

By: Otto, Keffler, Darby, Ashby, Aycock

H.B. No. 2

Substitute the following for H.B. No. 2:

By: Otto

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A BILL TO BE ENTITLED

1 AN ACT

2 relating to making supplemental appropriations and giving
3 direction and adjustment authority regarding appropriations.

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

5 SECTION 1. APPROPRIATION REDUCTION: PUBLIC FINANCE
6 AUTHORITY. The unencumbered appropriations from the general
7 revenue fund to the Public Finance Authority made by Chapter 1411
8 (S.B. 1), *Acts of the 83rd Legislature, Regular Session, 2013* (the
9 General Appropriations Act), for use during the state fiscal
10 biennium ending August 31, 2015, for bond debt service payments,
11 including appropriations subject to Rider 2, page I-45, Chapter
12 1411 (S.B. 1), *Acts of the 83rd Legislature, Regular Session, 2013*
13 (the General Appropriations Act), to the bill pattern of the
14 appropriations to the authority, are reduced by a total aggregate
15 of \$21,000,000. The Public Finance Authority shall identify the
16 strategies and objectives to which the reduction is to be allocated
17 and the amount of the reduction for each of those strategies and
18 objectives.

19 SECTION 2. APPROPRIATION REDUCTION: TEXAS EDUCATION
20 AGENCY. The unencumbered appropriations from the general revenue
21 fund to the Texas Education Agency made by Chapter 1411 (S.B. 1),
22 *Acts of the 83rd Legislature, Regular Session, 2013* (the General
23 Appropriations Act), for use during the state fiscal biennium
24 ending August 31, 2015, for Strategy A.1.1., FSP-Equalized

1 Operations, are reduced by \$710,000,000.

2 SECTION 3. APPROPRIATION REDUCTION: DEPARTMENT OF
3 TRANSPORTATION. The unencumbered appropriations from the general
4 revenue fund to the Department of Transportation made by Chapter
5 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013
6 (the General Appropriations Act), for use during the state fiscal
7 biennium ending August 31, 2015, for Strategy G.1.1., General
8 Obligation Bonds, are reduced by \$22,100,000.

9 SECTION 4. APPROPRIATION REDUCTION: HEALTH AND HUMAN
10 SERVICES COMMISSION. The unencumbered appropriations from federal
11 funds to the Health and Human Services Commission made by Chapter
12 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013
13 (the General Appropriations Act), for use during the state fiscal
14 biennium ending August 31, 2015, for Strategy D.1.1., TANF (Cash
15 Assistance) Grants, are reduced by \$35,083,683.

16 SECTION 5. APPROPRIATION REDUCTION: DEBT SERVICE PAYMENTS -
17 NON-SELF SUPPORTING G.O. WATER BONDS. (a) The unencumbered
18 appropriations from the general revenue fund to the Debt Service
19 Payments - Non-Self Supporting G.O. Water Bonds made by Chapter
20 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013
21 (the General Appropriations Act), for use during the state fiscal
22 biennium ending August 31, 2015, for Strategy A.1.1., EDAP Debt
23 Service, are reduced by \$362,107.

24 (b) The unencumbered appropriations from the general
25 revenue fund to the Debt Service Payments - Non-Self Supporting
26 G.O. Water Bonds made by Chapter 1411 (S.B. 1), Acts of the 83rd
27 Legislature, Regular Session, 2013 (the General Appropriations

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1 Act), for use during the state fiscal biennium ending August 31,
2 2015, for Strategy A.1.3., WIF Debt Service, are reduced by
3 \$5,570,411.

4 SECTION 6. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
5 FOSTER CARE SHORTFALL. In addition to amounts previously
6 appropriated for the state fiscal biennium ending August 31, 2015,
7 \$17,729,316 is appropriated out of the general revenue fund to the
8 Department of Family and Protective Services for Strategy B.1.11.,
9 Foster Care Payments, as listed in Chapter 1411 (S.B. 1), Acts of
10 the 83rd Legislature, Regular Session, 2013 (the General
11 Appropriations Act), for the state fiscal year ending August 31,
12 2015, for the purpose of providing foster care.

