

Amend CSSB 1952 (House Committee Report) by adding the following appropriately numbered article to Part 2 of the bill:

ARTICLE _____. REPAYMENT TO THE ECONOMIC STABILIZATION FUND

SECTION _____.01 Subchapter G, Government Code, is amended by adding Section 403.107 to read as follows:

Section 403.107. REPAYMENT TO THE ECONOMIC STABILIZATION FUND.

(a) Appropriations from the economic stabilization fund shall be repaid to the fund during the succeeding biennium. Except as provided by Subsection (b) of this section, the comptroller during the succeeding biennium shall transfer from the general revenue fund to the economic stabilization fund an amount equal to the amount appropriated from the economic stabilization fund for all or part of the biennium. The comptroller shall transfer one-half of the required amount during the first fiscal year of the succeeding biennium and one-half of the required amount during the second fiscal year of the succeeding biennium, except that the amount transferred during the first fiscal year may be unequal to the amount transferred during the second fiscal year if the comptroller determines that the financial condition of the state makes it necessary to transfer unequal amounts.

(b) The comptroller shall reduce the amount otherwise required to be repaid under this section as necessary to ensure that the amount in the economic stabilization fund does not exceed the limit prescribed by Subsection (g), Section 49-g, Article III, Texas Constitution.

SECTION _____.02 The change in law made by this article takes effect January 1, 2004, and appropriations made from the economic stabilization fund by the 78th Legislature shall be repaid to the fund during the state fiscal biennium beginning September 1, 2005, including appropriations made from the fund for the state fiscal year ending August 31, 2003.