

By: Oliverson

H.B. No. 3924

Substitute the following for H.B. No. 3924:

By: Metcalf

C.S.H.B. No. 3924

A BILL TO BE ENTITLED

1 AN ACT
2 relating to state agency employment openings and aptitude
3 assessments.

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

5 SECTION 1. Section 656.002, Government Code, is amended by
6 amending Subsections (b), (c), and (e) and adding Subsections (f)
7 and (g) to read as follows:

8 (b) The online system for listing state agency employment
9 openings maintained by the Texas Workforce Commission must allow an
10 applicant for employment to:

11 (1) complete a single state application and the
12 standardized aptitude test described by Section 656.028 online; and

13 (2) enter the application and the standardized
14 aptitude test into an online database from which the applicant may
15 electronically send the application and the standardized aptitude
16 test to multiple state agencies.

17 (c) The Texas Workforce Commission shall:

18 (1) prescribe a standard electronic format for the
19 online application and standardized aptitude test described by
20 Subsection (b); and

21 (2) ensure that the commission's online system allows
22 an applicant to submit and a state agency to receive an online
23 application and the standardized aptitude test for state agency
24 employment.

1 (e) This section does not prohibit a state agency from
2 accepting an application for an employment opening, the
3 standardized aptitude test, or a specialized aptitude test in a
4 manner other than the manner described by this section.

5 (f) The online system must inform an applicant that the
6 applicant is not required to complete the standardized aptitude
7 test to apply for an employment opening.

8 (g) The online system must list the classified positions for
9 which the standardized aptitude test will be accepted.

10 SECTION 2. Subchapter B, Chapter 656, Government Code, is
11 amended by adding Section 656.028 to read as follows:

12 Sec. 656.028. APTITUDE ASSESSMENTS. (a) In this section:

13 (1) "Career education and training program" has the
14 meaning assigned by Section 2308A.001.

15 (2) "Specialized aptitude test" means an assessment of
16 the competencies and skills needed for a specific state agency
17 position that are not measured by the standardized aptitude test,
18 including a skills demonstration, skills-based questionnaire,
19 skills-based interview, and any other valid skills measurement
20 strategy.

21 (3) "Standardized aptitude test" means the uniform
22 assessment that measures the skill set of a job applicant developed
23 by the state auditor under this section.

24 (b) Each state agency shall at least once each calendar year
25 review each classified position in the state agency to determine
26 the skills needed for each position. The state agency shall compile
27 a list of skills for each position identified under this subsection

1 and submit the list to the state auditor.

2 (c) The state auditor shall review each list of skills for
3 each position submitted under Subsection (b) and determine the
4 skills shared across state agency classified positions. The state
5 auditor shall develop, in consultation with state agencies, a
6 standardized aptitude test to determine whether a job applicant has
7 the shared skills. The state auditor may contract with a person
8 that specializes in certification of occupation-based skills
9 assessments to develop, certify, or evaluate the results of the
10 standardized aptitude test.

11 (d) The Texas Workforce Commission shall make the
12 standardized aptitude test available on the online state agency
13 employment applications system described by Section [656.002](#).

14 (e) If a state agency determines a specialized aptitude test
15 would improve the agency's hiring process, the agency must consult
16 with the Tri-Agency Workforce Initiative established by Chapter
17 [2308A](#) to align the career education and training programs and state
18 workforce development strategies developed under Section [2308A.006](#)
19 with the competencies and skills measured by the test.

20 (f) A state agency may not consider the fact that an
21 applicant for employment did not complete the standardized aptitude
22 test in making a hiring determination.

23 (g) The state auditor shall adopt rules necessary to
24 implement this section, including rules that require a state agency
25 to accept the standardized aptitude test as an alternative to a
26 hiring requirement that relates to an applicant's education or
27 experience, as determined appropriate by the state auditor.

1 SECTION 3. Each state agency shall complete the initial
2 review required by Section 656.028(b), Government Code, as added by
3 this Act, and submit the list of skills for each position to the
4 state auditor not later than December 1, 2024.

5 SECTION 4. This Act takes effect September 1, 2023.