

<b>Agency Code:</b> 320	<b>Agency Name:</b> Texas Workforce Commission	<b>Prepared By:</b> Daniela Gammon	<b>Date:</b> 05/26/2022	<b>Request Level:</b> Base
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<b>Current Rider Number</b>	<b>Page Number in 2022-23 GAA</b>	<b>Proposed Rider Language</b>
3	VII-36	<p><del><b>3. Appropriation: Federal Funds.</b> All moneys granted to Texas by the federal government for the administration of the Texas Unemployment Compensation Act or which are now on deposit to the credit of any funds maintained by the Comptroller of Public Accounts for the Texas Workforce Commission (TWC), and any moneys received for the credit of such funds are hereby appropriated for the purposes authorized by the provisions of the Texas Unemployment Compensation Act and for the purposes for which such moneys were granted. TWC shall notify the Legislative Budget Board and Governor of any funds and associated staffing received above the amounts appropriated above for the biennium.</del></p> <p><i>Rider 3 is specific to the Federal Funds received for the Unemployment Insurance program and predates the reporting requirements of Article IX, Sec. 13.02, Report of Additional Funding. Removing Rider 3 would treat all Federal Funds consistently under Article IX, Sect. 13.02 and eliminate an administrative burden on the agency.</i></p>
4	VII-36	<p><b>4. Section 903, Social Security Act Funds.</b></p> <p>a. Subject to federal law, out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under §903 of the Social Security Act, there is included in the appropriation \$5,000,000 in fiscal year <del>2022-2024</del> and \$5,000,000 in fiscal year <del>2023-2025</del> for withdrawal and use by the Texas Workforce Commission (TWC) for the administration of the Texas Unemployment Compensation Act and its Public Employment Offices and telecenters. Funds may be used to provide necessary office facilities and automated equipment, to include the purchase of land and construction of buildings, and the construction of improvements on property owned by TWC, including the cost of repairs and alterations to such property and the purchase of computers and related peripheral equipment.</p> <p>b. No part of any amounts based on an initial transfer from the federal government that occurred prior to fiscal year 2000 or after fiscal year 2002, appropriated out of amounts credited to Texas' account in the Federal Unemployment Trust Fund under §903 of the Social Security Act, shall be expended after the close of the period covered by this Act and any unused portion of such amounts shall, at such close, revert to Texas' said account in the Federal Unemployment Trust Fund. The amount obligated pursuant to this Act shall not exceed at any time the amount by which (a) the aggregate of the amounts transferred to the account of this state pursuant to §903 of the Social Security Act exceeds (b) the aggregate of the amounts obligated for administration and paid out for benefits and required by law to be charged against the amounts transferred to the account of this State.</p> <p>c. Should federal requirements concerning amounts made available under §903 of the Social Security Act change after passage of this Act, the appropriation made in this rider shall be subject to such conditions and limitations as required by the changed federal law.</p> <p><i>Dates updated.</i></p>

Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
5	VII-37	<p><b>5. Payment of Unemployment Benefits - State Agencies.</b> It is the intent of the Legislature that the Texas Workforce Commission charge the Comptroller of Public Accounts only for unemployment benefits paid based on wages earned from agencies appropriated funds under the General Appropriations Act, and that agencies outside the General Appropriations Act be maintained as individual reimbursing employers. For the purposes of this rider, "agency" includes a state agency as defined under §2151.002, Government Code, which includes an institution of higher education (except a public junior college) as defined under §61.003, Education Code.</p> <p><i>No revisions.</i></p>
6	VII-37	<p><b>6. Reappropriation of Federal and Local Funds.</b> All funds received by the Texas Workforce Commission from counties, cities, federal agencies, and from any other local source during the <del>2024-25</del><del>2022-23</del> biennium, and all balances from such sources as of August 31, <del>2024</del><del>2023</del>, are appropriated for the biennium ending August 31, <del>2023</del><del>2025</del>, for the purpose of carrying out the provisions of this Act. Earned federal funds are not considered to be federal funds for the purpose of this section.</p> <p><i>Dates updated.</i></p>

Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
7	VII-37	<p><b>7. Unexpended Balances for Child Care Funds.</b> It is the intent of the Legislature that any additional federal funds received as a result of current efforts to obtain child care funds, be used for child care. Except as otherwise provided, all unexpended and unobligated balances in the area of child care remaining from appropriations for the first year of the biennium to the Texas Workforce Commission (TWC) are appropriated to TWC for the purpose of drawing down all available federal funds for child care. TWC may transfer unexpended and unobligated balances of General Revenue appropriations to Strategy <a href="#">A.3.1, Local Child Care Solutions</a><del>A.4.2, At-Risk and Transitional Child Care</del>, in order to match available federal child care funds, which are appropriated to TWC. TWC is subject to the requirements of Article IX, Section 13.01, Federal Funds/Block Grants for federal child care funds matched with available General Revenue, and TWC shall notify the Legislative Budget Board (LBB) and the Governor in a timely manner of the amounts of additional General Revenue proposed to be used as match and the federal child care funds matched in each year of the <del>2024-25</del><del>2022-23</del> biennium, prior to drawing down the additional federal funds. The TWC proposal for use of additional General Revenue shall be considered approved if not disapproved by the LBB or the Governor before:</p> <ul style="list-style-type: none"> <li>a. the 30th business day after the date the staff of the LBB concludes its review of the findings of fact and forwards those findings of fact along with the conclusions or comments of the LBB staff to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor; and</li> <li>b. the 30th business day after receipt of the proposal by the Governor.</li> </ul> <p><i>Updated to reflect agency's new budget structure.</i></p>
8	VII-37	<p><b>8. Maximization of Child Care and Development Funds.</b> It is the intent of the Legislature that the Texas Workforce Commission (TWC) cooperate with cities, non-profit organizations, the Texas Education Agency, and local school districts to obtain local match necessary to maximize federal funds for child care. In order to maximize the availability of state matching funds for federal child care funds and to encourage local child care planning and match participation, TWC shall use donated purchase agreements and other funding mechanisms, to the extent allowed by federal law and regulations.</p> <p><i>No revisions.</i></p>
9	VII-37	<p><b>9. Earned Income Tax Credit Assistance.</b> Out of funds appropriated above, the Texas Workforce Commission and local workforce development boards shall assist recipients of Temporary Assistance for Needy Families who become employed, and other low-income workers who may qualify for the credit under federal income and other requirements, to apply for the federal Earned Income Tax Credit.</p> <p><i>No revisions.</i></p>

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10	VII-37	<p><b>10. Employment and Child Care Programs in Rural Areas.</b> It is the intent of the Legislature that the Texas Workforce Commission and local workforce development boards cost-effectively continue to expand the availability of employment and child care programs into rural areas.</p> <p><i>No revisions.</i></p>
11	VII-37	<p><b>11. Job Training Courses.</b> It is the intent of the Legislature that the primary objective of job training courses offered by the Texas Workforce Commission and local workforce development boards is to prepare individuals for high-skill, high-wage jobs with health benefits that result in long-term employability. Whenever possible, strategies should focus on incorporating industry sectors and/or regional industry clusters in order to promote high quality jobs. While English as a Second Language may provide additional benefit to trainees, it may not be substituted for job training classes.</p> <p><i>No revisions.</i></p>
12	VII-38	<p><b>12. Formal Measures Report.</b> The Texas Workforce Commission shall submit an annual report to the Legislative Budget Board (LBB) and the Governor on agency performance on Formal Measures prescribed by the Texas Workforce Investment Council. The report shall be submitted with the agency's 4th quarterly performance report and must be accompanied by supporting documentation as specified by the LBB and the Governor.</p> <p><i>No revisions.</i></p>
13	VII-38	<p><b>13. Budget and Performance Report.</b> The Texas Workforce Commission shall submit a quarterly report to the Legislative Budget Board and the Governor on budgeted, expended, and encumbered funds by strategy (and substrategy as appropriate) along with Full-Time Equivalent positions and method of finance information. The report shall also include program performance information for performance measures included in this Act.</p> <p><i>No revisions.</i></p>
14	VII-38	<p><b>14. Skills Development and Self-Sufficiency Fund Report.</b> The Texas Workforce Commission shall submit a quarterly report to the Legislative Budget Board (LBB) and the Governor on contracts executed by the commission, expenditures, program participants, and closed contracts for each Skills Development Fund and Self-Sufficiency Fund contract. Each report shall be accompanied by supporting documentation as specified by the LBB and the Governor.</p> <p><i>No revisions.</i></p>

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15	VII-38	<p><b>15. Contracts for Purchase of Client Services.</b> No funds appropriated to the Texas Workforce Commission may be utilized for contracts for the purchase of program-related client services unless:</p> <ul style="list-style-type: none"> <li>a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives;</li> <li>b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions;</li> <li>c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract;</li> <li>d. the agency has implemented a formal program using a risk assessment methodology to monitor compliance with financial and performance requirements under the contract, including a determination of whether performance objectives have been achieved; and</li> <li>e. the agency has implemented a formal program to obtain and evaluate program costs information to ensure that all costs, including administrative costs, are reasonable to achieve program objectives.</li> </ul> <p><i>No revisions.</i></p>
16	VII-38	<p><b>16. Work-at-Home Employees.</b> The Texas Workforce Commission may grant compensatory time to authorized employees for overtime work performed at the employee's personal residence and for work performed at the employee's personal residence on state or national holidays. Work performed under this authority shall be approved in advance by the Executive Director and must be verified by appropriate records, which may include audiotapes, computer and telephone logs, and the time tracking and leave accounting system. Compensatory time is only granted when corresponding work is assigned.</p> <p><i>No revisions.</i></p>

