

Amend SB 1848 by striking all below the enacting clause and substituting the following:

SECTION 1. Section 57.48(k)(1), Education Code, is amended to read as follows:

(1) "Compensation" means base salary or wages, longevity pay, hazardous duty pay, benefit replacement pay, a retirement annuity, or an emolument provided in lieu of base salary or wages.

SECTION 2. Section 73.003(c), Government Code, is amended to read as follows:

(c) If a case is transferred to a court that regularly sits not more than 35 miles from the place the court from which the case was transferred regularly sits, the court, at the discretion of its chief justice and after notice to the parties or their counsel, may hear oral arguments at the place it regularly sits. For purposes of this subsection, the place where a court of appeals regularly sits is that specified in Subchapter C, Chapter 22, and the mileage between the places is that determined [~~by the comptroller~~] under Chapter 660.

SECTION 3. Section 403.055(1)(1), Government Code, is amended to read as follows:

(1) "Compensation" means base salary or wages, longevity pay, hazardous duty pay, benefit replacement pay, a retirement annuity, or an emolument provided in lieu of base salary or wages.

SECTION 4. Section 403.0551(d), Government Code, is amended to read as follows:

(d) This section does not authorize the comptroller to deduct the amount of a state employee's indebtedness to a state agency from any amount of compensation owed by the agency to the employee, the employee's successor, or the assignee of the employee or successor. In this subsection:

(1) [7] "compensation[7]" has the meaning assigned by Section 403.055; and

(2) "indebtedness," "state agency," "state employee," and "successor" have the meanings assigned by Section 666.001.

SECTION 5. Section 404.024, Government Code, is amended by

amending Subsections (b) and (l) and adding Subsections (m) and (n) to read as follows:

(b) State funds not deposited in state depositories shall be invested by the comptroller in:

(1) direct security repurchase agreements;

(2) reverse security repurchase agreements;

(3) direct obligations of or obligations the principal and interest of which are guaranteed by the United States;

(4) direct obligations of or obligations guaranteed by agencies or instrumentalities of the United States government;

(5) bankers' acceptances that:

(A) are eligible for purchase by the Federal Reserve System;

(B) do not exceed 270 days to maturity; and

(C) are issued by a bank whose other comparable short-term obligations are rated in [that has received] the highest short-term [credit] rating category, within which there may be subcategories or gradations indicating relative standing, including such subcategories or gradations as "rating category" or "rated," by a nationally recognized statistical rating organization, as defined by Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated under the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.) by the Securities and Exchange Commission [investment rating firm];

(6) commercial paper that:

(A) does not exceed 270 days to maturity; and

(B) except as provided by Subsection (i), is issued by an entity whose other comparable short-term obligations are rated in [has received] the highest short-term [credit] rating category by a nationally recognized statistical rating organization [investment rating firm];

(7) contracts written by the treasury in which the treasury grants the purchaser the right to purchase securities in the treasury's marketable securities portfolio at a specified price over a specified period and for which the treasury is paid a fee and specifically prohibits naked-option or uncovered option trading;

(8) direct obligations of or obligations guaranteed by

the Inter-American Development Bank, the International Bank for Reconstruction and Development (the World Bank), the African Development Bank, the Asian Development Bank, and the International Finance Corporation that have received the highest long-term [~~credit~~] rating categories for debt obligations by a nationally recognized statistical rating organization [~~investment rating firm~~];

(9) bonds issued, assumed, or guaranteed by the State of Israel;

(10) obligations of a state or an agency, county, city, or other political subdivision of a state;

(11) mutual funds secured by obligations that are described by Subdivisions (1) through (6) or by obligations consistent with Rule 2a-7 (17 C.F.R. Section 270.2a-7), promulgated by the Securities and Exchange Commission, including pooled funds:

(A) established by the Texas Treasury Safekeeping Trust Company;

(B) operated like a mutual fund; and

(C) with portfolios consisting only of dollar-denominated securities; [~~and~~]

(12) foreign currency for the sole purpose of facilitating investment by state agencies that have the authority to invest in foreign securities;

(13) asset-backed securities, as defined by the Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7), that are rated at least A or its equivalent by a nationally recognized statistical rating organization and that have a weighted-average maturity of five years or less; and

(14) corporate debt obligations that are rated at least A or its equivalent by a nationally recognized statistical rating organization and mature in five years or less from the date on which the obligations were "acquired," as defined by the Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7).

