

By: Ogden

S.B. No. 2

A BILL TO BE ENTITLED

AN ACT

1  
2  
3 appropriating money for the support of state government for the  
4 period beginning September 1, 2011, and ending August 31, 2013; and  
5 authorizing and prescribing conditions, limitations, rules, and  
6 procedures for allocating and expending the appropriated funds; and  
7 declaring an emergency.

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

9 SECTION 1. The several sums of money herein specified, or so  
10 much thereby as may be necessary, are appropriated out of any funds  
11 in the State Treasury not otherwise appropriated, or out of special  
12 funds as indicated, for the support, maintenance, or improvement of  
13 the designated agencies.

14 SECTION 2. Contingency for Senate Bill 1: LECOS Retirement  
15 Fund. Contingent on enactment of Senate Bill 1, 82nd Legislature,  
16 1st Called Session, 2011, or similar legislation relating to state  
17 contributions to the Law Enforcement and Custodial Officer  
18 Supplemental Retirement Program, in addition to amounts  
19 appropriated in House Bill 1, Acts of the 82nd Legislature, Regular  
20 Session, 2011, in Strategy A.1.2, Law Enforcement and Custodial  
21 Officer Supplemental Retirement Fund, the Employees Retirement  
22 System is hereby appropriated the following estimated amounts in  
23 fiscal year 2013 for a state contribution of 0.5 percent to the Law  
24 Enforcement and Custodial Officer Supplemental Retirement Program

1 in fiscal year 2013:

2	General Revenue	\$6,698,395
3	General Revenue-Dedicated	96,261
4	Federal Funds	29,330
5	Fund 006	<u>696,386</u>

6 All Funds \$7,520,372

7 SECTION 3. Tobacco User Monthly Premium Fee. Contingent  
 8 upon enactment of Senate Bill 1, 82nd Legislature, 1st Called  
 9 Session, 2011, or similar legislation relating to the creation of a  
 10 tobacco user monthly premium differential, by the 82nd Legislature,  
 11 2011, the Employees Retirement System shall apply a \$30 monthly  
 12 tobacco premium differential to any tobacco user covered under the  
 13 state health plan. Also contingent upon the enactment of this  
 14 legislation, the Comptroller of Public Accounts shall deposit  
 15 revenue from the premium differential (estimated to be \$16,720,343  
 16 in fiscal year 2012 and \$25,080,514 in fiscal year 2013) into the  
 17 Employees Life, Accident, Health Insurance and Benefits Trust  
 18 Account.

19 SECTION 4. Contingency for Senate Bill 1: Debt Service on  
 20 Cancer Prevention and Research Bonds. The appropriations made in  
 21 House Bill 1, Acts of the 82nd Legislature, Regular Session, 2011,  
 22 to the Texas Public Finance Authority for General Obligation Bond  
 23 Debt Service are subject to the following provision.  
 24 Appropriations out of the Permanent Fund for Health & Tobacco  
 25 Education & Enforcement Account No. 5044; Permanent Fund for  
 26 Children & Public Health Account No. 5045; and Permanent Fund for

1 EMS & Trauma Care Account No. 5046, are contingent on the enactment  
 2 of Senate Bill 1, 82nd Legislature, 1st Called Session, 2011, or  
 3 similar legislation related to the use of certain Tobacco  
 4 Settlement Funds for debt service on Cancer Prevention and Research  
 5 Institute debt, by the 82nd Legislature, 1st Called Session, 2011.  
 6 The Legislative Budget Board shall adjust the informational listing  
 7 of bond debt service pursuant to this provision.

