

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Chisum

H.B. No. 15

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to making supplemental appropriations and reductions in  
3 appropriations.

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

5 SECTION 1. AUSTIN COMMUNITY COLLEGE: GROUP HEALTH  
6 INSURANCE. In addition to amounts previously appropriated for the  
7 state fiscal biennium ending August 31, 2007, the amount of  
8 \$3,678,942 is appropriated out of the general revenue fund to  
9 Austin Community College for the two-year period beginning on the  
10 effective date of this Act for the purpose of correcting the  
11 institution's underreporting of its state-funded group health  
12 insurance enrollment for fiscal years 2006 and 2007.

13 SECTION 2. SOUTH PLAINS COLLEGE: GROUP HEALTH INSURANCE.  
14 In addition to amounts previously appropriated for the state fiscal  
15 biennium ending August 31, 2007, the amount of \$1,424,764 is  
16 appropriated out of the general revenue fund to South Plains  
17 College for the two-year period beginning on the effective date of  
18 this Act for the purpose of correcting the institution's  
19 underreporting of its state-funded group health insurance  
20 enrollment for fiscal years 2006 and 2007.

21 SECTION 3. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:  
22 OPERATIONS. In addition to amounts previously appropriated for the  
23 state fiscal biennium ending August 31, 2007, the amount of  
24 \$47,000,000 is appropriated out of the general revenue fund to the

1 Texas Department of Criminal Justice for the two-year period  
2 beginning on the effective date of this Act for the purpose of  
3 providing for salaries and wages, hazardous duty and longevity pay,  
4 overtime pay, contractual rate adjustments, utilities, and fuel.

5 SECTION 4. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:  
6 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts  
7 previously appropriated for the state fiscal biennium ending August  
8 31, 2007, the amount of \$12,940,619 is appropriated out of the  
9 general revenue fund to the Texas Department of Criminal Justice  
10 for the two-year period beginning on the effective date of this Act  
11 for the purpose of providing for correctional managed health care.

12 SECTION 5. TEXAS MEDICAL BOARD: OPERATIONS. (a) In  
13 addition to amounts previously appropriated for the state fiscal  
14 biennium ending August 31, 2007, the amount of \$1,222,827 is  
15 appropriated out of the general revenue fund to the Texas Medical  
16 Board for the two-year period beginning on the effective date of  
17 this Act for the purpose of:

18 (1) repaying the Governor's Emergency and Deficiency  
19 Grant awarded in fiscal year 2006; and

20 (2) providing for agency operating expenses for  
21 licensing and enforcement.

22 (b) In addition to amounts previously appropriated for the  
23 state fiscal biennium ending August 31, 2007, the amount of  
24 \$600,248 is appropriated out of the public assurance account to the  
25 Texas Medical Board for the two-year period beginning on the  
26 effective date of this Act for the purpose of providing for agency  
27 operating expenses for licensing and enforcement.

1           (c) In addition to the number of full-time equivalent  
2 employees (FTEs) the Texas Medical Board is authorized to employ by  
3 other law during the state fiscal year ending August 31, 2007, the  
4 board may employ an additional six FTEs during that period.

5           SECTION 6. TEXAS DEPARTMENT OF LICENSING AND REGULATION:  
6 COSTS RELATED TO FORMER COSMETOLOGY COMMISSION AND BOARD OF BARBER  
7 EXAMINERS. (a) In addition to amounts previously appropriated for  
8 the state fiscal biennium ending August 31, 2007, the amount of  
9 \$463,202 is appropriated out of the general revenue fund to the  
10 Texas Department of Licensing and Regulation for the two-year  
11 period beginning on the effective date of this Act for the purposes  
12 of paying:

13                   (1) the unanticipated costs of relocating the  
14 functions and operations of the former Cosmetology Commission and  
15 the former Board of Barber Examiners; and

16                   (2) obligations, including interest accrued on the  
17 obligations, of the former Cosmetology Commission and the former  
18 Board of Barber Examiners.

19           (b) This subsection applies with respect to the obligation  
20 to pay for goods or services received before August 31, 2005, by the  
21 former Cosmetology Commission or the former Board of Barber  
22 Examiners. A claim for payment or reimbursement for goods or  
23 services to which this subsection applies may not be paid from money  
24 appropriated by Subsection (a) of this section until the claim is  
25 verified and substantiated by the executive director of the Texas  
26 Department of Licensing and Regulation and until it is subsequently  
27 approved by the attorney general and the comptroller of public

1 accounts. The approvals must occur before August 31, 2008.

2 SECTION 7. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
3 MAINTENANCE. In addition to amounts previously appropriated for  
4 the state fiscal biennium ending August 31, 2007, the amount of  
5 \$64,013,000 is appropriated out of the general revenue fund to the  
6 Texas Building and Procurement Commission for the two-year period  
7 beginning on the effective date of this Act for the purpose of  
8 providing for various life safety and deferred maintenance  
9 projects.

