

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.

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

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

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

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

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

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

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

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

3           SECTION 2. Subchapter H, Chapter [2252](#), Government Code, as  
4 added by this Act, applies only to a contract executed on or after  
5 the effective date of this Act. A contract executed before the  
6 effective date of this Act is governed by the law in effect on the  
7 date the contract was executed, and the former law is continued in  
8 effect for that purpose.

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