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SECTION 1. AUSTIN COMMUNITY COLLEGE: GROUP HEALTH INSURANCE. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$3,678,942 is appropriated out of the general revenue fund to Austin Community College for the two-year period beginning on the effective date of this Act for the purpose of correcting the institution's underreporting of its state-funded group health insurance enrollment for fiscal years 2006 and 2007.

SECTION 2. SOUTH PLAINS COLLEGE: GROUP HEALTH INSURANCE. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$1,424,764 is appropriated out of the general revenue fund to South Plains College for the two-year period beginning on the effective date of this Act for the purpose of correcting the institution's underreporting of its state-funded group health insurance enrollment for fiscal years 2006 and 2007.

SECTION 3. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: OPERATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$47,000,000 is appropriated out of the general revenue fund to the Texas Department of Criminal Justice for the two-year period

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Same as House version.

Same as House version.

SECTION 3. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: OPERATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$27,000,000 is appropriated out of the general revenue fund to the Texas Department of Criminal Justice for the two-year period

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beginning on the effective date of this Act for the purpose of providing for salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel.

SECTION 4. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$12,940,619 is appropriated out of the general revenue fund to the Texas Department of Criminal Justice for the two-year period beginning on the effective date of this Act for the purpose of providing for correctional managed health care.

SECTION 5. TEXAS MEDICAL BOARD: OPERATIONS. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$1,222,827 is appropriated out of the general revenue fund to the Texas Medical Board for the two-year period beginning on the effective date of this Act for the purpose of:

- (1) repaying the Governor's Emergency and Deficiency Grant awarded in fiscal year 2006; and
- (2) providing for agency operating expenses for licensing and enforcement.

(b) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the

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beginning on the effective date of this Act for the purpose of providing for salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel.

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amount of \$600,248 is appropriated out of the public assurance account to the Texas Medical Board for the two-year period beginning on the effective date of this Act for the purpose of providing for agency operating expenses for licensing and enforcement.

(c) In addition to the number of full-time equivalent employees (FTEs) the Texas Medical Board is authorized to employ by other law during the state fiscal year ending August 31, 2007, the board may employ an additional six FTEs during that period.

SECTION 6. TEXAS DEPARTMENT OF LICENSING AND REGULATION: COSTS RELATED TO FORMER COSMETOLOGY COMMISSION AND BOARD OF BARBER EXAMINERS. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$463,202 is appropriated out of the general revenue fund to the Texas Department of Licensing and Regulation for the two-year period beginning on the effective date of this Act for the purposes of paying:

- (1) the unanticipated costs of relocating the functions and operations of the former Cosmetology Commission and the former Board of Barber Examiners; and
- (2) obligations, including interest accrued on the obligations, of the former Cosmetology Commission and the former Board of Barber Examiners.

(b) This subsection applies with respect to the obligation to pay for goods or services received before August 31,

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2005, by the former Cosmetology Commission or the former Board of Barber Examiners. A claim for payment or reimbursement for goods or services to which this subsection applies may not be paid from money appropriated by Subsection (a) of this section until the claim is verified and substantiated by the executive director of the Texas Department of Licensing and Regulation and until it is subsequently approved by the attorney general and the comptroller of public accounts. The approvals must occur before August 31, 2008.

SECTION 7. TEXAS BUILDING AND PROCUREMENT COMMISSION: MAINTENANCE.
In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$64,013,000 is appropriated out of the general revenue fund to the Texas Building and Procurement Commission for the two-year period beginning on the effective date of this Act for the purpose of providing for various life safety and deferred maintenance projects.

No equivalent provision.

SECTION 8. TEXAS BUILDING AND PROCUREMENT COMMISSION: ABATEMENT OF ASBESTOS AND BUILD-OUT OF STEPHEN F. AUSTIN BUILDING. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$6,014,700 is appropriated out

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of the general revenue fund to the Texas Building and Procurement Commission for the two-year period beginning on the effective date of this Act for the purpose of the abatement of asbestos and the build-out of the Stephen F. Austin Building.

SECTION 9. TEXAS BUILDING AND PROCUREMENT COMMISSION: UTILITIES. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$2,847,069 is appropriated out of the general revenue fund to the Texas Building and Procurement Commission for the two-year period beginning on the effective date of this Act for the purpose of making utility payments.

SECTION 10. TEXAS SOUTHERN UNIVERSITY: DEFERRED MAINTENANCE AND OTHER EXPENSES. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$13,645,120 is appropriated out of the general revenue fund to Texas Southern University for the two-year period beginning on the effective date of this Act for the purpose of providing deferred maintenance, paying outstanding expenses, making emergency maintenance repairs, paying contract deficits, paying audit and legal costs, providing funding for summer school, and providing funding for the

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SECTION 8. Same as House version.

SECTION 9. TEXAS SOUTHERN UNIVERSITY: **CONTINGENCY APPROPRIATION FOR** DEFERRED MAINTENANCE AND OTHER EXPENSES. **(a)** **Subject to Subsection (b) of this section, and** in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$13,645,120 is appropriated out of the general revenue fund to Texas Southern University for the two-year period beginning on the effective date of this Act for the purpose of providing deferred maintenance, paying outstanding expenses, making emergency maintenance repairs, paying contract deficits, paying audit and legal

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TSU/HISD Charter School.

costs, providing funding for summer school, and providing funding for the TSU/HISD Charter School.

(b) The appropriation made by Subsection (a) of this section is contingent upon the development of a suitable plan of reorganization approved by the Legislative Budget Board and the Governor or the placement of the university under conservatorship as defined by Government Code Chapter 2104.

SECTION 11. ANGELO STATE UNIVERSITY: UTILITIES. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$50,000 is appropriated out of the general revenue fund to Angelo State University for the two-year period beginning on the effective date of this Act for the purpose of making utility payments.

No equivalent provision.

SECTION 12. UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON. (a) In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for these purposes, the amount of \$13,100,000 is appropriated out of the general revenue fund to The University of Texas Medical Branch at Galveston for the state fiscal biennium ending August 31, 2009, to reimburse the institution for nonreimbursed losses resulting from interruptions in services and operations caused by

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Hurricane Rita.

(b) It is the intent of the legislature that The University of Texas Medical Branch at Galveston use the money appropriated by Subsection (a) of this section in equal amounts in each fiscal year of the state fiscal biennium for which the money is appropriated.

No equivalent provision.

SECTION 10. TEXAS SOUTHERN UNIVERSITY: CONTINGENCY APPROPRIATION FOR ACADEMIC DEVELOPMENT INITIATIVE. (a) Subject to Subsection (b) of this section, and in addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the following amounts are appropriated out of the general revenue fund to Texas Southern University for the Academic Development Initiative:

- (1) \$12,500,000 is appropriated for the state fiscal year ending August 31, 2008; and
- (2) \$12,500,000 and any unexpended balance of the amount appropriated under Subdivision (1) of this subsection are appropriated for the state fiscal year ending August 31, 2009.

(b) The appropriation made by Subsection (a) of this section is contingent upon the development of a suitable plan of reorganization approved by the Legislative Budget Board and the Governor or the placement of the university under conservatorship as defined by Government Code Chapter 2104.