8 SECTION 5. Appropriations to the Foundation School Program.

9 (a) Texas Education Agency, Article III, House Bill 1, Acts of the  
 10 82nd Legislature, Regular Session, 2011 (the General  
 11 Appropriations Act), is amended by adding the following  
 12 appropriations and riders and, to the extent necessary, by giving  
 13 all riders under the bill pattern of the agency full force and  
 14 effect:

15 A.1.1., FSP Equalized

16 Operations	2012	2013
17 Available School Fund	\$1,099,948,815	\$1,726,989,252
18 Foundation School Fund	13,412,514,119	12,656,939,681
19 Property Tax Relief Fund	2,198,994,000	2,338,574,000
20 Appropriated Receipts	906,500,000	835,600,000
21 Lottery Proceeds	<u>1,002,457,000</u>	<u>1,006,111,000</u>
22 Total, A.1.1	\$18,620,413,934	\$18,564,213,933

23 A.1.2, FSP Equalized

24 Facilities

25 Foundation School Fund	\$650,000,000	\$716,100,000
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26 (b) Foundation School Program Funding. Out of the funds

1 appropriated above in subsection (a) and elsewhere in House Bill 1,  
2 82nd Legislature, 1st Called Session, 2011, a total of  
3 \$19,287,500,000 in fiscal year 2012 and \$19,297,400,000 in fiscal  
4 year 2013 shall represent the sum-certain appropriation to the  
5 Foundation School Program. The total appropriation may not exceed  
6 the sum-certain amount. This appropriation includes allocations  
7 under Chapters 41, 42, and 46 of the Texas Education Code.

8       Formula Funding: The Commissioner shall make allocations to  
9 local school districts under Chapters 41, 42, and 46 of the Texas  
10 Education Code based on the March 2011 estimates of average daily  
11 attendance and local district tax rates as determined by the  
12 Legislative Budget Board and the final tax year 2010 property  
13 values.

14       For purposes of distributing the Foundation School Program  
15 basic tier state aid appropriated above and in accordance with  
16 Section 42.101 of the Texas Education Code, the Basic Allotment is  
17 projected to be \$4,765 in fiscal year 2012 and \$4,765 in fiscal year  
18 2013.

19       For purposes of distributing the Foundation School Program  
20 enrichment tier state aid appropriated above and in accordance with  
21 Section 41.002(a)(2) and Section 42.302(a-1)(1) of the Texas  
22 Education Code, the Guaranteed Yield is \$59.97 in fiscal year 2012  
23 and \$59.97 in fiscal year 2013.

24       Out of amounts appropriated above and allocated by this rider  
25 to the Foundation School Program, no funds are appropriated for the  
26 New Instructional Facilities Allotment under Section 42.158 of the  
27 Texas Education Code.

1           Notwithstanding any other provision of this Act, the Texas  
2 Education Agency may make transfers as appropriate between Strategy  
3 A.1.1, FSP-Equalized Operations, and Strategy A.1.2, FSP-Equalized  
4 Facilities.     The Texas Education Agency shall notify the  
5 Legislative Budget Board and the Governor of any such transfers at  
6 least 45 days prior to the transfer.

7           The Texas Education Agency shall submit reports on the prior  
8 month's expenditures on programs described by this rider no later  
9 than the 20th day of each month to the Legislative Budget Board and  
10 the Governor's Office in a format determined by the Legislative  
11 Budget Board in cooperation with the agency.

12           (c) Foundation School Program Adjustments. Appropriations  
13 from the Foundation School Fund No. 193 identified in subsection  
14 (a) above are hereby reduced by \$438,900,000 in fiscal year 2012 and  
15 \$361,100,000 in fiscal year 2013. These adjustments reflect a  
16 lower estimate of the state cost of the Foundation School Program in  
17 the 2012-2013 biennium due to updated pupil projections and  
18 projections of district property values.

19           Property values, and the estimates of local tax collections  
20 on which they are based, shall be decreased by 0.97 percent for tax  
21 year 2011, then increased by 0.52 percent for tax year 2012.

22           The sum-certain appropriation for the Foundation School  
23 Program as identified in subsection (b) above shall be decreased  
24 commensurately to reflect these adjustments.