(1) The comptroller may lend securities under procedures established by the comptroller. The procedures must be consistent with industry practice and must include a requirement to fully

secure the loan with cash, obligations described by Subsections (b)(1)-(6), or a combination of cash and the described obligations. Notwithstanding any law to the contrary, cash may be reinvested in the items permitted under Subsection (b) or mutual funds, as defined by the Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7) [In this subsection, "obligation" means an item described by Subsections (b)(1)-(6)].

(m) In entering into a direct security repurchase agreement or a reverse security repurchase agreement, the comptroller may agree to accept cash on an overnight basis in lieu of the securities, obligations, or participation certificates identified in Section 404.001(3). Cash held by the state under this subsection is not a deposit of state or public funds for purposes of any statute, including this subchapter or Subchapter D, that requires a deposit of state or public funds to be collateralized by eligible securities.

(n) Notwithstanding any other law to the contrary, any government investment pool created to function as a money market mutual fund and managed by the comptroller or the Texas Treasury Safekeeping Trust Company may invest the funds it receives in investments that are "eligible securities," as defined by the Securities and Exchange Commission in Rule 2a-7 (17 C.F.R. Section 270.2a-7), if it maintains a dollar-weighted average portfolio maturity of 90 days or less, with the maturity of each portfolio security calculated in accordance with Rule 2a-7 (17 C.F.R. Section 270.2a-7), and meets the diversification requirements of Rule 2a-7.

SECTION 6. Section 442.015, Government Code, is amended by amending Subsections (a), (b), and (f) and adding Subsections (h), (i), (j), (k), and (l) to read as follows:

(a) Notwithstanding Sections 403.094 and 403.095, the Texas preservation trust fund account is a separate account in the general revenue fund. The account consists of transfers made to the account, loan repayments, grants and donations made for the purposes of this program, proceeds of sales, earnings [~~income earned~~] on [~~money in~~] the account, and any other money received under this section. Distributions from [~~Money in~~] the account may be used only for the purposes of this section and may not be used to

pay operating expenses of the commission. Money allocated to the commission's historic preservation grant program shall be deposited to the credit of the account. Earnings [~~Income earned~~] on [~~money in~~] the account shall be deposited to the credit of the account.

(b) The commission may use distributions from [~~money in~~] the Texas preservation trust fund account to provide financial assistance to public or private entities for the acquisition, survey, restoration, or preservation, or for planning and educational activities leading to the preservation, of historic property in the state that is listed in the National Register of Historic Places or designated as a State Archeological Landmark or Recorded Texas Historic Landmark, or that the commission determines is eligible for such listing or designation. The financial assistance may be in the amount and form and according to the terms that the commission by rule determines. The commission shall give priority to property the commission determines to be endangered by demolition, neglect, underuse, looting, vandalism, or other threat to the property. Gifts and grants [~~Money~~] deposited to the credit of the account specifically for any eligible projects may be used only for the type of projects specified. If such a specification is not made, the gift or grant [~~money~~] shall be unencumbered and accrue to the benefit of the Texas preservation trust fund account. If such a specification is made, the entire amount of the gift or grant may be used during any period for the project or type of project specified.

(f) The advisory board shall recommend to the commission rules for administering Subsections (a)-(e) [~~this section~~].