- (2) the appointment of a conservator for Texas Southern

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University under Chapter 2104, Government Code.
(c) The amounts appropriated by Subsection (a) of this section shall be used for:
(1) proven academic success programs;
(2) existing graduate programs;
(3) undergraduate education; and
(4) initiatives to target enrollment growth.
(d) Not later than November 1 of each fiscal year, the university shall submit to the Texas Southern University Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the governor a report describing the use of the funds appropriated by Subsection (a) of this section that states the goals to be achieved through use of the funds and establishes timelines and milestones for showing progress in meeting the goals. The report shall include proposed actions to be taken in the event a milestone is not met.

SECTION 13. TEXAS FOREST SERVICE: REIMBURSEMENT FOR WILDFIRE COSTS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$44,730,767 is appropriated out of the general revenue fund to the Texas Forest Service for the two-year period beginning on the effective date of this Act for the purpose of providing reimbursement for costs related to wildfire.

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SECTION 14. TEXAS FORENSIC SCIENCE COMMISSION: SALARY, OFFICE, AND TRAVEL EXPENSES. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$45,000 is appropriated out of the general revenue fund to the Texas Forensic Science Commission for the two-year period beginning on the effective date of this Act for the purposes of paying salary, office, and travel expenses under Article 38.01, Code of Criminal Procedure.

(b) From money appropriated in Subsection (a) of this section, the commission is authorized to employ one full-time equivalent employee (FTE) during the period covered by the appropriation.

SECTION 15. ADJUTANT GENERAL'S DEPARTMENT: OPERATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$1,681,615 is appropriated out of the general revenue fund to the Adjutant General's Department for the two-year period beginning on the effective date of this Act for the purpose of paying salaries and wages and providing for maintenance and operations.

SECTION 16. STATE BOARD OF DENTAL EXAMINERS: SHORTFALL OF APPROPRIATED RECEIPTS. In addition to amounts previously

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SECTION 12. Sam Houston State University: TEXAS FORENSIC SCIENCE COMMISSION EXPENSES. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$45,000 is appropriated out of the general revenue fund to the University of Houston for the two-year period beginning on the effective date of this Act for the purposes of paying salary, office, and travel expenses of the Texas Forensic Science Commission under Article 38.01, Code of Criminal Procedure.

(b) From money appropriated by Subsection (a) of this section, the commission is authorized to employ one full-time equivalent employee (FTE) during the period covered by the appropriation.

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appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$85,000 is appropriated out of the general revenue fund to the State Board of Dental Examiners for the two-year period beginning on the effective date of this Act for the purpose of covering a shortfall of appropriated receipts.

SECTION 17. RESTORATION OF REDUCTIONS RELATED TO COMMERCIAL AIR TRAVEL. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the following amounts are appropriated to the following agencies for the two-year period beginning on the effective date of this Act for the purpose of restoring reductions in appropriations for commercial air travel made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act):

- (1) the Structural Pest Control Board is appropriated \$2,595 out of the general revenue fund;
- (2) the School for the Blind and Visually Impaired is appropriated \$33,370 out of the general revenue fund;
- (3) the School for the Deaf is appropriated \$139,207 out of the general revenue fund; and
- (4) the Eleventh Court of Appeals, Eastland, is appropriated \$3,383 out of the general revenue fund.

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SECTION 18. SUPREME COURT: MULTI-DISTRICT LITIGATION. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$101,498 is appropriated out of the general revenue fund to the Supreme Court of Texas for the two-year period beginning on the effective date of this Act for the purpose of providing grants to appellate courts for additional court staff to handle multi-district litigation cases, such as cases related to asbestosis or silicosis, appealed from the trial courts.

SECTION 19. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID RATE RESTORATION. The following amounts are appropriated to the Health and Human Services Commission for the two-year period beginning June 1, 2007, for the purpose of restoring rates paid to medical professionals in the Medicaid and CHIP programs to fiscal year 2003 levels:

- (1) \$108,900,000 is appropriated out of the general revenue fund; and
- (2) \$169,951,834 in federal matching funds is appropriated.

No equivalent provision.

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SECTION 15. SUPREME COURT: MULTI-DISTRICT LITIGATION. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$50,747 is appropriated out of the general revenue fund to the Supreme Court of Texas for the two-year period beginning on the effective date of this Act for the purpose of providing grants to appellate courts for additional court staff to handle multi-district litigation cases, such as cases related to asbestosis or silicosis, appealed from the trial courts.

No equivalent provision.

SECTION 16. HEALTH AND HUMAN SERVICES COMMISSION: PRIVATE HOSPITAL UPPER PAYMENT LIMIT PROGRAM; TRANSFER FROM TEXAS TECH HEALTH SCIENCES CENTER. (a)

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The Texas Tech University Health Sciences Center shall transfer an amount of non-Medicaid state-appropriated funds, not to exceed \$4,500,000, to the Health and Human Services Commission during the state fiscal biennium ending August 31, 2007. The comptroller in consultation with the commission shall determine the time or times of the transfer. The commission in consultation with the Legislative Budget Board, the comptroller, and the health sciences center shall determine the amount of the transfer based on achieving the optimal match of available federal funds.

(b) The Health and Human Services Commission is authorized to expend amounts transferred under Subsection (a) of this section during the two—year period beginning on the date of the transfer for the state contribution under the private hospital upper payment limit program.

SECTION 20. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER OF FUNDS APPROPRIATED FOR CHIP SERVICES. Notwithstanding any provision of another Act making appropriations to the contrary, the Health and Human Services Commission may, without the necessity of prior approval by another officer or entity, transfer funds appropriated to the commission under Goal C: CHIP Services by Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (page II-70, General Appropriations Act), to other goals and strategies as

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necessary to efficiently and effectively comply with the provisions of this Act.

SECTION 21. STAFFING AND CAPITAL AUTHORIZATION IN LIEU OF CONTRACTED RESPONSIBILITIES. (a) Notwithstanding any other provision in this Act, if the executive commissioner of the Health and Human Services Commission determines that a service performed as of the effective date of this Act under a contract would be more effectively performed by state personnel, the executive commissioner is authorized to adjust the agency's FTE limitation to the extent necessary to ensure the successful assumption of such contracted duties. The commission must make corresponding adjustments in the scope of duties and responsibilities in the affected contract. An increase in agency staffing resulting from the executive commissioner's determination under this section is subject to the following requirements:

- (1) The commission must notify the Legislative Budget Board and the governor at least 10 days prior to adjusting the budgeted FTE levels.
- (2) The commission must report on a quarterly basis beginning December 1, 2007, to the Legislative Budget Board and the governor the number of eligibility and related support staff and any related costs in Strategy

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SECTION 18. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING AND CAPITAL BUDGET AUTHORITY IN LIEU OF CONTRACTED RESPONSIBILITIES. (a) Notwithstanding any other provision in this Act or another Act making an appropriation, if the executive commissioner of the Health and Human Services Commission determines that a service performed as of the effective date of this Act under a contract would be more effectively performed by state personnel, the executive commissioner may adjust the agency's full-time equivalent employee (FTE) limitation prescribed by any Act making an appropriation to the extent necessary to ensure the successful assumption of such contracted duties, provided that the commission has made corresponding adjustments in the scope of duties and responsibilities under the affected contract. An increase in agency staffing resulting from the executive commissioner's determination under this section is subject to the following requirements:

- (1) the executive commissioner must notify the Legislative Budget Board and the governor at least 10 days before adjusting the budgeted FTE levels; and
- (2) the executive commissioner must report on a quarterly basis beginning December 1, 2007, to the Legislative Budget Board and the governor the number of eligibility and related support staff and any related

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A.1.2, Integrated Eligibility and Enrollment.