10 SECTION 8. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
11 ABATEMENT OF ASBESTOS AND BUILD-OUT OF STEPHEN F. AUSTIN BUILDING.  
12 In addition to amounts previously appropriated for the state fiscal  
13 biennium ending August 31, 2007, the amount of \$6,014,700 is  
14 appropriated out of the general revenue fund to the Texas Building  
15 and Procurement Commission for the two-year period beginning on the  
16 effective date of this Act for the purpose of the abatement of  
17 asbestos and the build-out of the Stephen F. Austin Building.

18 SECTION 9. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
19 UTILITIES. In addition to amounts previously appropriated for the  
20 state fiscal biennium ending August 31, 2007, the amount of  
21 \$2,847,069 is appropriated out of the general revenue fund to the  
22 Texas Building and Procurement Commission for the two-year period  
23 beginning on the effective date of this Act for the purpose of  
24 making utility payments.

25 SECTION 10. TEXAS SOUTHERN UNIVERSITY: DEFERRED  
26 MAINTENANCE AND OTHER EXPENSES. In addition to amounts previously  
27 appropriated for the state fiscal biennium ending August 31, 2007,

1 the amount of \$13,645,120 is appropriated out of the general  
2 revenue fund to Texas Southern University for the two-year period  
3 beginning on the effective date of this Act for the purpose of  
4 providing deferred maintenance, paying outstanding expenses,  
5 making emergency maintenance repairs, paying contract deficits,  
6 paying audit and legal costs, providing funding for summer school,  
7 and providing funding for the TSU/HISD Charter School.

8 SECTION 11. ANGELO STATE UNIVERSITY: UTILITIES. In  
9 addition to amounts previously appropriated for the state fiscal  
10 biennium ending August 31, 2007, the amount of \$50,000 is  
11 appropriated out of the general revenue fund to Angelo State  
12 University for the two-year period beginning on the effective date  
13 of this Act for the purpose of making utility payments.

14 SECTION 12. UNIVERSITY OF TEXAS MEDICAL BRANCH AT  
15 GALVESTON. (a) In addition to other amounts appropriated for the  
16 state fiscal biennium ending August 31, 2009, that may be used for  
17 these purposes, the amount of \$13,100,000 is appropriated out of  
18 the general revenue fund to The University of Texas Medical Branch  
19 at Galveston for the state fiscal biennium ending August 31, 2009,  
20 to reimburse the institution for nonreimbursed losses resulting  
21 from interruptions in services and operations caused by Hurricane  
22 Rita.

23 (b) It is the intent of the legislature that The University  
24 of Texas Medical Branch at Galveston use the money appropriated by  
25 Subsection (a) of this section in equal amounts in each fiscal year  
26 of the state fiscal biennium for which the money is appropriated.

27 SECTION 13. TEXAS FOREST SERVICE: REIMBURSEMENT FOR

1 WILDFIRE COSTS. In addition to amounts previously appropriated for  
2 the state fiscal biennium ending August 31, 2007, the amount of  
3 \$44,730,767 is appropriated out of the general revenue fund to the  
4 Texas Forest Service for the two-year period beginning on the  
5 effective date of this Act for the purpose of providing  
6 reimbursement for costs related to wildfire.

7 SECTION 14. TEXAS FORENSIC SCIENCE COMMISSION: SALARY,  
8 OFFICE, AND TRAVEL EXPENSES. (a) In addition to amounts previously  
9 appropriated for the state fiscal biennium ending August 31, 2007,  
10 the amount of \$45,000 is appropriated out of the general revenue  
11 fund to the Texas Forensic Science Commission for the two-year  
12 period beginning on the effective date of this Act for the purposes  
13 of paying salary, office, and travel expenses under Article 38.01,  
14 Code of Criminal Procedure.

15 (b) From money appropriated in Subsection (a) of this  
16 section, the commission is authorized to employ one full-time  
17 equivalent employee (FTE) during the period covered by the  
18 appropriation.

19 SECTION 15. ADJUTANT GENERAL'S DEPARTMENT: OPERATIONS. In  
20 addition to amounts previously appropriated for the state fiscal  
21 biennium ending August 31, 2007, the amount of \$1,681,615 is  
22 appropriated out of the general revenue fund to the Adjutant  
23 General's Department for the two-year period beginning on the  
24 effective date of this Act for the purpose of paying salaries and  
25 wages and providing for maintenance and operations.

26 SECTION 16. STATE BOARD OF DENTAL EXAMINERS: SHORTFALL OF  
27 APPROPRIATED RECEIPTS. In addition to amounts previously

1 appropriated for the state fiscal biennium ending August 31, 2007,  
2 the amount of \$85,000 is appropriated out of the general revenue  
3 fund to the State Board of Dental Examiners for the two-year period  
4 beginning on the effective date of this Act for the purpose of  
5 covering a shortfall of appropriated receipts.

