

# CONFERENCE COMMITTEE REPORT FORM

Austin, Texas

May 30, 2009  
Date

Honorable David Dewhurst  
President of the Senate

Honorable Joe Straus  
Speaker of the House of Representatives

Sirs:

We, Your Conference Committee, appointed to adjust the differences between the Senate and the House of Representatives on HB 1935 have had the same under consideration, and beg to report it back with the recommendation that it do pass in the form and text hereto attached.

Robert Duncan  
Robert Duncan, chair

Rodney Ellis  
Rodney Ellis

~~\_\_\_\_\_~~

Florence Shapiro  
Florence Shapiro

Kip Averitt  
On the part of the Senate  
Kip Averitt

Mike Villarreal  
Mike Villarreal, chair

Elliott Washat  
Elliott Washat

Jim Reynolds  
Jim Reynolds

Rob Essler  
Rob Essler

Eddie Lucio III  
On the part of the House  
Eddie Lucio, III

### Note to Conference Committee Clerk:

Please type the names of the members of the Conference Committee under the lines provided for signature. Those members desiring to sign the report should sign each of the six copies. Attach a copy of the Conference Committee Report and a Section by Section side by side comparison to each of the six reporting forms. The original and two copies are filed in house of origin of the bill, and three copies in the other house.

# CONFERENCE COMMITTEE REPORT

3<sup>rd</sup> Printing

H. B. No.1935

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the establishment of certain programs to support  
3 adult and postsecondary education and workforce development in  
4 high-demand occupations and green jobs.

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

6 SECTION 1. Chapter 403, Government Code, is amended by  
7 adding Subchapters O and P to read as follows:

8 SUBCHAPTER O. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

9 Sec. 403.351. DEFINITIONS. In this subchapter:

10 (1) "Nonprofit organization" means an organization  
11 exempt from federal income taxation under Section 501(a),  
12 Internal Revenue Code of 1986, as an organization described by  
13 Section 501(c)(3) of that code.

14 (2) "Public junior college," "public state college,"  
15 and "public technical institute" have the meanings assigned by  
16 Section 61.003, Education Code.

17 Sec. 403.352. JOBS AND EDUCATION FOR TEXANS (JET) FUND.

18 (a) The comptroller shall establish and administer the Jobs and  
19 Education for Texans (JET) fund as a dedicated account in the  
20 general revenue fund.

21 (b) The following amounts shall be deposited in the fund:

22 (1) any amounts appropriated by the legislature for

1 the fund for purposes of this subchapter;

2 (2) interest earned on the investment of money in the  
3 fund; and

4 (3) gifts, grants, and other donations received for  
5 the fund.

6 Sec. 403.353. ADVISORY BOARD. (a) An advisory board of  
7 education and workforce stakeholders is created to assist the  
8 comptroller in administering this subchapter.

9 (b) The advisory board is composed of seven members who  
10 serve two-year terms and are appointed as follows:

11 (1) one member appointed by the governor;

12 (2) one member appointed by the lieutenant governor;

13 (3) one member appointed by the speaker of the house  
14 of representatives;

15 (4) one member appointed by the Texas Higher  
16 Education Coordinating Board;

17 (5) one member appointed by the Texas Workforce  
18 Commission;

19 (6) one member of the public appointed by the  
20 comptroller; and

21 (7) the comptroller, who serves as the presiding  
22 officer.

23 (c) The advisory board shall meet at least once each  
24 quarter to review received applications and recommend awarding  
25 grants under this subchapter.

26 Sec. 403.354. JOBS AND EDUCATION FOR TEXANS (JET) GRANT  
27 PROGRAM. The comptroller shall establish and administer the

1 Jobs and Education for Texans (JET) grant program to provide  
2 grants to public junior colleges, public technical institutes,  
3 and eligible nonprofit organizations that apply to the advisory  
4 board in the manner prescribed by the advisory board. The  
5 comptroller shall award the grants on the advice and  
6 recommendations of the advisory board. Grants may be awarded  
7 under this subchapter from the JET fund for the following  
8 purposes:

9           (1) to develop, support, or expand programs of  
10 nonprofit organizations that meet the requirements of Section  
11 403.355 and that prepare low-income students for careers in  
12 high-demand occupations;

13           (2) to defray the startup costs associated with the  
14 development of new career and technical education programs at  
15 public junior colleges and public technical institutes that meet  
16 the requirements of Section 403.356; and

17           (3) to provide scholarships for students in career  
18 and technical education programs who meet the requirements of  
19 Section 403.357.

20           Sec. 403.355. GRANTS TO NONPROFIT ORGANIZATIONS FOR  
21 INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The comptroller may  
22 award a grant to a nonprofit organization eligible under  
23 Subsection (b) for the development, support, or expansion of  
24 programs to prepare low-income students for careers in high-  
25 demand occupations.

26           (b) To be eligible to receive a grant under this section,  
27 a nonprofit organization must:

1           (1) provide a program to offer assistance to low-  
2 income students in preparing for, applying to, and enrolling in  
3 a public junior college or public technical institute;

4           (2) be governed by a board or other governing  
5 structure that includes recognized leaders of broad-based  
6 community organizations and members of the local business  
7 community;

8           (3) demonstrate to the satisfaction of the advisory  
9 board that the organization's program has achieved or will  
10 achieve the following measures of success among program  
11 participants, to the extent applicable to the type of program  
12 the organization provides:

13           (A) above average completion of developmental  
14 education among participating public junior college or public  
15 technical institute students;

16           (B) above average persistence rates among  
17 participating public junior college or public technical  
18 institute students; and

19           (C) above average certificate or degree  
20 completion rates by participating students within a three-year  
21 period compared to demographically comparable public junior  
22 college and public technical institute students; and

23           (4) provide matching funds in accordance with rules  
24 adopted under Section 403.358.

25           (c) The matching funds required under Subsection (b)(4)  
26 may be obtained from any source available to the nonprofit  
27 organization, including in-kind contributions, community or

1 foundation grants, individual contributions, and local  
2 governmental agency operating funds.

3 (c-1) In determining which eligible nonprofit  
4 organizations should be awarded a grant under this section among  
5 two or more eligible nonprofit organizations offering similar  
6 programs, the comptroller shall give priority to any of those  
7 organizations that:

8 (1) has an existing program in place to assist  
9 veterans; or

10 (2) demonstrates employment of participating students  
11 at an average full-time starting wage that is equal to or  
12 greater than the prevailing wage for the occupation entered.

13 (d) Grants awarded under this section must be awarded in a  
14 manner that takes a balanced geographical distribution into  
15 consideration.

