

1 AN ACT

2 relating to state-funded job training or employment assistance
3 programs, services, and preferences available to veterans.

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

5 SECTION 1. Subchapter A, Chapter 302, Labor Code, is
6 amended by adding Section 302.014 to read as follows:

7 Sec. 302.014. JOB TRAINING OR EMPLOYMENT ASSISTANCE
8 PROGRAMS, SERVICES, AND PREFERENCES AVAILABLE TO VETERANS. (a) In
9 this section, "veteran" has the meaning assigned by Section
10 657.002(c), Government Code.

11 (b) A veteran qualifies for a preference under this section
12 if the veteran qualifies for a veteran's employment preference
13 under Section 657.002(a), Government Code.

14 (c) In selecting applicants to receive training or
15 assistance under a job training or employment assistance program or
16 service that is funded wholly or partly with state money,
17 preference must be given to a veteran who:

18 (1) qualifies for a preference under Subsection (b);

19 and

20 (2) meets any minimum eligibility requirements to
21 participate or enroll in the program or receive the service.

22 (d) The Texas Veterans Commission shall operate programs in
23 this state to enhance the employment opportunities of veterans of
24 the armed forces of the United States, including the employment

1 program funded under 38 U.S.C. Chapters 41 and 42. The programs
2 must exclusively enhance the employment opportunities of eligible
3 veterans, and the services provided under those programs must be
4 provided by state employees. A state employee providing services
5 under a program may only provide services to veterans.

6 SECTION 2. Section 302.021(b), Labor Code, is amended to
7 read as follows:

8 (b) In addition to the programs consolidated under the
9 authority of the commission under Subsection (a), the commission
10 shall administer:

11 (1) ~~[programs in this state to enhance the employment~~
12 ~~opportunities of veterans of the armed services of the United~~
13 ~~States, including the employment program funded under Chapters 41~~
14 ~~and 42, Title 38, United States Code,~~

15 [+2] child-care services provided under Chapter 44,
16 Human Resources Code; and

17 (2) [+3] programs established in this state through
18 federal funding to conduct full service career development centers
19 and school-to-work transition services.

20 SECTION 3. Section 302.062(g), Labor Code, is amended to
21 read as follows:

22 (g) Block grant funding under this section does not apply
23 to:

24 (1) the work and family policies program under Chapter
25 81;

26 (2) a program under the skills development fund
27 created under Chapter 303;

1 (3) the job counseling program for displaced
2 homemakers under Chapter 304;

3 (4) the Communities In Schools program under
4 Subchapter E, Chapter 33, Education Code, to the extent that funds
5 are available to the commission for that program;

6 (5) the reintegration of offenders program under
7 Chapter 306;

8 (6) apprenticeship programs under Chapter 133,
9 Education Code;

10 (7) the continuity of care program under Section
11 501.095, Government Code;

12 (8) employment programs under Chapter 31, Human
13 Resources Code;

14 (9) the senior citizens employment program under
15 Chapter 101, Human Resources Code;

16 (10) the programs described by Section 302.021(b)(2)
17 [~~302.021(b)(3)~~];

18 (11) the community service program under the National
19 and Community Service Act of 1990 (42 U.S.C. Section 12501 et seq.);

20 (12) the trade adjustment assistance program under
21 Part 2, Subchapter II, Trade Act of 1974 (19 U.S.C. Section 2271 et
22 seq.);

23 (13) the programs to enhance the employment
24 opportunities of veterans; and

25 (14) the functions of the State Occupational
26 Information Coordinating Committee.

27 SECTION 4. If Sections 302.014(b) and (c), Labor Code, as

1 added by this Act, conflict with federal law or a limitation
2 provided by a federal grant, Sections 302.014(b) and (c), Labor
3 Code, as added by this Act, are void and have no effect.

4 SECTION 5. (a) Not later than October 1, 2005, the Texas
5 Veterans Commission and the Texas Workforce Commission shall
6 establish a transition team to transfer the veterans employment
7 programs from the Texas Workforce Commission to the Texas Veterans
8 Commission. The transition team shall consist of a commissioner
9 and an employee of each agency and representatives from other
10 agencies that the veterans commission and workforce commission
11 determine are necessary to accomplish the transition of the
12 veterans employment programs.

13 (b) The Texas Veterans Commission and the Texas Workforce
14 Commission shall enter into a memorandum of understanding to
15 transfer the veterans employment programs of the Texas Workforce
16 Commission to the Texas Veterans Commission. The memorandum of
17 understanding must provide for the transfer of all powers, duties,
18 obligations, rights, contracts, leases, records, employees, real
19 or personal property, and unspent and unobligated appropriations
20 and other funds of the Texas Workforce Commission that are
21 necessary to accomplish the transfer of the veterans employment
22 programs under this Act to the Texas Veterans Commission. The
23 transition shall be completed not later than October 1, 2006.

24 (c) The transfer of the veterans employment programs from
25 the Texas Workforce Commission to the Texas Veterans Commission
26 does not affect the validity of a right, privilege, or obligation
27 accrued, a contract or acquisition made, any liability incurred, a

1 permit or license issued, a penalty, forfeiture, or punishment
2 assessed, a rule adopted, a proceeding, investigation, or remedy
3 begun, a decision made, or other action taken by the Texas Workforce
4 Commission in connection with the veterans employment programs.

5 (d) All rules, policies, procedures, and decisions of the
6 Texas Workforce Commission relating to the veterans employment
7 programs transferred to the Texas Veterans Commission by this Act
8 are continued in effect as rules, policies, procedures, and
9 decisions of the Texas Veterans Commission until superseded by a
10 rule or other appropriate action of the Texas Veterans Commission.

11 (e) Until the date the veterans employment programs are
12 transferred to the Texas Veterans Commission as provided by this
13 Act, the Texas Workforce Commission shall continue to exercise the
14 powers and perform the duties relating to the veterans employment
15 programs assigned to the Texas Workforce Commission under the law
16 as it existed immediately before the effective date of this Act or,
17 if applicable, as modified by another Act of the 79th Legislature
18 that becomes law, and the former law is continued in effect for that
19 purpose.

20 SECTION 6. This Act takes effect September 1, 2005.

David Dewhurst

President of the Senate

Jim Cusack

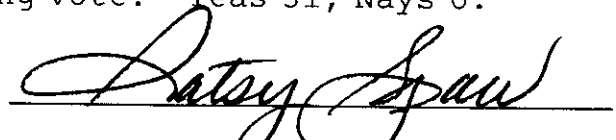
Speaker of the House

I certify that H.B. No. 2604 was passed by the House on April 21, 2005, by a non-record vote; that the House refused to concur in Senate amendments to H.B. No. 2604 on May 26, 2005, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.B. No. 2604 on May 29, 2005, by a non-record vote.

Robert Nancy


Chief Clerk of the House

I certify that H.B. No. 2604 was passed by the Senate, with amendments, on May 23, 2005, by the following vote: Yeas 28, Nays 3; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.B. No. 2604 on May 29, 2005, by the following vote: Yeas 31, Nays 0.

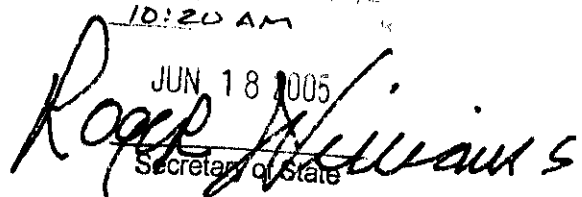

Secretary of the Senate

APPROVED: 18 JUNE '05

Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
____ O'CLOCK
JUN 18 2005

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM
JUN 18 2005

Secretary of State