6 SECTION 17. RESTORATION OF REDUCTIONS RELATED TO COMMERCIAL  
7 AIR TRAVEL. In addition to amounts previously appropriated for the  
8 state fiscal biennium ending August 31, 2007, the following amounts  
9 are appropriated to the following agencies for the two-year period  
10 beginning on the effective date of this Act for the purpose of  
11 restoring reductions in appropriations for commercial air travel  
12 made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the  
13 79th Legislature, Regular Session, 2005 (the General  
14 Appropriations Act):

15 (1) the Structural Pest Control Board is appropriated  
16 \$2,595 out of the general revenue fund;

17 (2) the School for the Blind and Visually Impaired is  
18 appropriated \$33,370 out of the general revenue fund;

19 (3) the School for the Deaf is appropriated \$139,207  
20 out of the general revenue fund; and

21 (4) the Eleventh Court of Appeals, Eastland, is  
22 appropriated \$3,383 out of the general revenue fund.

23 SECTION 18. SUPREME COURT: MULTI-DISTRICT LITIGATION. In  
24 addition to amounts previously appropriated for the state fiscal  
25 biennium ending August 31, 2007, the amount of \$101,498 is  
26 appropriated out of the general revenue fund to the Supreme Court of  
27 Texas for the two-year period beginning on the effective date of

1 this Act for the purpose of providing grants to appellate  
2 courts for additional court staff to handle multi-district  
3 litigation cases, such as cases related to asbestosis or silicosis,  
4 appealed from the trial courts.

5 SECTION 19. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID  
6 RATE RESTORATION. The following amounts are appropriated to the  
7 Health and Human Services Commission for the two-year period  
8 beginning June 1, 2007, for the purpose of restoring rates paid to  
9 medical professionals in the Medicaid and CHIP programs to fiscal  
10 year 2003 levels:

11 (1) \$108,900,000 is appropriated out of the general  
12 revenue fund; and

13 (2) \$169,951,834 in federal matching funds is  
14 appropriated.

15 SECTION 20. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER  
16 OF FUNDS APPROPRIATED FOR CHIP SERVICES. Notwithstanding any  
17 provision of another Act making appropriations to the contrary, the  
18 Health and Human Services Commission may, without the necessity of  
19 prior approval by another officer or entity, transfer funds  
20 appropriated to the commission under Goal C: CHIP Services by  
21 Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005  
22 (page II-70, General Appropriations Act), to other goals and  
23 strategies as necessary to efficiently and effectively comply with  
24 the provisions of this Act.

25 SECTION 21. STAFFING AND CAPITAL AUTHORIZATION IN LIEU OF  
26 CONTRACTED RESPONSIBILITIES. (a) Notwithstanding any other  
27 provision in this Act, if the executive commissioner of the Health



1 and Human Services Commission determines that a service performed  
2 as of the effective date of this Act under a contract would be more  
3 effectively performed by state personnel, the executive  
4 commissioner is authorized to adjust the agency's FTE limitation to  
5 the extent necessary to ensure the successful assumption of such  
6 contracted duties. The commission must make corresponding  
7 adjustments in the scope of duties and responsibilities in the  
8 affected contract. An increase in agency staffing resulting from  
9 the executive commissioner's determination under this section is  
10 subject to the following requirements:

11 (1) The commission must notify the Legislative Budget  
12 Board and the governor at least 10 days prior to adjusting the  
13 budgeted FTE levels.

14 (2) The commission must report on a quarterly basis  
15 beginning December 1, 2007, to the Legislative Budget Board and the  
16 governor the number of eligibility and related support staff and  
17 any related costs in Strategy A.1.2, Integrated Eligibility and  
18 Enrollment.

19 (b) Notwithstanding any other provision in the General  
20 Appropriations Act, if the executive commissioner of the Health and  
21 Human Services Commission determines that a service performed as of  
22 the effective date of this Act under a contract would be more  
23 effectively performed by state personnel, the Health and Human  
24 Services Commission is authorized to exceed the capital authority  
25 limitations provided elsewhere in this Act to the extent necessary  
26 to acquire hardware, software, and office space to support any  
27 assumed contracted duties and responsibilities. The commission

1 must make corresponding adjustments in the scope of the affected  
2 contract. An increase in a capital project is subject to the  
3 following requirements:

4 (1) The commission must notify the Legislative Budget  
5 Board and the governor at least 10 days prior to acquiring capital  
6 equipment.

7 (2) The commission must include capital acquisitions  
8 in required financial reporting to the Legislative Budget Board and  
9 the governor.

10 (c) The additional staffing and capital expended from  
11 appropriated sources made to the Texas Health and Human Services  
12 Commission is for the two-year period beginning on the effective  
13 date of this Act.

14 SECTION 22. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:  
15 DIRECT DELIVERY STAFF. In addition to other amounts appropriated  
16 for the state fiscal biennium ending August 31, 2009, that may be  
17 used for this purpose, the following amounts are appropriated to  
18 the Department of Family and Protective Services for the state  
19 fiscal biennium ending August 31, 2009, for the purposes of  
20 maintaining the fiscal year 2007 average daily caseload per worker  
21 for family-based safety services and providing additional funding  
22 for statewide intake staff:

23 (1) \$18,729,595 is appropriated out of the general  
24 revenue fund; and

25 (2) \$2,769,981 in federal matching funds is  
26 appropriated.