25           (d) Contingency for Senate Bill 1: Foundation School  
26 Program Deferral. Contingent on enactment of Senate Bill 1, 82nd  
27 Legislature, 1st Called Session, 2011, or similar legislation

1 providing the legal basis for deferring the August 2013 Foundation  
2 School Program payment to school districts, appropriations made in  
3 subsection (a) above from the Foundation School Fund 193 to the  
4 Texas Education Agency for the Foundation School Program are hereby  
5 reduced by \$2,300,000,000 in fiscal year 2013. It is the intent of  
6 the legislature that this payment be made in September 2013  
7 pursuant to the provisions of the bill. The sum-certain  
8 appropriation for the Foundation School Program as identified in  
9 subsection (b) above shall be decreased commensurately.

10 (e) Contingency for H.J.R. No. 109. Appropriations from the  
11 Foundation School Fund (Fund 193) made in subsection (a) above,  
12 Texas Education Agency Strategy A.1.1, FSP - Operations, for the  
13 Foundation School Program, are hereby reduced by \$150,000,000 in  
14 each fiscal year of the 2012-2013 biennium. The Texas Education  
15 Agency is hereby appropriated from the Available School Fund  
16 (General Revenue) to the Foundation School Program in Strategy  
17 A.1.1, FSP - Operations an amount estimated to be \$150,000,000 in  
18 each fiscal year of the 2012-2013 biennium, pursuant to all of the  
19 following:

- 20 a. passage and enactment of H.J.R. No. 109, S.J.R. No. 5,  
21 82nd Legislature, Regular Session, 2011, or similar  
22 legislation relating to proposing a constitutional  
23 amendment to clarify references to the Permanent School  
24 Fund and to allow the General Land Office or other entity  
25 to distribute revenue derived from Permanent School Fund  
26 land or other properties to the Available School Fund;
- 27 b. voter approval of the associated constitutional

1 amendment; and

2 c. the distribution of funds from the General Land Office to  
3 the Available School Fund pursuant to the provisions of  
4 the legislation.

5 (f) Contingency for Senate Bill 1: Foundation School  
6 Program Funding Contingency. The All Funds appropriations made for  
7 the Foundation School Program (FSP), Texas Education Agency  
8 Strategies A.1.1 and A.1.2, in subsection (a) above, and as  
9 adjusted by other subsections in this section, are contingent on  
10 enactment of Senate Bill 1, 82nd Legislature, 1st Called Session,  
11 2011, or similar legislation by the 82nd Legislature, 2011,  
12 relating to certain state fiscal matters and that amends Chapter 42  
13 of the Texas Education Code to adjust state aid payments to the  
14 level of FSP appropriations made in subsection (a) above as  
15 adjusted for other subsections in this section. Should this  
16 legislation fail to pass and be enacted, the All Funds  
17 appropriations for the FSP made herein are hereby reduced to zero  
18 for each year of the 2012-2013 biennium, including the sum-certain  
19 appropriation identified in subsection (b) above.

20 (g) The Legislative Budget Board is directed to make all  
21 necessary adjustments to the Texas Education Agency's bill pattern  
22 pursuant to the provisions above, including adjustments to  
23 strategies, methods of finance, measures and riders contained in  
24 House Bill 1, 82nd Legislature, Regular Session, 2011.

25 SECTION 6. Contingency for Senate Bill 1: Legislation  
26 Relating to Certain Office of Court Administration License Fees.  
27 Contingent upon the enactment of Senate Bill 1, 82nd Legislature,

