

Agency Code: 320	Agency Name: Texas Workforce Commission	Prepared By: Julie Lindsey	Date: October 09, 2020	Request Level: Base
Current Rider Number	Page Number in 2020-21 GAA	FY 2022-23 Proposed Rider Language		
3	VII-36	<p>3. Appropriation: Federal Funds. 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.</p>		
4	VII-36	<p>4. Section 903, Social Security Act Funds.</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 above \$5,000,000 in fiscal year 20202022 and \$5,000,000 in fiscal year 20212023 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 above 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>This rider has been updated.</i></p>		

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5	VII-37	<p>5. Payment of Unemployment Benefits - State Agencies. 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>			
6	VII-37	<p>6. Reappropriation of Federal and Local Funds. All funds received by the Texas Workforce Commission from counties, cities, federal agencies, and from any other local source during the 2020-21<u>2022-23</u> biennium, and all balances from such sources as of August 31, 2019<u>2021</u>, are appropriated for the biennium ending August 31, 2021<u>2023</u>, 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><u>This rider has been updated.</u></i></p>			
7	VII-37	<p>7. Unexpended Balances for Child Care Funds. 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.4.2, At-Risk and Transitional Child Care, 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 used as match and the federal child care funds matched in each year of the 2020-21<u>2022-23</u> biennium not later than:</p> <ul style="list-style-type: none"> 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 b. within 30 business days by the Governor, prior to drawing down the additional federal funds. <p><i><u>This rider has been updated.</u></i></p>			

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8	VII-37	8. Maximization of Child Care and Development Funds. 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.			
9	VII-37	9. Earned Income Tax Credit Assistance. 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.			
10	VII-37	10. Employment and Child Care Programs in Rural Areas. 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.			
11	VII-38	11. Job Training Courses. 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.			
12	VII-38	12. Formal Measures Report. 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.			

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13	VII-38	13. Budget and Performance Report. The Texas Workforce Commission shall submit a monthly 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.			
14	VII-38	14. Skills Development and Self-Sufficiency Fund Report. 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.			
15	VII-38	<p>15. Contracts for Purchase of Client Services. 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"> a. such contracts include clearly defined goals, outputs, and measurable outcomes which directly relate to program objectives; b. such contracts include clearly defined sanctions or penalties for noncompliance with contract terms and conditions; c. such contracts specify the accounting, reporting, and auditing requirements applicable to funds received under the contract; 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 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. 			

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16	VII-38	<p>16. Work-at-Home Employees. 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>			
17	VII-38	<p>17. Cash Flow Contingency for Texas Workforce Civil Rights Division.</p> <ul style="list-style-type: none"> 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. 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. 			

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18	VII-39	18. Limitation on Texas Fair Housing Act Investigations or Prosecutions. 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.			
19	VII-39	19. Child Care Benefit Costs Paid with Federal Funds. 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.4.3, Child Care Administration, with Federal Funds. No funds shall be paid for salaries in Strategy A.4.1, TANF Choices & Mandatory Child Care, Strategy A.4.2, At-Risk and Transitional Child Care, and Strategy A.4.4, Child Care for DFPS Families.			
20	VII-39	20. Temporary Assistance for Needy Families (TANF) Maintenance of Effort Appropriated in Child Care Strategies. 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 A.4.1, TANF Choices & Mandatory Child Care, and Strategy A.4.2, At-Risk and Transitional Child Care, \$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 A.4.1, TANF Choices & Mandatory Child Care, and Strategy A.4.2, At-Risk and Transitional Child Care, 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. General Revenue may be transferred between the above-mentioned strategies.			
21	VII-39	21. Local Matching Funds. Child Care Matching Federal Funds appropriated above are based upon an estimated local match of \$41,353,026 in fiscal year 2020 2022 and \$41,353,026 in fiscal year 2021 2023. <i><u>This rider has been updated.</u></i>			