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17	VII-38	<p><b>17. Cash Flow Contingency for Texas Workforce Civil Rights Division.</b></p> <p>a. Contingent upon the receipt of federal funds allocated under the annual fixed cost performance based contracts and special projects with the U.S. Equal Employment Opportunity Commission and the U.S. Department of Housing and Urban Development, and upon the submission of monthly reports on all funds transfers and performance on all key measures to the Legislative Budget Board (LBB), Governor, and Comptroller of Public Accounts (CPA), the Texas Workforce Commission (TWC) may temporarily utilize additional General Revenue Funds, pending the receipt of federal reimbursement, in an amount not to exceed 75 percent of the amount as specified in the notification letter of federal award to be received in each year of the biennium. The General Revenue amounts utilized above the General Revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the CPA. All transfers of the method of finance shall be reported by the TWC Civil Rights Division to the LBB.</p> <p>b. TWC Civil Rights Division may temporarily utilize additional General Revenue Funds pending reimbursement through interagency contracts in an amount not to exceed 50 percent of the estimated interagency contract receipts to be received each year of the biennium to be adjusted by actual contract amounts. The General Revenue amounts utilized above the General Revenue method of finance must be repaid upon receipt of interagency contract reimbursement and shall be utilized only for the purpose of temporary cash flow needs. These transfers and repayments shall be in accordance with procedures established by the CPA. Any contract balance at the end of the first fiscal year of the biennium is appropriated to the second fiscal year of the biennium.</p> <p><i>No revisions.</i></p>
18	VII-39	<p><b>18. Limitation on Texas Fair Housing Act Investigations or Prosecutions.</b> No funds appropriated by this Act may be used to investigate or prosecute under the Texas Fair Housing Act any otherwise lawful activity, engaged in by one or more persons, that is engaged solely for the purpose of preventing action by a government official or court of competent jurisdiction.</p> <p><i>No revisions.</i></p>
19	VII-39	<p><b>19. Child Care Benefit Costs Paid with Federal Funds.</b> The Texas Workforce Commission shall pay all benefit costs to the Employees Retirement System related to Full-Time Equivalents (FTE) for salaries in Strategy <a href="#">B.3.2A.4.3</a>, Child Care Administration, with Federal Funds. No funds shall be paid for salaries in <del>Strategy A.4.1, TANF Choices &amp; Mandatory Child Care, Strategy A.4.2, At-Risk and Transitional Child Care, and Strategy A.4.4, Child Care for DFPS Families</del><a href="#">Strategies A.3.1, Local Child Care Solutions, A.3.2, Child Care Quality Activities, or A.3.3, Child Care for DFPS Families.</a></p> <p><i>Updated to reflect agency's new budget structure.</i></p>

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20	VII-39	<p><b>20. Temporary Assistance for Needy Families (TANF) Maintenance of Effort Appropriated in Child Care Strategies.</b> All General Revenue appropriated above for TANF maintenance of effort (MOE) shall be expended within the appropriate fiscal year for that purpose in order to secure the TANF federal block grant for the state. Out of funds appropriated above in Strategy <del>A.4.1, TANF Choices &amp; Mandatory Child Care</del><del>A.3.1, Local Child Care Solutions,</del> and Strategy <del>A.4.2, At-Risk and Transitional Child Care</del>, \$27,745,141 in General Revenue is appropriated for TANF MOE each fiscal year for TANF program Client Services or Grants. Notwithstanding the limitations of Article IX, Section 14.01 of this Act, none of the General Revenue appropriated for TANF MOE in Strategy <del>A.3.1, Local Child Care Solutions</del><del>A.4.1, TANF Choices &amp; Mandatory Child Care,</del> and Strategy <del>A.4.2, At-Risk and Transitional Child Care</del>, may be transferred to any other item of appropriation or expended for any purpose other than the specific purpose for which the funds are appropriated. <del>General Revenue may be transferred between the above-mentioned strategies.</del></p> <p><i>Updated to reflect agency's new budget structure.</i></p>
21	VII-39	<p><b>21. Local Matching Funds.</b> Child Care Matching Federal Funds appropriated above are based upon an estimated local match of \$41,353,026 in fiscal year <del>2022</del><u>2024</u> and \$41,353,026 in fiscal year <del>2023</del><u>2025</u>.</p> <p><i>Dates updated.</i></p>
22	VII-39	<p><b>22. Employment and Training Investment Assessment Reimbursement.</b> Amounts appropriated above in Strategy <del>B.4.1, Unemployment Services</del><del>A.5.3, Unemployment Tax Collection</del>, include an estimated amount of \$386,230 in fiscal year <del>2022</del><u>2024</u> and \$386,230 in fiscal year <del>2023</del><u>2025</u> in GR-Dedicated Employment and Training Investment Holding Account No. 5128 for the purpose of reimbursing the Federal Government for collection costs associated with the Employment and Training Investment Assessment in compliance with the collection cost methodology approved by the U.S. Department of Labor.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>
23	VII-39	<p><b>23. Professional Development Partnerships for Early Childhood Education.</b> Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall transfer via interagency contract \$500,000 in fiscal year <del>2022</del><u>2024</u> and \$500,000 in fiscal year <del>2023</del><u>2025</u> to the Texas Education Agency to fund the management of early childhood education partnerships projects, including the award of stipends, facilitate increased participation in professional development by early childhood education professionals, and encourage those professionals to seek additional education.</p> <p><i>Dates updated.</i></p>