16 (e) This section does not authorize the comptroller to  
17 award a grant to:

18 (1) a nonprofit organization to provide a  
19 comprehensive educational program to students that serves as a  
20 substitute for a regular educational program provided by a  
21 school district or open-enrollment charter school; or

22 (2) a private elementary or secondary school.

23 Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR  
24 CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller  
25 may award a grant for the development of new career and  
26 technical education courses or programs at public junior  
27 colleges and public technical institutes.

1 (b) A grant received under this section may be used only:

2 (1) to support courses or programs that prepare  
3 students for career employment in occupations that are  
4 identified by local businesses as being in high demand;

5 (2) to finance initial costs of career and technical  
6 education course or program development, including the costs of  
7 constructing or renovating facilities, purchasing equipment, and  
8 other expenses associated with the development of a new course;  
9 and

10 (3) to finance a career and technical education  
11 course or program that leads to a license, certificate, or  
12 postsecondary degree.

13 (c) In awarding a grant under this section, the  
14 comptroller shall primarily consider the potential economic  
15 returns to the state from the development of the career and  
16 technical education course or program. The comptroller may also  
17 consider whether the course or program:

18 (1) is part of a new, emerging industry or high-  
19 demand occupation;

20 (2) offers new or expanded dual credit career and  
21 technical educational opportunities in public high schools; or

22 (3) is provided in cooperation with other public  
23 junior colleges or public technical institutes across existing  
24 service areas.

25 (d) To be eligible to receive a grant under this section,  
26 a public junior college or public technical institute must  
27 provide matching funds in accordance with rules adopted under

1 Section 403.358. The matching funds may be obtained from any  
2 source available to the college, including in-kind  
3 contributions, industry consortia, community or foundation  
4 grants, individual contributions, and local governmental agency  
5 operating funds.

6 Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may  
7 award a scholarship to a public junior college or public  
8 technical institute student.

9 (b) To be eligible to receive a scholarship under this  
10 section, a student must:

11 (1) demonstrate financial need; and

12 (2) be enrolled in a training program for a high-  
13 demand occupation, as determined by the comptroller on the  
14 recommendation of the advisory board.

15 Sec. 403.358. RULES. The comptroller shall adopt rules as  
16 necessary for the administration of this subchapter.

17 Sec. 403.359. STUDY. (a) The comptroller shall conduct a  
18 study of the feasibility of:

19 (1) basing a portion of all public postsecondary  
20 technical training program funding on the economic benefit of  
21 the program to the state; and

22 (2) for purposes of Subdivision (1), estimating the  
23 amount of any additional tax revenue generated by employers that  
24 results from the ability of public junior colleges, public state  
25 colleges, or public technical institutes to prepare students for  
26 employment fields for which there is employer demand.

27 (b) The comptroller shall begin the study not later than



1 January 1, 2010. Not later than January 1, 2011, the  
2 comptroller shall make recommendations to the lieutenant  
3 governor and the speaker of the house of representatives for  
4 legislative action based on the results of the study.

5 (c) This section expires September 1, 2011.

6 SUBCHAPTER P. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING

7 PROGRAM

8 Sec. 403.401. PURPOSE. The purpose of this subchapter is  
9 to:

10 (1) promote green industry employment opportunities,  
11 including through the establishment of training programs to  
12 enhance green job skills and create career opportunities that  
13 result in high-wage jobs;

14 (2) foster regional collaboration for the development  
15 of green industry employment opportunities;

16 (3) assist in the development of a highly skilled,  
17 high-wage, and productive workforce in the green industry; and

18 (4) assist workers with obtaining education, skills  
19 training, and labor market information to enhance their  
20 employability, earnings, and standard of living.

21 Sec. 403.402. DEFINITIONS. In this subchapter:

22 (1) "Development fund" means the Texas green job  
23 skills development fund.

24 (2) "Green job" means a job in the field of renewable  
25 energy or energy efficiency, including a job relating to:

26 (A) energy-efficient building, construction, and  
27 retrofitting;

1           (B) renewable energy, including biomass,  
2 hydroelectric, geothermal, and ocean energy, and wind and solar  
3 power;

4           (C) research and development or manufacturing of  
5 advanced battery or energy storage technologies;

6           (D) biofuels from non-feed food stocks;

7           (E) techniques to reduce, reuse, or recycle  
8 waste;

9           (F) techniques to recycle products and convert  
10 used materials into new products;

11           (G) energy efficiency assessments;

12           (H) manufacturing of sustainable products using  
13 sustainable processes and materials; and

14           (I) water conservation and water efficiency.

15           (3) "Recycle" means the process of extracting  
16 resources or value from waste by recovering or reusing the  
17 material, including the collection and reuse of everyday waste  
18 materials.

19           Sec. 403.403. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND.

20           (a) The Texas green job skills development fund is an account  
21 in the general revenue fund. The account is composed of:

22           (1) legislative appropriations;

23           (2) gifts, grants, donations, and matching funds  
24 received under Subsection (b); and

25           (3) other money required by law to be deposited in  
26 the account.

27           (b) The comptroller may solicit and accept gifts, grants,

1 and donations of money from the federal government, local  
2 governments, private corporations, or other persons to be used  
3 for the purposes of this subchapter.

4 (c) Income from money in the account shall be credited to  
5 the account.

6 (d) Money in the development fund may be used only for the  
7 purposes of this subchapter.

8 Sec. 403.404. ESTABLISHMENT OF GREEN JOB SKILLS GRANT  
9 PROGRAM. The comptroller shall establish a green job skills  
10 grant program, funded by the development fund under Section  
11 403.403, through which the comptroller may award grants in  
12 cooperation with the Texas Workforce Commission through the  
13 State Energy Conservation Office for the implementation,  
14 expansion, and operation of green job skills training programs.

15 Sec. 403.405. GRANT PROGRAM REQUIREMENTS. (a) A  
16 training program funded through a grant awarded under this  
17 subchapter must:

18 (1) be hosted by a regional partnership that presents  
19 a plan to implement training programs that lead trainees to  
20 economic self-sufficiency and career pathways and includes at  
21 least:

22 (A) one university, college, technical school,  
23 or other nonprofit workforce training provider;

24 (B) one chamber of commerce, local workforce  
25 agency, local employer, or other public or private participating  
26 entity;

27 (C) one economic development authority; and

1           (D) one community or faith-based nonprofit  
2 organization that works with one or more targeted populations;

3           (2) assist an eligible individual in obtaining  
4 education, skills training, and labor market information to  
5 enhance the individual's employability in green industries; and

6           (3) assist in the development of a highly skilled and  
7 productive workforce in green industries.

