

By: Bonnen

H.B. No. 145

A BILL TO BE ENTITLED

AN ACT

relating to making supplemental appropriations and giving direction regarding appropriations.

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

SECTION 1. COMPTROLLER OF PUBLIC ACCOUNTS: UNEMPLOYMENT COMPENSATION FUND. The amount of \$7,245,419,946 is appropriated to the comptroller of public accounts from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the state fiscal year beginning September 1, 2021, for the purpose of immediately depositing that amount to the credit of the unemployment compensation fund under Section 203.021, Labor Code, to pay back outstanding advances received by this state under Section 1201, Social Security Act (42 U.S.C. Section 1321), and to return the unemployment compensation fund to the statutory floor computed under Section 204.061, Labor Code, on October 1, 2021, as reimbursement for payments made as a result of the coronavirus disease pandemic.

SECTION 2. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19 SERVICES. (a) The amount of \$3,000,000,000 is appropriated to the Department of State Health Services from money received by this state from the Coronavirus State Fiscal Recovery Fund (42

1 U.S.C. Section 802) established under the American Rescue Plan Act  
2 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
3 Coronavirus Relief Fund No. 325 for the following purposes related  
4 to the coronavirus disease pandemic during the period beginning on  
5 the effective date of this Act and ending December 31, 2021:

6 (1) providing funding for state and local hospital  
7 surge staffing;

8 (2) purchasing therapeutic drugs; and

9 (3) providing funding for the operation of regional  
10 infusion centers.

11 (b) It is the intent of the legislature that any  
12 reimbursement received by the Department of State Health Services  
13 from the Federal Emergency Management Agency related to  
14 expenditures paid from money appropriated under Subsection (a) of  
15 this section be deposited to the general revenue fund and not  
16 expended until appropriated by the 88th Legislature.  
17 Appropriations made under Subsection (a) of this section that  
18 remain unobligated on January 1, 2022, lapse to the general revenue  
19 fund.

20 SECTION 3. COMPTROLLER OF PUBLIC ACCOUNTS: BROADBAND  
21 INFRASTRUCTURE. (a) The amount of \$500,475,163 is appropriated to  
22 the comptroller of public accounts from money received by this  
23 state from the Coronavirus Capital Projects Fund (42 U.S.C. Section  
24 804) established under the American Rescue Plan Act of 2021  
25 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus  
26 Relief Fund No. 325 for the purpose of providing funding for  
27 broadband infrastructure in accordance with Section [490I.0108](#),

1 Government Code, and other applicable state or federal law during  
2 the two-year period beginning on the effective date of this Act.

3 (b) Out of money appropriated by Subsection (a) of this  
4 section, \$75,000,000 may be used only for the Texas broadband pole  
5 replacement program.

6 SECTION 4. OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. The  
7 amount of \$160,000,000 is appropriated to the Office of the  
8 Governor from money received by this state from the Coronavirus  
9 State Fiscal Recovery Fund (42 U.S.C. Section 802) established  
10 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and  
11 deposited to the credit of the Coronavirus Relief Fund No. 325 for  
12 the purpose of providing funding for grants for victims of crime  
13 during the two-year period beginning on the effective date of this  
14 Act.

15 SECTION 5. PUBLIC SAFETY AGENCY SALARY COMPENSATION. (a)  
16 From money received by this state from the Coronavirus State Fiscal  
17 Recovery Fund (42 U.S.C. Section 802) established under the  
18 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited  
19 to the credit of the Coronavirus Relief Fund No. 325, the following  
20 agencies are appropriated the following amounts for the purpose of  
21 providing compensation for agency employees for the state fiscal  
22 biennium beginning September 1, 2021:

23 (1) Department of Criminal Justice: \$2,729,912,000;

24 and

25 (2) Department of Public Safety: \$582,369,271.