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24	VII-39	<p><b>24. The Women's Institute for Technology Employment Training.</b> Out of funds appropriated above in Strategy <del>B.3.1, State Workforce Services</del><del>A.1.4, Employment and Community Services</del>, the Texas Workforce Commission shall allocate \$250,000 in fiscal year <del>2022</del>2024 and \$250,000 in fiscal year <del>2023</del>2025 to the Women's Institute for Technology Employment Training to support comprehensive program with statewide activity funds to develop curriculum, courses, and programs to prepare single women with children who are economically disadvantaged or on state or federal assistance, for entry-level jobs and careers in Texas manufacturing and technology based industries.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>
25	VII-40	<p><b>25. School Readiness Models.</b> Out of federal funds appropriated to the Texas Workforce Commission (TWC) in <del>Strategies A.4.1, TANF Choices &amp; Mandatory Child Care, and A.4.2, At-Risk and Transitional Child Care</del>Strategy A.3.2, <del>Child Care Quality Activities</del>, TWC shall match the amount of available General Revenue for the Early Childhood School Readiness Programs funded in Rider 42 following the appropriation in Article III, to the Texas Education Agency to provide for each year of the <del>2022-23</del>2024-25 state fiscal biennium a total amount equal to the greater of \$11,700,000, or the maximum amount allowable under the approved match rate for the purpose of providing funds to child care providers participating in integrated school readiness models developed by the State Center for Early Childhood Development at the University of Texas Health Science Center at Houston. If General Revenue is not available and notwithstanding other GAA requirements, out of federal funds appropriated to TWC in <del>Strategy A.3.2, Child Care Quality Activities</del>Strategies <del>A.4.1, TANF Choices &amp; Mandatory Child Care, and A.4.2, At-Risk and Transitional Child Care</del>, TWC shall provide for each year of the <del>2022-23</del>2024-25 state fiscal biennium the maximum amount allowable under federal guidelines, and not less than \$11,700,000 in each year, for the purpose of providing funds to child care providers participating in the integrated school readiness models developed by the State Center for Early Childhood Development at the University of Texas Health Science Center at Houston. Not later than December 1 of each even-numbered year, the State Center for Early Childhood Development shall report to the Legislative Budget Board and the Governor the detailed use of all state funds expended by the center for early childhood education services.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>



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26	VII-40	<p><b>26. Contingent Revenue Career Schools and Colleges Regulation.</b></p> <p>(a) In addition to the amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy <a href="#">B.3.6B-1.4</a>, Career Schools and Colleges, TWC is appropriated any additional revenues (estimated to be \$0) generated through the regulation of career schools and colleges and deposited to the credit of the General Revenue fund (Object Code 3509) in excess of \$1,639,000 in fiscal year <a href="#">20222024</a> and \$1,639,000 in fiscal year <a href="#">20232025</a> contained in the Comptroller of Public Accounts Biennial Revenue Estimate. Additional amounts appropriated each fiscal year from any additional revenues may not exceed \$208,000. These funds shall be used for enhancing the regulation of career schools and colleges.</p> <p>(b) No increase in appropriated amounts in excess of \$1,639,000 in fiscal year <a href="#">20222024</a> and \$1,639,000 in fiscal year <a href="#">20232025</a> shall occur for any year in which TWC has approved an increase in the annual renewal fee rate.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>
27	VII-40	<p><b>27. Professional Development for Early Childhood Education.</b> Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall dedicate \$750,000 in fiscal year <a href="#">20222024</a> and \$750,000 in fiscal year <a href="#">20232025</a> for programs that encourage increased participation in continuing professional development for early childhood professionals. Funding may be used to fund teacher training programs, programs that lead to a national credential in early childhood education, or work-study programs in child care. Funding may also be used for pilot programs that utilize tools for individualized instruction coupled with professional development components that support ongoing learning for teachers.</p> <p><i>Dates updated.</i></p>

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28	VII-40	<p><b>28. Adult Education.</b> Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial literacy, digital literacy, and occupational foundation skills in the expenditure of adult education funds appropriated above. It is the intent of the Legislature that, in providing educational programs, the administering agency or agencies shall provide appropriate training to recipients of Temporary Assistance for Needy Families (TANF) in accordance with the Personal Responsibility and Work Opportunity Reconciliation Act of 1996. Out of the Federal TANF funds appropriated above in Strategy <u>A.2.1, Adult Education and Family Literacy-A.1.9, Adult Education and Family Literacy</u>, \$5,800,000 in fiscal year <del>2022</del>2024 and \$5,800,000 in fiscal year <del>2023</del>2025 shall be directed for services for adults who are eligible for TANF. Families that include a child living at home are deemed eligible for TANF-funded adult education services if a family member receives any of the following forms of assistance: Supplemental Nutrition Assistance Program, Medicaid, Children's Health Insurance Program, Child Care and Development Fund, or Free or Reduced Priced Child Nutrition Program meals.</p> <p>TWC shall coordinate with the Higher Education Coordinating Board in efforts to develop and implement an action plan to align Adult Basic Education and post-secondary education and in the provision of data necessary to analyze performance outcomes.</p> <p><i>Updated to reflect agency's new budget structure and to correct a typographical error.</i></p>
29	VII-41	<p><b>29. Statewide Strategic Plan for Adult Basic Education.</b> Out of the funds appropriated above in Strategy, <u>B.3.1, State Workforce Services</u><del>A.1.9, Adult Education and Family Literacy</del>, the Texas Workforce Commission (TWC), in consultation with the Texas Workforce Investment Council (TWIC), shall develop a comprehensive statewide strategic plan, including goals and objectives, to address the projected future demand for adult education in Texas, gaps in the adult education system, improved efficiency of coordinated activities between state agencies, increased education and work-related outcomes for adult education students, and the types of programs and instruction necessary to help prepare adults for 21st century work and life. TWC shall report on the implementation and annual progress of this plan to TWIC, the Governor, and the Legislative Budget Board in December of every even numbered year.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>