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22	VII-39	<p>22. Employment and Training Investment Assessment Reimbursement. Amounts appropriated above in Strategy A.5.3, Unemployment Tax Collection, include an estimated amount of \$386,230 in fiscal year 20202022 and \$386,230 in fiscal year 20212023 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><u>This rider has been updated.</u></i></p>			
23	VII-39	<p>23. Professional Development Partnerships for Early Childhood Education. Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall transfer via interagency contract \$500,000 in fiscal year 20202022 and \$500,000 in fiscal year 20212023 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><u>This rider has been updated.</u></i></p>			
24	VII-39	<p>24. The Women's Institute for Technology Employment Training. Out of funds appropriated above in Strategy A.1.4, Employment and Community Services, the Texas Workforce Commission shall allocate \$250,000 in fiscal year 20202022 and \$250,000 in fiscal year 20212023 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><u>This rider has been updated.</u></i></p>			

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25	VII-40	<p>25. School Readiness Models. Out of federal funds appropriated to the Texas Workforce Commission (TWC) in Strategies A.4.1, TANF Choices & Mandatory Child Care, and A.4.2, At-Risk and Transitional Child Care, 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 2020-212022-23 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 Strategies A.4.1, TANF Choices & Mandatory Child Care, and A.4.2, At-Risk and Transitional Child Care, TWC shall provide for each year of the 2020-212022-23 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 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><u>This rider has been updated.</u></i></p>			
26	VII-40	<p>26. Contingent Revenue Career Schools and Colleges Regulation. In addition to the amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy B.1.4, 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 20202022 and \$1,639,000 in fiscal year 20212023 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. No increase in appropriated amounts as specified in this rider shall occur for any year in which TWC has approved an increase in the annual renewal fee rate.</p> <p><i><u>This rider has been updated.</u></i></p>			

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27	VII-40	<p>27. Professional Development for Early Childhood Education. Out of federal Child Care Development Funds (CCDF) appropriated above, the Texas Workforce Commission shall dedicate \$750,000 in fiscal year 20202022 and \$750,000 in fiscal year 20212023 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>			
28	VII-40	<p>28. Employer and Community Based Organization Partnerships. Out of amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy A.1.4, Employment and Community Services, \$4,000,000 in fiscal year 2020 and \$4,000,000 in fiscal year 2021 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"> a. the number of persons served by a qualifying entity in the program year must be no fewer than 700 unique individuals; 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 c. the number of employers who will commit to hiring individuals upon exit of the program must be no fewer than 100 employers. <p>In implementing this provision, the TWC may use other requirements deemed appropriate and necessary.</p> <p><i>This rider has been deleted to align with the removal of these funds from the TWC budget request related to the required 5% base reduction.</i></p>			

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29	VII-41	<p>2928. Adult Education. Priority shall be given to adult literacy programs and may be given to adult literacy programs that include training in financial 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 A.1.9, Adult Education and Family Literacy, \$5,800,000 in fiscal year 20202022 and \$5,800,000 in fiscal year 20212023 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>Any unexpended balances as of August 31, 20202022 are appropriated to fiscal year 20212023 for the same purpose.</p> <p><i><u>This rider has been updated.</u></i></p>			
30	VII-41	<p>3029. Statewide Strategic Plan for Adult Basic Education. Out of the funds appropriated above in Strategy, A.1.9, Adult Education and Family Literacy, 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>			

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31	VII-41	<p>3130. Reimbursement of Advisory Committee Members. 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>Rehabilitation Council of Texas \$58,350 Elected Committee of Managers \$22,000 Purchasing From People with Disabilities Advisory Committee \$5,000<u>11,000</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><u>This rider has been updated to allow for the reimbursements of all committee members.</u></i></p>			
32	VII-41	<p>3231. Notification of Vocational Rehabilitation Federal Funds Distribution. The Texas Workforce Commission (TWC) shall notify the Legislative Budget Board and the Governor by letter at least 30 days prior to requesting additional federal funding for the Vocational Rehabilitation program and any intent to redirect General Revenue Funds for this purpose. The notification shall include the purpose for the additional federal funding, the original purpose and item of appropriation for which the General Revenue Funds were appropriated, the effect on measures and/or full-time equivalent positions for all affected strategies, and the effect on future maintenance of effort and match requirements. 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>			

