

By: Nelson, et al.
(Bonnen)

S.B. No. 8

Substitute the following for S.B. No. 8:

By: Holland

C.S.S.B. No. 8

A BILL TO BE ENTITLED

1 AN ACT

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

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

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

21 SECTION 2. FISCAL PROGRAMS-COMPTROLLER OF PUBLIC ACCOUNTS:
22 BROADBAND INFRASTRUCTURE. (a) The amount of \$500,475,163 is
23 appropriated to Fiscal Programs-Comptroller of Public Accounts
24 from money received by this state from the Coronavirus Capital

1 Projects Fund (42 U.S.C. Section 804) established under the
2 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited
3 to the credit of the Coronavirus Relief Fund No. 325 for the purpose
4 of providing funding for broadband infrastructure in accordance
5 with Section 490I.0108, Government Code, and other applicable state
6 or federal law during the two-year period beginning on the
7 effective date of this Act.

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

11 SECTION 3. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE
12 GOVERNOR: VICTIMS OF CRIME. (a) The amount of \$160,000,000 is
13 appropriated to the Trusteed Programs within the Office of the
14 Governor from money received by this state from the Coronavirus
15 State Fiscal Recovery Fund (42 U.S.C. Section 802) established
16 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and
17 deposited to the credit of the Coronavirus Relief Fund No. 325 for
18 the purpose of providing funding for grants for victims of crime
19 during the two-year period beginning on the effective date of this
20 Act.

21 (b) It is the intent of the legislature that grants made for
22 victims of crime during the state fiscal year beginning September
23 1, 2021, and the state fiscal year beginning September 1, 2022,
24 equal grants made for victims of crime during the state fiscal year
25 beginning September 1, 2020.

26 SECTION 4. DEPARTMENT OF AGRICULTURE: FOOD BANKS. The
27 amount of \$100,000,000 is appropriated to the Department of

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

8 SECTION 5. DEPARTMENT OF INFORMATION RESOURCES:
9 CYBERSECURITY PROJECTS. (a) The amount of \$200,000,000 is
10 appropriated to the Department of Information Resources for deposit
11 into the Technology Improvement and Modernization Fund No. 187 and
12 for use during the two-year period beginning on the effective date
13 of this Act for the purpose of cybersecurity projects from money
14 received by this state from the Coronavirus State Fiscal Recovery
15 Fund (42 U.S.C. Section 802) established under the American Rescue
16 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
17 the Coronavirus Relief Fund No. 325. Before spending money
18 appropriated under this subsection, the department must receive
19 approval for the proposed cybersecurity projects from the Joint
20 Oversight Committee on Investment in Information Technology
21 Improvement and Modernization Projects established under Section
22 [2054.578](#), Government Code.

23 (b) The capital budget authority of the Department of
24 Information Resources in Chapter 1053 (S.B. 1), Acts of the 87th
25 Legislature, Regular Session, 2021 (the General Appropriations
26 Act), is increased by \$200,000,000 for the appropriation made under
27 Subsection (a) of this section.

1 SECTION 6. TEXAS FACILITIES COMMISSION: PERMIAN BASIN
2 BEHAVIORAL HEALTH CENTER. (a) The amount of \$40,000,000 is
3 appropriated to the Texas Facilities Commission from money received
4 by this state from the Coronavirus State Fiscal Recovery Fund (42
5 U.S.C. Section 802) established under the American Rescue Plan Act
6 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
7 Coronavirus Relief Fund No. 325 for the purpose of constructing a
8 100-bed comprehensive behavioral health center to serve the Permian
9 Basin region during the two-year period beginning on the effective
10 date of this Act.

11 (b) Upon completion of the construction described by
12 Subsection (a) of this section, ownership of the building shall
13 transfer to the Permian Basin Behavioral Health Center controlled
14 by the Ector County Hospital District and the Midland County
15 Hospital District.

16 (c) The appropriation under Subsection (a) of this section
17 is contingent on the completion of a signed agreement between the
18 Texas Facilities Commission and the Ector County Hospital District
19 and the Midland County Hospital District guaranteeing the ongoing
20 operations of the comprehensive behavioral health center described
21 by Subsection (a) of this section by the Permian Basin Behavioral
22 Health Center to ensure the continuing benefit to the residents of
23 this state.

24 SECTION 7. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT
25 PROGRAM ACCOUNT. The amount of \$52,277,114 is appropriated to the
26 Office of the Attorney General for deposit into the Sexual Assault
27 Program Account No. 5010 and for use by the office as authorized by

1 other law during the two-year period beginning on the effective
2 date of this Act from money received by this state from the
3 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)
4 established under the American Rescue Plan Act of 2021
5 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
6 Relief Fund No. 325.

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

17 SECTION 9. APPROPRIATIONS FOR SHORTFALL IN COURT FEES. (a)
18 To address matters related to shortfalls in court fee collections,
19 the following amounts are appropriated to the following entities
20 from money received by this state from the Coronavirus State Fiscal
21 Recovery Fund (42 U.S.C. Section 802) established under the
22 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited
23 to the credit of the Coronavirus Relief Fund No. 325 for the
24 indicated purposes for the two-year period beginning on the
25 effective date of this Act:

26 (1) Comptroller of Public Accounts, Judiciary
27 Section: \$14,854,228 for the purpose of addressing the backlog in

1 court cases, including to pay for visiting judges and support
2 staff;

3 (2) Office of Court Administration, Texas Judicial
4 Council:

5 (A) \$10,338,158 for the purpose of addressing the
6 backlog in court cases, including information technology support;
7 and

