

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

March 7, 2005

TO: Honorable Suzanna Gratia Hupp, Chair, House Committee on Human Services

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB134 by Rose (Relating to permissible uses of money in the comprehensive rehabilitation fund.), **As Introduced**

No fiscal implication to the State is anticipated.

This bill would repeal Section 111.060(d) of the Human Resources Code, relating to the permissible use of comprehensive rehabilitation account monies for general governmental purposes. The bill would take effect immediately upon enactment if it receives a two-thirds majority vote in both houses of the Legislature, otherwise it would take effect on September 1, 2005.

Under current law, funds in General Revenue-Dedicated Account 107 Comprehensive Rehabilitation Fund may be used for general governmental purposes under certain conditions, as specified in Section 111.060(d). The conditions include: if the Comptroller certifies there is a shortfall in a current biennium or if the Comptroller estimates in the biennial revenue estimates that there will be less revenue for a succeeding biennium than for the current biennium, similar to the circumstances necessary for the legislature to make an appropriation from the Economic Stabilization Fund. The third condition is if the Legislative Budget Board determines a state fiscal emergency exists and determines money from the Comprehensive Rehabilitation Fund is needed for general governmental purposes.

If enacted, the bill would repeal Section 111.060(d) and the money would no longer be available for general governmental purposes under the first two conditions. The third condition is duplicative of Government Code, Chapter 317, State Budget Execution, and authority to transfer appropriations in a state fiscal emergency will be retained by the Legislative Budget Board.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 538 Department of Assistive and Rehabilitative Services

LBB Staff: JOB, CL, PP, BW