1 1st Called Session, 2011, relating to license fees and the  
2 allowable use of such fees for process servers, guardians, and  
3 court reporters by the 82nd Legislature, the Office of Court  
4 Administration is appropriated \$119,603 in fiscal year 2012 and  
5 \$119,714 in fiscal year 2013 to implement the provisions of the  
6 legislation. The number of "Full-Time-Equivalent Positions"  
7 indicated in the agency's bill pattern is increased by 2.0 each  
8 fiscal year. Fees, fines, and other miscellaneous revenues as  
9 authorized by the Process Servers Review Board, the Guardianship  
10 Certification Board, and the Court Reporters Certification Board  
11 shall cover, at a minimum, the cost of appropriations made in this  
12 provision, as well as an amount sufficient to cover "Other Direct  
13 and Indirect Costs Appropriated Elsewhere in this Act" (estimated  
14 to be \$27,783 in fiscal year 2012 and \$29,175 in fiscal year 2013).  
15 In the event that actual and/or projected revenues are insufficient  
16 to offset the costs identified by this provision, the Legislative  
17 Budget Board may direct that the Comptroller of Public Accounts  
18 reduce the appropriation authority provided above to be within the  
19 amount of revenue expected to be available.

20 SECTION 7. Contingency for Senate Bill 1: Railroad  
21 Commission. Contingent on enactment of Senate Bill 1, or similar  
22 legislation relating to the Railroad Commission by the 82nd  
23 Legislature, 1st Called Session, 2011:

24 (a) Oil and Gas Related Fees. In addition to amounts  
25 appropriated in House Bill 1, Acts of the 82nd Legislature, Regular  
26 Session, 2011, to the Railroad Commission, and contingent on Senate  
27 Bill 1, 82nd Legislature, 1st Called Session, 2011, or similar

1 legislation creating an account to cover costs of the agency's oil-  
 2 and gas-related activities, by the 82nd Legislature,  
 3 appropriations out of the General Revenue Fund are hereby reduced  
 4 by \$16,766,209 in fiscal year 2012 and by \$16,716,472 in fiscal year  
 5 2013, and, to replace these appropriations, there is hereby  
 6 appropriated \$16,766,209 in fiscal year 2012 and \$16,716,472 in  
 7 fiscal year 2013 out of the Oil and Gas Regulation and Cleanup  
 8 (OGRC) Fund created by the bill.

9 The following amounts of General Revenue funding would be  
 10 replaced with funding out of the OGRC Fund in the following  
 11 strategies:

	2012	2013
12 Strategy A.1.1, Energy	\$4,099,221	\$4,070,349
13 Resource Development		
14 Strategy C.1.1, Oil and Gas	\$10,314,041	\$10,350,753
15 Monitoring and Inspections		
16 Strategy C.2.1, Oil and Gas	\$496,396	\$461,550
17 Remediation		
18 Strategy C.2.2, Oil and Gas	\$935,444	\$919,808
19 Well Plugging		
20 Strategy D.1.2, Public	\$921,107	\$914,012
21 Information and Services		
22		
23 TOTAL	\$16,766,209	\$16,716,472

24 In addition, appropriations out of the Oil Field Cleanup  
 25 Account No. 145 are hereby reduced by \$20,581,780 in fiscal year  
 26 2012 and by \$20,581,779 in fiscal year 2013, and, to replace these

1 appropriations, there is hereby appropriated \$20,581,780 in fiscal  
 2 year 2012 and \$20,581,779 in fiscal year 2013 out of the OGRC Fund  
 3 created by the bill. The following amounts out of the General  
 4 Revenue-Dedicated Oil Field Cleanup Account No. 145 would be  
 5 replaced with funding out of the OGRC Fund in the following  
 6 strategies:

	2012	2013
7 Strategy A.1.1, Energy	\$1,114,744	\$1,114,744
8 Resource Development		
9 Strategy C.1.1, Oil and Gas	\$851,800	\$851,800
10 Monitoring and Inspections		
11 Strategy C.2.1, Oil and Gas	\$3,786,565	\$3,786,565
12 Remediation		
13 Strategy C.2.2, Oil and Gas	\$14,690,620	\$14,690,620
14 Well Plugging		
15 Strategy D.1.2, Public	\$138,051	\$138,050
16 Information and Services		
17		
18 TOTAL	\$20,581,780	\$20,581,779