(h) The comptroller shall manage the assets of the account. In managing the assets of the account, the comptroller may acquire, exchange, sell, supervise, manage, or retain, through procedures and subject to restrictions the comptroller considers appropriate, any kind of investment that a prudent investor, exercising reasonable care, skill, and caution, would acquire or retain in light of the purposes, terms, distribution requirements, and other circumstances of the account then prevailing, taking into consideration the investment of all the assets of the account

rather than a single investment.

(i) The amount of a distribution shall be determined by the comptroller in a manner intended to provide a stable and predictable stream of annual distributions and to maintain over time the purchasing power of account investments and annual distributions from the account. If the purchasing power of account investments for any 10-year period is not preserved, the comptroller may not increase annual distributions from the account until the purchasing power of account investments is restored.

(j) An annual distribution made by the comptroller from the account during a fiscal year may not exceed an amount equal to seven percent of the average net fair market value of the investment assets of the account as determined by the comptroller.

(k) The expenses of managing account investments shall be paid from the account.

(l) On request, the comptroller shall fully disclose all details concerning the investments of the account.

SECTION 7. (a) It is the intent of the legislature that the Health and Human Services Commission use digital or electronic technology, to the greatest extent feasible, to reduce paper transactions, streamline processes, and promote provider participation and client access to services, including the submission of applications, the determination of eligibility, and requests for recertification, redetermination, and appeals.

(b) Section 531.0055, Government Code, is amended by adding Subsection (m) to read as follows:

(m) The executive commissioner shall establish standards for the use of electronic signatures in accordance with the Uniform Electronic Transactions Act (Chapter 43, Business & Commerce Code), with respect to any transaction, as defined by Section 43.002, Business & Commerce Code, in connection with the administration of health and human services programs.

SECTION 8. Section 533.012(c), Government Code, is amended to read as follows:

(c) The commission's office of investigations and enforcement shall review the information submitted under this section as appropriate in the investigation of fraud in the

Medicaid managed care program. [~~The comptroller may review the information in connection with the health care fraud study conducted by the comptroller.~~]

SECTION 9, Subchapter A, Chapter 659, Government Code, is amended by adding Section 659.007 to read as follows:

Sec. 659.007. EARNINGS STATEMENTS. (a) In this section, "state agency" has the meaning assigned by Section 403.013.

(b) A state agency may provide a written or electronic earnings statement to an officer or employee of the agency.

(c) The comptroller may adopt rules and establish procedures concerning the earnings statements provided by state agencies that under Subchapter C, Chapter 2101, are required to use the uniform statewide payroll system.

SECTION 10. Section 660.024(a), Government Code, is amended to read as follows:

(a) The chief administrator of a state agency must give advance written approval for any travel related to official state business for which a reimbursement for travel expenses is claimed or for which an advance for travel expenses to be incurred is sought. The advance written approval may be communicated electronically. [~~A copy of the written approval shall be submitted with the travel voucher to the comptroller in accordance with Section 660.027.~~]

SECTION 11. Sections 660.027(b), (d), and (e), Government Code, are amended to read as follows:

(b) A voucher submitted under Subsection (a) is valid only if:

(1) the state agency submitting the voucher approves it in accordance with Chapter 2103 and, if required by law, certifies the voucher; and

(2) the state employee who incurred the travel expense or, if the employee is unavailable, another individual acceptable to the comptroller approves the description, information, and documentation required by Subsection (d) [voucher] in writing or electronically, except that the employee's approval is not required if another person is required by law to provide the approval.

(d) A voucher must be supported by:

(1) a description of ~~[describe]~~ the official state business performed; and

(2) [be accompanied by] the information and documentation that the comptroller considers necessary for the comptroller to determine compliance with this chapter, the travel provisions of the General Appropriations Act, and the rules adopted by the comptroller under this chapter.

(e) The comptroller may require a state agency to provide to the comptroller the description, information, and documentation required under ~~[by]~~ Subsection (d):

(1) on the form adopted by the comptroller under Subsection (c);

(2) electronically;

(3) by submitting receipts or other documents; or

(4) [~~(3)~~] by any [a] combination of Subdivisions (1), ~~[and]~~ (2), and (3).