26 (b) The agencies listed in Subsection (a) of this section  
27 shall:

1           (1) in consultation with the comptroller of public  
2 accounts and the Legislative Budget Board, determine the proper  
3 allocation of benefits included in the appropriations made under  
4 Subsection (a) of this section; and

5           (2) identify the strategies and objectives for which  
6 the appropriations made under Subsection (a) of this section are  
7 directed.

8           (c) It is the intent of the legislature that the agencies  
9 receiving appropriations under Subsection (a) of this section  
10 consider the appropriations as a change in the method of finance of  
11 the compensation to be paid to agency employees and not as an  
12 increase in total appropriations to the agencies.

13           SECTION 6. TEACHER RETIREMENT SYSTEM: TRS-CARE AND  
14 TRS-ACTIVECARE. (a) The amount of \$286,337,761 is appropriated to  
15 the Teacher Retirement System from money received by this state  
16 from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section  
17 802) established under the American Rescue Plan Act of 2021  
18 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus  
19 Relief Fund No. 325 for the purpose of providing funding for  
20 coronavirus-related claims in TRS-Care and TRS-ActiveCare incurred  
21 before September 1, 2021, during the two-year period beginning on  
22 the effective date of this Act.

23           (b) It is the intent of the legislature that premiums for  
24 TRS-Care and TRS-ActiveCare insurance policies not increase as a  
25 result of coronavirus-related claims incurred before September 1,  
26 2021.

27           SECTION 7. DEPARTMENT OF AGRICULTURE: FOOD BANKS. The

1 amount of \$100,000,000 is appropriated to the Department of  
2 Agriculture from money received by this state from the Coronavirus  
3 State Fiscal Recovery Fund (42 U.S.C. Section 802) established  
4 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and  
5 deposited to the credit of the Coronavirus Relief Fund No. 325 for  
6 the purpose of providing supplemental funding to food banks in  
7 response to the coronavirus pandemic during the two-year period  
8 beginning on the effective date of this Act.

9 SECTION 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD  
10 MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is  
11 appropriated to the Higher Education Coordinating Board from money  
12 received by this state from the Coronavirus State Fiscal Recovery  
13 Fund (42 U.S.C. Section 802) established under the American Rescue  
14 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of  
15 the Coronavirus Relief Fund No. 325 for the purpose of supporting  
16 the operations and expansion of the Texas Child Mental Health Care  
17 Consortium to expand mental health initiatives for children during  
18 the two-year period beginning on the effective date of this Act. At  
19 the direction of the Texas Child Mental Health Care Consortium, the  
20 Higher Education Coordinating Board shall transfer appropriations  
21 through interagency contracts with health-related institutions of  
22 higher education for the following purposes:

23 (1) \$20,578,442 for enhancements and expansion of the  
24 Child Psychiatry Access Network;

25 (2) \$56,218,976 for enhancements and expansion of the  
26 Texas Child Access Through Telemedicine program;

27 (3) \$32,991,791 for expansion of the child and

1 adolescent mental health workforce; and

2 (4) \$3,293,676 for administrative expenses.

3 (b) Not later than December 1, 2021, out of money  
4 appropriated by Subsection (a) of this section, the Higher  
5 Education Coordinating Board shall transfer \$3,293,676 to an  
6 institution of higher education designated by the Texas Child  
7 Mental Health Care Consortium for oversight and evaluation of the  
8 outlined initiatives by means of interagency agreements or any  
9 other necessary contracts.

10 (c) The Texas Child Mental Health Care Consortium may  
11 transfer up to 10 percent of money appropriated for the purposes  
12 described by Subsection (a)(1), (2), or (3) of this section to any  
13 of the other purposes described by those provisions. The Texas  
14 Child Mental Health Care Consortium may transfer more than 10  
15 percent of funds for those purposes only with the prior approval for  
16 the transfer and expenditure from the Legislative Budget Board. A  
17 request for approval of the transfer and expenditure by the  
18 consortium is considered approved unless the Legislative Budget  
19 Board issues a written disapproval within 10 business days of the  
20 receipt and review of the request by the Legislative Budget Board.