27 SECTION 23. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:

1 CPS REFORM. (a) In addition to amounts previously appropriated for  
2 the state fiscal biennium ending August 31, 2007, the following  
3 amounts are appropriated to the Department of Family and Protective  
4 Services for the two-year period beginning on the effective date of  
5 this Act to continue the reform of child protective services:

6 (1) \$1,502,423 is appropriated out of the general  
7 revenue fund; and

8 (2) \$2,214,557 in federal funds (TANF) is  
9 appropriated.

10 (b) In addition to other amounts appropriated for the state  
11 fiscal biennium ending August 31, 2009, that may be used for this  
12 purpose, the following amounts are appropriated to the Department  
13 of Family and Protective Services for the state fiscal biennium  
14 ending August 31, 2009, to continue the reform of child protective  
15 services:

16 (1) \$32,968,219 is appropriated out of the general  
17 revenue fund; and

18 (2) \$63,230,962 in federal funds (TANF) is  
19 appropriated.

20 (b-1) In addition to the number of full-time equivalent  
21 employees (FTEs) previously appropriated for the state fiscal  
22 biennium ending August 31, 2007, the Department of Family and  
23 Protective Services may employ an additional 117 FTEs.

24 (b-2) In addition to the capital budget authority  
25 previously granted for the fiscal biennium ending August 31, 2007,  
26 the Department of Family and Protective Services may use an  
27 additional \$2,033,837 in capital budget authority for programming

1 expenses associated with providing tablet personal computers for  
2 conservatorship workers, child-care licensing staff, and  
3 residential child-care licensing staff.

4 (c) In addition to the number of full-time equivalent  
5 employees (FTEs) the Department of Family and Protective Services  
6 is authorized to employ under other law during each fiscal year of  
7 the state fiscal biennium ending August 31, 2009, the department  
8 may employ an additional:

9 (1) 768 FTEs during the state fiscal year ending  
10 August 31, 2008; and

11 (2) 1,092 FTEs during the state fiscal year ending  
12 August 31, 2009.

13 SECTION 24. DEPARTMENT OF AGING AND DISABILITY SERVICES:  
14 CONTINUATION OF COMMUNITY CARE ENHANCEMENT AT FISCAL YEAR 2007  
15 LEVELS. In addition to other amounts appropriated for the state  
16 fiscal biennium ending August 31, 2009, that may be used for this  
17 purpose, the amount of \$15,809,141 is appropriated out of the  
18 general revenue fund and \$24,727,118 in federal funds is  
19 appropriated to the Department of Aging and Disability Services for  
20 the state fiscal biennium ending August 31, 2009, for the purpose of  
21 continuing community care enhancement at fiscal year 2007 levels,  
22 including enhancement for primary home care services, community  
23 attendant services, day activity and health services,  
24 community-based alternatives programs, community living assistance  
25 and support services (CLASS), consolidated waiver programs,  
26 deaf-blind programs, and Title XX services.

27 SECTION 25. DEPARTMENT OF AGING AND DISABILITY SERVICES:

1 RESTORATION OF COMMUNITY CARE PROVIDER RATES TO FISCAL YEAR 2003  
2 LEVELS. The amount of \$10,814,194 is appropriated out of the  
3 general revenue fund and \$16,914,509 in federal funds is  
4 appropriated to the Department of Aging and Disability Services for  
5 the two-year period beginning June 1, 2007, for the purpose of  
6 restoring provider rates to fiscal year 2003 levels in programs for  
7 home and community-based services, in programs for community living  
8 assistance and support services (CLASS), in the Texas Home Living  
9 Waiver program, and in intermediate care facilities for the  
10 mentally retarded. The adjustment to provider rates for such  
11 services shall be effective January 1, 2007.

12 SECTION 26. DEPARTMENT OF STATE HEALTH SERVICES:  
13 RESTORATION OF PROVIDER RATES TO FISCAL YEAR 2003 LEVELS; PROGRAMS  
14 FOR CHILDREN WITH SPECIAL HEALTH CARE NEEDS, MATERNAL AND CHILD  
15 HEALTH SERVICES, AND FAMILY PLANNING. In addition to other amounts  
16 appropriated for the state fiscal biennium ending August 31, 2009,  
17 that may be used for this purpose, the amount of \$3,111,684 is  
18 appropriated out of the general revenue fund to the Department of  
19 State Health Services for the state fiscal biennium ending August  
20 31, 2009, for the purpose of restoring provider rates to fiscal year  
21 2003 levels in programs for children with special health care  
22 needs, for maternal and child health services, and for family  
23 planning services.

24 SECTION 27. TEXAS YOUTH COMMISSION: OPERATING EXPENSES.  
25 In addition to amounts previously appropriated for the state fiscal  
26 biennium ending August 31, 2007, the amount of \$4,800,000 is  
27 appropriated out of the general revenue fund to the Texas Youth

1 Commission for the two-year period beginning on the effective date  
2 of this Act for the purpose of providing for the agency's operating  
3 expenses.