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30	VII-41	<p><b>30. Reimbursement of Advisory Committee Members.</b> Pursuant to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above, not to exceed the amounts stated below per fiscal year, is limited to the following advisory committees:</p> <p style="padding-left: 40px;">Rehabilitation Council of Texas \$58,350  Elected Committee of Managers \$22,000  Purchasing From People with Disabilities Advisory Committee \$11,000  <u>Industry-Based Certification Advisory Council \$7,200</u></p> <p>To the maximum extent possible, the Texas Workforce Commission shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.</p> <p><i>House Bill 3938, Eighty-Seventh Legislative Session, 2021, created the Industry-Based Certification Advisory Council and authorizes members of the advisory council to be reimbursed for actual and necessary travel expenses incurred in performing functions as a member of the advisory council, as provided in the GAA. The agency requests appropriation authority for these reimbursements.</i></p>
31	VII-41	<p><b>31. Notification of Vocational Rehabilitation Federal Funds Distribution.</b></p> <p>(a) The Texas Workforce Commission (TWC) shall notify the Legislative Budget Board and the Governor by letter at least 30 calendar days prior to:</p> <p style="padding-left: 40px;">(1) requesting additional federal funding for the Vocational Rehabilitation program; or  (2) any intent to redirect General Revenue Funds for this purpose.</p> <p>(b) The notification required by Subsection (a) of this rider shall include:</p> <p style="padding-left: 40px;">(1) the purpose for the additional federal funding;  (2) the original purpose and item of appropriation for which the General Revenue Funds were appropriated;  (3) the effect on measures and/or full-time-equivalent positions for all affected strategies; and  (4) the effect on future maintenance of effort and match requirements.</p> <p>(c) Furthermore, it is the intent of the Legislature that no federal funds be drawn and expended by utilizing as matching funds any General Revenue Funds appropriated for the subsequent state fiscal year.</p> <p><i>No revisions.</i></p>

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32	VII-41	<p><b>32. Vocational Rehabilitation Reporting Requirements.</b></p> <p>a. Federal Reports. The Texas Workforce Commission (TWC) shall submit the following information to the Legislative Budget Board (LBB) and the Governor no later than the date the respective report is submitted to the federal government:</p> <ul style="list-style-type: none"> <li>(1) Notification of proposed State Plan amendments or waivers for Vocational Rehabilitation (CFDA 84.126). State Plan amendments and waiver submissions shall also be provided to the Senate Health and Human Services, House Human Services, and House Public Health committees.</li> <li>(2) A copy of each report or petition submitted to the federal government relating to Vocational Rehabilitation (CFDA 84.126).</li> <li>(3) Any other federal reports requested by the LBB or the Governor.</li> </ul> <p>b. Federal Issues. TWC shall notify the LBB and the Governor on a timely basis about emerging issues that could result in the loss of more than \$1 million in federal revenue assumed in this Act.</p> <p><i>No revisions.</i></p>
33	VII-42	<p><b>33. Vocational Rehabilitation Maintenance of Effort and Matching Funds Reporting Requirement.</b> The Texas Workforce Commission (TWC) shall report quarterly to the Legislative Budget Board (LBB) and the Governor on state funds used for match and maintenance of effort (MOE) for federal Vocational Rehabilitation (CFDA 84.126). Each report shall detail funds for the current fiscal year and at least the two previous fiscal years. The reports shall specify:</p> <ul style="list-style-type: none"> <li>a. State funds within and outside the department's budget used for match and MOE. This includes expenditures at the Health and Human Services Commission.</li> <li>b. Federal Funds within and outside the department's budget matched by state funds identified in the previous section. The reports shall be prepared in a format specified by the LBB.</li> </ul> <p><i>No revisions.</i></p>

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34	VII-42	<p><b>34. Appropriation: GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043.</b> Amounts above in Strategy <del>B.2.2, Business Enterprises of Texas</del><del>A.2.3, Business Enterprises of Texas Trust Fund</del>, are appropriated to the Texas Workforce Commission (TWC) for the purpose of establishing and maintaining a retirement and benefits plan for blind or visually impaired vendors as defined in the federal Randolph-Sheppard Act (20 USC, §107). Any amounts in addition to the amount identified in Strategy <del>B.2.2, Business Enterprises of Texas</del><del>A.2.3, Business Enterprises of Texas Trust Fund</del>, necessary to make retirement and benefits payments in conformity with the Randolph-Sheppard Act (20 USC, §107) and Labor Code, §355.016, are appropriated to TWC. None of the funds appropriated <del>in Strategy from the GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043</del><del>A.2.3, Business Enterprises of Texas Trust Fund</del>, or through this rider may be transferred to any other strategy. TWC shall report quarterly on deposits into and expenditures out of the GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043, including identification of the purpose for the expenditure, to the Legislative Budget Board, the Governor, and the Comptroller of Public Accounts.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>
35	VII-42	<p><b>35. Appropriation: Subrogation Receipts.</b> Included in amounts appropriated above in Strategy <del>B.2.1A.2-4</del>, Vocational Rehabilitation, are subrogation collections received during the <del>2022-23</del><del>2024-25</del> biennium from vocational rehabilitation cases. Subrogation receipts collected above the amounts appropriated in each year are appropriated to the agency for client services in the program from which the subrogation collections were generated (estimated to be \$0).</p> <p><i>Updated to reflect agency's new budget structure.</i></p>
36	VII-42	<p><b>36. Performance Reporting for the Business Enterprises of Texas Program.</b> The Texas Workforce Commission shall submit an annual report by October 1 to the Legislative Budget Board (LBB) and the Governor on:</p> <ul style="list-style-type: none"> <li>a. The results of the survey distributed to state host agencies on satisfaction of operational conditions such as pricing requirements, hours of operations, menu items, and product lines; and</li> <li>b. The total cost incurred by each state host agency for the operation of Business Enterprises of Texas cafeterias, snack bars, and convenience stores. Reported costs should include the value of the space used, maintenance costs, utility costs, janitorial costs and the method of finance for each cost. An outline of the methodology that was used to determine the final estimate should also be included in the report.</li> </ul> <p>The report shall be prepared in a format specified by the LBB and the Governor.</p> <p><i>No revisions.</i></p>

