

By: Nelson

S.B. No. 8

A BILL TO BE ENTITLED

AN ACT

1
2 relating to making appropriations of certain federal coronavirus
3 relief money.

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 U.S.C.
9 Section 802) established under the American Rescue Plan Act of 2021
10 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
11 Relief Fund No. 325 for use during the state fiscal year beginning
12 September 1, 2021, for the purpose of immediately depositing that
13 amount to the credit of the unemployment compensation fund under
14 Section 203.021, Labor Code, to pay back outstanding advances
15 received by this state under Section 1201, Social Security Act (42
16 U.S.C. Section 1321), and to return the unemployment compensation
17 fund to the statutory floor computed under Section 204.061, Labor
18 Code, on October 1, 2021, as reimbursement for payments made as a
19 result of the coronavirus disease pandemic.

20 SECTION 2. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19
21 SERVICES. (a) The amount of \$3,000,000,000 is appropriated to the
22 Department of State Health Services from money received by this
23 state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C.
24 Section 802) established under the American Rescue Plan Act of 2021

1 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
2 Relief Fund No. 325 for the following purposes related to the
3 coronavirus disease pandemic during the period beginning on the
4 effective date of this Act and ending December 31, 2021:

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

7 (2) purchasing therapeutic drugs; and

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

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

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

1 period beginning on the effective date of this Act.

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

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

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

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

23 and

24 (2) Department of Public Safety: \$941,836,021.

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

27 (1) in consultation with the comptroller of public

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

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

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

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

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

26 SECTION 7. 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 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD
9 MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is
10 appropriated to the Higher Education Coordinating Board from money
11 received by this state from the Coronavirus State Fiscal Recovery
12 Fund (42 U.S.C. Section 802) established under the American Rescue
13 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
14 the Coronavirus Relief Fund No. 325 for the purpose of supporting
15 the operations and expansion of the Texas Child Mental Health Care
16 Consortium to expand mental health initiatives for children during
17 the two-year period beginning on the effective date of this Act. At
18 the direction of the Texas Child Mental Health Care Consortium, the
19 Higher Education Coordinating Board shall transfer appropriations
20 through interagency contracts with health-related institutions of
21 higher education for the following purposes:

22 (1) \$20,578,442 for enhancements and expansion of the
23 Child Psychiatry Access Network;

24 (2) \$56,218,976 for enhancements and expansion of the
25 Texas Child Access Through Telemedicine program;

26 (3) \$32,991,791 for expansion of the child and
27 adolescent mental health workforce; and

1 (4) \$3,293,676 for administrative expenses.

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

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

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

1 the two-year period beginning on the effective date of this Act.

2 SECTION 10. DEPARTMENT OF INFORMATION RESOURCES:
3 CYBERSECURITY PROJECTS. The amount of \$200,000,000 is appropriated
4 to the Department of Information Resources for deposit into the
5 Technology Improvement and Modernization Fund No. 187 and for use
6 during the two-year period beginning on the effective date of this
7 Act for the purpose of cybersecurity projects from money received
8 by this 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.

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

23 SECTION 12. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS
24 STATE HOSPITAL. The amount of \$237,800,000 is appropriated to the
25 Health and Human Services Commission from money received by this
26 state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C.
27 Section 802) established under the American Rescue Plan Act of 2021

1 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
2 Relief Fund No. 325 for the purpose of completing construction of a
3 state hospital in Dallas during the two-year period beginning on
4 the effective date of this Act.

5 SECTION 13. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.
6 It is the intent of the legislature that the appropriations made by
7 this Act are one-time appropriations made for the purpose of
8 addressing the needs of this state for the two-year period
9 beginning on the effective date of this Act.

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

22 SECTION 15. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER
23 LAW. The transfer provisions of Part 14, Article IX, Chapter 1053
24 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the
25 General Appropriations Act), and the transfer provisions of Section
26 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular
27 Session, 2021 (the Supplemental Appropriations Act), apply to the

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

6 SECTION 16. EFFECTIVE DATE. This Act takes effect
7 immediately.