

By: Pitts

H.B. No. 1025

A BILL TO BE ENTITLED

AN ACT

1
2 relating to making supplemental appropriations and reductions in
3 appropriations and giving direction and adjustment authority
4 regarding appropriations.

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

6 SECTION 1. APPROPRIATION REDUCTION: DEPARTMENT OF
7 ASSISTIVE AND REHABILITATIVE SERVICES. The unencumbered
8 appropriations from federal Temporary Assistance for Needy
9 Families (TANF) funds to the Department of Assistive and
10 Rehabilitative Services for use during the state fiscal biennium
11 ending August 31, 2013, made by Chapter 1355 (H.B. 1), Acts of the
12 82nd Legislature, Regular Session, 2011 (the General
13 Appropriations Act), for Strategy A.1.1., ECI Services, are reduced
14 by the amount of \$5,800,000.

15 SECTION 2. APPROPRIATION REDUCTION: DEPARTMENT OF FAMILY
16 AND PROTECTIVE SERVICES. The unencumbered appropriations from the
17 general revenue fund to the Department of Family and Protective
18 Services for use during the state fiscal biennium ending August 31,
19 2013, made by Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,
20 Regular Session, 2011 (the General Appropriations Act), for
21 Strategy B.1.11., Foster Care Payments, are reduced by the amount
22 of \$23,536,739.

23 SECTION 3. APPROPRIATION REDUCTION: HEALTH AND HUMAN
24 SERVICES COMMISSION. The unencumbered appropriations from the

1 general revenue fund to the Health and Human Services Commission
2 for use during the state fiscal biennium ending August 31, 2013,
3 made by Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
4 Session, 2011 (the General Appropriations Act), for Strategy
5 D.1.1., TANF (Cash Assistance) Grants, are reduced by the amount of
6 \$2,330,351.

7 SECTION 4. APPROPRIATION REDUCTION: HIGHER EDUCATION
8 EMPLOYEES GROUP INSURANCE CONTRIBUTIONS. The unencumbered
9 appropriations from the general revenue fund to the Higher
10 Education Employees Group Insurance Contributions for use during
11 the state fiscal biennium ending August 31, 2013, made by Chapter
12 1355 (H.B. 1), Acts of the 82nd Legislature, Regular Session, 2011
13 (the General Appropriations Act), for Strategy A.1.11., UT
14 Medical - Galveston, are reduced by the amount of \$1,400,437.

15 SECTION 5. APPROPRIATION REDUCTION: UNIVERSITY OF TEXAS AT
16 AUSTIN. The unencumbered appropriations from the general revenue
17 fund to the University of Texas at Austin for use during the state
18 fiscal biennium ending August 31, 2013, made by Chapter 1355 (H.B.
19 1), Acts of the 82nd Legislature, Regular Session, 2011 (the
20 General Appropriations Act), for Strategy C.4.1., Institutional
21 Enhancement, are reduced by the amount of \$2,000,000.

22 SECTION 6. APPROPRIATION REDUCTION: UNIVERSITY OF TEXAS AT
23 DALLAS. The unencumbered appropriations from the general revenue
24 fund to the University of Texas at Dallas for use during the state
25 fiscal biennium ending August 31, 2013, made by Chapter 1355 (H.B.
26 1), Acts of the 82nd Legislature, Regular Session, 2011 (the
27 General Appropriations Act), for Strategy A.1.1., Operations

1 Support, are reduced by the amount of \$890,622.

2 SECTION 7. APPROPRIATION REDUCTION: COMMUNITY COLLEGES.

3 The unencumbered appropriations from the general revenue fund to
4 Public Community/Junior Colleges for use during the state fiscal
5 year ending August 31, 2013, made by Chapter 1355 (H.B. 1), Acts of
6 the 82nd Legislature, Regular Session, 2011 (the General
7 Appropriations Act), are reduced, respectively, in the amounts
8 indicated by this section, for a total aggregate amount of
9 \$86,654,557. The comptroller of public accounts shall apply the
10 reductions in general revenue appropriations to each community or
11 junior college in the following indicated amounts:

- 12 (1) Alamo Community College: \$7,691,894;
- 13 (2) Alvin Community College: \$1,058,325;
- 14 (3) Amarillo College: \$1,708,432;
- 15 (4) Angelina College: \$488,773;
- 16 (5) Austin Community College: \$9,482,654;
- 17 (6) Blinn College: \$1,613,073;
- 18 (7) Brazosport College: \$1,038,621;
- 19 (8) Central Texas College: \$2,203,642;
- 20 (9) Cisco Junior College: \$275,082;
- 21 (10) Clarendon College: \$108,855;
- 22 (11) Coastal Bend College: \$611,377;
- 23 (12) College of the Mainland: \$1,617,987;
- 24 (13) Collin County Community College: \$2,569,386;
- 25 (14) Del Mar College: \$2,066,957;
- 26 (15) El Paso Community College: \$3,903,342;
- 27 (16) Frank Phillips College: \$135,579;