8 (B) for Strategy D.1.1., Texas Indigent Defense
9 Commission, as listed in Chapter 1053 (S.B. 1), Acts of the 87th
10 Legislature, Regular Session, 2021 (the General Appropriations
11 Act):

12 (i) \$63,698,784 for the purpose of
13 addressing the backlog in court cases, including to pay for public
14 defenders; and

15 (ii) \$13,942,466 for deposit into the Fair
16 Defense Account No. 5073 and for use by the office for the purpose
17 of addressing the backlog in court cases, as authorized by other
18 law;

19 (3) Office of Capital and Forensic Writs: \$200,000 for
20 the purpose of addressing the backlog in court cases and paying
21 costs related to the coronavirus disease pandemic; and

22 (4) Texas Commission on Law Enforcement: \$9,400,000
23 for deposit into the Texas Commission on Law Enforcement Account
24 No. 116 and for use by the commission as authorized by other law.

25 (b) During the two-year period beginning on the effective
26 date of this Act, in addition to the number of full-time equivalent
27 (FTE) employees other law authorizes the office to employ during

1 that period, the Office of Court Administration, Texas Judicial
2 Council may employ:

3 (1) out of money appropriated by Subsection (a)(2)(A)
4 of this section, eight full-time equivalent (FTE) employees; and

5 (2) out of money appropriated by Subsection
6 (a)(2)(B)(i) of this section, two full-time equivalent (FTE)
7 employees.

8 (c) During the two-year period beginning on the effective
9 date of this Act, in addition to the number of full-time equivalent
10 (FTE) employees other law authorizes the office to employ during
11 that period, the Office of Capital and Forensic Writs may employ out
12 of money appropriated by Subsection (a)(3) of this section one
13 full-time equivalent (FTE) employee.

14 (d) The capital budget authority of the Office of Court
15 Administration, Texas Judicial Council, in Chapter 1053 (S.B. 1),
16 Acts of the 87th Legislature, Regular Session, 2021 (the General
17 Appropriations Act), is increased by \$1,330,680 for the
18 appropriation made under Subsection (a)(2)(A) of this section.

19 SECTION 10. COMMISSION ON STATE EMERGENCY COMMUNICATIONS:
20 NEXT GENERATION 9-1-1 SERVICE FUND. (a) The amount of \$150,000,000
21 is appropriated to the Commission on State Emergency Communications
22 for deposit into the Next Generation 9-1-1 Service Fund No. 0195
23 and for use by the commission as authorized by other law for the
24 deployment and reliable operation of next generation 9-1-1 service,
25 including equipment and administration costs, during the two-year
26 period beginning on the effective date of this Act from money
27 received by this state from the Coronavirus State Fiscal Recovery

1 Fund (42 U.S.C. Section 802) established under the American Rescue
2 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
3 the Coronavirus Relief Fund No. 325.

4 (b) In accordance with Section 771.0713(f), Health and
5 Safety Code, it is the intent of the legislature that all money
6 appropriated under Subsection (a) of this section be distributed
7 not later than December 31, 2022, and all money distributed under
8 this subsection be spent not later than December 31, 2024, for the
9 purpose described by Subsection (a) of this section.

10 SECTION 11. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS
11 INSPECTION STATION. The amount of \$15,000,000 is appropriated to
12 the Department of Transportation from money received by this state
13 from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section
14 802) established under the American Rescue Plan Act of 2021
15 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
16 Relief Fund No. 325 for the purpose of providing funding for a
17 customs inspection station on the South Orient Rail Line in
18 Presidio, Texas, during the two-year period beginning on the
19 effective date of this Act.

20 SECTION 12. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.

21 (a) It is the intent of the legislature that the appropriations
22 made by this Act:

23 (1) are one-time appropriations made for the purpose
24 of addressing the needs of this state for the two-year period
25 beginning on the effective date of this Act; and

26 (2) be used:

27 (A) only for purposes authorized by state and

1 federal law, including guidance issued by the United States
2 Department of the Treasury in 86 Fed. Reg. 26786 (May 17, 2021); and

3 (B) before all other methods of finance, if more
4 than one method of finance is available for the applicable purpose.

5 (b) It is the intent of the legislature that, if the United
6 States Department of the Treasury or any other qualified state or
7 federal authority determines that a purpose for which money is
8 appropriated under this Act is an improper use of that money, the
9 appropriated money not be spent and instead be retained in the
10 treasury for later legislative appropriation.

11 SECTION 13. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. The
12 appropriations made under Sections 3, 4, 5, 6, 7, 8, 9, 10, and 11 of
13 this Act using money received by this state from the Coronavirus
14 State Fiscal Recovery Fund (42 U.S.C. Section 802) established
15 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are
16 made in accordance with 42 U.S.C. Section 802(c)(1)(C), which
17 allows money from the Coronavirus State Fiscal Recovery Fund to be
18 used to provide government services to the extent of a reduction in
19 the revenue of a state government caused by the COVID-19 public
20 health emergency relative to revenues collected in the most recent
21 full fiscal year of the state government that ended before that
22 emergency.

23 SECTION 14. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER
24 LAW. The transfer provisions of Part 14, Article IX, Chapter 1053
25 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the
26 General Appropriations Act), and the transfer provisions of Section
27 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular

1 Session, 2021 (the Supplemental Appropriations Act), apply to the
2 appropriations made by this Act to allow appropriate transfer of
3 appropriations made by this Act as if the appropriations made by the
4 General Appropriations Act, the Supplemental Appropriations Act,
5 and this Act were all a part of the same Act, to the extent permitted
6 by federal law.

7 SECTION 15. EFFECTIVE DATE. This Act takes effect
8 immediately.