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33	VII-41	<p>3332. Vocational Rehabilitation Reporting Requirements.</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"> (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. (2) A copy of each report or petition submitted to the federal government relating to Vocational Rehabilitation (CFDA 84.126). (3) Any other federal reports requested by the LBB or Governor. <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>			
34	VII-42	<p>3433. Vocational Rehabilitation Maintenance of Effort and Matching Funds Reporting Requirement. 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"> 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. b. Federal Funds within and outside the department's budget matched by state funds identified in the previous section. <p>The reports shall be prepared in a format specified by the LBB.</p>			

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	VII-42	<p>3534. Appropriation: GR-Dedicated Business Enterprise Program Trust Fund Account No. 5043. Amounts above in Strategy A.2.3, Business Enterprises of Texas Trust Fund, 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 A.2.3, Business Enterprises of Texas Trust Fund, 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 in Strategy A.2.3, Business Enterprises of Texas Trust Fund, 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>			
36	VII-42	<p>3635. Appropriation: Subrogation Receipts. Included in amounts appropriated above in Strategy A.2.1, Vocational Rehabilitation, are subrogation collections received during the 2020-212022-23 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>This rider has been updated.</i></p>			
37	VII-42	<p>3736. Performance Reporting for the Business Enterprises of Texas Program. 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"> 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 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. <p>The report shall be prepared in a format specified by the LBB and the Governor.</p>			

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38	VII-43	<p>3837. Blind Endowment Trust Fund Reporting. Out of funds appropriated above, the Texas Workforce Commission shall submit an annual report by October 1 to the Legislative Budget Board (LBB) and the Governor that identifies donations to the Blind Endowment Fund No. 493 (Other Funds). The report shall include the intended purpose of each donation if specified by the donor, actual expenditures and uses, and remaining balances. The report shall be prepared in a format specified by the LBB and the Governor.</p>			
39	VII-43	<p>3938. Language Interpreter Services. 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>			
40	VII-43	<p>4039. Health and Human Services Commission Partnership. Out of funds appropriated above in Strategy A.2.1, Vocational Rehabilitation, \$8,586,875 in fiscal year 20202022 and \$8,586,875 in fiscal year 20212023 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><u>This rider has been updated.</u></i></p>			
41	VII-43	<p>4140. Rapid Response Workforce Development Services. Out of amounts appropriated above to the Texas Workforce Commission (TWC) in Strategy A.3.1, 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>			

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42	VII-43	<p>4241. Adult Education and Family Literacy Workforce Diploma Program Pilot Project. The Texas Workforce Commission (TWC) may use funds appropriated above to develop and implement a workforce diploma program pilot project with non-profit organizations or other private entities to provide program services designed to facilitate increased participation in adult diploma and technical training programs and more effective job placement outcomes in high demand job fields. The workforce diploma program pilot project shall include a graduation plan designed to lead to an accredited high school diploma; comprehensive career/college preparation program including research tools and career readiness soft skills training; technical training; and facilitated transition to employment. Federal funds appropriated for adult basic education may only be used to the extent allowable under Federal regulations. TWC shall submit to the Legislative Budget Board and the Governor, no later than November 1, 2020, a report that includes an evaluation of the effectiveness of the pilot project detailing number of graduates and successful job placements, as well as earnings for successful graduates.</p> <p><i>Specific language directing the agency to submit a one-time report has been removed from the rider as the report will have been submitted by the beginning of the 2022-23 biennium.</i></p>			
43	VII-43	<p>4342. Child Care Transferability. Notwithstanding the limitations of Article IX, Section 14.01 of this Act, amounts appropriated to the Texas Workforce Commission (TWC) above in Strategy A.4.1, TANF Choices & Mandatory Child Care, and Strategy A.4.2, At-Risk and Transitional Child Care, 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.</p>			
44	VII-43	<p>4443. Department of Family and Protective Services (DFPS) Child Care Reporting Requirement. 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>			