13 SECTION 7. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
14 TITLE IV-E WAIVER. In addition to amounts previously appropriated
15 for the state fiscal biennium ending August 31, 2015, \$800,000 is
16 appropriated out of the general revenue fund, and \$800,000 is
17 appropriated out of federal funds, to the Department of Family and
18 Protective Services for Strategy B.1.11., Foster Care Payments, as
19 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,
20 Regular Session, 2013 (the General Appropriations Act), for the
21 state fiscal year ending August 31, 2015, for the purpose of
22 matching funds for information technology costs and pre-evaluation
23 costs associated with the Title IV-E waiver.

24 SECTION 8. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID
25 SHORTFALL. In addition to amounts previously appropriated for the
26 state fiscal biennium ending August 31, 2015, \$85,543,166 is
27 appropriated out of the general revenue fund, and \$118,373,797 is

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1 appropriated out of federal funds, to the Health and Human Services
2 Commission for Goal B, Medicaid, as listed in Chapter 1411 (S.B. 1),
3 Acts of the 83rd Legislature, Regular Session, 2013 (the General
4 Appropriations Act), for the state fiscal year ending August 31,
5 2015, for Medicaid acute care services.

6 SECTION 9. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID
7 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.
8 In addition to amounts previously appropriated for the state fiscal
9 biennium ending August 31, 2015, \$79,685,024 is appropriated out of
10 the general revenue fund, and \$113,570,204 is appropriated out of
11 federal funds, to the Health and Human Services Commission for Goal
12 B, Medicaid, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd
13 Legislature, Regular Session, 2013 (the General Appropriations
14 Act), for the state fiscal year ending August 31, 2015, for the
15 purpose of adjusting Medicaid capitation payments made to managed
16 care organizations providing health care services through managed
17 care plans under the Medicaid program to account for the health
18 insurance providers fee imposed under Section 9010 of the federal
19 Patient Protection and Affordable Care Act (Pub. L. No. 111-148),
20 as amended by the Health Care and Education Reconciliation Act of
21 2010 (Pub. L. No. 111-152), and the associated effects of that fee
22 on federal income taxes.

23 SECTION 10. HEALTH AND HUMAN SERVICES COMMISSION: CHIP
24 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.
25 In addition to amounts previously appropriated for the state fiscal
26 biennium ending August 31, 2015, \$4,516,607 is appropriated out of
27 the general revenue fund, and \$15,404,526 is appropriated out of

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1 federal funds, to the Health and Human Services Commission for Goal
2 C, CHIP Services, as listed in Chapter 1411 (S.B. 1), Acts of the
3 83rd Legislature, Regular Session, 2013 (the General
4 Appropriations Act), for the state fiscal year ending August 31,
5 2015, for the purpose of adjusting child health plan program
6 capitation payments made to managed care organizations providing
7 health care services through managed care plans under the child
8 health plan program to account for the health insurance providers
9 fee imposed under Section 9010 of the federal Patient Protection
10 and Affordable Care Act (Pub. L. No. 111-148), as amended by the
11 Health Care and Education Reconciliation Act of 2010 (Pub. L.
12 No. 111-152), and the associated effects of that fee on federal
13 income taxes.

14 SECTION 11. TEACHER RETIREMENT SYSTEM: TRS CARE SHORTFALL.
15 In addition to amounts previously appropriated for the state fiscal
16 biennium ending August 31, 2015, \$768,100,754 is appropriated out
17 of the general revenue fund to the Teacher Retirement System for the
18 state fiscal year ending August 31, 2015, for Strategy A.2.1.,
19 Retiree Health-Statutory Funds, as listed in Chapter 1411 (S.B. 1),
20 Acts of the 83rd Legislature, Regular Session, 2013 (the General
21 Appropriations Act), for TRS Care.

22 SECTION 12. DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL
23 MANAGED HEALTH CARE SHORTFALL. In addition to amounts previously
24 appropriated for the state fiscal biennium ending August 31, 2015,
25 \$50,500,000 is appropriated out of the general revenue fund to the
26 Department of Criminal Justice for the state fiscal year ending
27 August 31, 2015, for Strategy C.1.8., Hospital and Clinical Care,

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1 as listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,
2 Regular Session, 2013 (the General Appropriations Act), for
3 correctional managed health care.