21 SECTION 9. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE  
22 OPERATIONS CENTER. The amount of \$300,000,000 is appropriated to  
23 the Texas Division of Emergency Management from money received by  
24 this state from the Coronavirus State Fiscal Recovery Fund (42  
25 U.S.C. Section 802) established under the American Rescue Plan Act  
26 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
27 Coronavirus Relief Fund No. 325 for the purpose of the acquisition

1 of land for, and construction of, a state operations center during  
2 the two-year period beginning on the effective date of this Act.

3 SECTION 10. DEPARTMENT OF INFORMATION RESOURCES:  
4 CYBERSECURITY PROJECTS. The amount of \$200,000,000 is appropriated  
5 to the Department of Information Resources for deposit into the  
6 Technology Improvement and Modernization Fund No. 187 and for use  
7 during the two-year period beginning on the effective date of this  
8 Act for the purpose of cybersecurity projects from money received  
9 by this state from the Coronavirus State Fiscal Recovery Fund (42  
10 U.S.C. Section 802) established under the American Rescue Plan Act  
11 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
12 Coronavirus Relief Fund No. 325.

13 SECTION 11. HIGHER EDUCATION COORDINATING BOARD:  
14 UNIVERSITY CONSTRUCTION. Contingent on H.B. \_\_\_ or similar  
15 legislation by the 87th Legislature, 3rd Called Session, 2021,  
16 relating to the issuance of tuition revenue bonds, becoming law,  
17 the amount of \$500,000,000 is appropriated to the Higher Education  
18 Coordinating Board from money received by this state from the  
19 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)  
20 established under the American Rescue Plan Act of 2021  
21 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus  
22 Relief Fund No. 325 for the purpose of university construction  
23 during the two-year period beginning on the effective date of this  
24 Act.

25 SECTION 12. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS  
26 STATE HOSPITAL. The amount of \$237,800,000 is appropriated to the  
27 Health and Human Services Commission from money received by this

1 state from the Coronavirus State Fiscal Recovery Fund (42  
2 U.S.C. Section 802) established under the American Rescue Plan Act  
3 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
4 Coronavirus Relief Fund No. 325 for the purpose of completing  
5 construction of a state hospital in Dallas during the two-year  
6 period beginning on the effective date of this Act.

7 SECTION 13. TEXAS HIGHER EDUCATION COORDINATING BOARD:  
8 TEXAS UNIVERSITY FUND. The amount of \$2,000,000,000 is  
9 appropriated from the money received by this state from the  
10 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)  
11 established under the American Rescue Plan Act of 2021  
12 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus  
13 Relief Fund No. 325 to the Texas Higher Education Coordinating  
14 Board to be used to establish the Texas University Fund contingent  
15 on enactment of House Joint Resolution \_\_\_\_\_ and House Bill\_\_\_\_\_, or  
16 other legislation by the Eighty-seventh Legislature, Third Called  
17 Session, that proposes a constitutional amendment and any necessary  
18 enabling legislation authorizing the legislature to establish the  
19 Texas University Fund for the support of general academic  
20 institutions and health related institutions in the State of Texas,  
21 and subsequent voter approval of the associated constitutional  
22 amendment.

23 SECTION 14. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT  
24 FUND. The amount of \$52,277,114 is appropriated from the money  
25 received by this state from the Coronavirus State Fiscal Recovery  
26 Fund (42 U.S.C. Section 802) established under the American Rescue  
27 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of



1 the Coronavirus Relief Fund No. 325 to the Office of the Attorney  
2 General for deposit to the General Revenue Dedicated Sexual Assault  
3 Fund Account No. 5010 for use during the two-year period beginning  
4 on the effective date of this Act.

5 SECTION 15. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS  
6 COMPENSATION. The amount of \$54,756,000 is appropriated from the  
7 money received by this state from the Coronavirus State Fiscal  
8 Recovery Fund (42 U.S.C. Section 802) established under the  
9 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited  
10 to the credit of the Coronavirus Relief Fund No. 325 to the Office  
11 of the Attorney General for deposit to General Revenue Dedicated  
12 Crime Victims Compensation Account No. 469 to be used during the  
13 two-year period beginning on the effective date of this Act for  
14 crime victims compensation.

