

BILL ANALYSIS

H.B. 3175
By: Pitts
Appropriations
Committee Report (Amended)

BACKGROUND AND PURPOSE

The Comptroller of Public Accounts is responsible for managing the cash flows of the General Revenue Fund. Currently, the Comptroller may borrow only from funds in the state treasury even though the Comptroller manages numerous funds outside of the treasury. House Bill 3175 addresses cash flow issues by expanding inter-fund borrowing authority to reach other funds under the Comptroller's authority on a short-term basis.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

House Bill 3175 amends the Government Code by authorizing the Comptroller of Public Accounts to transfer available cash between funds that are managed by or under the custody of the Comptroller. The Comptroller must return the cash to the funds from which it was transferred, in the amount that was transferred, as soon as practicable, and earned interest shall be allocated as if the transfer was not made. The Comptroller shall indicate that cash transferred to the General Revenue Fund is a liability and may not be appropriated by the legislature.

House Bill 3175 also appropriates to the Comptroller the amount necessary to return cash to the funds from which it was transferred during Fiscal Year 2003.

House Bill 3175 also appropriates to the Comptroller the amount necessary to return cash to the funds from which it was transferred during Fiscal Year 2004.

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2003.

EXPLANATION OF AMENDMENTS

Committee Amendment No. 1 adds language clarifying the fact that funds transferred to the General Revenue Fund from other funds may not be appropriated except as necessary to transfer cash back to the funds from which it was transferred.

Committee Amendment No. 1 also removes language from the bill that would appropriate to the comptroller, from the general revenue fund for Fiscal Year 2003, the amount needed to return cash to the funds from which it was transferred during Fiscal Year 2003.

