whose occupation is  
23 not approved by the grant or who is otherwise not eligible to  
24 participate in training; or

25           (iv) requesting make-up classes not funded  
26 by the grant.

27           SECTION 2. Section 303.0032, Labor Code, as added by this

1 Act, applies only to a grant proposal submitted to the Texas  
2 Workforce Commission on or after the effective date of this Act. A  
3 proposal submitted before that date is governed by the law in effect  
4 on the date the proposal was submitted, and the former law is  
5 continued in effect for that purpose.

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