8           (b) A training program awarded a grant under this  
9 subchapter shall target a population of eligible individuals for  
10 training that includes:

11           (1) workers in high-demand green industries who are  
12 in or are preparing for high-wage occupations;

13           (2) workers in declining industries who may be  
14 retrained for high-wage occupations in a high-demand green  
15 industry;

16           (3) agriculture, timber, or energy sector workers who  
17 may be retrained for high-wage occupations in a high-demand  
18 green industry;

19           (4) veterans or past or present members of the armed  
20 forces of the United States, including the state military  
21 forces, or a reserve component of the armed forces or the  
22 national guard;

23           (5) unemployed workers;

24           (6) low-income workers, unemployed youth and adults,  
25 individuals who did not complete high school, or other  
26 underserved sectors of the workforce in high poverty areas; or

27           (7) individuals otherwise determined by the

1 comptroller in cooperation with the Texas Workforce Commission  
2 to be disadvantaged and in need of training to obtain  
3 employment.

4 (c) A training program may receive funding under this  
5 subchapter for a period not to exceed three years.

6 (d) A training program may use grant funds for support  
7 services, including basic skills, literacy, GED, English as a  
8 second language, and job readiness training, career guidance,  
9 and referral services.

10 (e) A percentage of the grant, to be determined by the  
11 comptroller, must be devoted to administrative costs, costs  
12 related to hiring instructors and purchasing equipment, and  
13 tuition assistance.

14 Sec. 403.406. APPLICATION. (a) A regional partnership,  
15 as described by Section 403.405, may apply for a grant under  
16 this subchapter in the manner prescribed by the comptroller.

17 (b) The grant application must require the applicant to  
18 provide to the comptroller the applicant's plan to continue to  
19 operate the training program after the grant expires.

20 Sec. 403.407. ADDITIONAL CONSIDERATIONS IN AWARDING  
21 GRANTS. (a) In addition to the factors described by Sections  
22 403.404 and 403.405, in determining whether to award a grant to  
23 an applicant under this subchapter, the comptroller shall give  
24 preference to a training program that:

25 (1) provides certification and a career advancement  
26 mechanism to a worker who receives green job skills training  
27 under the program; and

1           (2) leverages additional public and private resources  
2 to fund the program, including cash or in-kind matches.

3           (b) Grants shall be awarded in a manner that ensures  
4 geographic diversity.

5           Sec. 403.408. RESERVATION FOR CERTAIN PROGRAMS. Twenty  
6 percent of the funds available for grant programs under this  
7 subchapter must be reserved for job skills training programs  
8 that serve the unemployed and individuals whose incomes are at  
9 or below 200 percent of the federal poverty level.

10           Sec. 403.409. REPORT. (a) Not later than the 30th day  
11 after the date funding for a grant under this subchapter ends,  
12 the grant recipient shall submit a report to the comptroller  
13 that contains the following information:

14           (1) the number of participants who entered the  
15 program;

16           (2) the demographics of the participants, including  
17 race, gender, age, and significant barriers to education such as  
18 limited English proficiency, a criminal record, or a physical or  
19 mental disability;

20           (3) services received by participants, including  
21 training, education, and support services;

22           (4) the amount of program spending per participant;

23           (5) program completion rates;

24           (6) factors determined to interfere significantly  
25 with program participation or completion;

26           (7) the average wage at placement, including  
27 benefits, and the rate of average wage increases after one year;

1 and

2 (8) any post-employment support services provided.

3 (b) Not later than October 1 of each even-numbered year,  
4 the comptroller shall submit a report to the governor, the  
5 lieutenant governor, and the speaker of the house of  
6 representatives that includes a summary of all information  
7 submitted under Subsection (a).

8 Sec. 403.410. STANDARDS. The comptroller by rule shall  
9 adopt standards for a green job skills training program awarded  
10 a grant under this subchapter.

11 SECTION 2. The comptroller shall adopt rules for the  
12 program under Subchapter P, Chapter 403, Government Code, as  
13 added by this Act, not later than March 1, 2010.

14 SECTION 3. Grants provided through the Texas Adult Career  
15 Education Grant Program established under Section 403.351,  
16 Government Code, as added by this Act may only benefit a  
17 permanent legal resident or citizen of the United States.

18 SECTION 4. This Act does not make an appropriation. This  
19 Act takes effect only if a specific appropriation for the  
20 implementation of the Act is provided in a general  
21 appropriations act of the 81st Legislature.

22 SECTION 5. This Act takes effect immediately if it  
23 receives a vote of two-thirds of all the members elected to each  
24 house, as provided by Section 39, Article III, Texas  
25 Constitution. If this Act does not receive the vote necessary  
26 for immediate effect, this Act takes effect September 1, 2009.

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Conference Committee Report  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Chapter 403, Government Code, is amended by adding Subchapter O to read as follows:

SUBCHAPTER O. JOBS AND EDUCATION FOR TEXANS (JET) GRANT PROGRAM

Sec. 403.351. DEFINITIONS. In this subchapter:

(1) "Nonprofit organization" means an organization exempt from federal income taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described by Section 501(c)(3) of that code.

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Sec. 403.352. JOBS AND EDUCATION FOR TEXANS (JET) FUND. (a) The comptroller shall establish and administer the Jobs and Education for Texans (JET) fund as a dedicated account in the general revenue fund.

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Sec. 403.353. ADVISORY BOARD. (a) An advisory board of education and workforce stakeholders is created to assist the comptroller in administering this subchapter.

(b) The advisory board is composed of seven members who serve two-year terms and are appointed as follows:

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  - (4) one member appointed by the Texas Higher Education Coordinating Board;
  - (5) one member appointed by the Texas Workforce Commission;
  - (6) one member of the public appointed by the comptroller; and
  - (7) the comptroller, who serves as the presiding officer.
- (c) The advisory board shall meet at least once each quarter to review received applications and recommend awarding grants under this subchapter.
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- (1) to develop, support, or expand programs of nonprofit organizations that meet the requirements of Section 403.355 and that prepare low-income students for careers in high-demand occupations;
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(b) To be eligible to receive a grant under this section, a nonprofit organization must:

(1) provide a program to offer assistance to low-income students in preparing for, applying to, and enrolling in a public junior college or public technical institute;

(2) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and members of the local business community;

(3) demonstrate to the satisfaction of the advisory board that the organization's program has achieved or will achieve the following measures of success among program participants, to the extent applicable to the type of program the organization provides:

(A) above average completion of developmental education among participating public junior college or

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(3) to provide scholarships for students in career and technical education programs who meet the requirements of Section 403.357.

Sec. 403.355. GRANTS TO NONPROFIT ORGANIZATIONS FOR INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The comptroller may award a grant to a nonprofit organization eligible under Subsection (b) for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations.