(b) Notwithstanding any other provision in **the General Appropriations Act**, if the executive commissioner of the Health and Human Services Commission determines that a service performed as of the effective date of this Act under a contract would be more effectively performed by state personnel, the Health and Human Services Commission **is authorized to** exceed the capital authority limitations provided elsewhere in **this Act** to the extent necessary to acquire hardware, software, and office space to support any assumed contracted duties and responsibilities. **The commission must make** corresponding adjustments in the scope of the affected contract. An increase in a capital **project** is subject to the following requirements:

- (1) **The commission** must notify the Legislative Budget Board and the governor at least 10 days **prior to** acquiring capital equipment.
 - (2) **The commission** must include capital acquisitions in required financial reporting to the Legislative Budget Board and the governor.
- (c) **The additional staffing and capital expended from appropriated sources made** to the Texas Health and Human Services Commission is for the two-year period beginning on the effective date of this Act.

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costs **under the appropriations made to the commission for** Strategy A.1.2, Integrated Eligibility and Enrollment, **by the applicable General Appropriations Act.**

(b) Notwithstanding any other provision in **an Act making an appropriation**, if the executive commissioner of the Health and Human Services Commission determines that a service performed as of the effective date of this Act under a contract would be more effectively performed by state personnel, the Health and Human Services Commission **may** exceed the capital **budget** authority limitations provided elsewhere in **an Act making an appropriation** to the extent necessary to acquire hardware, software, and office space to support any assumed contracted duties and responsibilities, provided **that the commission has made** corresponding adjustments in the scope of the affected contract. An increase in capital **expenditures** is subject to the following requirements:

- (1) **the executive commissioner** must notify the Legislative Budget Board and the governor at least 10 days **before** acquiring capital equipment; and
 - (2) **the executive commissioner** must include capital acquisitions in required financial reporting to the Legislative Budget Board and the governor.
- (c) **This section applies in relation** to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act..

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No equivalent provision.

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SECTION 19. HEALTH AND HUMAN SERVICES COMMISSION: GENERAL SUPPLEMENTAL APPROPRIATIONS. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$110,000,000 is appropriated out of the general revenue fund and the amount of \$165,300,000 in federal matching funds is appropriated to the Health and Human Services Commission for the two-year period beginning on the effective date of this Act. The amounts appropriated by this section may be expended by the commission or transferred by the commission to a health and human services agency for expenditure for any purpose for which the Health and Human Services Commission or health and human services agency received an appropriation under Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act).

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No equivalent provision.

SECTION 20. HEALTH AND HUMAN SERVICES COMMISSION AND HEALTH AND HUMAN SERVICES AGENCIES: FREW V. HAWKINS COMPLIANCE. (a) This section provides direction, information, transfer authority, capital budget authority, and full-time-equivalent employee (FTE) authority in relation to the Frew v. Hawkins lawsuit regarding amounts described by this section that are appropriated by any Act of the 80th Legislature, Regular Session, 2007. This section does not of itself make an appropriation.

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(b) In this section:

(1) "Appropriating Act" means an Act of the 80th Legislature, Regular Session, 2007, that makes one or more appropriations.

(2) "Executive Commissioner" means the Executive Commissioner of the Health and Human Services Commission.

(3) "Frew v. Hawkins" means the lawsuit styled Linda Frew, et al. v. Albert Hawkins, et al., Civil Action No. 3:93CA65 (U.S. Dist.--E.D. Tex.).

(4) "Health and human services agency" has the meaning assigned by Section 531.001, Government Code.

(5) "Joint Motion" means the Joint Motion for Entry of Agreed Corrective Action Order filed jointly by the plaintiffs and defendants in Frew v. Hawkins on April 27, 2007.

(c) Contingent on applicable approval by the federal judiciary and pursuant to the Joint Motion in Frew v. Hawkins, the amount of \$1,779.9 million in All Funds, including \$706.7 million in General Revenue, appropriated by any appropriating Act to the Health and Human Services Commission (HHSC) may be used to improve access to medically necessary services for members of the plaintiff class in that lawsuit and to ensure compliance with the Consent Decree and judicially-approved Corrective Action Plans in that lawsuit during the state fiscal biennium ending August 31, 2009. Notwithstanding any limitation on transfer authority prescribed by any appropriating Act, the

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Executive Commissioner may transfer amounts appropriated to the Health and Human Services Commission or to a health and human services agency by any appropriating Act, in a cumulative amount not to exceed the amounts described above in this subsection, within and among the commission and the health and human services agencies as necessary to accomplish the purposes described by this section.

(d) The Executive Commissioner shall develop a plan consistent with Subsection (c) of this section that details the proposed expenditure of funds under this section in a manner that addresses the requirements of the Consent Decree, the Joint Motion, and the judicially-approved Corrective Action Plans in *Frew v. Hawkins*, to the extent those judicially-approved Corrective Action Plans supersede the Joint Motion. All expenditures by HHSC or a health and human services agency that address the requirements of the Consent Decree, the Joint Motion, or the judicially-approved Corrective Action Plans in *Frew v. Hawkins* must be made pursuant to the plan or a plan amendment. The Executive Commissioner shall submit the plan to the Legislative Budget Board and the Governor not later than September 1, 2007, or as soon thereafter as practical following judicial approval of the Corrective Action Plans. The Executive Commissioner may develop amendments to the plan as necessary and shall submit any amendments to the plan to the Legislative Budget Board and the Governor. In accordance with Section 69, Article XVI, Texas Constitution, expenditures pursuant to the plan or any

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plan amendment may not be made without the prior approval of the Governor and the Legislative Budget Board.

(e) To the extent not otherwise superseded by the judicially-approved Corrective Action Plans, the amounts described by this section that may be used for purposes of Frew v. Hawkins compliance may be used for the following purposes:

(1) a 25 percent increase in physician and other professional reimbursement rates for services to children enrolled in the medical assistance program and covered by the Joint Motion (\$511.3 million in All Funds including \$203 million in General Revenue);

(2) a 50 percent increase in dental reimbursement rates for services to children enrolled in the medical assistance program and covered by the Joint Motion (\$661.6 million in All Funds including \$258.7 million in General Revenue);

(3) a targeted rate increase for certain specialists for services to children enrolled in the medical assistance program and covered by the Joint Motion (\$125.9 million in All Funds including \$50 million in General Revenue);

(4) strategic dental and medical initiatives concerning services to children enrolled in the medical assistance program and covered by the Joint Motion (\$150 million in General Revenue) which may include but are not limited to the following:

(A) mobile medical and dental vans and operations in underserved areas of the state, commencing with health

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and human services Region 11;

(B) stipends or other incentives that qualify for federal financial participation to health care professionals who provide health care services in an underserved area to children enrolled in the medical assistance program;

(C) targeted rate adjustments not otherwise included in Subdivisions (1)-(3) of this subsection that further improve access for children enrolled in the medical assistance program;

(D) improvements in medical transportation;

(E) improvements such as the Medicaid Access Card that simplify access to medically necessary services and enhance scheduling and notification of required check-ups and follow-up care;

(F) appropriate efforts to provide specialty services in or near underserved areas, such as providing for regular, periodic clinics by specialists in communities that are closer to underserved areas than the specialists' regular offices; and

(G) other appropriate strategic initiatives to improve the access to medically necessary services in underserved areas of the state for children enrolled in the medical assistance program and covered by the Joint Motion;

(5) implementation of the judicially-approved Corrective Action Plans (\$113.4 million in All Funds including \$45 million in General Revenue); and

(6) reasonable variances in utilization or cost estimates of the court-ordered Corrective Action Plans.