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37	VII-42	<p><b>36. Performance Reporting for the Business Enterprises of Texas Program.</b> The Texas Workforce Commission shall submit an annual report by October 1 to the Legislative Budget Board (LBB) and the Governor on:</p> <ul style="list-style-type: none"> <li>a. The results of the survey distributed to state host agencies on satisfaction of operational conditions such as pricing requirements, hours of operations, menu items, and product lines; and</li> <li>b. The total cost incurred by each state host agency for the operation of Business Enterprises of Texas cafeterias, snack bars, and convenience stores. Reported costs should include the value of the space used, maintenance costs, utility costs, janitorial costs and the method of finance for each cost. An outline of the methodology that was used to determine the final estimate should also be included in the report.</li> </ul> <p>The report shall be prepared in a format specified by the LBB and the Governor.</p> <p><i>No revisions.</i></p>
38	VII-42	<p><b>38. Language Interpreter Services.</b> In order to compensate employees of the Texas Workforce Commission (TWC) for assuming the duty of providing interpreter services to consumers whose primary language is not English, TWC, upon written authorization of the commission, may, from funds appropriated above, increase the salary of classified employees by an amount equal to a one step increase, or 3.25 percent, so long as the resulting salary rate does not exceed the rate designated as the maximum rate for the applicable salary group. This increase shall be granted only for the regular provision of interpreter services above and beyond the regular duties of the position, and shall be removed when these services are, for whatever reason, no longer provided by the employee or when they are no longer needed by the facility. Salary increases provided for this purpose are not merit increases and shall not affect an employee's eligibility to receive a merit increase. This authorization also includes employees who provide interpreter services in American Sign Language.</p> <p><i>No revisions.</i></p>
39	VII-43	<p><b>39. Health and Human Services Commission Partnership.</b> Out of funds appropriated above in Strategy <a href="#">B.2.1A.2.4</a>, Vocational Rehabilitation, \$8,586,875 in fiscal year <a href="#">20222024</a> and \$8,586,875 in fiscal year <a href="#">20232025</a> may be used by the Texas Workforce Commission only for the purpose of payment to the Health and Human Services Commission for an interagency agreement made for the purpose of funding rehabilitative services for persons with disabilities.</p> <p><i>Updated dates and to reflect agency's new budget structure.</i></p>

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40	VII-43	<p><b>40. Rapid Response Workforce Development Services.</b> Out of amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy <del>B.1.1A.3.4</del>, Skills Development, up to \$5,000,000 each fiscal year in General Revenue funds may be used to provide grants to public junior colleges and public technical colleges to develop customized training programs specific to business needs, training equipment that leads to certification and employment, fast track curriculum development, instructor certification, and rapid response workforce development support for growing or recruiting businesses to a rural or urban community.</p> <p><u>Any unexpended balances as of August 31, 2024 are hereby appropriated to fiscal year 2025 for the same purpose.</u></p> <p><i>Updated to reflect agency's new budget structure. Added unexpended balance authority within the biennium. Even-number year contracts related to the Skills Development program normally don't get encumbered until late in the fiscal year due to the publication of available program funds and the application submission and review process. UB authority within the biennium would provide flexibility to better manage these contracts and ensure services are provided to as many eligible participants as possible. Note, these changes do not impact the General Revenue Fund or budget certification.</i></p> <p><i>TWC would prioritize approval of the new riders requested below (701 and 702) above the request for UB authority in this rider, however if that is not acceptable, UB for this rider would be the subsequent request.</i></p>
41	VII-43	<p><del><b>41. Child Care Transferability.</b> Notwithstanding the limitations of Article IX, Section 14.01 of this Act, amounts appropriated to the Texas Workforce Commission (TWC) above in <b>Strategy A.4.1, TANF Choices &amp; Mandatory Child Care, and Strategy A.4.2, At-Risk and Transitional Child Care,</b> may be transferred between each other without limitation, in order to maximize the expenditure of available child care funds, respond to unanticipated caseload changes, and comply with federal statutory requirements, provided that these transferred funds may be expended only as grants for child care services. Transfers between these strategies require written notification to the Legislative Budget Board (LBB) and Governor within 30 calendar days and a report on transfers (regardless of whether transfers were actually made during that quarter) must be submitted to the LBB quarterly.</del></p> <p><i>Rider 41 is no longer necessary due to the merger of child care Strategies A.4.1, TANF Choices &amp; Mandatory Child Care, and A.4.2, At-Risk and Transitional Child Care, into the new Strategy A.3.1, Local Child Care Solutions, in the agency's new bill pattern.</i></p>
42	VII-43	<p><b>42. Department of Family and Protective Services (DFPS) Child Care Reporting Requirement.</b> The Texas Workforce Commission shall submit a monthly report to the Legislative Budget Board (LBB) and DFPS on budgeted and actual expenditures as well as budgeted and actual caseload totals for the children in the DFPS state care program. The report shall be submitted in a format prescribed by the LBB and accompanied by supporting documentation as specified by the LBB.</p> <p><i>No revisions.</i></p>