19 (b) Expansion of Pipeline Safety Fee Use to Include Gas  
 20 Utility Regulation. Contingent upon enactment of Senate Bill 1,  
 21 82nd Legislature, 1st Called Session, 2011, or similar legislation  
 22 allowing for the use of pipeline safety fees for gas utility  
 23 regulatory functions, by the 82nd Legislature, the Railroad  
 24 Commission is hereby appropriated in each fiscal year of the  
 25 2012-2013 biennium an amount not to exceed \$233,000 in Strategy  
 26 A.2.1, Gas Utility Compliance. This appropriation is contingent

1 upon the Railroad Commission increasing Pipeline Safety Fees and  
2 shall be limited to revenues deposited to the credit of Revenue  
3 Object Code 3553 in excess of the Comptroller's Biennial Revenue  
4 Estimate for 2012-2013.

5         The Railroad Commission, upon completion of necessary  
6 actions to assess or increase the Pipeline Safety Fee, shall  
7 furnish copies of the minutes and other information supporting the  
8 estimated revenues to be generated for the 2012-2013 biennium under  
9 the revised fee structure to the Comptroller of Public Accounts. If  
10 the Comptroller finds the information sufficient to support the  
11 projection of increased revenues in excess of those estimated in  
12 the Biennial Revenue Estimate for 2012-2013, a finding of fact to  
13 that effect shall be issued and the contingent appropriation shall  
14 be made available for the intended purpose.

15         SECTION 8. Contingency for Senate Bill 1: Voter  
16 Registration. Contingent on enactment of Senate Bill 1, 82nd  
17 Legislature, 1st Called Session, 2011, or similar legislation  
18 relating to transferring voter registration payments from the  
19 Fiscal Programs - Comptroller of Public Accounts to the Secretary  
20 of State, amounts appropriated elsewhere in House Bill 1, 82nd  
21 Legislature, Regular Session, 2011, to the Fiscal Programs  
22 Comptroller of Public Accounts in Strategy A.1.1, Voter  
23 Registration, shall be transferred to the Secretary of State.

24         SECTION 9. Contingency for Senate Bill 1: Back to Work and  
25 Homeless Housing. Contingent on enactment of Senate Bill 1, 82nd  
26 Legislature, 1st Called Session, 2011, or similar legislation by  
27 the 82nd Legislature, relating to the transfer of General

1 Revenue-Dedicated Texas Enterprise Fund Account No. 5107  
2 appropriations to other state agencies, the Trusteed Programs  
3 within the Office of the Governor may transfer \$20,000,000 from the  
4 General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 to  
5 the Texas Workforce Commission for the Texas Back to Work Program,  
6 and to the Texas Department of Housing and Community Affairs for the  
7 Homeless Housing Program.

8 If Senate Bill 1, or similar legislation by the 82nd  
9 Legislature, 1st Called Session, 2011, relating to the transfer of  
10 General Revenue-Dedicated Texas Enterprise Fund Account No. 5107  
11 appropriations to other state agencies is not enacted, it is the  
12 intent of the Legislature that the Trusteed Programs within the  
13 Office of the Governor award a grant in the amount of \$20,000,000 in  
14 the 2012-2013 biennium out of the General Revenue-Dedicated Texas  
15 Enterprise Fund Account No. 5107 to the Texas Workforce Commission  
16 for the Texas Back to Work Program, and to the Texas Department of  
17 Housing and Community Affairs for the Homeless Housing Program.