(b) To be eligible to receive a grant under this section, a nonprofit organization must:

(1) provide a program to offer assistance to low-income students in preparing for, applying to, and enrolling in a public junior college or public technical institute;

(2) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and members of the local business community;

(3) demonstrate to the satisfaction of the advisory board that the organization's program has achieved or will achieve the following measures of success among program participants, to the extent applicable to the type of program the organization provides:

(A) above average completion of developmental education among participating public junior college or

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(2) to defray the startup costs associated with the development of new career and technical education programs at public junior colleges and public technical institutes that meet the requirements of Section 403.356; and

(3) to provide scholarships for students in career and technical education programs who meet the requirements of Section 403.357.

Sec. 403.355. GRANTS TO NONPROFIT ORGANIZATIONS FOR INNOVATIVE AND SUCCESSFUL PROGRAMS. (a) The comptroller may award a grant to a nonprofit organization eligible under Subsection (b) for the development, support, or expansion of programs to prepare low-income students for careers in high-demand occupations.

(b) To be eligible to receive a grant under this section, a nonprofit organization must:

(1) provide a program to offer assistance to low-income students in preparing for, applying to, and enrolling in a public junior college or public technical institute;

(2) be governed by a board or other governing structure that includes recognized leaders of broad-based community organizations and members of the local business community;

(3) demonstrate to the satisfaction of the advisory board that the organization's program has achieved or will achieve the following measures of success among program participants, to the extent applicable to the type of program the organization provides:

(A) above average completion of developmental

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public technical institute students;  
(B) above average persistence rates among participating public junior college or public technical institute students;  
(C) above average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college and public technical institute students; and  
(D) employment of participating students at an average full-time starting wage that is equal to or greater than the prevailing wage for the occupation entered; and  
(4) provide matching funds in accordance with rules adopted under Section 403.358.  
(c) The matching funds required under Subsection (b)(4) may be obtained from any source available to the nonprofit organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds.  
(c-1) In determining which eligible nonprofit organizations should be awarded a grant under this section among two or more eligible nonprofit organizations offering similar programs, the comptroller shall give priority to any of those organizations that has an existing program in place to assist veterans.  
(d) Grants awarded under this section must be awarded in a manner that takes a balanced geographical distribution into consideration.

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public technical institute students;  
(B) above average persistence rates among participating public junior college or public technical institute students;  
(C) above average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college and public technical institute students; and  
(D) employment of participating students at an average full-time starting wage that is equal to or greater than the prevailing wage for the occupation entered; and  
(4) provide matching funds in accordance with rules adopted under Section 403.358.  
(c) The matching funds required under Subsection (b)(4) may be obtained from any source available to the nonprofit organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds.  
(c-1) In determining which eligible nonprofit organizations should be awarded a grant under this section among two or more eligible nonprofit organizations offering similar programs, the comptroller shall give priority to any of those organizations that has an existing program in place to assist veterans.  
(d) Grants awarded under this section must be awarded in a manner that takes a balanced geographical distribution into consideration.  
(e) This section does not authorize the comptroller to award a grant to:

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education among participating public junior college or public technical institute students;  
(B) above average persistence rates among participating public junior college or public technical institute students; and  
(C) above average certificate or degree completion rates by participating students within a three-year period compared to demographically comparable public junior college and public technical institute students; and  
(4) provide matching funds in accordance with rules adopted under Section 403.358.  
(c) The matching funds required under Subsection (b)(4) may be obtained from any source available to the nonprofit organization, including in-kind contributions, community or foundation grants, individual contributions, and local governmental agency operating funds.  
(c-1) In determining which eligible nonprofit organizations should be awarded a grant under this section among two or more eligible nonprofit organizations offering similar programs, the comptroller shall give priority to any of those organizations that:  
(1) has an existing program in place to assist veterans; or  
(2) demonstrates employment of participating students at an average full-time starting wage that is equal to or greater than the prevailing wage for the occupation entered.  
(d) Grants awarded under this section must be awarded in a manner that takes a balanced geographical distribution into consideration.

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Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes.

(b) A grant received under this section may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance initial costs of career and technical education course or program development, including the costs of constructing or renovating facilities, purchasing equipment, and other expenses associated with the development of a new course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this section, the comptroller shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program. The comptroller may also consider whether the course or program:

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(1) a nonprofit organization to provide a comprehensive educational program to students that serves as a substitute for a regular educational program provided by a school district or open-enrollment charter school; or  
(2) a private elementary or secondary school.

Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes.

(b) A grant received under this section may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance initial costs of career and technical education course or program development, including the costs of constructing or renovating facilities, purchasing equipment, and other expenses associated with the development of a new course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this section, the comptroller shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program. The comptroller may also consider whether the course or program:

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(e) This section does not authorize the comptroller to award a grant to:

(1) a nonprofit organization to provide a comprehensive educational program to students that serves as a substitute for a regular educational program provided by a school district or open-enrollment charter school; or  
(2) a private elementary or secondary school.

Sec. 403.356. GRANTS TO EDUCATIONAL INSTITUTIONS FOR CAREER AND TECHNICAL EDUCATION PROGRAMS. (a) The comptroller may award a grant for the development of new career and technical education courses or programs at public junior colleges and public technical institutes.

(b) A grant received under this section may be used only:

(1) to support courses or programs that prepare students for career employment in occupations that are identified by local businesses as being in high demand;

(2) to finance initial costs of career and technical education course or program development, including the costs of constructing or renovating facilities, purchasing equipment, and other expenses associated with the development of a new course; and

(3) to finance a career and technical education course or program that leads to a license, certificate, or postsecondary degree.

(c) In awarding a grant under this section, the comptroller shall primarily consider the potential economic returns to the state from the development of the career and technical education course or program.

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(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college or public technical institute must provide matching funds in accordance with rules adopted under Section 403.358. The matching funds may be obtained from any source available to the college, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may award a scholarship to a public junior college or public technical institute student.

(b) To be eligible to receive a scholarship under this section, a student must:

(1) demonstrate financial need; and

(2) be enrolled in a training program for a high-demand occupation, as determined by the comptroller on the recommendation of the advisory board.

Sec. 403.358. RULES. The comptroller shall adopt rules as necessary for the administration of this subchapter.

Sec. 403.359. STUDY. (a) The comptroller shall

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(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college or public technical institute must provide matching funds in accordance with rules adopted under Section 403.358. The matching funds may be obtained from any source available to the college, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may award a scholarship to a public junior college or public technical institute student.

(b) To be eligible to receive a scholarship under this section, a student must:

(1) demonstrate financial need; and

(2) be enrolled in a training program for a high-demand occupation, as determined by the comptroller on the recommendation of the advisory board.

Sec. 403.358. RULES. The comptroller shall adopt rules as necessary for the administration of this subchapter.