(f) Notwithstanding any provision of any appropriating Act to the contrary, the Executive Commissioner is

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authorized to adjust staffing levels and to acquire capital items to the extent the Executive Commissioner determines is necessary to ensure compliance with the judicially-approved Corrective Action Plans, subject to the following requirements:

(1) staffing and capital equipment needs must be described in adequate detail in the plan submitted by the Executive Commissioner pursuant to Subsection (d) of this section, to the extent such needs are known at the time the plan is submitted; and

(2) to the extent such needs are not known at that time, the Executive Commissioner shall amend the plan and notify the Legislative Budget Board and the Office of the Governor not later than:

(A) the 30th day following the date the Executive Commissioner determines that additional staffing and capital items are required; and

(B) the 10th day before the date the number of FTEs are adjusted or capital equipment is acquired in a manner that differs from the original plan or an earlier amendment to the plan.

No equivalent provision.

SECTION ____. HEALTH AND HUMAN SERVICES COMMISSION: APPROPRIATION FOR *FREW V. HAWKINS* SETTLEMENT. (a) In this section, "*Frew v. Hawkins*" has the meaning assigned by Section 20 of this Act.

(b) The amounts appropriated by Subsection (c) of this section are contingent on applicable approval of the

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settlement in *Frew v. Hawkins* by the federal judiciary and are subject to Section 20 of this Act.

(c) In addition to amounts otherwise appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$706.7 million is appropriated out of the general revenue fund and the amount of \$1,073.2 million in federal funds is appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2009, for the purpose of complying with the settlement in *Frew v. Hawkins*.

SECTION 22. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: DIRECT DELIVERY STAFF. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the following amounts are appropriated to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2009, for the purposes of maintaining the fiscal year 2007 average daily caseload per worker for family-based safety services and providing additional funding for statewide intake staff:

- (1) \$18,729,595 is appropriated out of the general revenue fund; and
- (2) \$2,769,981 in federal matching funds is appropriated.

No equivalent provision.

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SECTION 23. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: CPS REFORM. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the following amounts are appropriated to the Department of Family and Protective Services for the two-year period beginning on the effective date of this Act to continue the reform of child protective services:

(1) \$1,502,423 is appropriated out of the general revenue fund; and

(2) \$2,214,557 in federal funds (TANF) is appropriated.

(b) In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the following amounts are appropriated to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2009, to continue the reform of child protective services:

(1) \$32,968,219 is appropriated out of the general revenue fund; and

(2) \$63,230,962 in federal funds (TANF) is appropriated.

(b-1) In addition to the number of full-time equivalent employees (FTEs) previously appropriated for the state fiscal biennium ending August 31, 2007, the Department of Family and Protective Services may employ an

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SECTION 21. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: CPS REFORM. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the following amounts are appropriated to the Department of Family and Protective Services for the two-year period beginning on the effective date of this Act to initiate child protective services reforms relating to family group decision-making, in-home family support, redaction of adoption records, improvement of court services, tablet personal computers for conservatorship workers, and centralization of background and criminal history checks:

(1) \$1,952,114 is appropriated out of the general revenue fund; and

(2) \$3,383,451 in federal funds (TANF) is appropriated.

(b) In addition to the number of full-time equivalent employees (FTEs) the Department of Family and Protective Services is authorized to employ by other law during the state fiscal year ending August 31, 2007, the

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additional 117 FTEs.

(b-2) In addition to the capital budget authority previously granted for the fiscal biennium ending August 31, 2007, the Department of Family and Protective Services may use an additional \$2,033,837 in capital budget authority for programming expenses associated with providing tablet personal computers for conservatorship workers, child-care licensing staff, and residential child-care licensing staff.

(c) In addition to the number of full-time equivalent employees (FTEs) the Department of Family and Protective Services is authorized to employ under other law during each fiscal year of the state fiscal biennium ending August 31, 2009, the department may employ an additional:

(1) 768 FTEs during the state fiscal year ending August 31, 2008; and

(2) 1,092 FTEs during the state fiscal year ending August 31, 2009.

SECTION 24. DEPARTMENT OF AGING AND DISABILITY SERVICES: CONTINUATION OF COMMUNITY CARE ENHANCEMENT AT FISCAL YEAR 2007 LEVELS. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$15,809,141 is appropriated out of the general revenue fund and \$24,727,118 in federal funds is appropriated to

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department may employ an additional 245 FTEs during the remainder of that period.

(c) In addition to the capital budget authority previously granted for the state fiscal biennium ending August 31, 2007, the Department of Family and Protective Services may use an additional \$2,555,837 in capital budget authority for programming expenses associated with providing tablet personal computers for conservatorship workers, child-care licensing staff, and residential child-care licensing staff.

No equivalent provision.

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the Department of Aging and Disability Services for the state fiscal biennium ending August 31, 2009, for the purpose of continuing community care enhancement at fiscal year 2007 levels, including enhancement for primary home care services, community attendant services, day activity and health services, community-based alternatives programs, community living assistance and support services (CLASS), consolidated waiver programs, deaf-blind programs, and Title XX services.

SECTION 25. DEPARTMENT OF AGING AND DISABILITY SERVICES: RESTORATION OF COMMUNITY CARE PROVIDER RATES TO FISCAL YEAR 2003 LEVELS. The amount of \$10,814,194 is appropriated out of the general revenue fund and \$16,914,509 in federal funds is appropriated to the Department of Aging and Disability Services for the two-year period beginning June 1, 2007, for the purpose of restoring provider rates to fiscal year 2003 levels in programs for home and community-based services, in programs for community living assistance and support services (CLASS), in the Texas Home Living Waiver program, and in intermediate care facilities for the mentally retarded. The adjustment to provider rates for such services shall be effective January 1, 2007.

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SECTION __. DEPARTMENT OF AGING AND DISABILITY SERVICES: RESTORATION OF COMMUNITY CARE AND ICF-MR PROVIDER RATES TO FISCAL YEAR 2003 LEVELS. (a) The following amounts are appropriated to the Department of Aging and Disability Services for the purpose of restoring provider rates to fiscal year 2003 levels in programs for home and community-based services, in programs for community living assistance and support services (CLASS), in the Texas Home Living Waiver program, and in intermediate care facilities for the mentally retarded (ICFs/MR):
(1) the amount of \$3,400,000 is appropriated out of the general revenue fund and \$5,150,000 in federal funds is appropriated for the two-year period beginning on the effective date of this Act; and
(2) the amount of \$10,800,000 is appropriated out of the general revenue fund and \$16,400,000 in federal funds is

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appropriated for the state fiscal biennium ending August 31, 2009.

(b) The adjustment to provider rates for services described by this section is effective January 1, 2007..

No equivalent provision.

