

By: Pitts

H.B. No. 10

A BILL TO BE ENTITLED

AN ACT

relating to making supplemental appropriations and reductions in appropriations.

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

SECTION 1. HEALTH AND HUMAN SERVICES COMMISSION: HIGHER THAN EXPECTED MEDICAID COSTS. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2005, the following amounts are appropriated to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act for the purpose of providing services under the state Medicaid program, including making supplemental hospital payments and restoring eligibility for Medicaid benefits to pregnant women with incomes of up to 185 percent of the federal poverty level:

(1) \$396,300,000 is appropriated out of the general revenue fund;

(2) \$40,000,000 in balances and available revenues is appropriated out of General Revenue Dedicated Account No. 5080 (the Quality Assurance Fund);

(3) \$69,100,000 in appropriated receipts match for Medicaid is appropriated; and

(4) \$898,200,000 in matching federal funds is appropriated.

(b) The amounts appropriated by Subsection (a) of this

1 section may be expended only if the Health and Human Services
2 Commission has used all revenue available to the Medicaid program,
3 including but not limited to premium credits and vendor drug
4 rebates.

5 SECTION 2. HEALTH AND HUMAN SERVICES COMMISSION:
6 CHILDREN'S HEALTH INSURANCE PROGRAM. In addition to amounts
7 previously appropriated for the state fiscal biennium ending August
8 31, 2005, the following amounts are appropriated to the Health and
9 Human Services Commission for the two-year period beginning on the
10 effective date of this Act for the purpose of providing services
11 related to the Children's Health Insurance Program:

12 (1) \$68,100,000 is appropriated out of the general
13 revenue fund; and

14 (2) \$127,700,000 in matching federal funds is
15 appropriated.

16 SECTION 3. HEALTH AND HUMAN SERVICES COMMISSION: VARIOUS
17 PROGRAMS. In addition to amounts previously appropriated for the
18 state fiscal biennium ending August 31, 2005, the amount of
19 \$85,800,000 is appropriated out of the general revenue fund to the
20 Health and Human Services Commission for the two-year period
21 beginning on the effective date of this Act for any necessary
22 purposes for which:

23 (1) the commission received an appropriation out of
24 the general revenue fund for all or part of the state fiscal
25 biennium ending August 31, 2005; or

26 (2) a health and human services agency received an
27 appropriation out of the general revenue fund for all or part of the

1 state fiscal biennium ending August 31, 2005, if the commission is
2 now authorized or required by law to spend money for those purposes.

3 SECTION 4. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
4 CHILD PROTECTIVE SERVICES PROGRAM REFORM. In addition to amounts
5 previously appropriated for the state fiscal biennium ending August
6 31, 2005, the amount of \$5,365,000 is appropriated out of the
7 general revenue fund and the amount of \$2,926,000 in matching
8 federal funds is appropriated to the Department of Family and
9 Protective Services for the two-year period beginning on the
10 effective date of this Act for the purpose of funding the reforms of
11 the Child Protective Services Program.

12 SECTION 5. DEPARTMENT OF AGING AND DISABILITY SERVICES:
13 COMMUNITY CARE CASELOAD AND COSTS. In addition to amounts
14 previously appropriated for the state fiscal biennium ending August
15 31, 2005, the amount of \$25,500,000 is appropriated out of the
16 general revenue fund and the amount of \$38,300,000 in matching
17 federal funds is appropriated to the Department of Aging and
18 Disability Services for the two-year period beginning on the
19 effective date of this Act for the purpose of funding the Community
20 Care Caseload and Costs.

21 SECTION 6. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
22 OPERATIONS. In addition to amounts previously appropriated for the
23 state fiscal biennium ending August 31, 2005, the amount of
24 \$27,400,000 is appropriated out of the general revenue fund to the
25 Texas Department of Criminal Justice for the two-year period
26 beginning on the effective date of this Act for the purpose of
27 providing for contracted temporary capacity, salaries and wages,

1 utilities, and fuel.

2 SECTION 7. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
3 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts
4 previously appropriated for the state fiscal biennium ending August
5 31, 2005, the amount of \$31,800,000 is appropriated out of the
6 general revenue fund to the Texas Department of Criminal Justice
7 for the two-year period beginning on the effective date of this Act
8 for the purpose of providing for correctional managed health care.