4 SECTION 13. DEPARTMENT OF TRANSPORTATION: UNEXPENDED
5 BALANCE AUTHORITY FOR ENERGY SECTOR ROAD APPROPRIATIONS. Any
6 money appropriated by Section 40, Chapter 836 (H.B. 1025), Acts of
7 the 83rd Legislature, Regular Session, 2013, from the general
8 revenue fund to the Department of Transportation for transfer to
9 the Transportation Infrastructure Fund or State Highway Fund 6 and
10 use during the two-year period beginning on the effective date of
11 that Act for road repairs in energy sectors as specified by that Act
12 that, immediately preceding the expiration of that two-year period,
13 is unexpended and unencumbered, is appropriated to the department
14 for the same purpose for the two-year period beginning on the
15 effective date of this Act.

16 SECTION 14. TEXAS DEPARTMENT OF INSURANCE: HEALTHY TEXAS
17 PROGRAM. (a) In addition to amounts previously appropriated for the
18 state fiscal biennium ending August 31, 2015, \$708,000 is
19 transferred from the general revenue fund to general revenue
20 account number 0036, Texas Department of Insurance Operating Fund
21 Account, and is appropriated from that account to the Texas
22 Department of Insurance for the state fiscal year ending August 31,
23 2015, for Strategy A.1.1., Consumer Education and Outreach, as
24 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,
25 Regular Session, 2013 (the General Appropriations Act), for agency
26 operations.

27 (b) In addition to amounts previously appropriated for the

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1 state fiscal biennium ending August 31, 2015, \$1,000,000 is
2 transferred from the general revenue fund to general revenue
3 account number 0036, Texas Department of Insurance Operating Fund
4 Account, and is appropriated from that account to the Texas
5 Department of Insurance for the state fiscal year ending August 31,
6 2015, for Strategy A.3.1., Process Rates, Forms & Licenses, as
7 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,
8 Regular Session, 2013 (the General Appropriations Act), for agency
9 operations.

10 (c) In addition to amounts previously appropriated for the
11 state fiscal biennium ending August 31, 2015, \$3,592,000 is
12 transferred from the general revenue fund to general revenue
13 account number 0036, Texas Department of Insurance Operating Fund
14 Account, and is appropriated from that account to the Texas
15 Department of Insurance for the state fiscal year ending August 31,
16 2015, for Strategy A.4.3., Healthy Texas, as listed in Chapter 1411
17 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013 (the
18 General Appropriations Act), for agency operations.

19 SECTION 15. FACILITIES COMMISSION: HEALTH AND SAFETY
20 REPAIRS AT THE TEXAS SCHOOL FOR THE DEAF. (a) In addition to amounts
21 previously appropriated for the state fiscal biennium ending August
22 31, 2015, the amount of \$10,952,024 is appropriated out of the
23 general revenue fund to the Facilities Commission for Strategy
24 B.2.1., Facilities Operation, as listed in Chapter 1411 (S.B. 1),
25 Acts of the 83rd Legislature, Regular Session, 2013 (the General
26 Appropriations Act), for the period beginning on the effective date
27 of this Act and ending on August 31, 2016, for critical operations,

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1 deferred maintenance, and health and safety projects at the Texas
2 School for the Deaf.

3 (b) The Facilities Commission shall report monthly to the
4 Legislative Budget Board, in a manner prescribed by the board,
5 regarding the use of the money appropriated in Subsection (a) of
6 this section. Each report must provide information on project
7 milestones, target completion dates, and money spent as of the date
8 of the report.