- 1 (17) Galveston College: \$511,170;
- 2 (18) Grayson County College: \$416,429;
- 3 (19) Hill College: \$269,502;
- 4 (20) Houston Community College: \$8,062,476;
- 5 (21) Howard College: \$315,577;
- 6 (22) Kilgore College: \$731,448;
- 7 (23) Laredo Community College: \$2,238,911;
- 8 (24) Lee College: \$1,347,526;
- 9 (25) Lone Star College System: \$7,119,282;
- 10 (26) McLennan Community College: \$1,708,874;
- 11 (27) Midland College: \$1,284,228;
- 12 (28) Navarro College: \$338,086;
- 13 (29) North Central Texas College: \$547,632;
- 14 (30) Northeast Texas Community College: \$606,919;
- 15 (31) Odessa College: \$1,097,994;
- 16 (32) Panola College: \$420,021;
- 17 (33) San Jacinto College: \$4,435,321;
- 18 (34) South Plains College: \$844,175;
- 19 (35) South Texas College: \$3,429,664;
- 20 (36) Southwest Texas Junior College: \$909,179;
- 21 (37) Tarrant County College: \$6,795,981;
- 22 (38) Temple College: \$724,912;
- 23 (39) Texarkana College: \$451,137;
- 24 (40) Trinity Valley Community College: \$760,183;
- 25 (41) Tyler Junior College: \$1,288,860;
- 26 (42) Vernon College: \$398,878;
- 27 (43) Victoria College: \$801,220;

- 1 (44) Weatherford College: \$979,850;
- 2 (45) Western Texas College: \$268,687; and
- 3 (46) Wharton County Junior College: \$976,456.

4 SECTION 8. APPROPRIATION REDUCTION: TEXAS A&M AGRILIFE
5 RESEARCH. The unencumbered appropriations from general revenue
6 account number 151, Clean Air, to Texas A&M AgriLife Research for
7 use during the state fiscal biennium ending August 31, 2013, by
8 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
9 Session, 2011 (the General Appropriations Act), for Strategy
10 A.1.1., Agricultural/Life Sciences Research, are reduced by the
11 amount of \$12,500.

12 SECTION 9. FACILITIES COMMISSION: UTILITY COSTS. (a) In
13 addition to amounts previously appropriated for the state fiscal
14 biennium ending August 31, 2013, the amount of \$1,400,000 is
15 appropriated out of the general revenue fund to the Facilities
16 Commission for Strategy B.2.1., Facilities Operation, as listed in
17 Chapter 1355 (H.B. 1), Acts of the 82nd Legislature, Regular
18 Session, 2011 (the General Appropriations Act), for the two-year
19 period beginning on the effective date of this Act for the purpose
20 of providing for payment of increased utility costs as a result of
21 an increase in utility rates.

22 (b) Money appropriated by this section may not be used by
23 the commission for a purpose other than payment of utility expenses
24 without the prior written approval of the Legislative Budget Board.

25 SECTION 10. VETERANS COMMISSION: STRIKE FORCE TEAMS;
26 REPAYMENT OF DEFICIENCY. (a) In addition to amounts previously
27 appropriated for the state fiscal biennium ending August 31, 2013,

1 the amount of \$1,546,003 is appropriated out of the general revenue
2 fund to the Veterans Commission for the state fiscal year ending
3 August 31, 2013, for the purpose of creating two state strike force
4 teams to address the backlog of claims in Houston and Waco and to
5 hire additional counselors to be located in hospitals and clinics
6 operated by the United States Department of Veterans Affairs.

7 (b) In addition to the number of full-time equivalent
8 employees (FTEs) the Veterans Commission is authorized by other law
9 to employ during the state fiscal year ending August 31, 2013, the
10 commission may employ an additional 16.0 FTEs during that state
11 fiscal year.

12 (c) In addition to amounts previously appropriated for the
13 state fiscal biennium ending August 31, 2013, the amount of
14 \$500,000 is appropriated out of the general revenue fund to the
15 Veterans Commission for the state fiscal year ending August 31,
16 2013, for the purpose of repaying a deficiency grant made under
17 Section 403.075, Government Code.