18 SECTION 10. Contingency for Senate Bill 7: Managed Care  
19 Expansion. Contingent on the enactment of Senate Bill 7 or similar  
20 legislation by the 82nd Legislature, 1st Called Session, 2011,  
21 authorizing the use of managed care in the South Texas counties of  
22 Cameron, Hidalgo, and Maverick, the following actions shall take  
23 place:

24 a. The Health and Human Services Commission (HHSC) is  
25 appropriated \$57,370,186 in General Revenue Funds and  
26 \$87,670,192 in Federal Funds in fiscal year 2012 and  
27 \$121,680,697 in General Revenue and \$185,809,691 in

1 Federal Funds in fiscal year 2013 for Goal B, Medicaid (a  
2 biennial total of \$179,050,883 in General Revenue Funds  
3 and \$273,479,883 in Federal Funds); and

- 4 b. General Revenue appropriations to HHSC are increased by  
5 \$143,139,236 in fiscal year 2012 and \$297,625,734 in  
6 fiscal year 2013 and General Revenue appropriations to  
7 the Department of Aging and Disability Services (DADS)  
8 are reduced by \$143,139,236 in fiscal year 2012 and  
9 \$297,625,734 in fiscal year 2013; therefore,  
10 appropriations at HHSC and DADS for the expansion of the  
11 managed care model for the provision of services is  
12 assumed to be identical to the strategy funding levels of  
13 both agencies in House Bill 1, 82nd Legislature, Regular  
14 Session, 2011.

15 The Commission shall provide a report detailing the cost  
16 savings in General Revenue Funds and All Funds realized by the  
17 expansion of managed care in the biennium. The report shall be  
18 submitted to the Legislative Budget Board and the Governor by  
19 December 1, 2012.

20 SECTION 11. Contingency for Senate Bill 7: Institute of  
21 Health Care Quality and Efficiency. Contingent on the enactment of  
22 Senate Bill 7, 82nd Legislature, 1st Called Session, 2011, or  
23 similar legislation relating to creation of an Institute of Health  
24 Care Quality and Efficiency and repeal of the Texas Health Care  
25 Policy Council, the Health and Human Services Commission is  
26 appropriated \$228,800 in fiscal year 2012 and \$228,800 in fiscal  
27 year 2013 in interagency contracts. The number of "Full-Time

1   Equivalents (FTE)" is increased by 2.0 FTEs in fiscal year 2012 and  
2   2.0 FTEs in fiscal year 2013.

3           SECTION 12. Contingency for Senate Bill 7; Health Care  
4 Collaborative. Contingent on enactment of Senate Bill 7, 82nd  
5 Legislature, 1st Called Session, 2011, or similar legislation  
6 relating to creation of health care collaboratives, out of the fees  
7 and assessments collected by the Department of Insurance, the  
8 Department is appropriated:

- 9           a. \$169,408 for fiscal year 2012 and \$461,901 for fiscal  
10           year 2013 from General Revenue Insurance Companies  
11           Maintenance Tax and Insurance Department Fees, and  
12           b. \$254,112 for fiscal year 2012 and \$692,851 for fiscal  
13           year 2013 from General Revenue Dedicated Fund 36, the  
14           Texas Department of Insurance operating account, to  
15           implement the provisions of the legislation.

16           The number of "Full-Time Equivalents (FTE)" is increased by  
17 8.0 FTEs in fiscal year 2012 and 16.0 FTEs in fiscal year 2013.

18           SECTION 13. Basic Civil Legal Services and Indigent  
19 Defense. In addition to amounts appropriated in House Bill 1, 82nd  
20 Legislature, Regular Session, 2011:

21           (a) The Supreme Court of Texas in Strategy B.1.1, Basic  
22 Civil Legal Services, is hereby appropriated \$8,783,784 in fiscal  
23 year 2012 and \$8,783,783 in fiscal year 2013 in General Revenue for  
24 Basic Civil Legal Services; and

25           (b) The Office of Court Administration in Strategy A.2.1,  
26 Indigent Defense, is hereby appropriated \$2,437,944 in fiscal year  
27 2012 and \$5,175,887 in fiscal year 2013 from the General

1 Revenue-Dedicated Fair Defense Account No. 5073 to restore grants  
2 to counties (\$2,350,894 in fiscal year 2012 and \$5,088,837 in  
3 fiscal year 2013) and grant administration (\$87,050 each fiscal  
4 year). The agency's FTE cap shall be increased by 1.0 FTE for grant  
5 administration in each year of the biennium.

