

Amend CSHB 28 by adding a new article, numbered appropriately, to read as follows:

ARTICLE \_\_\_\_\_. TEXAS GRANT PROGRAM FUNDING

SECTION \_\_.01. Section 20.02, Chapter 1325, Acts of the 78th Legislature, Regular Session, 2003, is amended to read as follows:

Sec. 20.02. (a) ~~[The comptroller shall establish the Texas mobility fund debt service account as a dedicated account within the general revenue fund.]~~

[(b)] Notwithstanding Sections 780.002(b) and (c) ~~[780.002(a) and (b)]~~, Health and Safety Code, as added by this Act, of the money allocated to the undedicated portion of the general revenue fund by Section 780.002(b) ~~[780.002(a)]~~, Health and Safety Code, as added by this Act, other than money that may only be appropriated to the Department of Public Safety, in state fiscal years ~~[year]~~ 2004 and 2005 the comptroller shall deposit that money to the credit of the Texas mobility fund instead of to the credit of the general revenue fund ~~[debt service account, which is subject to the provisions of Subsection (d)]~~.

(b) ~~[(c)]~~ Notwithstanding Section 542.4031(g)(1), Transportation Code, as added by this Act, of the money allocated to the undedicated portion of the general revenue fund in Section 542.4031(g)(1), Transportation Code, in state fiscal years ~~[year]~~ 2004 and 2005 the comptroller shall deposit that money to the credit of the Texas mobility fund instead of to the credit of general revenue fund ~~[debt service account, which is subject to the provisions of Subsection (d)]~~.

(c) ~~[(d) Funds deposited to the Texas mobility fund debt service account pursuant to Subsections (b) and (c) may be transferred to the Texas mobility fund upon certification by the Texas Transportation Commission to the comptroller that a payment is due under an obligation pursuant to Section 49-k, Article 3, Texas Constitution. Funds in the Texas mobility fund debt service account are not appropriate in the state fiscal year ending August 31, 2004.]~~

~~[(e)]~~ Notwithstanding Sections 521.058, 521.313(c), 521.3466(e), 521.427, 522.029(i), 524.051(c), 548.508, 644.153(i), and 724.046(c), Transportation Code, as added by this Act, to the

extent that those sections allocate funds to the Texas mobility fund, in state fiscal years [~~year~~] 2004 and 2005 the comptroller shall deposit those funds to the credit of the general revenue fund instead of to the credit of the Texas mobility fund.

SECTION \_\_.02. (a) An amount of money estimated to be \$231,700,000 deposited to the credit of the general revenue fund in state fiscal year 2005 under Section 20.02(c), Chapter 1325, Acts of the 78th Legislature, Regular Session, 2003, as amended by this Act, is appropriated out of the general revenue fund as follows:

(1) for the state fiscal year beginning September 1, 2004, \$125 million is appropriated to the Texas Higher Education Coordinating Board for the purposes of the TEXAS Grant Program under Subchapter M, Chapter 56, Education Code; and

(2) for the state fiscal biennium beginning September 1, 2003, the remainder of that money is appropriated to replace and equal amount of federal fiscal relief funds utilized to certify general revenue appropriations made by Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act).

(b) The federal fiscal relief funds replaced under Subsection (a)(2) of this section are appropriated to the comptroller of public accounts for the state fiscal biennium beginning September 1, 2003, for the purposes described by Section 11.28, Article IX, Chapter 1330, Acts of the 78th Legislature, Regular Session, 2003 (the General Appropriations Act).

(c) This section supersedes any other law enacted by the 78th Legislature, 3rd Called Session, 2003, to the extent of any conflict, regardless of relative dates of enactment.