18 SECTION 11. UNIVERSITY OF HOUSTON - CLEAR LAKE. In addition
19 to amounts previously appropriated for the state fiscal biennium
20 ending August 31, 2013, the amount of \$200,000 is appropriated out
21 of the general revenue fund to the University of Houston - Clear
22 Lake for Strategy A.1.4., Workers' Compensation Insurance, as
23 listed in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,
24 Regular Session, 2011 (the General Appropriations Act), for the
25 state fiscal year ending August 31, 2013, for the purpose of current
26 operations.

27 SECTION 12. TEXAS A&M ENGINEERING EXTENSION SERVICE. In

1 addition to amounts previously appropriated for the state fiscal
2 biennium ending August 31, 2013, the amount of \$1,678,703 is
3 appropriated out of the general revenue fund to the Texas A&M
4 Engineering Extension Service for the state fiscal year ending
5 August 31, 2013, for the purpose of reimbursing the agency for
6 state-directed deployments for natural disasters.

7 SECTION 13. TEXAS A&M AGRILIFE RESEARCH. In addition to
8 amounts previously appropriated for the state fiscal biennium
9 ending August 31, 2013, the amount of \$162,500 is appropriated out
10 of the general revenue fund to Texas A&M AgriLife Research for the
11 state fiscal year ending August 31, 2013, for the purpose of current
12 operations.

13 SECTION 14. JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT.
14 In addition to amounts previously appropriated for the state fiscal
15 biennium ending August 31, 2013, the amount of \$475,000 is
16 appropriated out of the general revenue fund to the Judiciary
17 Section, Comptroller's Department, for Strategy D.1.8., Juror Pay,
18 as listed in Chapter 1355 (H.B. 1), Acts of the 82nd Legislature,
19 Regular Session, 2011 (the General Appropriations Act), for the
20 state fiscal year ending August 31, 2013, for the purpose of
21 reimbursing the agency for a transfer to Strategy D.1.10., Indigent
22 Inmate Defense, as listed in Chapter 1355 (H.B. 1), Acts of the 82nd
23 Legislature, Regular Session, 2011 (the General Appropriations
24 Act), to cover costs of providing legal representation for an
25 inmate in a capital murder trial.

26 SECTION 15. DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL
27 MANAGED HEALTH CARE. In addition to amounts previously

1 appropriated for the state fiscal biennium ending August 31, 2013,
2 the amount of \$39,000,000 is appropriated out of the general
3 revenue fund to the Department of Criminal Justice for the state
4 fiscal year ending August 31, 2013, for the purpose of providing for
5 correctional managed health care.

6 SECTION 16. COMMISSION ON ENVIRONMENTAL QUALITY: ELEPHANT
7 BUTTE LITIGATION EXPENSES. In addition to amounts previously
8 appropriated for the state fiscal biennium ending August 31, 2013,
9 the amount of \$500,000 is appropriated out of general revenue
10 account number 153, Water Resource Management, to the Commission on
11 Environmental Quality for the two-year period beginning on the
12 effective date of this Act for the purpose of paying for Elephant
13 Butte litigation expenses.

14 SECTION 17. PARKS AND WILDLIFE DEPARTMENT: REVENUE
15 SHORTFALL. In addition to amounts previously appropriated for the
16 state fiscal biennium ending August 31, 2013, the amount of
17 \$889,000 is appropriated out of the general revenue fund to the
18 Parks and Wildlife Department for the two-year period beginning on
19 the effective date of this Act for the purpose of providing for
20 state park operations as a result of a revenue shortfall.

21 SECTION 18. LIBRARY AND ARCHIVES COMMISSION:
22 DIRECTOR-LIBRARIAN SALARY. (a) In addition to amounts previously
23 appropriated for the state fiscal biennium ending August 31, 2013,
24 the amount of \$35,500 is appropriated out of the general revenue
25 fund to the Library and Archives Commission for the fiscal year
26 ending August 31, 2013, for the purpose of providing a salary rate
27 increase for the Director-Librarian.

1 (b) Notwithstanding the rate of salary in the bill pattern
2 of the Library and Archives Commission in Chapter 1355 (H.B. 1),
3 Acts of the 82nd Legislature, Regular Session, 2011 (the General
4 Appropriations Act), the rate of salary for the Director-Librarian
5 is \$140,000 for the state fiscal year ending August 31, 2013.

6 SECTION 19. TEXAS A&M FOREST SERVICE: APPROPRIATIONS FOR
7 GENERAL COSTS CAUSED BY WILDFIRES. In addition to amounts
8 previously appropriated for the state fiscal biennium ending August
9 31, 2013, the amount of \$161,065,711 is appropriated out of the
10 general revenue fund to the Texas A&M Forest Service for the state
11 fiscal year ending August 31, 2013, for the purpose of paying for,
12 or reimbursing payments made for, costs incurred by the Texas A&M
13 Forest Service associated with wildfires that occurred during the
14 state fiscal biennium beginning September 1, 2011, but before the
15 effective date of this Act.