9 SECTION 8. TEXAS EDUCATION AGENCY: JUVENILE JUSTICE
10 ALTERNATIVE EDUCATION PROGRAM. In addition to amounts previously
11 appropriated for the state fiscal biennium ending August 31, 2005,
12 the amount of \$2,112,000 is appropriated out of General Revenue
13 Account No. 193 (the Foundation School Fund) to the Texas Education
14 Agency for the two-year period beginning on the effective date of
15 this Act for the purpose of funding the juvenile justice
16 alternative education program through an interagency agreement
17 with the Texas Juvenile Probation Commission.

18 SECTION 9. TEACHER RETIREMENT SYSTEM OF TEXAS: EMPLOYEE
19 PASS-THROUGH. In addition to amounts previously appropriated for
20 the state fiscal biennium ending August 31, 2005, the amount of
21 \$30,700,000 is appropriated out of the general revenue fund to the
22 Teacher Retirement System of Texas for the two-year period
23 beginning on the effective date of this Act for the purpose of
24 funding the employee pass-through program.

25 SECTION 10. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL
26 PROGRAM. In addition to amounts previously appropriated for the
27 state fiscal biennium ending August 31, 2005, the amount of

1 \$560,000,000 is appropriated out of the general revenue fund to the
2 Texas Education Agency for the two-year period beginning on the
3 effective date of this Act for the purpose of funding the Foundation
4 School Program.

5 SECTION 11. TEXAS EDUCATION AGENCY: TEXTBOOKS. In addition
6 to amounts previously appropriated for the state fiscal biennium
7 ending August 31, 2005, the amount of \$37,000,000 is appropriated
8 out of the general revenue fund to the Texas Education Agency for
9 the two-year period beginning on the effective date of this Act for
10 the purpose of funding the purchase of textbooks.

11 SECTION 12. TEXAS EDUCATION AGENCY: LEGAL FEE AWARDS. In
12 addition to amounts previously appropriated for the state fiscal
13 biennium ending August 31, 2005, the amount of \$5,275,000 is
14 appropriated out of the general revenue fund to the Texas Education
15 Agency for the two-year period beginning on the effective date of
16 this Act for the purpose of funding the payment of legal fees
17 awarded by courts to be paid by the agency.

18 SECTION 13. STATE BOARD FOR EDUCATOR CERTIFICATION:
19 CERTIFICATION EXAMINATION. In addition to amounts previously
20 appropriated for the state fiscal biennium ending August 31, 2005,
21 the amount of \$1,900,000 is appropriated out of the general revenue
22 fund to the State Board for Educator Certification for the two-year
23 period beginning on the effective date of this Act for the purpose
24 of funding administration of the board's certification
25 examination.

26 SECTION 14. SECRETARY OF STATE: HELP AMERICA VOTE ACT. In
27 addition to amounts previously appropriated for the state fiscal

1 biennium ending August 31, 2005, the amount of \$1,500,000 is
2 appropriated out of the general revenue fund to the secretary of
3 state for the two-year period beginning on the effective date of
4 this Act to be transferred to General Revenue Dedicated Account No.
5 5095 (the Election Improvement Fund) and used for the purpose of
6 funding the state matching contribution for the Help America Vote
7 Act.

8 SECTION 15. PARTIAL RESTORATION OF APPROPRIATION REDUCTION
9 FOR PROPERTY SALES. (a) The purpose of this section is to restore a
10 portion of the reduction in appropriations made by Section
11 12.04(d), Article IX, Chapter 1330, Acts of the 78th Legislature,
12 Regular Session, 2003 (the General Appropriations Act), to agencies
13 and institutions that on August 31, 2003, owned real property
14 purchased with general revenue or general revenue dedicated funds
15 and that had appropriations reduced under Section 12.04(d) by an
16 aggregate total of \$97,000,000 for the state fiscal biennium ending
17 August 31, 2005.

18 (b) The amount of \$78,300,000 is appropriated out of the
19 general revenue fund to the agencies and institutions described by
20 Subsection (a) of this section for the two-year period beginning on
21 the effective date of this Act for the purpose described by
22 Subsection (a) of this section. An agency or institution that
23 receives a portion of the amount appropriated by this section under
24 Subsection (c) of this section may spend the amount received for the
25 purposes for which the agency or institution was authorized to
26 spend the appropriation that was reduced.

27 (c) The governor and the Legislative Budget Board, taking

1 into account the reductions and distributions made under Section
2 12.04(d), Article IX, Chapter 1330, Acts of the 78th Legislature,
3 Regular Session, 2003 (the General Appropriations Act), shall
4 allocate the amount appropriated by this section among the agencies
5 and institutions described by Subsection (a) of this section.

