

By: Wilson

H.B. No. 160

A BILL TO BE ENTITLED

AN ACT

1
2 relating to making supplemental appropriations for education
3 initiatives, institutions, and related agencies and giving
4 direction regarding appropriations.

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

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

16 (b) It is the intent of the legislature that premiums for
17 TRS-Care and TRS-ActiveCare insurance policies not increase as a
18 result of coronavirus-related claims incurred before September 1,
19 2021.

20 SECTION 2. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD
21 MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is
22 appropriated to the Higher Education Coordinating Board from money
23 received by this state from the Coronavirus State Fiscal Recovery
24 Fund (42 U.S.C. Section 802) established under the American Rescue

1 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
2 the Coronavirus Relief Fund No. 325 for the purpose of supporting
3 the operations and expansion of the Texas Child Mental Health Care
4 Consortium to expand mental health initiatives for children during
5 the two-year period beginning on the effective date of this Act. At
6 the direction of the Texas Child Mental Health Care Consortium, the
7 Higher Education Coordinating Board shall transfer appropriations
8 through interagency contracts with health-related institutions of
9 higher education for the following purposes:

10 (1) \$20,578,442 for enhancements and expansion of the
11 Child Psychiatry Access Network;

12 (2) \$56,218,976 for enhancements and expansion of the
13 Texas Child Access Through Telemedicine program;

14 (3) \$32,991,791 for expansion of the child and
15 adolescent mental health workforce; and

16 (4) \$3,293,676 for administrative expenses.

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

24 (c) The Texas Child Mental Health Care Consortium may
25 transfer up to 10 percent of money appropriated for the purposes
26 described by Subsection (a)(1), (2), or (3) of this section to any
27 of the other purposes described by those provisions. The Texas

1 Child Mental Health Care Consortium may transfer more than 10
2 percent of funds for those purposes only with the prior approval for
3 the transfer and expenditure from the Legislative Budget Board. A
4 request for approval of the transfer and expenditure by the
5 consortium is considered approved unless the Legislative Budget
6 Board issues a written disapproval within 10 business days of the
7 receipt and review of the request by the Legislative Budget Board.

8 SECTION 3. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE
9 OPERATIONS CENTER. (a) The amount of \$300,000,000 is appropriated
10 to the Texas Division of Emergency Management from money received
11 by this state from the Coronavirus State Fiscal Recovery Fund (42
12 U.S.C. Section 802) established under the American Rescue Plan Act
13 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
14 Coronavirus Relief Fund No. 325 for the purpose of the acquisition
15 of land for, and construction of, a state operations center during
16 the two-year period beginning on the effective date of this Act.

17 (b) The capital budget authority of the Texas Division of
18 Emergency Management is increased by \$300,000,000 for the
19 appropriation made under Subsection (a) of this section.

20 SECTION 4. HIGHER EDUCATION COORDINATING BOARD: UNIVERSITY
21 CONSTRUCTION. Contingent on legislation by the 87th Legislature,
22 3rd Called Session, 2021, relating to the issuance of tuition
23 revenue bonds, becoming law, the amount of \$325,000,000 is
24 appropriated to the Higher Education Coordinating Board from 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 for the purpose of university
2 construction during the two-year period beginning on the effective
3 date of this Act.

4 SECTION 5. NATIONAL RESEARCH UNIVERSITY FUND. The amount
5 of \$1,000,000,000 is appropriated to the National Research
6 University Fund from the money received by this state from the
7 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)
8 established under the American Rescue Plan Act of 2021 (Pub. L.
9 No. 117-2) and deposited to the credit of the Coronavirus Relief
10 Fund No. 325 to be used to increase the corpus of the fund. It is the
11 intent of the Legislature that the methodology used to determine
12 the total distribution from the fund be reset to reflect this
13 additional appropriation.

14 SECTION 6. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.
15 (a) It is the intent of the legislature that the appropriations made
16 by this Act are one-time appropriations made for the purpose of
17 addressing the needs of this state for the two-year period
18 beginning on the effective date of this Act.

19 (b) It is the intent of the legislature that the
20 appropriations made by this Act be used only for purposes
21 authorized by state and federal law, including guidance issued by
22 the United States Department of the Treasury as part of the interim
23 final rules published in 86 Fed. Reg. 26786 (May 17, 2021).

24 (c) It is the intent of the legislature that the
25 appropriations made by this Act be used before all other methods of
26 finance if more than one method of finance has been appropriated by
27 this and a prior act of the legislature for use during a state

1 fiscal year.

2 (d) It is the intent of the legislature that if the purpose
3 of an appropriation, for any reason, is determined by the United
4 States Department of the Treasury or any other qualified state or
5 federal authority to have been made for an improper use, the
6 appropriated money not be spent and instead be retained in the
7 treasury and available for later legislative appropriation.

8 SECTION 7. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. The
9 appropriations made under Sections 2, 3, 4, and 5 of this Act using
10 money received by this state from the Coronavirus State Fiscal
11 Recovery Fund (42 U.S.C. Section 802) established under the
12 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in
13 accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money
14 from the Coronavirus State Fiscal Recovery Fund to be used to
15 provide government services to the extent of a reduction in the
16 revenue of a state government caused by the COVID-19 public health
17 emergency relative to revenues collected in the most recent full
18 fiscal year of the state government that ended before that
19 emergency.

20 SECTION 8. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER
21 LAW. The transfer provisions of Part 14, Article IX, Chapter 1053
22 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the
23 General Appropriations Act), and the transfer provisions of Section
24 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular
25 Session, 2021 (the Supplemental Appropriations Act), apply to the
26 appropriations made by this Act to allow appropriate transfer of
27 appropriations made by this Act as if the appropriations made by the

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1 General Appropriations Act, the Supplemental Appropriations Act,
2 and this Act were all a part of the same Act, to the extent permitted
3 by federal law.

4 SECTION 9. EFFECTIVE DATE. This Act takes effect
5 immediately.