4 SECTION 28. DATA CENTER SERVICES. (a) The following  
5 amounts are appropriated for the state fiscal biennium ending  
6 August 31, 2009, to the following agencies for the purpose of making  
7 payments for data center services:

8 (1) \$154,354 is appropriated out of the general  
9 revenue fund to the Railroad Commission of Texas;

10 (2) \$1,124,521 is appropriated out of the general  
11 revenue fund and an additional \$4,856,648 is appropriated out of  
12 general revenue dedicated accounts to the Texas Commission on  
13 Environmental Quality;

14 (3) \$381,705 is appropriated out of the general  
15 revenue fund, an additional \$17,699 is appropriated out of general  
16 revenue dedicated accounts, and \$1,937,066 in federal funds is  
17 appropriated to the Texas Workforce Commission;

18 (4) \$958,928 is appropriated out of the state highway  
19 fund to the Texas Department of Transportation;

20 (5) \$1,881,572 is appropriated out of general revenue  
21 dedicated accounts to the Parks and Wildlife Department;

22 (6) \$280,004 is appropriated out of the general  
23 revenue fund to the Texas State Library and Archives Commission;

24 (7) \$725,426 is appropriated out of the general  
25 revenue fund to the secretary of state;

26 (8) \$1,283,643 is appropriated out of the general  
27 revenue fund, \$136,277 in other funds is appropriated, and \$778,098

1 in federal funds is appropriated to the Texas Education Agency;

2 (9) \$552,478 is appropriated out of the general  
3 revenue fund, \$590,858 in other funds is appropriated, and \$10,995  
4 in federal funds is appropriated to the Texas Higher Education  
5 Coordinating Board;

6 (10) \$519,429 is appropriated out of the general  
7 revenue fund to the Public Utility Commission of Texas;

8 (11) \$78,920 is appropriated out of the general  
9 revenue fund, an additional \$1,262,720 is appropriated out of  
10 general revenue dedicated accounts, and \$2,604,360 in other funds  
11 is appropriated to the General Land Office;

12 (12) \$1,341,008 is appropriated out of the general  
13 revenue fund to the Office of the Attorney General;

14 (13) \$59,907 is appropriated out of the general  
15 revenue fund to the Texas Alcoholic Beverage Commission;

16 (14) \$113,978 is appropriated out of the general  
17 revenue fund to the Texas Department of Licensing and Regulation;

18 (15) \$510,730 is appropriated out of the general  
19 revenue fund to the Texas Water Development Board; and

20 (16) \$839,500 is appropriated out of the general  
21 revenue fund to the Texas Youth Commission.

22 (b) The amount of \$8,081,368 is appropriated out of the  
23 general revenue fund to the Department of Information Resources for  
24 the state fiscal year ending August 31, 2007, for the purpose of  
25 transferring funds to state agencies as necessary for use by the  
26 agencies in making payments for data center services.

27 (c) The following amounts are appropriated out of the

1 general revenue fund to the Department of Information Resources for  
2 the purpose of paying one-time costs related to the data center  
3 services contract:

4 (1) in addition to amounts previously appropriated for  
5 the state fiscal biennium ending August 31, 2007, the amount of  
6 \$69,355,000 is appropriated for the two-year period beginning on  
7 the effective date of this Act; and

8 (2) in addition to other amounts appropriated for the  
9 state fiscal biennium ending August 31, 2009, that may be used for  
10 this purpose, the amount of \$10,000,000 is appropriated for the  
11 state fiscal year ending August 31, 2009.

12 (d) As a result of reduced costs due to the implementation  
13 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
14 2005 (House Bill 1516), appropriations to the Employees Retirement  
15 System for the state fiscal year ending August 31, 2007, are reduced  
16 by the following amounts to reflect decreased retirement program  
17 costs:

18 (1) appropriations out of the general revenue fund are  
19 reduced by \$221,782;

20 (2) appropriations out of general revenue dedicated  
21 accounts are reduced by \$58,608; and

22 (3) appropriations out of other funds are reduced by  
23 \$88,412.

24 (e) As a result of reduced costs due to the implementation  
25 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
26 2005 (House Bill 1516), appropriations to the Employees Retirement  
27 System for the state fiscal year ending August 31, 2007, are reduced



1 by the following amounts to reflect decreased insurance program  
2 costs:

3 (1) appropriations out of the general revenue fund are  
4 reduced by \$487,921;

5 (2) appropriations out of general revenue dedicated  
6 accounts are reduced by \$128,937; and

7 (3) appropriations out of other funds are reduced by  
8 \$194,507.

9 (f) As a result of reduced costs due to the implementation  
10 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
11 2005 (House Bill 1516), appropriations to the Comptroller of Public  
12 Accounts for the state fiscal year ending August 31, 2007, are  
13 reduced by the following amounts to reflect decreased social  
14 security costs:

15 (1) appropriations out of the general revenue fund are  
16 reduced by \$263,044;

17 (2) appropriations out of general revenue dedicated  
18 accounts are reduced by \$69,511; and

19 (3) appropriations out of other funds are reduced by  
20 \$104,861.