Sec. 403.359. STUDY. (a) The comptroller shall

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The comptroller may also consider whether the course or program:

(1) is part of a new, emerging industry or high-demand occupation;

(2) offers new or expanded dual credit career and technical educational opportunities in public high schools; or

(3) is provided in cooperation with other public junior colleges or public technical institutes across existing service areas.

(d) To be eligible to receive a grant under this section, a public junior college or public technical institute must provide matching funds in accordance with rules adopted under Section 403.358. The matching funds may be obtained from any source available to the college, including in-kind contributions, industry consortia, community or foundation grants, individual contributions, and local governmental agency operating funds.

Sec. 403.357. SCHOLARSHIPS. (a) The comptroller may award a scholarship to a public junior college or public technical institute student.

(b) To be eligible to receive a scholarship under this section, a student must:

(1) demonstrate financial need; and

(2) be enrolled in a training program for a high-demand occupation, as determined by the comptroller on the recommendation of the advisory board.

Sec. 403.358. RULES. The comptroller shall adopt rules as necessary for the administration of this

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conduct a study of the feasibility of:

(1) basing a portion of all public postsecondary technical training program funding on the economic benefit of the program to the state; and

(2) for purposes of Subdivision (1), estimating the amount of any additional tax revenue generated by employers that results from the ability of public junior colleges, public state colleges, or public technical institutes to prepare students for employment fields for which there is employer demand.

(b) The comptroller shall begin the study not later than January 1, 2010. Not later than January 1, 2011, the comptroller shall make recommendations to the lieutenant governor and the speaker of the house of representatives for legislative action based on the results of the study.

(c) This section expires September 1, 2011.

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conduct a study of the feasibility of:

(1) basing a portion of all public postsecondary technical training program funding on the economic benefit of the program to the state; and

(2) for purposes of Subdivision (1), estimating the amount of any additional tax revenue generated by employers that results from the ability of public junior colleges, public state colleges, or public technical institutes to prepare students for employment fields for which there is employer demand.

(b) The comptroller shall begin the study not later than January 1, 2010. Not later than January 1, 2011, the comptroller shall make recommendations to the lieutenant governor and the speaker of the house of representatives for legislative action based on the results of the study.

(c) This section expires September 1, 2011.

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subchapter.

Sec. 403.359. STUDY. (a) The comptroller shall conduct a study of the feasibility of:

(1) basing a portion of all public postsecondary technical training program funding on the economic benefit of the program to the state; and

(2) for purposes of Subdivision (1), estimating the amount of any additional tax revenue generated by employers that results from the ability of public junior colleges, public state colleges, or public technical institutes to prepare students for employment fields for which there is employer demand.

(b) The comptroller shall begin the study not later than January 1, 2010. Not later than January 1, 2011, the comptroller shall make recommendations to the lieutenant governor and the speaker of the house of representatives for legislative action based on the results of the study.

(c) This section expires September 1, 2011.

SUBCHAPTER P. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING PROGRAM

Sec. 403.401. PURPOSE. The purpose of this subchapter is to:

(1) promote green industry employment opportunities, including through the establishment of training programs to enhance green job skills and create career opportunities that result in high-wage jobs;

(2) foster regional collaboration for the development of green industry employment opportunities;

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(3) assist in the development of a highly skilled, high-wage, and productive workforce in the green industry; and

(4) assist workers with obtaining education, skills training, and labor market information to enhance their employability, earnings, and standard of living.

Sec. 403.402. DEFINITIONS. In this subchapter:

(1) "Development fund" means the Texas green job skills development fund.

(2) "Green job" means a job in the field of renewable energy or energy efficiency, including a job relating to:

(A) energy-efficient building, construction, and retrofitting;

(B) renewable energy, including biomass, hydroelectric, geothermal, and ocean energy, and wind and solar power;

(C) research and development or manufacturing of advanced battery or energy storage technologies;

(D) biofuels from non-feed food stocks;

(E) techniques to reduce, reuse, or recycle waste;

(F) techniques to recycle products and convert used materials into new products;

(G) energy efficiency assessments;

(H) manufacturing of sustainable products using sustainable processes and materials; and

(I) water conservation and water efficiency.

(3) "Recycle" means the process of extracting resources or value from waste by recovering or reusing the material, including the collection and reuse of everyday waste materials.

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Sec. 403.403. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND. (a) The Texas green job skills development fund is an account in the general revenue fund. The account is composed of:  
(1) legislative appropriations;  
(2) gifts, grants, donations, and matching funds received under Subsection (b); and  
(3) other money required by law to be deposited in the account.  
(b) The comptroller may solicit and accept gifts, grants, and donations of money from the federal government, local governments, private corporations, or other persons to be used for the purposes of this subchapter.  
(c) Income from money in the account shall be credited to the account.  
(d) Money in the development fund may be used only for the purposes of this subchapter.  
Sec. 403.404. ESTABLISHMENT OF GREEN JOB SKILLS GRANT PROGRAM. The comptroller shall establish a green job skills grant program, funded by the development fund under Section 403.403, through which the comptroller may award grants in cooperation with the Texas Workforce Commission through the State Energy Conservation Office for the implementation, expansion, and operation of green job skills training programs.  
Sec. 403.405. GRANT PROGRAM REQUIREMENTS.  
(a) A training program funded through a grant awarded under this subchapter must:  
(1) be hosted by a regional partnership that presents a plan to implement training programs that lead trainees to



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economic self-sufficiency and career pathways and includes at least:

(A) one university, college, technical school, or other nonprofit workforce training provider;

(B) one chamber of commerce, local workforce agency, local employer, or other public or private participating entity;

(C) one economic development authority; and

(D) one community or faith-based nonprofit organization that works with one or more targeted populations;

(2) assist an eligible individual in obtaining education, skills training, and labor market information to enhance the individual's employability in green industries; and

(3) assist in the development of a highly skilled and productive workforce in green industries.

(b) A training program awarded a grant under this subchapter shall target a population of eligible individuals for training that includes:

(1) workers in high-demand green industries who are in or are preparing for high-wage occupations;

(2) workers in declining industries who may be retrained for high-wage occupations in a high-demand green industry;

(3) agriculture, timber, or energy sector workers who may be retrained for high-wage occupations in a high-demand green industry;

(4) veterans or past or present members of the armed forces of the United States, including the state military forces, or a reserve component of the armed forces or the

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national guard;

(5) unemployed workers;

(6) low-income workers, unemployed youth and adults, individuals who did not complete high school, or other underserved sectors of the workforce in high poverty areas; or

(7) individuals otherwise determined by the comptroller in cooperation with the Texas Workforce Commission to be disadvantaged and in need of training to obtain employment.

(c) A training program may receive funding under this subchapter for a period not to exceed three years.