SECTION ____. DEPARTMENT OF AGING AND DISABILITY SERVICES: INCREASE HOME HEALTH PROVIDER RATES IN FISCAL YEAR 2009. The amount of \$18,000,000 is appropriated out of the general revenue fund and \$27,270,000 in federal funds is appropriated to the Department of Aging and Disability Services for the state fiscal year ending August 31, 2009, for the purpose of providing a rate increase to certain home health providers in fiscal year 2009. The Department of Aging and Disability Services may allocate these funds as appropriate among the following General Appropriations Act strategies:

- (1) Strategy A.2.1, Primary Home Care;
- (2) Strategy A.2.2, Community Attendant Services;
- (3) Strategy A.3.1, Community-based Alternatives; and
- (4) Strategy A.6.4, Promoting Independence Services.

No equivalent provision.

SECTION ____. DEPARTMENT OF STATE HEALTH SERVICES: ANTIVIRALS FOR INFLUENZA PANDEMIC. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$11,000,000 is appropriated out of the general revenue fund to the Department of State Health Services for the state fiscal

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SECTION 26. DEPARTMENT OF STATE HEALTH SERVICES: RESTORATION OF PROVIDER RATES TO FISCAL YEAR 2003 LEVELS; PROGRAMS FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS, MATERNAL AND CHILD HEALTH SERVICES, AND FAMILY PLANNING. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$3,111,684 is appropriated out of the general revenue fund to the Department of State Health Services for the state fiscal biennium ending August 31, 2009, for the purpose of restoring provider rates to fiscal year 2003 levels in programs for children with special health care needs, for maternal and child health services, and for family planning services.

No equivalent provision.

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biennium ending August 31, 2009, for the purpose of purchasing antiviral drugs for use in the event of an influenza pandemic.

No equivalent provision.

SECTION ____. COMPTROLLER OF PUBLIC ACCOUNTS: SUPPORT FOR TAX ADMINISTRATION DUTIES AND STATEWIDE FISCAL RESPONSIBILITIES. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$4,100,000 is appropriated out of the general revenue fund to the comptroller of public accounts for the two-year period beginning on the effective date of this Act for the

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purpose of supporting the comptroller's tax administration duties and statewide fiscal responsibilities.

No equivalent provision.

SECTION 25. GENERAL LAND OFFICE AND VETERANS' LAND BOARD: DERELICT STRUCTURE REMOVAL. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$2,000,000 is appropriated out of the general revenue-dedicated coastal protection account No. 27 to the General Land Office and Veterans' Land Board for the two-year period beginning on the effective date of this Act for the purpose of removing and disposing of the Zeus jack rig, an off-shore oil platform abandoned in the Freeport Channel. The agency shall seek to recover all expenses from the scrap value and or the owner of the structure.

No equivalent provision.

SECTION 26. SECRETARY OF STATE: COSTS OF MAY 12 CONSTITUTIONAL AMENDMENT ELECTION. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$5,000,000 is appropriated out of the general revenue fund to the secretary of state for the two-year period beginning on the effective date of this Act for the purpose of reimbursing each county in this state for the expense incurred by the county in conducting the election held on May 12, 2007, at which a proposed amendment to the Texas Constitution was on the ballot.

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No equivalent provision.

SECTION 27. TEXAS YOUTH COMMISSION: OPERATING EXPENSES. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$4,800,000 is appropriated out of the general revenue fund to the Texas Youth Commission for the two-year period beginning on the effective date of this Act for the purpose of providing for the agency's operating expenses.

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SECTION 27. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY: HELOTES FIRE. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$2,800,000 is appropriated out of the general revenue-dedicated solid waste disposal fees account No. 5000 to the Texas Commission on Environmental Quality for the two-year period beginning on the effective date of this Act for the purpose of supporting efforts to extinguish the fire in or near the city of Helotes on property owned by H.L. Zumwalt Construction, Inc., that poses a potential threat to Edwards Aquifer groundwater.

SECTION 28. TEXAS YOUTH COMMISSION: OPERATING EXPENSES. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$20,000,000 is appropriated out of the general revenue fund to the Texas Youth Commission for the two-year period beginning on the effective date of this Act for the purpose of providing for the agency's operating expenses and video surveillance needs. Notwithstanding any limitation on the capital budget authority of the Texas Youth Commission, the commission may expend the amount necessary from the appropriation made by this section to acquire needed video surveillance equipment.

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SECTION 28. DATA CENTER SERVICES. (a) The following amounts are appropriated for the state fiscal biennium ending August 31, 2009, to the following agencies for the purpose of making payments for data center services:

- (1) \$154,354 is appropriated out of the general revenue fund to the Railroad Commission of Texas;
- (2) \$1,124,521 is appropriated out of the general revenue fund and an additional \$4,856,648 is appropriated out of general revenue dedicated accounts to the Texas Commission on Environmental Quality;
- (3) \$381,705 is appropriated out of the general revenue fund, an additional \$17,699 is appropriated out of general revenue dedicated accounts, and \$1,937,066 in federal funds is appropriated to the Texas Workforce Commission;
- (4) \$958,928 is appropriated out of the state highway fund to the Texas Department of Transportation;
- (5) **\$1,881,572** is appropriated out of general revenue dedicated accounts to the Parks and Wildlife Department;
- (6) **\$280,004** is appropriated out of the general revenue fund to the Texas State Library and Archives Commission;
- (7) **\$725,426** is appropriated out of the general revenue fund to the secretary of state;
- (8) **\$1,283,643** is appropriated out of the general revenue fund, \$136,277 in other funds is appropriated, and \$778,098 in federal funds is appropriated to the Texas Education Agency;

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SECTION 29. DATA CENTER SERVICES. (a) The following amounts are appropriated for the state fiscal biennium ending August 31, 2009, to the following agencies for the purpose of making payments for data center services:

- (1) \$154,354 is appropriated out of the general revenue fund to the Railroad Commission of Texas;
- (2) \$1,124,521 is appropriated out of the general revenue fund and an additional \$4,856,648 is appropriated out of general revenue dedicated accounts to the Texas Commission on Environmental Quality;
- (3) \$381,705 is appropriated out of the general revenue fund, an additional \$17,699 is appropriated out of general revenue dedicated accounts, and \$1,937,066 in federal funds is appropriated to the Texas Workforce Commission;
- (4) \$958,928 is appropriated out of the state highway fund to the Texas Department of Transportation;
- (5) **\$2,734,431** is appropriated out of general revenue dedicated accounts to the Parks and Wildlife Department;
- (6) **\$339,523** is appropriated out of the general revenue fund to the Texas State Library and Archives Commission;
- (7) **\$773,164** is appropriated out of the general revenue fund to the secretary of state;
- (8) **\$1,295,979** is appropriated out of the general revenue fund, \$136,277 in other funds is appropriated, and \$778,098 in federal funds is appropriated to the Texas Education Agency;

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- (9) \$552,478 is appropriated out of the general revenue fund, \$590,858 in other funds is appropriated, and \$10,995 in federal funds is appropriated to the Texas Higher Education Coordinating Board;
- (10) \$519,429 is appropriated out of the general revenue fund to the Public Utility Commission of Texas;
- (11) \$78,920 is appropriated out of the general revenue fund, an additional \$1,262,720 is appropriated out of general revenue dedicated accounts, and \$2,604,360 in other funds is appropriated to the General Land Office;
- (12) \$1,341,008 is appropriated out of the general revenue fund to the Office of the Attorney General;
- (13) \$59,907 is appropriated out of the general revenue fund to the Texas Alcoholic Beverage Commission;
- (14) \$113,978 is appropriated out of the general revenue fund to the Texas Department of Licensing and Regulation;
- (15) \$510,730 is appropriated out of the general revenue fund to the Texas Water Development Board; and
- (16) \$839,500 is appropriated out of the general revenue fund to the Texas Youth Commission.
- (b) The amount of \$8,081,368 is appropriated out of the general revenue fund to the Department of Information Resources for the state fiscal year ending August 31, 2007, for the purpose of transferring funds to state agencies as necessary for use by the agencies in making payments for data center services.
- (c) The following amounts are appropriated out of the general revenue fund to the Department of Information

