

By: Berman

H.B. No. 3305

A BILL TO BE ENTITLED

1 AN ACT

2 relating to statutory authority to reduce appropriations made by
3 the legislature to certain governmental entities.

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

5 SECTION 1. Notwithstanding any statute to the contrary, the
6 legislature, in its discretion, may determine the amount of each
7 appropriation of state funds. The amounts required by statute for
8 entities that receive state funds under Article V of the General
9 Appropriations Act may be reduced or eliminated in order to achieve
10 a balanced budget.

11 SECTION 2. Chapter 2102, Government Code, is amended by
12 adding Section 2102.0041 to read as follows:

13 Sec. 2102.0041. EXEMPTION. Notwithstanding Section
14 2102.004, this chapter does not apply to the Criminal Justice
15 Policy Council.

16 SECTION 3. The adjutant general's department shall reduce
17 expenditures by instituting measures necessary to receive as much
18 federal funding as possible while implementing cost-saving
19 measures.

20 SECTION 4. Section 5.50(b), Alcoholic Beverage Code, is
21 amended to read as follows:

22 (b) The commission may not increase or decrease a fee set by
23 this code, but if a statute is enacted creating a certificate,
24 permit, or license and there is no fee established, the commission

1 by rule may set a fee. The commission by rule shall assess and
2 collect annual surcharges from all holders of a certificate,
3 permit, or license issued by the commission in addition to any fee
4 set by this code. [~~The surcharges shall be set at a level so that
5 the anticipated total of all fees collected by the commission for a
6 fiscal year and all surcharges for a fiscal year are equal to the
7 legislative appropriation to the commission for the regulation of
8 alcoholic beverages.~~] In assessing a surcharge, the commission may
9 not overly penalize any segment of the alcoholic beverage industry
10 or impose an undue hardship on small businesses.

11 SECTION 5. This Act takes effect immediately if it receives
12 a vote of two-thirds of all the members elected to each house, as
13 provided by Section 39, Article III, Texas Constitution. If this
14 Act does not receive the vote necessary for immediate effect, this
15 Act takes effect September 1, 2003.