

House Bill 4390
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 Office of Apprenticeship of the United States Department of Labor; or~~
[(B) ~~is certified by the commission as an industry-recognized apprenticeship program [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. Subchapter I, Chapter 302, Labor Code, is amended by adding Section 302.2555 to read as follows:

Sec. 302.2555. EXCLUDED PROGRAMS. The commission may not certify or award a grant under this subchapter to a training program in the construction industry, as that industry is described by the North American Industry Classification System sector number 23.

SECTION 3. 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 the criteria and process for the commission to certify a training program as an industry-recognized apprenticeship program for purposes of this subchapter.

(a-1) The certification criteria established under Subsection

SENATE VERSION (CS)

SECTION 1. Same as House version.

No equivalent provision.

SECTION 2. Same as House version.

CONFERENCE

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- (a) must include that the training program:
- (1) lead to the attainment of skills that:
 - (A) are customarily learned in a practical way through a structured, systematic program of on-the-job supervised training; and
 - (B) are clearly identified and commonly recognized throughout an industry;
 - (2) involve manual, mechanical, or technical skills or knowledge requiring significant on-the-job work experience; and
 - (3) require related instruction to supplement the on-the-job training.

SECTION 4. As soon as practicable after the effective date of this Act, the Texas Workforce Commission shall adopt the rules required by Section 302.257, Labor Code, as amended by this Act.

SECTION 5. The change in law made by this Act applies only to a grant awarded under Subchapter I, Chapter 302, Labor Code, on or after the effective date of this Act. A grant awarded before that date is governed by the law in effect on the date the grant was awarded, and the former law is continued in effect for that purpose.

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

SENATE VERSION (CS)

SECTION 3. Same as House version.

SECTION 4. Same as House version.

SECTION 5. Same as House version.

CONFERENCE