9 SECTION 16. FACILITIES COMMISSION: CRITICAL OPERATIONS,
10 DEFERRED MAINTENANCE, AND HEALTH AND SAFETY MAINTENANCE AT
11 STATE-OWNED BUILDINGS. (a) In addition to amounts previously
12 appropriated for the state fiscal biennium ending August 31, 2015,
13 the amount of \$9,633,658 is appropriated out of the general revenue
14 fund to the Facilities Commission for Strategy B.2.1., Facilities
15 Operation, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd
16 Legislature, Regular Session, 2013 (the General Appropriations
17 Act), for the two-year period beginning on the effective date of
18 this Act for critical operations, deferred maintenance, and health
19 and safety maintenance at state-owned buildings.

20 (b) The Facilities Commission shall report monthly to the
21 Legislative Budget Board, in a manner prescribed by the board,
22 regarding the use of the money appropriated in Subsection (a) of
23 this section. Each report must provide information on project
24 milestones, target completion dates, and money spent as of the date
25 of the report.

26 SECTION 17. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL
27 COUNCIL: E-FILING SYSTEM. In addition to amounts previously

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1 appropriated for the state fiscal biennium ending August 31, 2015,
2 \$6,400,000 is appropriated out of the general revenue fund to the
3 Office of Court Administration, Texas Judicial Council, for
4 Strategy A.1.2., Information Technology, as listed in Chapter 1411
5 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013 (the
6 General Appropriations Act), for the state fiscal year ending
7 August 31, 2015, for management of the statewide e-filing system.

8 SECTION 18. PARKS AND WILDLIFE DEPARTMENT: SAN JACINTO
9 LAWSUIT SETTLEMENT. In addition to the amounts previously
10 appropriated for the state fiscal biennium ending August 31, 2015,
11 if money is recovered under an agreed final judgment in Harris
12 County v. Waste Management of Texas, Inc., No. 2011-76724-A (295th
13 Dist. Ct., Harris County, Tex. ____ 2014), and deposited to the
14 credit of the general revenue fund, the amount of that recovered
15 money that is deposited to the credit of the general revenue fund,
16 but not to exceed \$10 million, is appropriated from that fund to the
17 Parks and Wildlife Department for the two-year period beginning on
18 the effective date of this Act for the purpose of transferring the
19 money to Harris County. Funds may be transferred to Harris County
20 under this section only in accordance with an agreement between the
21 Parks and Wildlife Department and Harris County for use along the
22 San Jacinto River and in its watershed to mitigate the effects of
23 environmental contamination and the effects of that contamination
24 on natural resources and the public use of natural resources. Funds
25 transferred under this section may be used only for one or more of
26 the following:

27 (1) dissemination of information pertaining to marine

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1 life, wild animal life, wildlife values, and wildlife management;

2 (2) scientific investigation and survey of marine life

3 for the better protection and conservation of marine life;

4 (3) propagation and distribution of marine life, game

5 animals, and wild birds;

6 (4) protection of wild birds, fish, and game;

7 (5) research, management, and protection of the fish

8 and wildlife resources of this state;

9 (6) expansion and development of additional

10 opportunities of hunting and fishing in state-owned land and water;

11 (7) purchase, construction, and maintenance of boat

12 ramps on or near public waters; and

13 (8) resource protection activities.

14 SECTION 19. DEPARTMENT OF PUBLIC SAFETY: LIMITATION ON

15 APPROPRIATIONS FOR RECRUIT SCHOOLS. (a) In this section:

16 (1) "New trooper" means a trooper employed by the

17 Department of Public Safety for less than 52 weeks.

18 (2) "Recruit school" and "training school" include any

19 school or other training program operated by or for the benefit of

20 the Department of Public Safety for a purpose that may include

21 training a new trooper.

22 (b) This section applies only to:

23 (1) the unexpended and unencumbered appropriations

24 from the general revenue fund to the Department of Public Safety

25 made by Chapter 1411 (S.B. 1), Acts of the 83rd Legislature, Regular

26 Session, 2013 (the General Appropriations Act), for use during the

27 state fiscal biennium ending August 31, 2015; and

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(2) any appropriated money transferred to the Department of Public Safety pursuant to Chapter 317, Government Code, during the state fiscal biennium ending August 31, 2015, for use by the department during that biennium.