21 (g) As a result of reduced costs due to the implementation  
22 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
23 2005 (House Bill 1516), appropriations to the Comptroller of Public  
24 Accounts made by Section 13.17(b), Article IX, Chapter 1369, Acts  
25 of the 79th Legislature, Regular Session, 2005 (the General  
26 Appropriations Act), for the state fiscal year ending August 31,  
27 2007, are reduced by the following amounts to reflect decreased

1 salary costs:

2 (1) appropriations out of the general revenue fund are  
3 reduced by \$140,729;

4 (2) appropriations out of general revenue dedicated  
5 accounts are reduced by \$37,189; and

6 (3) appropriations out of other funds are reduced by  
7 \$56,101.

8 (h) As a result of reduced costs due to the implementation  
9 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
10 2005 (House Bill 1516), appropriations to the Texas Department of  
11 Insurance for the state fiscal biennium ending August 31, 2009, are  
12 reduced by the following amounts to reflect decreased costs:

13 (1) appropriations out of the general revenue fund are  
14 reduced by \$912,610; and

15 (2) appropriations out of general revenue dedicated  
16 accounts are reduced by \$1,153,023.

17 (i) As a result of reduced costs due to the implementation  
18 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
19 2005 (House Bill 1516), appropriations to the Department of Family  
20 and Protective Services for the state fiscal biennium ending August  
21 31, 2009, are reduced by the following amounts to reflect decreased  
22 costs:

23 (1) appropriations out of the general revenue fund are  
24 reduced by \$2,192,309; and

25 (2) federal funds appropriations are reduced by  
26 \$371,007.

27 (j) As a result of reduced costs due to the implementation

1 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
2 2005 (House Bill 1516), appropriations to the Department of Public  
3 Safety for the state fiscal biennium ending August 31, 2009, are  
4 reduced by the following amounts to reflect decreased costs:

5 (1) appropriations out of the state highway fund are  
6 reduced by \$83,250; and

7 (2) appropriations out of general revenue dedicated  
8 accounts are reduced by \$141,750.

9 (k) As a result of reduced costs due to the implementation  
10 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
11 2005 (House Bill 1516), appropriations to the Texas Building and  
12 Procurement Commission for the state fiscal biennium ending August  
13 31, 2009, are reduced by the following amounts to reflect decreased  
14 costs:

15 (1) appropriations out of the general revenue fund are  
16 reduced by \$997,767;

17 (2) appropriations out of general revenue dedicated  
18 accounts are reduced by \$40,066; and

19 (3) appropriations out of other funds are reduced by  
20 \$336,433.

21 (1) As a result of reduced costs due to the implementation  
22 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
23 2005 (House Bill 1516), appropriations to the Department of  
24 Agriculture for the state fiscal biennium ending August 31, 2009,  
25 are reduced by the following amounts to reflect decreased costs:

26 (1) appropriations out of the general revenue fund are  
27 reduced by \$352,798; and

1           (2) federal funds appropriations are reduced by  
2 \$1,031,167.

3           (m) If this section makes an appropriation to an agency out  
4 of general revenue dedicated accounts or out of other funds, or  
5 reduces an agency's appropriation out of general revenue dedicated  
6 accounts or out of other funds, under circumstances in which more  
7 than one general revenue dedicated account or source of other funds  
8 could be involved, the comptroller with the assistance of the  
9 affected agency shall allocate the appropriation or reduction in  
10 appropriations among the dedicated accounts or sources of other  
11 funds according to:

12           (1) the amounts available in the affected accounts or  
13 from the sources of other funds; and

14           (2) the extent to which the programs supported by the  
15 dedicated accounts or sources of other funds are supported by the  
16 appropriation or, in the case of a reduction in appropriations,  
17 supported by the implementation of Chapter 1068, Acts of the 79th  
18 Legislature, Regular Session, 2005 (House Bill 1516).

19           SECTION 29. PREVIOUSLY AUTHORIZED DEFERRALS OF AUGUST 2007  
20 PAYMENTS. (a) The following riders in Article II, Chapter 1369,  
21 Acts of the 79th Legislature, Regular Session, 2005 (the General  
22 Appropriations Act) are repealed:

23           (1) Rider 66 following the appropriations to the  
24 Health and Human Services Commission;

25           (2) Rider 21 following the appropriations to the  
26 Department of Aging and Disability Services;

27           (3) Rider 48 following the appropriations to the

1 Department of Aging and Disability Services; and

2 (4) Rider 25 following the appropriations to the  
3 Department of Family and Protective Services.