SECTION 12. Section 660.028, Government Code, is amended by amending Subsections (b), (c), and (d) and adding Subsection (e) to read as follows:

(b) If the comptroller audits a state agency's voucher after the comptroller issues a warrant or initiates an electronic funds transfer in response to the voucher, the comptroller may require the agency to maintain in its files the description, information, and documentation ~~[receipts]~~ relating to the travel expense paid or reimbursed by the voucher until the comptroller audits the voucher.

(c) If a state agency pays or reimburses a travel expense without first submitting a voucher to the comptroller, the comptroller may audit the payment or reimbursement for compliance with this chapter and the travel provisions of the General Appropriations Act. The comptroller may report the results of the audit to the governor, the lieutenant governor, the speaker of the house of representatives, the state auditor, and the Legislative Budget Board. The state agency shall cooperate with the comptroller and make available the description, information, and documentation ~~[receipts]~~ required by the comptroller at the time and in the manner required by the comptroller.

(d) The comptroller may require a state agency to maintain

in its files the description, information, and documentation [~~receipts~~] regarding a travel expense payment or reimbursement for the period required by the comptroller.

(e) The comptroller may require or authorize the description, information, and documentation relating to a travel expense payment or reimbursement to be maintained in paper form or electronically.

SECTION 13. Sections 660.043(c) and (d), Government Code, are amended to read as follows:

(c) A state agency [~~The comptroller~~] shall adopt or designate [~~periodically issue and update~~] a mileage guide, for use by agency employees and officers, [~~that includes a chart~~] showing the number of miles for the shortest route between points. A state agency may produce the guide or may use a reliable commercially or publicly available service to produce the guide [~~The guide also may include a chart showing the number of miles for longer routes between points. Farm-to-market and ranch-to-market roads shall be considered when determining the routings between points in this state. The guide may be electronic or printed, or both~~].

(d) If the number of miles between points is not shown in the guide adopted or designated under Subsection (c), the mileage incurred while traveling between those points is not reimbursable unless:

(1) the voucher itemizes the mileage on a point-to-point basis; and

(2) the mileage is reasonable.

SECTION 14. Section 430.003, Local Government Code, is amended to read as follows:

Sec. 430.003. EXEMPTIONS OF CERTAIN [~~STATE~~] PROPERTY FROM INFRASTRUCTURE FEES. No county, municipality, or utility district may collect from a state agency or a public or private institution of higher education any fee charged for the development or maintenance of programs or [~~of~~] facilities for the control of excess water or storm water.

SECTION 15. Section 74.202, Property Code, is amended to read as follows:

Sec. 74.202. NOTICE FOR ITEM WITH VALUE OF LESS THAN \$200

[~~\$100~~]. In the notice required by Section 74.201, the comptroller is not required to publish information regarding an item having a value that is less than \$200 [~~\$100~~] unless the comptroller determines that publication of that information is in the public interest.

SECTION 16. Section 403.028, Government Code, is repealed.

SECTION 17. (a) Except as provided by Subsection (d) of this section, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution.

(b) If this Act does not receive the vote necessary for immediate effect, the changes to or additions or repeal of the following laws made by this Act take effect on the 91st day after the last day of the legislative session:

(1) Section 57.48, Education Code; and

(2) Sections 403.028, 403.055, 403.0551, and 533.012, Government Code.

(c) If this Act does not receive the vote necessary for immediate effect, all provisions of this Act not treated by Subsection (b) of this section, including the changes to or additions of the following laws made by this Act, take effect September 1, 2007:

(1) Sections 404.024, 659.007, 660.024, 660.027, and 660.028, Government Code; and

(2) Section 74.202, Property Code.

(d) The changes to Sections 73.003 and 660.043, Government Code, made by this Act take effect September 1, 2007, without regard to whether this Act receives the vote necessary for immediate effect.