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45	VII-44	<p>4544. Adult Literacy Report. 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>			
46	VII-44	<p>46. Adult Education and Family Literacy Program Review. Out of amounts appropriated above and in a manner consistent with all other law, the Texas Workforce Commission (TWC) shall contract with an external consultant to conduct a review of the Adult Education and Family Literacy program to ensure the grant application, award, and management processes are fair, equitable, and complete. TWC shall submit copies of the review to the Legislative Budget Board and the Governor by January 1, 2021. In addition, all grant applications and awards for the Adult Education and Family Literacy program shall be reviewed and approved by TWC's Commissioners prior to notification of award to the grant recipient.</p> <p><i>As the one-time report will be submitted to the LBB and Governor by the time the 2022-23 biennium begins, the agency is requesting removal of this rider.</i></p>			

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47	VII-44	<p>4745. Skilled Workforce Development and Training Program. Out of funds appropriated above in Strategy A.3.1, Skills Development, the Texas Workforce Commission shall expend \$250,000 in fiscal year 20202022 and \$250,000 in fiscal year 20212023 to form collaborative partnerships with organizations that:</p> <ul style="list-style-type: none"> a. are exempt from federal income taxation; b. are composed of individuals or groups of individuals who have expertise in workforce development and training; c. are located in and serve urban centers in this state; d. are training sponsors accredited by the National Center for Construction Education and Research; e. provide industry-specific employment readiness training; 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; g. target minority groups in underserved communities; and h. have proven experience in administering training programs described by this rider through contracting with state agencies or political subdivisions. 			

NEW	<p><u>46. Unexpended Balances Appropriation: Acquisition of Information Resource Technology.</u> <u>Any unobligated and unexpended balances of capital budget remaining as of August 31, 2021 that were appropriated to the Texas Workforce Commission for the 2020-2021 biennium for the Unemployment Insurance System Replacement and Workforce Case Management System projects (estimated to be \$0) are appropriated for the next fiscal biennium beginning September 1, 2021, for the same purpose.</u></p> <p><i>Due to the size and scope of the requested Unemployment Insurance (UI) System Replacement and the Workforce Case Management project, we are asking for appropriation flexibility beyond the 2020-21 biennium if needed. We currently anticipate that the project will be fully encumbered by the end of the biennium, but as it is 100 percent federal funded (including SNAP funds which are reflected as M0777 in the TWC bill pattern), any unexpended balance authority utilized would not cost the 2022-23 bill.</i></p>
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		REIMBURSEMENTS TO THE UNEMPLOYMENT COMPENSATION BENEFIT ACCOUNT			
1	VII-45	1. Definition of Agency. For the purposes of the Reimbursements to the Unemployment Compensation Benefit Account item, "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.			
2	VII-45	2. Reimbursements to the Unemployment Compensation Benefit Account No. 937. Reimbursements to the Unemployment Compensation Benefit Account No. 937 shall be made from: <ul style="list-style-type: none"> a. Funds identified as GR-Dedicated - Unemployment Compensation Special Administration Account No. 165 above, which consist of penalty and interest receipts collected under §§213.021 and 213.022, Texas Labor Code. b. Funds identified as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165 above, which consist of amounts transferred from other agencies' appropriations made elsewhere in this Act to state agencies in accordance with §15.01, Reimbursements for Unemployment Benefits, in General Provisions of this Act. 			
3	VII-45	3. Funding Source for Unemployment Compensation Special Administration Account No. 165. Funds identified in the method of financing above, Unemployment Compensation Special Administration Account No. 165, include penalty and interest receipts collected under §§213.021 and 213.022, Texas Labor Code and authorized for the payment of unemployment compensation benefits to former state employees pursuant to §203.202, Texas Labor Code. These amounts are estimated and are to be utilized for amounts not paid by state agency reimbursements.			