(d) A training program may use grant funds for support services, including basic skills, literacy, GED, English as a second language, and job readiness training, career guidance, and referral services.

(e) A percentage of the grant, to be determined by the comptroller, must be devoted to administrative costs, costs related to hiring instructors and purchasing equipment, and tuition assistance.

Sec. 403.406. APPLICATION. (a) A regional partnership, as described by Section 403.405, may apply for a grant under this subchapter in the manner prescribed by the comptroller.

(b) The grant application must require the applicant to provide to the comptroller the applicant's plan to continue to operate the training program after the grant expires.

Sec. 403.407. ADDITIONAL CONSIDERATIONS IN AWARDING GRANTS. (a) In addition to the factors

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described by Sections 403.404 and 403.405, in determining whether to award a grant to an applicant under this subchapter, the comptroller shall give preference to a training program that:

(1) provides certification and a career advancement mechanism to a worker who receives green job skills training under the program; and

(2) leverages additional public and private resources to fund the program, including cash or in-kind matches.

(b) Grants shall be awarded in a manner that ensures geographic diversity.

Sec. 403.408. RESERVATION FOR CERTAIN PROGRAMS. Twenty percent of the funds available for grant programs under this subchapter must be reserved for job skills training programs that serve the unemployed and individuals whose incomes are at or below 200 percent of the federal poverty level.

Sec. 403.409. REPORT. (a) Not later than the 30th day after the date funding for a grant under this subchapter ends, the grant recipient shall submit a report to the comptroller that contains the following information:

(1) the number of participants who entered the program;  
(2) the demographics of the participants, including race, gender, age, and significant barriers to education such as limited English proficiency, a criminal record, or a physical or mental disability;

(3) services received by participants, including training, education, and support services;

(4) the amount of program spending per participant;

(5) program completion rates;

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(6) factors determined to interfere significantly with program participation or completion;  
(7) the average wage at placement, including benefits, and the rate of average wage increases after one year; and  
(8) any post-employment support services provided.  
(b) Not later than October 1 of each even-numbered year, the comptroller shall submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives that includes a summary of all information submitted under Subsection (a).  
Sec. 403.410. STANDARDS. The comptroller by rule shall adopt standards for a green job skills training program awarded a grant under this subchapter.

No equivalent provision.

No equivalent provision.

SECTION 2. The comptroller shall adopt rules for the program under Subchapter P, Chapter 403, Government Code, as added by this Act, not later than March 1, 2010.

SECTION 2. Grants provided through the Texas Adult Career Education Grant Program established under Section 403.351, Government Code, as added by this Act may only benefit a permanent legal resident or citizen of the United States.

Same as House version.

SECTION 3: Same as House version.

No equivalent provision.

SECTION 3. This Act does not make an appropriation. This Act takes effect only if a specific appropriation for the implementation of this Act is provided in a general appropriations act of the 81st Legislature.

SECTION 4: Same as Senate version.

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SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

No equivalent provision.

SENATE VERSION

SECTION 4. Same as House version.

SECTION \_\_. Subsection (a), Section 2155.505, Government Code, is amended by amending Subdivision (2) and adding Subdivision (3) to read as follows:  
(2) "Small business" means a small business concern as defined by regulations of the United States Small Business Administration in 13 C.F.R. Section 121.201 or a veterans service agency.  
(3) "Veterans service agency" means a community-based organization that:  
(A) is exempt from taxation under Section 501(a), Internal Revenue Code of 1986, as an organization described in Section 501(c)(3) of that code;  
(B) has as its principal purpose to provide housing, substance abuse treatment, case management services, and employment training to low-income veterans, disabled veterans, and homeless veterans and their families; and  
(C) employs veterans to provide at least 75 percent of the hours of direct labor by individuals required to produce goods or provide services required under a contract entered into under this section.

SECTION \_\_. Subsection (a), Section 2155.505,

No equivalent provision.

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SECTION 5: Same as House version.

No equivalent provision.

No equivalent provision.

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Government Code, as amended by this Act, applies only to a contract for the procurement of goods and services for which the solicitation of bids or proposals, request for proposals, or similar required notification as to the goods or services is published on or after September 1, 2009. A contract for the procurement of goods and services for which the solicitation of bids or proposals, request for proposals, or similar required notification as to the goods or services is published before September 1, 2009, is governed by the law in effect at the time the solicitation, request, or notification is published, and that law is continued in effect for that purpose.

SECTION \_\_. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

The following rows were presented as identical to Senate Bill 1125, relating to transition and employment services for public school students enrolled in special education programs.

SECTION \_\_. Section 29.011, Education Code, is amended to read as follows:  
Sec. 29.011. TRANSITION PLANNING. (a) The commissioner shall by rule adopt procedures for compliance with federal requirements relating to

No equivalent provision.

No equivalent provision.

No equivalent provision.

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transition services for students who are enrolled in special education programs under this subchapter. The procedures must:

(1) provide that transition planning begins for a student not later than when the student reaches 14 years of age; and

(2) specify the manner in which a student's admission, review, and dismissal committee must consider, and if appropriate, address the following issues in the student's individualized education program:

(A) [(1)] appropriate student involvement in the student's transition to life outside the public school system;

(B) [(2)] if the student is younger than 18 years of age, appropriate parental involvement in the student's transition;

(C) [(3)] if the student is at least 18 years of age, appropriate parental involvement in the student's transition, if the parent is invited to participate by the student or the school district in which the student is enrolled;

(D) [(4)] any postsecondary education options;

(E) [(5)] a functional vocational evaluation;

(F) [(6)] employment goals and objectives;

(G) [(7)] if the student is at least 18 years of age, the availability of age-appropriate instructional environments;

(H) [(8)] independent living goals and objectives; and

(I) [(9)] appropriate circumstances for referring a student or the student's parents to a governmental agency

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for services.

(b) The commissioner shall require each school district or shared services arrangement to designate an employee as the school transition and employment services coordinator to serve as the district's or shared services arrangement's specialist on transition and employment services for students enrolled in special education programs under this subchapter. An individual designated under this subsection must meet minimum transition training requirements established by the commissioner.

No equivalent provision.

SECTION \_\_. Subchapter A, Chapter 29, Education Code, is amended by adding Sections 29.0111 and 29.0112 to read as follows:

Sec. 29.0111. TRANSITION INFORMATION. The agency shall develop a Performance-Based Monitoring Analysis System indicator regarding the preparation of students enrolled in special education programs to transition to life outside the public school system.

Sec. 29.0112. TRANSITION AND EMPLOYMENT MANUAL. (a) The agency, with assistance from the Health and Human Services Commission, shall develop a comprehensive transition and employment manual for students enrolled in special education programs and their parents to assist in the transition to life outside the public school system. The agency may contract with a private entity to prepare the manual.