5 (c) Money to which this section applies may not be used to
6 pay:

7 (1) any cost or expense that may be directly or
8 indirectly related to the operation of a training school or recruit
9 school that provides a new trooper with less than 23 weeks of
10 training; or

11 (2) compensation to a trooper who completes the
12 23-week recruit school in an amount that exceeds the entry-level
13 trooper compensation.

14 SECTION 20. DEPARTMENT OF PUBLIC SAFETY: CERTAIN TRANSFER
15 AUTHORITY. Notwithstanding the transfer authority provided in
16 Section 14.01, page IX-52, Chapter 1411 (S.B. 1), Acts of the 83rd
17 Legislature, Regular Session, 2013 (the General Appropriations
18 Act), money appropriated to the Department of Public Safety by that
19 Act or any appropriated money transferred to the Department of
20 Public Safety pursuant to Chapter 317, Government Code, during the
21 state fiscal biennium ending August 31, 2015, for a purpose may not
22 be transferred to another appropriation item or purpose without the
23 prior written approval of the Legislative Budget Board.

24 SECTION 21. HEALTH AND HUMAN SERVICES COMMISSION: CERTAIN
25 TRANSFERS. The following amounts of general revenue funds
26 appropriated for the state fiscal biennium ending August 31, 2015,
27 are transferred to the Health and Human Services Commission for the

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1 state fiscal year ending August 31, 2015, for Goal B, Medicaid, as
2 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,
3 Regular Session, 2013 (the General Appropriations Act), for
4 Medicaid acute care services:

5 (1) \$98,762,408 from the appropriations made to the
6 Department of Aging and Disability Services for Strategy A.2.4.,
7 Habilitation Services, as listed in Chapter 1411 (S.B. 1), Acts of
8 the 83rd Legislature, Regular Session, 2013 (the General
9 Appropriations Act);

10 (2) \$43,527,524 from the appropriations made to the
11 Department of Aging and Disability Services for Goal A, Long-Term
12 Services and Supports, as listed in Chapter 1411 (S.B. 1), Acts of
13 the 83rd Legislature, Regular Session, 2013 (the General
14 Appropriations Act);

15 (3) \$5,900,000 from the appropriations made to the
16 Department of State Health Services for Strategy B.1.4., Community
17 Primary Care Services, as listed in Chapter 1411 (S.B. 1), Acts of
18 the 83rd Legislature, Regular Session, 2013 (the General
19 Appropriations Act);

20 (4) \$101,900,000 from the appropriations made to the
21 Health and Human Services Commission for Strategy A.1.2.,
22 Integrated Eligibility and Enrollment (IEE), as listed in Chapter
23 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013
24 (the General Appropriations Act);

25 (5) \$2,700,000 from the appropriations made to the
26 Health and Human Services Commission for Strategy G.1.1., Office of
27 Inspector General, as listed in Chapter 1411 (S.B. 1), Acts of the

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1 83rd Legislature, Regular Session, 2013 (the General
2 Appropriations Act); and

3 (6) \$43,303 from the appropriations made to the Health
4 and Human Services Commission for Strategy D.1.1., TANF (Cash
5 Assistance) Grants, as listed in Chapter 1411 (S.B. 1), Acts of the

6 83rd Legislature, Regular Session, 2013 (the General
7 Appropriations Act).

8 SECTION 22. MIDLAND COLLEGE: AMERICAN AIRPOWER HERITAGE
9 MUSEUM. Unexpended and unencumbered amounts appropriated from the
10 general revenue fund to Midland College for Strategy AB.1.1.,
11 American Airpower Heritage Museum, as listed in Chapter 1411 (S.B.
12 1), Acts of the 83rd Legislature, Regular Session, 2013 (the
13 General Appropriations Act), for use during the state fiscal
14 biennium ending August 31, 2015, shall be distributed to the
15 Permian Basin Petroleum Museum. Before disbursing any state money,
16 Midland College must enter into a grant agreement with the Permian
17 Basin Petroleum Museum that specifies the use of the money and
18 requires that the money be spent in accordance with state law and
19 the General Appropriations Act.

20 SECTION 23. EFFECTIVE DATE. This Act takes effect
21 immediately.