6 SECTION 16. APPROPRIATION OF CERTAIN UNEXPENDED BALANCES.

7 Any amounts appropriated under Section 11.28, Article IX, Chapter
8 1330, Acts of the 78th Legislature, Regular Session, 2003 (the
9 General Appropriations Act), as amended by Article 5, Chapter 10,
10 Acts of the 78th Legislature, 3rd Called Session, 2003, that are
11 unencumbered and unexpended on the effective date of this Act are
12 appropriated for the two-year period beginning on the effective
13 date of this Act for the purposes and in accordance with the
14 procedures prescribed by Section 11.28, Article IX, Chapter 1330,
15 Acts of the 78th Legislature, Regular Session, 2003 (the General
16 Appropriations Act), as amended by Article 5, Chapter 10, Acts of
17 the 78th Legislature, 3rd Called Session, 2003.

18 SECTION 17. SALARIES: NINTH COURT OF APPEALS, BEAUMONT;
19 APPROPRIATIONS REDUCTION: TENTH COURT OF APPEALS, WACO. (a) In
20 addition to amounts previously appropriated for the state fiscal
21 biennium ending August 31, 2005, the amount of \$36,000 is
22 appropriated out of the general revenue fund to the Ninth Court of
23 Appeals, Beaumont, for the two-year period beginning on the
24 effective date of this Act for the purpose of funding salaries.

25 (b) The unencumbered amounts previously appropriated for
26 the state fiscal biennium ending August 31, 2005, from the general
27 revenue fund to the Tenth Court of Appeals, Waco, are reduced by

1 \$36,000.

2 SECTION 18. APPROPRIATIONS REDUCTION: TEXAS PUBLIC FINANCE
3 AUTHORITY. The unencumbered amount of general revenue funds
4 appropriated to the Texas Public Finance Authority to be used for
5 general obligation bond debt service during the state fiscal
6 biennium ending August 31, 2005, is reduced by \$17,500,000.

7 SECTION 19. APPROPRIATIONS REDUCTION: DEPARTMENT OF AGING
8 AND DISABILITY SERVICES. The unencumbered amount of general revenue
9 dedicated funds appropriated to the Department of Aging and
10 Disability Services from General Revenue Dedicated Account No. 543
11 (the Texas Capital Trust Fund) for use during the state fiscal
12 biennium ending August 31, 2005, is reduced by \$1,943,939. The
13 department shall identify the strategies and objectives out of
14 which the reductions in unencumbered amounts are to be made.

15 SECTION 20. APPROPRIATIONS REDUCTION: TEXAS LOTTERY
16 COMMISSION. The unencumbered amount of general revenue dedicated
17 funds appropriated to the Texas Lottery Commission from General
18 Revenue Dedicated Account No. 5025 (the State Lottery Account) for
19 use during the state fiscal biennium ending August 31, 2005, is
20 reduced by \$1,690,606. The commission shall identify the
21 strategies and objectives out of which the reductions in
22 unencumbered amounts are to be made.

23 SECTION 21. APPROPRIATIONS REDUCTION: PUBLIC UTILITY
24 COMMISSION OF TEXAS. The unencumbered amount of general revenue
25 dedicated funds appropriated to the Public Utility Commission from
26 General Revenue Dedicated Account No. 5100 (the System Benefit
27 Fund, previously known as the System Benefit Trust Fund) for use

1 during the state fiscal biennium ending August 31, 2005, is reduced
2 by \$57,200,000. The commission shall identify the strategies and
3 objectives out of which the reductions in unencumbered amounts are
4 to be made.

5 SECTION 22. APPROPRIATIONS REDUCTION: TEXAS WORKERS'
6 COMPENSATION COMMISSION. The unencumbered amount of general
7 revenue dedicated funds appropriated to the Texas Workers'
8 Compensation Commission from General Revenue Dedicated Account No.
9 5101 (the Subsequent Injury Fund) for use during the state fiscal
10 biennium ending August 31, 2005, is reduced by \$6,000,000. The
11 commission shall identify the strategies and objectives out of
12 which the reductions in unencumbered amounts are to be made.

13 SECTION 23. REPORTING TO LEGISLATIVE BUDGET BOARD. On
14 August 1, 2005, and on such other dates as the Legislative Budget
15 Board considers to be necessary, each entity appropriated money by
16 this Act and each agency for which an amount of appropriations is
17 reduced by this Act shall report to the board, in a format specified
18 by the board, the information requested by the board regarding use
19 of the money appropriated by this Act or the measures taken to
20 reduce appropriations as required by this Act.

21 SECTION 24. EFFECTIVE DATE. This Act takes effect
22 immediately.