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43	VII-43	<p><b>43. Adult Literacy Report.</b> Out of funds appropriated above, as a part of the report required and in addition to the outcomes specified under Labor Code, Chapter 315.002(c), the Texas Workforce Commission shall analyze and report to the Legislature on December 1 of each even-numbered year on adult literacy activities and performance measures for the Adult Education and Family Literacy program. The report shall identify the types of literacy programs conducted by providers and the measurable outcomes on literacy performed by the program. The report must be accompanied by supporting documentation as specified by the Legislative Budget Board.</p> <p><i>No revisions.</i></p>
44	VII-43	<p><b>44. Skilled Workforce Development and Training Program.</b> Out of funds appropriated above in Strategy <a href="#">B.1.1A-3.4</a>, Skills Development, the Texas Workforce Commission shall expend \$250,000 in fiscal year <del>2022</del>2024 and \$250,000 in fiscal year <del>2023</del>2025 to form collaborative partnerships with organizations that:</p> <ol style="list-style-type: none"> <li>a. are exempt from federal income taxation;</li> <li>b. are composed of individuals or groups of individuals who have expertise in workforce development and training;</li> <li>c. are located in and serve urban centers in this state;</li> <li>d. are training sponsors accredited by the National Center for Construction Education and Research;</li> <li>e. provide industry-specific employment readiness training;</li> <li>f. provide a basic introduction to industry skills with curricula consisting of industry-specific modules that cover various trade skills topics, including basic safety and OSHA compliance, industry- or trade-specific math training, industry- or trade-specific tools training, basic communication skills, and basic employability skills;</li> <li>g. target minority groups in underserved communities; and</li> <li>h. have proven experience in administering training programs described by this rider through contracting with state agencies or political subdivisions.</li> </ol> <p><u>Any unexpended balances as of August 31, 2024 are hereby appropriated to fiscal year 2025 for the same purpose.</u></p> <p><i>Updated to reflect agency's new budget structure. Added unexpended balance authority within the biennium. Even-number year contracts related to the Skills Development program normally don't get encumbered until late in the fiscal year due to the publication of available program funds and the application submission and review process. UB authority within the biennium would provide flexibility to better manage these contracts and ensure services are provided to as many eligible participants as possible. Note, these changes do not impact the General Revenue Fund or budget certification.</i></p> <p><i>TWC would prioritize approval of the new riders requested below (701 and 702) above the request for UB authority in this rider, however if that is not acceptable, UB for this rider would be the subsequent request.</i></p>



Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
45	VII-44	<p><b>45. Unexpended Balances Appropriation: Acquisition of Information Resource Technology.</b> Any unobligated and unexpended balances of capital budget remaining as of August 31, <del>2024-2023</del> that were appropriated to the Texas Workforce Commission for the <del>2020-2021</del><del>2022-23</del> biennium for the Unemployment Insurance System Replacement, <del>and Workforce Case Management System</del><del>Child Care Application, and Vocational Rehabilitation System Replacement</del> projects (estimated to be \$0) are appropriated for the next fiscal biennium beginning September 1, <del>2024</del><del>2023</del>, for the same purpose.</p> <p><i>Due to the size and scope of the requested Unemployment Insurance System Replacement, Child Care Application, and Vocational Rehabilitation System Replacement projects, we are asking for appropriation flexibility beyond the 2022-23 biennium, as needed. As these projects are 100 percent federally funded, any unexpended balance authority utilized would not cost the 2024-25 General Appropriations Bill.</i></p>
46	VII-44	<p><b>46. Federal and State Funds for Digital Inclusion.</b> Texas Workforce Commission (TWC) shall ensure that digital skill building is an explicitly permitted use of existing workforce development grant programs and TWC shall utilize federal funds to provide digital skill building, device access, and digital support for workers in workforce development programs.</p> <p><i>No revisions.</i></p>
47	VII-44	<p><b>47. Unemployment Insurance Claimant Data for Targeted Digital Skill Building.</b> Out of funds appropriated for Strategy <del>A.5.1, Unemployment Claims</del><del>B.4.1, Unemployment Services</del>, the Texas Workforce Commission (TWC) shall collect and report unemployment insurance claim counts by type: internet, phone, and other. Claims count data by type shall be disaggregated by age, education, race/ethnicity, sex, and the occupations of individuals requesting benefits by region. The data shall be used to target individuals for digital skills training or retraining and the data shall be reported publicly on the TWC website.</p> <p><i>Updated to reflect agency's new budget structure.</i></p>

Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
48	VII-44	<p><del><b>48. Apprenticeship and Internship Opportunities for People with Disabilities.</b> Out of funds appropriated above in Strategies A.1.8, Apprenticeship, and A.2.1, Vocational Rehabilitation, the Texas Workforce Commission shall conduct an inventory of all current apprenticeship and internship opportunities for people with disabilities. The inventory should include:</del></p> <ul style="list-style-type: none"> <li><del>(a) The number and type of apprenticeship opportunities currently available;</del></li> <li><del>(b) The number and type of intern opportunities currently available;</del></li> <li><del>(c) The length of program;</del></li> <li><del>(d) The age ranges of the participants;</del></li> <li><del>(e) Whether the employer is a public or private entity;</del></li> <li><del>(f) The geographic distribution of the programs;</del></li> <li><del>(g) How the programs are funded;</del></li> <li><del>(h) How the opportunities are publicized;</del></li> <li><del>(i) The number of individuals with disabilities that obtained full time employment as a result of the intern or apprentice program.</del></li> </ul> <p><del>The inventory shall be made available to the Rehabilitation Council of Texas and the Texas Legislature by October 1, 2022.</del></p> <p><i>Rider 48 is no longer needed because the inventory is anticipated to be made available to the Rehabilitation Council of Texas and the Texas Legislature by the October 1, 2022 deadline.</i></p>
49	VII-44	<p><b>49. Employer and Community Based Organization Partnerships.</b> Out of amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy <del>B.3.1, State Workforce Services</del><del>A.1.4, Employment and Community Services</del>, \$4,000,000 in fiscal year <del>2022</del><del>2024</del> and \$4,000,000 in fiscal year <del>2023</del><del>2025</del> in General Revenue Funds shall be used to implement a program with community based organizations in partnership with employers to move Texans off of public benefits and into the workforce. This program will target residents without housing and employment and move them into permanent employment. In selecting a community based organization, TWC shall consider:</p> <ul style="list-style-type: none"> <li>(a) the number of persons served by a qualifying entity in the program year must be no fewer than 700 unique individuals;</li> <li>(b) the number of persons served by a qualifying entity who have obtained regular employment at or above 125 percent of federal poverty income guidelines must be no fewer than 50 percent of the total number of individuals returned to the workforce; and</li> <li>(c) the number of employers who will commit to hiring individuals upon exit of the program must be no fewer than 100 employers.</li> </ul> <p>In implementing this provision, the TWC may use other requirements deemed appropriate and necessary.</p> <p><i>Updated dates and to reflect agency's new budget structure.</i></p>

Current Rider Number	Page Number in 2022-23 GAA	Proposed Rider Language
701	VII-	<p><b><u>XX. Unexpended Balances Appropriation: Skills Development and JET.</u></b> <u>Any unobligated and unexpended balances of General Revenue remaining in Strategies B.1.1, Skills Development, and B.1.3, Jobs and Education for Texans (JET), as of August 31, 2024 are hereby appropriated to fiscal year 2025 for the same purpose.</u></p> <p><i>Unexpended balance authority within the biennium requested. Even-number year contracts related to the Skills Development and JET programs normally don't get encumbered until late in the fiscal year due to the publication of available program funds and the grant application submission and review process. UB authority within the biennium would provide flexibility to better manage these contracts and ensure services are provided to as many eligible participants as possible. Note, these changes do not impact the General Revenue Fund or budget certification.</i></p> <p><i>TWC is also agreeable to one rider combining UB (#701) and transfer authority (#702) between the Skills Development and JET strategies if that is preferred.</i></p>
702	VII-	<p><b><u>XX. Transfer Authority: Skills Development and JET.</u></b> <u>Notwithstanding limitations on appropriation transfers contained in the General Provisions of this Act, the Texas Workforce Commission may transfer such amounts as may be necessary between Strategies B.1.1, Skills Development and B.1.3, Jobs and Education for Texans (JET) to ensure services are provided to as many eligible participants as possible.</u></p> <p><i>Transfer authority between the Skills Development and Jobs and Education for Texans (JET) strategies is requested. As part of the budget structure changes to help increase budget transparency, the old Strategy A.3.1, Skills Development, which included funds for the JET program, was split into the new B.1.1, Skills Development and B.1.3, Jobs and Education for Texans (JET). As stated in above UB requests, contracts related to these programs normally don't get encumbered until late in the fiscal year making it challenging to utilize the appropriations during the authorized period. Transfer authority between these strategies would provide flexibility to better manage these contracts (grant awards) and ensure services are provided to as many eligible participants as possible. Although these funds are now separated between two strategies, the agency would like to remain in line with the legislative intent for the funds to be transferable between the programs as was previously allowed when the funds were in one strategy. Note, these changes do not impact the General Revenue Fund or budget certification.</i></p> <p><i>TWC is also agreeable to one rider combining UB (#701) and transfer authority (#702) between the Skills Development and JET strategies if that is preferred.</i></p>