(b) The transition and employment manual must contain information specific to this state regarding:

No equivalent provision.



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- (1) transition services;
- (2) employment and supported employment services;
- (3) social security programs;
- (4) community and long-term services and support;
- (5) postsecondary educational programs and services;
- (6) information sharing with health and human services agencies and providers;
- (7) guardianship and alternatives to guardianship;
- (8) self-advocacy, person-directed planning, and self-determination; and
- (9) contact information for all relevant state agencies.
- (c) The transition and employment manual must be produced in an electronic format and posted on the agency's website in a manner that permits the manual to be easily identified and accessed.
- (d) The agency must update the transition and employment manual posted on the agency's website at least once every two years.
- (e) The agency shall develop a summary document of the transition and employment manual that briefly describes each topic addressed in the manual and includes contact information for each agency or program described in the manual. The summary must include information about obtaining access to the complete manual.
- (f) The agency must update the summary required under Subsection (e) not later than the 30th day after the date the transition and employment manual is updated in accordance with Subsection (d).
- (g) A school district shall:

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(1) maintain at each campus in the district a hard copy of the transition and employment manual that is posted on the agency's website;

(2) on request, assist a parent or student in obtaining access to the transition and employment manual; and

(3) provide one hard copy of the summary document required under Subsection (e) to each parent of a student enrolled in a special education program or adult student enrolled in a special education program at:

(A) the first meeting of the student's admission, review, and dismissal committee at which transition is discussed;

or

(B) the first committee meeting that occurs after September 1, 2009, if a student has already had an admission, review, and dismissal committee meeting discussing transition.

No equivalent provision.

SECTION \_\_. Section 29.011, Education Code, as amended by this Act, and Sections 29.0111 and 29.0112, Education Code, as added by this Act, apply beginning with the 2009-2010 school year.

No equivalent provision.

The following row was presented as identical to the language in Senate Bill 108, relating to the establishment and funding of a green job skills training program.

No equivalent provision.

SECTION \_\_. Subtitle B, Title 4, Labor Code, is amended by adding Chapter 303A to read as follows:

CHAPTER 303A. GREEN JOB SKILLS DEVELOPMENT FUND AND TRAINING

Similar provision in SECTION 1.

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PROGRAM

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 303A.001. PURPOSE. The purpose of this chapter is to:

- (1) promote green industry employment opportunities, including through the establishment of training programs to enhance green job skills and create career opportunities that result in high-wage jobs;
- (2) foster regional collaboration for the development of green industry employment opportunities;
- (3) assist in the development of a highly skilled, high-wage, and productive workforce in the green industry;
- and
- (4) assist workers with obtaining education, skills training, and labor market information to enhance their employability, earnings, and standard of living.

Sec. 303A.002. DEFINITIONS. In this chapter:

- (1) "Development fund" means the Texas green job skills development fund.
- (2) "Green job" means a job in the field of renewable energy or energy efficiency, including a job relating to:
  - (A) energy-efficient building, construction, and retrofitting;
  - (B) renewable energy, including biomass, hydroelectric, geothermal, and ocean energy, and wind and solar power;
  - (C) research and development or manufacturing of advanced battery or energy storage technologies;
  - (D) biofuels from non-feed food stocks;
  - (E) techniques to reduce, reuse, or recycle waste;

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(F) techniques to recycle products and convert used materials into new products;

(G) energy efficiency assessments;

(H) manufacturing of sustainable products using sustainable processes and materials; and

(I) water conservation and water efficiency.

(3) "Recycle" means the process of extracting resources or value from waste by recovering or reusing the material, including the collection and reuse of everyday waste materials.

[Sections 303A.003-303A.020 reserved for expansion]

SUBCHAPTER B. GREEN JOB SKILLS DEVELOPMENT FUND

Sec. 303A.021. TEXAS GREEN JOB SKILLS DEVELOPMENT FUND. (a) The Texas green job skills development fund is an account in the general revenue fund. The account is composed of:

(1) legislative appropriations;

(2) gifts, grants, donations, and matching funds received under Subsection (b); and

(3) other money required by law to be deposited in the account.

(b) The commission may solicit and accept gifts, grants, and donations of money from the federal government, local governments, private corporations, or other persons to be used for the purposes of this chapter.

(c) Income from money in the account shall be credited to the account.

(d) Money in the development fund may be used only for the purposes of this chapter.

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[Sections 303A.022-303A.030 reserved for expansion]  
SUBCHAPTER C. GREEN JOB SKILLS GRANT PROGRAM  
Sec. 303A.031. ESTABLISHMENT OF GREEN JOB SKILLS GRANT PROGRAM. The commission shall establish a green job skills grant program, funded by the development fund under Section 303A.021, through which the commission may award grants for the implementation, expansion, and operation of green job skills training programs.  
Sec. 303A.032. GRANT PROGRAM REQUIREMENTS. (a) A training program funded through a grant awarded under this subchapter must:  
(1) be hosted by a regional partnership that presents a plan to implement training programs that lead trainees to economic self-sufficiency and career pathways and includes at least:  
(A) one university, college, technical school, or other nonprofit workforce training provider;  
(B) one chamber of commerce, local workforce agency, local employer, or other public or private participating entity;  
(C) one economic development authority; and  
(D) one community or faith-based nonprofit organization that works with one or more targeted populations;  
(2) assist an eligible individual in obtaining education, skills training, and labor market information to enhance the individual's employability in green industries; and  
(3) assist in the development of a highly skilled and

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productive workforce in green industries.

(b) A training program awarded a grant under this subchapter shall target a population of eligible individuals for training that includes:

(1) workers in high-demand green industries who are in or are preparing for high-wage occupations;

(2) workers in declining industries who may be retrained for high-wage occupations in a high-demand green industry;

(3) agriculture, timber, or energy sector workers who may be retrained for high-wage occupations in a high-demand green industry;

(4) veterans or past or present members of the armed forces of the United States, including the state military forces, or a reserve component of the armed forces or the national guard;

(5) unemployed workers;

(6) low-income workers, unemployed youth and adults, individuals who did not complete high school, or other underserved sectors of the workforce in high poverty areas; or

(7) individuals otherwise determined by the commission to be disadvantaged and in need of training to obtain employment.

(c) A training program may receive funding under this chapter for a period not to exceed three years.

(d) A training program may use grant funds for support services, including basic skills, literacy, GED, English as a second language, and job readiness training, career guidance, and referral services.

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(e) A percentage of the grant, to be determined by the commission, must be devoted to administrative costs, costs related to hiring instructors and purchasing equipment, and tuition assistance.

Sec. 303A.033. APPLICATION. (a) A regional partnership, as described by Section 303A.032, may apply for a grant under this subchapter in the manner prescribed by the commission.