16 SECTION 20. DEPARTMENT OF PUBLIC SAFETY: APPROPRIATIONS FOR
17 GENERAL COSTS CAUSED BY WILDFIRES. In addition to amounts
18 previously appropriated for the state fiscal biennium ending August
19 31, 2013, the amount of \$2,700,000 is appropriated out of the
20 general revenue fund to the Department of Public Safety for the
21 state fiscal year ending August 31, 2013, for the purpose of paying
22 for, or reimbursing payments made for, costs incurred by the
23 Department of Public Safety associated with wildfires that occurred
24 during the state fiscal biennium beginning September 1, 2011, but
25 before the effective date of this Act.

26 SECTION 21. PARKS AND WILDLIFE DEPARTMENT: APPROPRIATIONS
27 FOR COSTS CAUSED BY WILDFIRES AT THE BASTROP STATE PARK AND BASTROP

1 REGIONAL PARK OFFICE. In addition to amounts previously
2 appropriated for the state fiscal biennium ending August 31, 2013,
3 the amount of \$4,892,440 is appropriated out of the general revenue
4 fund to the Parks and Wildlife Department for the two-year period
5 beginning on the effective date of this Act for the purpose of
6 paying for, or reimbursing payments made for, costs incurred by the
7 Parks and Wildlife Department associated with wildfires that
8 occurred at the Bastrop State Park and Bastrop regional park office
9 during the state fiscal biennium beginning September 1, 2011, but
10 before the effective date of this Act.

11 SECTION 22. HEALTH AND HUMAN SERVICES COMMISSION: CERTAIN
12 RIDERS. Rider 26 to the bill pattern of the appropriations to the
13 Health and Human Services Commission in Chapter 1355 (H.B. 1), Acts
14 of the 82nd Legislature, Regular Session, 2011 (the General
15 Appropriations Act), is repealed, and the commission is not
16 required to comply with that rider on and after the effective date
17 of this Act.

18 SECTION 23. BENEFITS PAID PROPORTIONAL BY FUND. (a) This
19 section applies to each item of appropriation made by this Act.

20 (b) In order to maximize balances in the general revenue
21 fund, payment for benefits paid from funds appropriated by this
22 Act, including "local funds" and "educational and general funds,"
23 as those terms are defined by Sections 51.009(a) and (c), Education
24 Code, must be proportional to the source of the funds except for
25 payments for higher education employees group insurance
26 contributions for public community or junior colleges.

27 (c) Money appropriated by this Act out of the general

1 revenue fund may not be used to pay employee benefit costs or other
2 indirect costs associated with the payment of salaries or wages of
3 employees if the salaries or wages are paid from a source other than
4 the general revenue fund. A public community or junior college may
5 spend money appropriated by this Act for employee benefit costs for
6 any employee who is eligible to participate in an offered group
7 benefits program and is an instructional or administrative employee
8 whose entire salary may be paid from money appropriated by this Act,
9 regardless of whether the salary is actually paid by that money.
10 Payments for employee benefit costs associated with salaries and
11 wages paid from sources other than the general revenue fund,
12 including payments received under interagency agreement or as
13 contract receipts, must be made in proportion to the source of the
14 funds from which the salary or wage is paid. If the comptroller of
15 public accounts determines that achieving proportionality as
16 required by this section at the time a payment is made is
17 impractical or inefficient, the comptroller shall reimburse the
18 general revenue fund for any payment of employee benefit costs made
19 out of that fund.

20 (d) A state agency or institution of higher education that
21 receives an appropriation by this Act from the general revenue fund
22 or any other source of financing shall file with the comptroller of
23 public accounts and the state auditor a report demonstrating
24 proportionality. The report is due on November 20th of each year
25 and must cover the state fiscal year ending on August 31st of the
26 year in which the report is due. The report shall be in the format
27 prescribed by the comptroller, the Legislative Budget Board, and

1 the State Auditor's Office. The state auditor shall review each
2 state agency's or institution's compliance with this section at
3 least once if the agency or institution is appropriated money by
4 this Act. The state auditor shall notify the comptroller of any
5 amount disproportionately paid from general revenue fund
6 appropriations. On receipt of that notice, the comptroller shall
7 reduce the state agency's or institution's current year general
8 revenue fund appropriations until the general revenue fund is
9 reimbursed for the amounts disproportionately paid out of that fund.

10 SECTION 24. EFFECTIVE DATE. This Act takes effect
11 immediately as provided for a general appropriations act under
12 Section 39, Article III, Texas Constitution.