15 SECTION 16. COURT FEE SHORTFALL. From the money received by  
16 this state from the Coronavirus State Fiscal Recovery Fund (42  
17 U.S.C. Section 802) established under the American Rescue Plan Act  
18 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
19 Coronavirus Relief Fund No. 325, the following entities are  
20 appropriated the following amounts for the indicated purposes to be  
21 used immediately during the two-year period beginning on the  
22 effective date of this Act to address matters that have not been  
23 addressed because of court fee collections shortfalls:

24 (1) Comptroller of Public Accounts - Judiciary  
25 Section: \$14,854,228 for court case backlog including for visiting  
26 judges and support staff;

27 (2) Office of Court Administration: \$10,338,158 for

1 court case backlog including authorization of eight additional full  
2 time equivalent employees (FTEs) and information technology  
3 support;

4 (3) Office of Court Administration - Texas Indigent  
5 Defense Commission (TIDC): \$63,698,784 for court case backlog for  
6 public defenders and two additional full time equivalent employees  
7 (FTEs);

8 (4) Office of Court Administration - Texas Indigent  
9 Defense Commission (TIDC): \$13,942,466 for court case backlog for  
10 deposit to the General Revenue Dedicated Fair Defense Account  
11 No. 5073;

12 (5) Office Of Capital And Forensic Writs: \$200,000 for  
13 court case backlog, COVID costs, and one additional full time  
14 equivalent employee (FTE); and

15 (6) Texas Commission on Law Enforcement: \$9,400,000  
16 for deposit to General Revenue Dedicated Texas Commission on Law  
17 Enforcement Account No. 116.

18 SECTION 17. DEPARTMENT OF STATE HEALTH SERVICES: MONOCLONAL  
19 ANTIBODY TREATMENTS. The amount of \$140 million is appropriated to  
20 the Department of State Health Services from money received by this  
21 state from the Coronavirus State Fiscal Recovery Fund (42  
22 U.S.C. Section 802) established under the American Rescue Plan Act  
23 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the  
24 Coronavirus Relief Fund No. 325 for the purpose of providing  
25 funding for the purchase of monoclonal antibody treatments for the  
26 coronavirus disease during the two-year period beginning on the  
27 effective date of this Act.

1 SECTION 18. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.

2 It is the intent of the legislature that the appropriations made by  
3 this Act are one-time appropriations made for the purpose of  
4 addressing the needs of this state for the two-year period  
5 beginning on the effective date of this Act.

6 SECTION 19. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. The

7 appropriations made under Sections 4, 7, 8, 9, 10, 11, 12, 14, 15,  
8 and 16 of this Act using money received by this state from the  
9 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)  
10 established under the American Rescue Plan Act of 2021  
11 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section  
12 802(c)(1)(C), which allows money from the Coronavirus State Fiscal  
13 Recovery Fund to be used to provide government services to the  
14 extent of a reduction in the revenue of a state government caused by  
15 the COVID-19 public health emergency relative to revenues collected  
16 in the most recent full fiscal year of the state government that  
17 ended before that emergency.

18 SECTION 20. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER

19 LAW. The transfer provisions of Part 14, Article IX, Chapter 1053  
20 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the  
21 General Appropriations Act), and the transfer provisions of Section  
22 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular  
23 Session, 2021 (the Supplemental Appropriations Act), apply to the  
24 appropriations made by this Act to allow appropriate transfer of  
25 appropriations made by this Act as if the appropriations made by the  
26 General Appropriations Act, the Supplemental Appropriations Act,  
27 and this Act were all a part of the same Act, to the extent permitted

1 by federal law.

2 SECTION 21. EFFECTIVE DATE. This Act takes effect  
3 immediately.