(b) The grant application must require the applicant to provide to the commission the applicant's plan to continue to operate the training program after the grant expires.

Sec. 303A.034. ADDITIONAL CONSIDERATIONS IN AWARDING GRANTS. (a) In addition to the factors described by Sections 303A.032 and 303A.033, in determining whether to award a grant to an applicant under this subchapter, the commission shall give preference to a training program that:

(1) provides certification and a career advancement mechanism to a worker who receives green job skills training under the program; and

(2) leverages additional public and private resources to fund the program, including cash or in-kind matches.

(b) Grants shall be awarded in a manner that ensures geographic diversity.

Sec. 303A.035. RESERVATION FOR CERTAIN PROGRAMS. Twenty percent of the funds available for grant programs under this chapter must be reserved for job skills training programs that serve the unemployed and individuals whose incomes are at or below 200

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percent of the federal poverty level.

Sec. 303A.036. REPORT. (a) Not later than the 30th day after the date funding for a grant under this chapter ends, the grant recipient shall submit a report to the commission that contains the following information:

- (1) the number of participants who entered the program;
- (2) the demographics of the participants, including race, gender, age, and significant barriers to education such as limited English proficiency, a criminal record, or a physical or mental disability;
- (3) services received by participants, including training, education, and support services;
- (4) the amount of program spending per participant;
- (5) program completion rates;
- (6) factors determined to interfere significantly with program participation or completion;
- (7) the average wage at placement, including benefits, and the rate of average wage increases after one year;  
and
- (8) any post-employment support services provided.

(b) Not later than October 1 of each even-numbered year, the commission shall submit a report to the governor, the lieutenant governor, and the speaker of the house of representatives that includes a summary of all information submitted under Subsection (a).

Sec. 303A.037. STANDARDS. The commission by rule shall adopt standards for a green job skills training program awarded a grant under this subchapter.





LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 30, 2009

TO: Honorable David Dewhurst, Lieutenant Governor, Senate  
Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB1935 by Villarreal (relating to the establishment of certain programs to support adult and postsecondary education and workforce development in high-demand occupations and green jobs.), Conference Committee Report

Estimated Two-year Net Impact to General Revenue Related Funds for HB1935, Conference Committee Report: a negative impact of (\$35,000,000) through the biennium ending August 31, 2011.

The bill would make no appropriation but could provide the legal basis for an appropriation of funds to implement the provisions of the bill.

General Revenue-Related Funds, Five-Year Impact:

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2010	(\$17,500,000)
2011	(\$17,500,000)
2012	(\$17,500,000)
2013	(\$17,500,000)
2014	(\$17,500,000)

All Funds, Five-Year Impact:

Fiscal Year	Probable Savings/(Cost) from General Revenue Fund
2010	(\$17,500,000)
2011	(\$17,500,000)
2012	(\$17,500,000)
2013	(\$17,500,000)
2014	(\$17,500,000)

Fiscal Analysis

The bill would amend the Government Code and create the Jobs and Education for Texans Fund and provide that the Comptroller of Public Accounts (CPA) establish and administer the Jobs and Education for Texans (JET) Grant program to provide grants to public junior colleges and public technical institutes, and would establish and administer the GR Dedicated Account—Jobs and Education for Texans (JET) Fund, which could receive legislative appropriations, interest earnings, gifts, grants, and donations from public and private sources for facilitating this program. The bill would authorize the Comptroller to award grants for innovative and successful programs, grants for career and technical education programs, and scholarships for public junior college or public technical institute students. In addition, the bill would create an advisory board to assist the CPA in

administering the program and provide that the CPA conduct a feasibility study.

The bill would also amend the Government Code relating to the establishment and funding of a green job skills training program to be administered by the Texas Workforce Commission (TWC). The bill creates the Texas Green Job Skills Development Fund which is an account in the General Revenue Fund. The bill states that the account is composed of legislative appropriations, gifts, grants, donations, matching funds and other money required by law to be deposited in the account. The bill would direct TWC to establish a green job skills grant program to award grants for the implementation, expansion and operation of training programs.

### **Methodology**

For purposes of this fiscal note it is assumed that the legislature would appropriate, in the General Appropriations Act, \$12,500,000 per year for the Jobs and Education for Texans Grant program. Any costs associated with administration of the program, creation of the advisory board, and conducting the feasibility study could be absorbed within existing resources.

The bill requires that TWC establish a green jobs skills training program, provided that funding is appropriated, but does not specify the size of the program that is contemplated. TWC assumes an initial program size in the range of \$5 million each fiscal year (\$25 million over a five year period) and three additional FTEs would be required each fiscal year (3 Program Specialists in Salary Group B11 at \$57,000 each year) to implement the provisions of this bill. TWC estimates costs for salaries at \$171,000 each fiscal year, totaling \$855,000 for the five year period. TWC also estimates benefits at \$48,855 each year totaling \$244,275 for the five-year period.

TWC estimates other operating expenses for personal computers, modular workstations and chairs, installation of data cable, installation of phone lines, utilities, phone service, maintenance and supplies are estimated at \$26,328 for FY 2010 and \$6,105 for each year thereafter totaling \$50,748 for the five-year period. The agency estimates indirect and administrative support costs of \$34,200 each year totaling \$171,000 for the five-year period.

According to the analysis provided by the Comptroller, this legislation would do one or more of the following: create or recreate a dedicated account in the General Revenue Fund, create or recreate a special or trust fund either within or outside of the Treasury, or create a dedicated revenue source. The fund, account, or revenue dedication included in this bill would be subject to funds consolidation review by the current Legislature.

### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 781 Higher Education Coordinating Board

**LBB Staff:** JOB, KK, JM, JRO, SD, RT, GO

## Certification of Compliance with Rule 13, Section 6(b), House Rules of Procedure

Rule 13, Section 6(b), House Rules of Procedure, requires that a copy of a conference committee report signed by a majority of each committee of the conference must be furnished to each member of the committee in person or if unable to deliver in person by placing a copy in the member's newspaper mailbox at least one hour before the report is furnished to each member of the house under Section 10(a) of this rule. The paper copies of the report submitted to the chief clerk under Section 10(b) of this rule must contain a certificate that the requirement of this subsection has been satisfied, and that certificate must be attached to the printed copy of the report furnished to each member under Section 10(d) of this rule. Failure to comply with this subsection is not a sustainable point of order under this rule.

I certify that a copy of the conference committee report on H. B. 1935 was furnished to each member of the conference committee in compliance with Rule 13, Section 6(b), House Rules of Procedure, before submission of the paper copies of the report to the chief clerk under Section 10(b), Rule 13, House Rules of Procedure.

*W. L. V. [Signature]*  
(name)

5-3-07  
(date)