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4	VII-45	<p>4. Funding Source for Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165. Funds identified in the method of financing above, Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, include agency reimbursements from appropriations made elsewhere in this Act to GR- Dedicated Account No. 165. These amounts are estimated. Account No. 165 shall be reimbursed for one-half of the unemployment benefits paid from appropriations made in this Act to the state agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or in part from the General Revenue Fund, a General Revenue- Dedicated Account, Federal Funds or Other Funds, such as State Highway Fund No. 006.</p>			
5	VII-45	<p>5. Proportionality Requirements for Agency Reimbursements related to Unemployment Compensation Benefits. From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated Accounts, Federal Funds or Other Funds from appropriations made elsewhere in this Act to state agencies. The Comptroller shall transfer these amounts of appropriations made elsewhere in this Act to the Unemployment Compensation Special Administration Account No 165. The amounts reimbursed pursuant to this provision are hereby appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937. These reimbursement requirements may be waived, either in whole or in part, by the Legislative Budget Board.</p>			
6	VII-46	<p>6. Cash Flow Contingency. Contingent upon the receipt of state agency reimbursements, the Texas Workforce Commission (TWC) may temporarily utilize additional GR-Dedicated Unemployment Compensation Special Administration Account No. 165 funds, in an amount not to exceed the anticipated state agency reimbursement. The Account No. 165 amounts utilized above amounts appropriated from penalty and interest collections as identified in Rider 2(a) must be repaid upon receipt of state agency reimbursements for previously paid payroll warrants 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 made in accordance with established state accounting procedures. All transfers of the method of finance shall be reported by the TWC on a monthly basis to the Legislative Budget Board and Governor.</p>			

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15.01	IX-71	<p>Sec. 15.01. Reimbursements for Unemployment Benefits.</p> <p>(a) For the purposes of this section, "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>(b) At the close of each calendar quarter, the Texas Workforce Commission shall prepare a statement reflecting the amount of unemployment benefits paid to all former state employees based on wages earned from state employment and present it to the Comptroller. The Comptroller shall pay by warrant or transfer out of funds appropriated from the Unemployment Compensation Special Administration Account No. 165 such amount to the Unemployment Compensation Benefit Account No. 937 to reimburse it for such payments.</p> <p>(c) The Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165, for one-half of the unemployment benefits paid, from appropriations made in this Act to the agency that previously employed each respective former state employee whose payroll warrants were originally issued in whole or part from the General Revenue Fund or dedicated General Revenue Fund accounts, Federal Funds, or Other Funds, such as Fund No. 006.</p>			
15.01	IX-72	<p>(d) From information related to unemployment benefits paid on behalf of previously employed former state employees provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from the General Revenue Fund, any General Revenue-Dedicated accounts, Federal Funds or Other Fund appropriations made elsewhere in this Act to agencies. The Comptroller shall transfer such amounts to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed pursuant to this subsection are appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937, as Interagency Transfers to the Unemployment Compensation Special Administration Account No. 165. The reimbursement requirements established by this subsection may be waived, either in whole or in part, by the Legislative Budget Board.</p>			

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15.01	IX-72	e) In addition to other reimbursement provided by this section, the Unemployment Compensation Special Administration Account No. 165 shall be reimbursed, for one-half of the unemployment benefits paid, from amounts appropriated to the Reimbursements to the Unemployment Compensation Benefit Account item in this Act out of dedicated General Revenue Fund accounts or Other Funds and shall be fully reimbursed from funds held in local bank accounts, for all former state employees whose payroll warrants were originally issued in whole or part from dedicated General Revenue Fund accounts, Other Funds, Federal Funds, or local bank accounts, respectively. From information provided by the Texas Workforce Commission, the Comptroller shall determine the proportionate amount of the reimbursement or payment due from funds other than General Revenue and transfer such funds to the Unemployment Compensation Special Administration Account No. 165. The amounts reimbursed from local funds pursuant to this subsection are appropriated to the Unemployment Compensation Special Administration Account No. 165 for the purpose of reimbursing the Unemployment Compensation Benefit Account No. 937. Such transfers and payments as are authorized under law shall be made not later than the 30th day after the date of receipt of the statement of payments due.			
15.01	IX-72	(f) The Comptroller may prescribe accounting procedures and regulations to implement this section. (g) The Comptroller, upon certification of amounts due from the Texas Workforce Commission, including the sources of such amounts due, may transfer funds from such agencies or other units of state government as the Texas Workforce Commission certifies remain due more than 30 days from receipt of the statement of payments due. The Texas Workforce Commission shall also determine the amounts due from funds held outside the state treasury and notify the State Auditor and Comptroller of such amounts.			