

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

1 as an apprenticeable occupation for purposes of this subchapter and
2 the criteria for that determination, which must include that the
3 occupation:

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

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

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

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

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

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

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

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

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