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- (9) \$552,478 is appropriated out of the general revenue fund, \$590,858 in other funds is appropriated, and \$10,995 in federal funds is appropriated to the Texas Higher Education Coordinating Board;
- (10) \$519,429 is appropriated out of the general revenue fund to the Public Utility Commission of Texas;
- (11) \$78,920 is appropriated out of the general revenue fund to the General Land Office;
- (12) \$1,929,901 is appropriated out of the general revenue fund to the Office of the Attorney General;
- (13) \$329,626 is appropriated out of the general revenue fund to the Texas Alcoholic Beverage Commission;
- (14) \$147,631 is appropriated out of the general revenue fund to the Texas Department of Licensing and Regulation;
- (15) \$2,466,681 is appropriated out of the general revenue fund to the Texas Water Development Board; and
- (16) \$839,500 is appropriated out of the general revenue fund to the Texas Youth Commission.
- (b) The amount of \$8,081,368 is appropriated out of the general revenue fund to the Department of Information Resources for the state fiscal year ending August 31, 2007, for the purpose of transferring funds to state agencies as necessary for use by the agencies in making payments for data center services.
- (c) The following amounts are appropriated out of the general revenue fund to the Department of Information

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Resources for the purpose of paying one-time costs related to the data center services contract:

- (1) in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$69,355,000 is appropriated for the two-year period beginning on the effective date of this Act; and
- (2) in addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$10,000,000 is appropriated for the state fiscal year ending August 31, 2009.

(d) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Employees Retirement System for the state fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased retirement program costs:

- (1) appropriations out of the general revenue fund are reduced by \$221,782;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$58,608; and
- (3) appropriations out of other funds are reduced by \$88,412.

(e) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Employees Retirement System for

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Resources for the purpose of paying one-time costs related to the data center services contract:

- (1) in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$32,335,000 is appropriated for the two-year period beginning on the effective date of this Act; and
- (2) in addition to other amounts appropriated for all or part of the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$34,385,000 is appropriated for the state fiscal year ending August 31, 2008, and the amount of \$9,935,000 is appropriated for the state fiscal year ending August 31, 2009.

(d) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Employees Retirement System for the state fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased retirement program costs:

- (1) appropriations out of the general revenue fund are reduced by \$221,782;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$58,608; and
- (3) appropriations out of other funds are reduced by \$88,412.

(e) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Employees Retirement System for

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the state fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased insurance program costs:

- (1) appropriations out of the general revenue fund are reduced by \$487,921;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$128,937; and
- (3) appropriations out of other funds are reduced by \$194,507.

(f) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Comptroller of Public Accounts for the state fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased social security costs:

- (1) appropriations out of the general revenue fund are reduced by \$263,044;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$69,511; and
- (3) appropriations out of other funds are reduced by \$104,861.

(g) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Comptroller of Public Accounts made by Section 13.17(b), Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), for the state fiscal year ending August 31, 2007, are reduced by the following

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the state fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased insurance program costs:

- (1) appropriations out of the general revenue fund are reduced by \$487,921;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$128,937; and
- (3) appropriations out of other funds are reduced by \$194,507.

(f) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Comptroller of Public Accounts for the state **match for social security for the state** fiscal year ending August 31, 2007, are reduced by the following amounts to reflect decreased social security costs:

- (1) appropriations out of the general revenue fund are reduced by \$263,044;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$69,511; and
- (3) appropriations out of other funds are reduced by \$104,861.

(g) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Comptroller of Public Accounts made by Section 13.17(b), Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), for the state fiscal year ending August 31, 2007, are reduced by the following

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amounts to reflect decreased salary costs:

- (1) appropriations out of the general revenue fund are reduced by \$140,729;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$37,189; and
- (3) appropriations out of other funds are reduced by \$56,101.

(h) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Texas Department of Insurance for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the general revenue fund are reduced by \$912,610; and
- (2) appropriations out of general revenue dedicated accounts are reduced by \$1,153,023.

(i) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the general revenue fund are reduced by \$2,192,309; and
- (2) federal funds appropriations are reduced by \$371,007.

(j) As a result of reduced costs due to the

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amounts to reflect decreased salary costs:

- (1) appropriations out of the general revenue fund are reduced by \$140,729;
- (2) appropriations out of general revenue dedicated accounts are reduced by \$37,189; and
- (3) appropriations out of other funds are reduced by \$56,101.

(h) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Texas Department of Insurance for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the general revenue fund are reduced by \$912,610; and
- (2) appropriations out of general revenue dedicated accounts are reduced by \$1,153,023.

(i) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Department of Family and Protective Services for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the general revenue fund are reduced by \$2,192,309; and
- (2) federal funds appropriations are reduced by \$371,007.

(j) As a result of reduced costs due to the

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implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Department of Public Safety for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the state highway fund are reduced by \$83,250; and
 - (2) appropriations out of general revenue dedicated accounts are reduced by \$141,750.
- (k) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Texas Building and Procurement Commission for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:
- (1) appropriations out of the general revenue fund are reduced by **\$997,767**;
 - (2) appropriations out of general revenue dedicated accounts are reduced by **\$40,066**; and
 - (3) appropriations out of other funds are reduced by **\$336,433**.
- (l) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Department of Agriculture for the state fiscal biennium ending August 31, 2009, are reduced by **the following amounts** to reflect decreased costs:

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implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Department of Public Safety for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:

- (1) appropriations out of the state highway fund are reduced by \$83,250; and
 - (2) appropriations out of general revenue dedicated accounts are reduced by \$141,750.
- (k) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations to the Texas Building and Procurement Commission for the state fiscal biennium ending August 31, 2009, are reduced by the following amounts to reflect decreased costs:
- (1) appropriations out of the general revenue fund are reduced by **\$844,083**;
 - (2) appropriations out of general revenue dedicated accounts are reduced by **\$34,450**; and
 - (3) appropriations out of other funds are reduced by **\$289,273**.
- (l) As a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516), appropriations **out of the general revenue fund** to the Department of Agriculture for the state fiscal biennium ending August 31, 2009, are reduced by **\$105,478** to reflect decreased costs.

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(1) appropriations out of the general revenue fund are reduced by \$352,798; and

(2) federal funds appropriations are reduced by \$1,031,167.

(m) If this section makes an appropriation to an agency out of general revenue dedicated accounts or out of other funds, or reduces an agency's appropriation out of general revenue dedicated accounts or out of other funds, under circumstances in which more than one general revenue dedicated account or source of other funds could be involved, the comptroller with the assistance of the affected agency shall allocate the appropriation or reduction in appropriations among the dedicated accounts or sources of other funds according to:

(1) the amounts available in the affected accounts or from the sources of other funds; and

(2) the extent to which the programs supported by the dedicated accounts or sources of other funds are supported by the appropriation or, in the case of a reduction in appropriations, supported by the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516).