4 (b) The following unencumbered amounts appropriated to the  
5 Health and Human Services Commission for the state fiscal biennium  
6 ending August 31, 2007, are transferred as follows:

7 (1) the amount of \$122,701,559 in general revenue is  
8 transferred to the Department of Aging and Disability Services for  
9 expenditure by the department in connection with making payments  
10 for August 2007 services; and

11 (2) the amount of \$12,792,244 in general revenue and  
12 the amount of \$8,971,488 in federal funds (TANF) are transferred to  
13 the Department of Family and Protective Services for expenditure by  
14 the department in connection with making payments for August 2007  
15 services.

16 SECTION 30. TRANSFERS TO DEPARTMENT OF ASSISTIVE AND  
17 REHABILITATIVE SERVICES FOR VOCATIONAL REHABILITATION. The  
18 unencumbered amount of \$1,541,628 in general revenue appropriated  
19 to the Health and Human Services Commission for the state fiscal  
20 biennium ending August 31, 2007, is transferred to the Department  
21 of Assistive and Rehabilitative Services for expenditure by the  
22 department during the two-year period beginning on the effective  
23 date of this Act for vocational rehabilitation.

24 SECTION 31. TRANSFERS TO DEPARTMENT OF FAMILY AND PROTECTIVE  
25 SERVICES FOR SUPPLEMENTAL NEEDS. The unencumbered amount of  
26 \$13,047,000 in general revenue appropriated to the Health and Human  
27 Services Commission for the state fiscal biennium ending August 31,

1 2007, together with the amount of \$17,883,615 in federal funds  
2 (TANF) appropriated to the commission for that biennium, are  
3 transferred to the Department of Family and Protective Services for  
4 expenditure by the department during the two-year period beginning  
5 on the effective date of this Act to meet various supplemental needs  
6 previously identified by the department.

7 SECTION 32. APPROPRIATION REDUCTION: TEACHER RETIREMENT  
8 SYSTEM, TRS-CARE. The unencumbered appropriations from the general  
9 revenue fund appropriated to the Teacher Retirement System for use  
10 during the state fiscal year ending August 31, 2007, by Chapter  
11 1369, Acts of the 79th Legislature, Regular Session, 2005 (the  
12 General Appropriations Act) under Strategy A.3.1 for the Teacher  
13 Retirement System (Retiree Health - Supplemental Funds) are reduced  
14 by the amount of \$76,644,468.

15 SECTION 33. REDUCTION IN VETOED FUNDS APPROPRIATION. The  
16 appropriations made from general revenue by Section 13.18, Article  
17 IX, Chapter 1369, Acts of the 79th Legislature, Regular Session,  
18 2005 (the General Appropriations Act), are reduced by an amount  
19 equal to the cumulative net amount of appropriations made by this  
20 Act from the general revenue fund.

21 SECTION 34. EFFECTIVE DATE. This Act takes effect  
22 immediately.

**ADOPTED**

MAY 23 2007

*Atty. Gen. Dew*  
Secretary of the Senate

By: \_\_\_\_\_

H.B. No. 15

Substitute the following for H.B. No. 15 :

By: *Dew*

C.S. H.B. No. 15

A BILL TO BE ENTITLED

AN ACT

1

2 relating to making supplemental appropriations and reductions in  
3 appropriations and giving direction, transfer authority, and other  
4 adjustment authority regarding appropriations.

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

6 SECTION 1. AUSTIN COMMUNITY COLLEGE: GROUP HEALTH  
7 INSURANCE. In addition to amounts previously appropriated for the  
8 state fiscal biennium ending August 31, 2007, the amount of  
9 \$3,678,942 is appropriated out of the general revenue fund to  
10 Austin Community College for the two-year period beginning on the  
11 effective date of this Act for the purpose of correcting the  
12 institution's underreporting of its state-funded group health  
13 insurance enrollment for fiscal years 2006 and 2007.

14 SECTION 2. SOUTH PLAINS COLLEGE: GROUP HEALTH INSURANCE.  
15 In addition to amounts previously appropriated for the state fiscal  
16 biennium ending August 31, 2007, the amount of \$1,424,764 is  
17 appropriated out of the general revenue fund to South Plains  
18 College for the two-year period beginning on the effective date of  
19 this Act for the purpose of correcting the institution's  
20 underreporting of its state-funded group health insurance  
21 enrollment for fiscal years 2006 and 2007.

22 SECTION 3. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:  
23 OPERATIONS. In addition to amounts previously appropriated for the  
24 state fiscal biennium ending August 31, 2007, the amount of

1 \$27,000,000 is appropriated out of the general revenue fund to the  
2 Texas Department of Criminal Justice for the two-year period  
3 beginning on the effective date of this Act for the purpose of  
4 providing for salaries and wages, hazardous duty and longevity pay,  
5 overtime pay, contractual rate adjustments, utilities, and fuel.

6 SECTION 4. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:  
7 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts  
8 previously appropriated for the state fiscal biennium ending August  
9 31, 2007, the amount of \$12,940,619 is appropriated out of the  
10 general revenue fund to the Texas Department of Criminal Justice  
11 for the two-year period beginning on the effective date of this Act  
12 for the purpose of providing for correctional managed health care.