6 SECTION 14. Trusteed Programs within the Office of the  
7 Governor: Disaster Funding. (a) In addition to amounts  
8 appropriated in House Bill 1, 82nd Legislature, Regular Session,  
9 2011, the Trusteed Programs within the Office of the Governor is  
10 hereby appropriated \$39,000,000 in General Revenue in fiscal year  
11 2012 in lapsed appropriations made in House Bill 4586, 81st  
12 Legislature, Regular Session, 2009, for the purpose of providing  
13 disaster relief.

14 (b) If any state agency or institution of higher education  
15 receives reimbursement from the federal government, an insurer, or  
16 another source for an expenditure paid for or reimbursed under  
17 subsection (a) above, the agency or institution shall reimburse the  
18 state by depositing the amount of the reimbursement to the credit of  
19 the Trusteed Programs within the Office of the Governor. Amounts  
20 deposited under this subsection are reappropriated to the Trusteed  
21 Programs within the Office of the Governor for disaster  
22 preparedness and recovery costs for the two-year period beginning  
23 on the effective date of this Act.

24 (c) Any unexpended balance as of August 31, 2012, may be  
25 carried forward to the fiscal year starting September 1, 2012, for  
26 the same purpose.

27 SECTION 15. Commission on State Emergency Communications.

1 (a) Rider 10 on page I-31 of House Bill 1, 82nd Legislature,  
2 Regular Session, 2011, in the bill pattern of the Commission on  
3 State Emergency Communications has no effect.

4 (b) Contingent on the collection of fees in the General  
5 Revenue-Dedicated 9-1-1 Services Fees Account No. 5050 in excess of  
6 \$112,968,000 contained in the Comptroller of Public Accounts'  
7 Biennial Revenue Estimate for the 2012-2013 biennium, the  
8 Commission on State Emergency Communications is hereby  
9 appropriated the excess revenue, not to exceed \$11,722,424 for the  
10 2012-2013 biennium, in Strategy A.1.1, 9-1-1 Network Operations and  
11 Equipment Replacement for 9-1-1 Network Operations and for 9-1-1  
12 equipment replacement per the established 10-year equipment  
13 replacement schedule. If the Comptroller finds the information  
14 sufficient to support the projection of increased revenues, a  
15 finding of fact to that effect shall be issued and the contingent  
16 appropriation shall be made available for the intended purposes.

17 SECTION 16. Texas State Technical College - Waco: Connally  
18 Technology Center. Contingent on Section 13 of House Bill 4, 82nd  
19 Legislature, Regular Session, 2011, not taking effect, in addition  
20 to amounts appropriated to the Texas State Technical College - Waco  
21 in House Bill 1, 82nd Legislature, Regular Session, 2011,  
22 \$2,000,000 is hereby appropriated out of General Revenue Fund 0001  
23 to the Texas State Technical College - Waco for institutional  
24 operations.

25 SECTION 17. Lamar Institute of Technology: Technical Arts  
26 Building. Contingent on Section 34 of House Bill 4, 82nd  
27 Legislature, Regular Session, 2011, not taking effect, in addition

1 to amounts appropriated to the Lamar Institute of Technology in  
2 House Bill 1, 82nd Legislature, Regular Session, 2011, \$5,000,000  
3 is hereby appropriated from General Revenue Fund 0001 to the Lamar  
4 Institute of Technology for institutional operations.

5 SECTION 18. SAVING CLAUSE. If any section, sentence,  
6 clause or part of this Act shall for any reason be held to be  
7 invalid, such decision shall not affect the remaining portions of  
8 this Act; and it is hereby declared to be the intention of the  
9 Legislature to have passed each sentence, section, clause, or part  
10 thereof irrespective of the fact that any other sentence, section,  
11 clause, or part thereof may be declared invalid.

12 SECTION 19. This Act takes effect immediately.