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(m) If this section makes an appropriation to an agency out of general revenue dedicated accounts or out of other funds, or reduces an agency's appropriation out of general revenue dedicated accounts or out of other funds, under circumstances in which more than one general revenue dedicated account or source of other funds could be involved, the comptroller with the assistance of the affected agency shall allocate the appropriation or reduction in appropriations among the dedicated accounts or sources of other funds according to:

(1) the amounts available in the affected accounts or from the sources of other funds; and

(2) the extent to which the programs supported by the dedicated accounts or sources of other funds are supported by the appropriation or, in the case of a reduction in appropriations, supported by the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516).

(n) The following amounts are appropriated for the state fiscal biennium ending August 31, 2009, to the following agencies for the purpose of making payments for data center consolidation hardware upgrades and physical transfer of equipment:

(1) \$236,000 is appropriated out of the general revenue fund to the Railroad Commission of Texas;

(2) \$108,858 is appropriated out of the general revenue

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fund and an additional \$470,142 is appropriated out of general revenue dedicated accounts to the Texas Commission on Environmental Quality;

(3) \$226,919 is appropriated out of the general revenue fund, an additional \$10,522 is appropriated out of general revenue dedicated accounts, and \$1,151,559 in federal funds is appropriated to the Texas Workforce Commission;

(4) \$214,000 is appropriated out of general revenue dedicated accounts to the Parks and Wildlife Department;

(5) \$217,369 is appropriated out of the general revenue fund, and an additional \$274,631 is appropriated out of general revenue dedicated accounts to the Texas Department of Insurance;

(6) \$44,000 is appropriated out of the general revenue fund to the Texas State Library and Archives Commission;

(7) \$96,000 is appropriated out of the general revenue fund to the Secretary of State;

(8) \$371,424 is appropriated out of the general revenue fund, \$39,432 in other funds is appropriated, and \$225,144 in federal funds is appropriated to the Texas Education Agency;

(9) \$69,878 is appropriated out of the general revenue fund, \$74,732 in other funds is appropriated, and \$1,390 in federal funds is appropriated to the Texas Higher Education Coordinating Board;

(10) \$23,000 is appropriated out of the general revenue fund to the Public Utility Commission of Texas;

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- (11) \$1,980 is appropriated out of the general revenue fund to the General Land Office;
- (12) \$28,350 is appropriated out of the general revenue dedicated accounts, and \$16,650 in other funds is appropriated to the Department of Public Safety;
- (13) \$141,000 is appropriated out of the general revenue fund to the Office of the Attorney General;
- (14) \$48,000 is appropriated out of the general revenue fund to the Texas Alcoholic Beverage Commission;
- (15) \$29,767 is appropriated out of the general revenue fund, an additional \$1,195 is appropriated out of general revenue dedicated accounts, and \$10,038 in other funds is appropriated to the Texas Building and Procurement Commission;
- (16) \$126,582 is appropriated out of the general revenue fund to the Texas Department of Agriculture;
- (17) \$13,000 is appropriated out of the general revenue fund to the Texas Department of Licensing and Regulation;
- (18) \$83,000 is appropriated out of the general revenue fund to the Texas Water Development Board; and
- (19) \$138,000 is appropriated out of the general revenue fund to the Texas Youth Commission.

SECTION 29. PREVIOUSLY AUTHORIZED DEFERRALS OF AUGUST 2007 PAYMENTS. (a) The following riders in Article II, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act) are repealed:

SECTION 30. PREVIOUSLY AUTHORIZED DEFERRALS OF AUGUST 2007 PAYMENTS. (a) The following riders in Article II, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act) are repealed:

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- (1) Rider 66 following the appropriations to the Health and Human Services Commission;
 - (2) Rider 21 following the appropriations to the Department of Aging and Disability Services;
 - (3) Rider 48 following the appropriations to the Department of Aging and Disability Services; and
 - (4) Rider 25 following the appropriations to the Department of Family and Protective Services.
- (b) The following unencumbered amounts appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2007, are transferred as follows:
- (1) the amount of \$122,701,559 in general revenue is transferred to the Department of Aging and Disability Services for expenditure by the department in connection with making payments for August 2007 services; and
 - (2) the amount of \$12,792,244 in general revenue and the amount of \$8,971,488 in federal funds (TANF) are transferred to the Department of Family and Protective Services for expenditure by the department in connection with making payments for August 2007 services.

SECTION 30. TRANSFERS TO DEPARTMENT OF ASSISTIVE AND REHABILITATIVE SERVICES

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- (1) Rider 66 following the appropriations to the Health and Human Services Commission;
 - (2) Rider 21 following the appropriations to the Department of Aging and Disability Services;
 - (3) Rider 48 following the appropriations to the Department of Aging and Disability Services; and
 - (4) Rider 25 following the appropriations to the Department of Family and Protective Services.
- (b) The following unencumbered amounts appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2007, are transferred as follows:
- (1) an amount not to exceed \$122,701,559 in general revenue is transferred to the Department of Aging and Disability Services for expenditure by the department during the state fiscal year ending August 31, 2007, or if appropriate, during the state fiscal year ending August 31, 2008, in connection with making payments for August 2007 services; and
 - (2) an amount not to exceed \$12,792,244 in general revenue is transferred to the Department of Family and Protective Services for expenditure by the department during the state fiscal year ending August 31, 2007, or if appropriate, during the state fiscal year ending August 31, 2008, in connection with making payments for August 2007 services.

SECTION 31. Same as House version.

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FOR VOCATIONAL REHABILITATION. The unencumbered amount of \$1,541,628 in general revenue appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2007, is transferred to the Department of Assistive and Rehabilitative Services for expenditure by the department during the two-year period beginning on the effective date of this Act for vocational rehabilitation.

SECTION 31. TRANSFERS TO DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR SUPPLEMENTAL NEEDS. The unencumbered amount of \$13,047,000 in general revenue appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2007, together with the amount of \$17,883,615 in federal funds (TANF) appropriated to the commission for that biennium, are transferred to the Department of Family and Protective Services for expenditure by the department during the two-year period beginning on the effective date of this Act to meet various supplemental needs previously identified by the department.

SECTION 32. APPROPRIATION REDUCTION: TEACHER RETIREMENT SYSTEM, TRS-CARE. The unencumbered appropriations from the general revenue fund appropriated to the Teacher Retirement System for use during the state fiscal year ending August 31, 2007,

SENATE VERSION

SECTION 32. TRANSFERS TO DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES FOR SUPPLEMENTAL NEEDS. An unencumbered amount not to exceed \$13,047,000 in general revenue appropriated to the Health and Human Services Commission for the state fiscal biennium ending August 31, 2007, is transferred to the Department of Family and Protective Services for expenditure by the department during the two-year period beginning on the effective date of this Act for the purpose of making foster care and adoption subsidy payments.

SECTION 33. Same as House version.

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by Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act) under Strategy A.3.1 for the Teacher Retirement System (Retiree Health - Supplemental Funds) are reduced by the amount of \$76,644,468.

SECTION 33. REDUCTION IN VETOED FUNDS APPROPRIATION. The appropriations made from general revenue by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), are reduced by an amount equal to the cumulative net amount of appropriations made by this Act from the general revenue fund.

No equivalent provision.

No equivalent provision.

