

SENATE BILL NO. 207

BY SENATOR JOHN SMITH

1 AN ACT

2 To amend and reenact R.S. 23:1514(D)(1), relative to the Incumbent Worker Training
3 Program; to provide for certain third-party training providers; and to provide for
4 related matters.

5 Be it enacted by the Legislature of Louisiana:

6 Section 1. R.S. 23:1514(D)(1) is hereby amended and reenacted to read as follows:

7 §1514. Worker training fund; purpose; training programs; eligibility criteria;
8 program administration

9 * * *

10 D.(1)(**a**) Training shall be done by a third-party training provider selected
11 by the applicants. The training provider selected by an applicant must have a
12 demonstrated history of successful training through its replacement, retention, and
13 satisfaction rates; show collaboration with regard to industry in the development of
14 customized training; and use current industry standards as the basis for programs
15 utilized to train individuals in a targeted industry. Training may be provided by the
16 applicant's employees under limited circumstances as permitted by duly promulgated
17 rules and regulations. Third-party training providers must have a demonstrated
18 history of successful training. No third-party training provider may be an entity
19 whose principal owner is an immediate family member, as defined by the Code of
20 Governmental Ethics, of an individual in a management position with the applicant
21 who has the authority to make decisions regarding a training grant or a business
22 related to the applicant, such as a parent, subsidiary, or partner of the applicant.

23 **(b) Nothing herein shall be construed to prohibit a Louisiana college or**
24 **university from acting as a third-party training provider.**

25 **(c) Subject to the provisions of Subparagraph (d) of this Paragraph, a**
26 **Louisiana college or university may subcontract with an out-of-state college or**
27 **university to provide the actual training pursuant to this Section provided the**

1 training takes place on the campus of a Louisiana college or university or on a
2 Louisiana job site.

3 (d)(i) Prior to entering into an agreement with an out-of-state college or
4 university as provided for in Subparagraph (c) of this Paragraph, the Louisiana
5 college or university shall make an inquiry, in writing, to the commissioner of
6 higher education to determine if such third-party training already exists at
7 another Louisiana college or university.

8 (ii) If the commissioner of higher education advises the inquiring
9 Louisiana college or university within fifteen days that another Louisiana
10 college or university provides such third-party training, the inquiring college
11 or university may contract with the college or university that provides such
12 third-party training.

13 (iii) If the commissioner of higher education fails to advise the inquiring
14 Louisiana college or university within fifteen days that another Louisiana
15 college or university provides such third-party training, the inquiring college
16 or university may contract with an out-of-state college or university to provide
17 the actual training as provided for in Subparagraph (c) of this Paragraph.

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PRESIDENT OF THE SENATE

SPEAKER OF THE HOUSE OF REPRESENTATIVES

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____