SENATE VERSION

SECTION 34. REDUCTION IN VETOED FUNDS APPROPRIATION. The appropriations made from general revenue by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), are reduced by the amount of \$472,818,424

SECTION ____. DEPARTMENT OF AGING AND DISABILITY SERVICES: REDUCTION IN CERTAIN SUPPLEMENTAL APPROPRIATIONS. The appropriations made from general revenue by Section 5, Chapter 1362, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 10), are reduced by the amount of \$30,000,000.

SECTION ____. PRAIRIE VIEW A&M UNIVERSITY: APPROPRIATION FOR ACADEMIC DEVELOPMENT INITIATIVE. (a) In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this

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purpose, the following amounts are appropriated out of the general revenue fund to Prairie View A&M University for the purpose of funding the Academic Development Initiative:

(1) 5,000,000 is appropriated for the state fiscal year ending August 31, 2008; and

(2) \$5,000,000 and any unexpended balance of the amount appropriated under Subdivision (1) of this subsection are appropriated for the state fiscal year ending August 31, 2009.

(b) The amounts appropriated by Subsection (a) of this section shall be used for:

(1) proven academic success programs;

(2) existing graduate programs;

(3) undergraduate education; and

(4) initiatives to target enrollment growth.

(c) Prairie View A&M University and Texas A&M University System shall jointly create and submit an accountability report outlining use of these funds by November 1 of each fiscal year to the Texas A&M University System Board of Regents, the Texas Higher Education Coordinating Board, the Legislative Budget Board, and the Governor. This accountability report shall set forth goals to be achieved with the Academic Development Initiative funding, establish milestones and timelines showing progress toward meeting those goals. For milestones that are not met, the report will include recommended actions to achieve the milestones or recommended changes to more efficiently meet the goals of the Academic Development Initiative

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No equivalent provision.

SECTION ____. UNIVERSITY OF TEXAS MEDICAL BRANCH AT GALVESTON: INTERRUPTIONS CAUSED BY HURRICANE RITA. (a) In addition to other amounts appropriated for the two year period beginning the effective date of this Act, that may be used for this purpose, the amount of \$13,100,000 is appropriated out of the general revenue fund to The University of Texas Medical Branch at Galveston for two year period beginning the effective date of this Act, for the purpose of reimbursing the institution for nonreimbursed losses resulting from interruptions in services and operations caused by Hurricane Rita. (b) It is the intent of the legislature that The University of Texas Medical Branch at Galveston use the money appropriated by Subsection (a) of this section in equal amounts in each fiscal year of the state fiscal biennium for which the money is appropriated.

No equivalent provision.

SECTION ____. UNIVERSITY OF HOUSTON: FINANCIAL NEEDS OF HURRICANE KATRINA VICTIMS. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$2,550,000 is appropriated out of the general revenue fund to the University of Houston for the two-year period beginning on the effective date of this Act, for the purpose of meeting financial needs of 930 students enrolled at the university who were victims of

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Hurricane Katrina

No equivalent provision.

SECTION ____. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY: TARRANT COUNTY WALKER BRANCH FACILITY REMEDIATION. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2007, the amount of \$1,500,000 is appropriated out of the general revenue-dedicated solid waste disposal fees account No. 5000 to the Texas Commission on Environmental Quality for the two-year period beginning on the effective date of this Act for the purpose of removing solid waste and recycling debris from the Walker Branch facility in Fort Worth.

No equivalent provision.

SECTION ____. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY: CONTINGENCY APPROPRIATION. Contingent on S.B. No. 1604 or similar legislation being enacted by the 80th Legislature, Regular Session, 2007, and becoming law with immediate effect, the amount of \$200,000 is appropriated, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2007, to the Texas Commission on Environmental Quality out of the waste management account (GR Dedicated Account No. 0549) for the two-year period beginning on the effective date of this Act for the purpose of implementing that legislation.

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No equivalent provision.

SECTION ____ DEPARTMENT OF STATE HEALTH SERVICES: HARRIS COUNTY PSYCHIATRIC HOSPITAL. In addition to other amounts appropriated for the state fiscal biennium ending August 31, 2009, that may be used for this purpose, the amount of \$7,000,000 is appropriated out of the general revenue fund to the Department of State Health Services for the state fiscal biennium ending August 31, 2009, for the purpose of providing for the operations of The University of Texas Harris County Psychiatric Center.

No equivalent provision.

SECTION ____ DEPARTMENT OF STATE HEALTH SERVICES: INFORMATION RESOURCES TECHNOLOGIES. (a) Notwithstanding the limitations of Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act), the Department of State Health Services shall transfer \$9,700,000 in general revenue funds appropriated to the department by that Act in Strategy A.3.3, Kidney Health Care, to Strategy F.2.1, Capital Items-Public Health.

The department shall expend the funds transferred by this section during the state fiscal year ending August 31, 2007, on information technology projects.

(b) The capital budget authority granted for the state fiscal biennium ending August 31, 2007, to the Department of State Health Services by other law is increased by \$9,700,000 for that biennium for the acquisition of information resources technologies.

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No equivalent provision.

SECTION ____. PUBLIC UTILITY COMMISSION:
SYSTEM BENEFIT FUND.
In addition to other amounts appropriated for the two year period beginning the effective date of this Act that may be used for this purpose, the amount of \$30,000,000 is appropriated out of the system benefit fund (GR Dedicated Account No. 5100) to the Public Utility Commission for the purpose of providing for the low income discount program.

No equivalent provision.

SECTION ____. HEALTH AND HUMAN SERVICES
COMMISSION: COMMUNITY-BASED
PREVENTION AND INTERVENTION PROGRAMS.
In addition to other amounts appropriated for the two year period beginning the effective date of this Act, that may be used for this purpose, the amount of \$4,000,000 is appropriated from the general revenue fund to the Health and Human Services Commission for the purpose of providing one time facility start up funds for a settlement house in northeast Houston. The funding is contingent on Harris County providing the operating costs for the facility and on the land for the facility being donated.

No equivalent provision.

SECTION ____. ANGELO STATE UNIVERSITY:
UTILITIES. In addition to amounts previously appropriated for the state fiscal biennium ending August

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No equivalent provision.

31, 2007, the amount of \$50,000 is appropriated out of the general revenue fund to Angelo State University for the two-year period beginning on the effective date of this Act for the purpose of making utility payments.

SECTION ____. HEALTH AND HUMAN SERVICES COMMISSION: REDUCTION IN CHILDREN'S HEALTH INSURANCE PROGRAM. The unencumbered appropriations from the general revenue fund appropriated to the Health and Human Services Commission for use during the fiscal year ending August 31, 2009, by House Bill 1, Eightieth Legislature, Regular Session, 2007, under Strategy C.1.1. for the Children's Health Insurance Program are reduced by the amount of \$15,700,000. Additionally, federal funds are reduced by an amount of \$40,400,000 under strategy C.1.1, CHIP for the fiscal year ending August 31, 2009.

No equivalent provision.

SECTION ____. APPROPRIATION REDUCTION: TEXAS DEPARTMENT OF CRIMINAL JUSTICE The unencumbered appropriations from the general revenue fund appropriated to the Texas Department of Criminal Justice for use during the fiscal biennium ending August 31, 2009, by House Bill 1, Eightieth Legislature, Regular Session, 2007, under Strategy C.1.6., Institutional Operations and Maintenance, are reduced by the amount of \$27,000,000.

SECTION 34. EFFECTIVE DATE. This Act takes

SECTION 35. Same as House version.

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effect immediately.