13 SECTION 5. TEXAS MEDICAL BOARD: OPERATIONS. (a) In  
14 addition to amounts previously appropriated for the state fiscal  
15 biennium ending August 31, 2007, the amount of \$1,222,827 is  
16 appropriated out of the general revenue fund to the Texas Medical  
17 Board for the two-year period beginning on the effective date of  
18 this Act for the purpose of:

19 (1) repaying the Governor's Emergency and Deficiency  
20 Grant awarded in fiscal year 2006; and

21 (2) providing for agency operating expenses for  
22 licensing and enforcement.

23 (b) In addition to amounts previously appropriated for the  
24 state fiscal biennium ending August 31, 2007, the amount of  
25 \$600,248 is appropriated out of the public assurance account to the  
26 Texas Medical Board for the two-year period beginning on the  
27 effective date of this Act for the purpose of providing for agency



1 operating expenses for licensing and enforcement.

2 (c) In addition to the number of full-time equivalent  
3 employees (FTEs) the Texas Medical Board is authorized to employ by  
4 other law during the state fiscal year ending August 31, 2007, the  
5 board may employ an additional six FTEs during that period.

6 SECTION 6. TEXAS DEPARTMENT OF LICENSING AND REGULATION:  
7 COSTS RELATED TO FORMER COSMETOLOGY COMMISSION AND BOARD OF BARBER  
8 EXAMINERS. (a) In addition to amounts previously appropriated for  
9 the state fiscal biennium ending August 31, 2007, the amount of  
10 \$463,202 is appropriated out of the general revenue fund to the  
11 Texas Department of Licensing and Regulation for the two-year  
12 period beginning on the effective date of this Act for the purposes  
13 of paying:

14 (1) the unanticipated costs of relocating the  
15 functions and operations of the former Cosmetology Commission and  
16 the former Board of Barber Examiners; and

17 (2) obligations, including interest accrued on the  
18 obligations, of the former Cosmetology Commission and the former  
19 Board of Barber Examiners.

20 (b) This subsection applies with respect to the obligation  
21 to pay for goods or services received before August 31, 2005, by the  
22 former Cosmetology Commission or the former Board of Barber  
23 Examiners. A claim for payment or reimbursement for goods or  
24 services to which this subsection applies may not be paid from money  
25 appropriated by Subsection (a) of this section until the claim is  
26 verified and substantiated by the executive director of the Texas  
27 Department of Licensing and Regulation and until it is subsequently

1 approved by the attorney general and the comptroller of public  
2 accounts. The approvals must occur before August 31, 2008.

3 SECTION 7. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
4 RENOVATION AND REPAIRS TO SAM HOUSTON BUILDING. In addition to  
5 amounts previously appropriated for the state fiscal biennium  
6 ending August 31, 2007, the amount of \$3,000,000 is appropriated  
7 out of the general revenue fund to the Texas Building and  
8 Procurement Commission for the two-year period beginning on the  
9 effective date of this Act for the purpose of making renovations and  
10 repairs to the Sam Houston Building.

11 SECTION 8. TEXAS BUILDING AND PROCUREMENT COMMISSION:  
12 UTILITIES. In addition to amounts previously appropriated for the  
13 state fiscal biennium ending August 31, 2007, the amount of  
14 \$2,847,069 is appropriated out of the general revenue fund to the  
15 Texas Building and Procurement Commission for the two-year period  
16 beginning on the effective date of this Act for the purpose of  
17 making utility payments.

18 SECTION 9. TEXAS SOUTHERN UNIVERSITY: CONTINGENCY  
19 APPROPRIATION FOR DEFERRED MAINTENANCE AND OTHER EXPENSES. (a)  
20 Subject to Subsection (b) of this section, and in addition to  
21 amounts previously appropriated for the state fiscal biennium  
22 ending August 31, 2007, the amount of \$13,645,120 is appropriated  
23 out of the general revenue fund to Texas Southern University for the  
24 two-year period beginning on the effective date of this Act for the  
25 purpose of providing deferred maintenance, paying outstanding  
26 expenses, making emergency maintenance repairs, paying contract  
27 deficits, paying audit and legal costs, providing funding for

1 summer school, and providing funding for the TSU/HISD Charter  
2 School.

3 (b) The appropriation made by Subsection (a) of this section  
4 is contingent on the occurrence of either:

5 (1) the enactment and becoming law of Senate Bill No.  
6 2039 or similar legislation by the 80th Legislature, Regular  
7 Session, 2007; or

8 (2) the appointment of a conservator for Texas  
9 Southern University under Chapter 2104, Government Code.

10 SECTION 10. TEXAS SOUTHERN UNIVERSITY: CONTINGENCY  
11 APPROPRIATION FOR ACADEMIC DEVELOPMENT INITIATIVE. (a) Subject to  
12 Subsection (b) of this section, and in addition to other amounts  
13 appropriated for the state fiscal biennium ending August 31, 2009,  
14 that may be used for this purpose, the following amounts are  
15 appropriated out of the general revenue fund to Texas Southern  
16 University for the Academic Development Initiative:

17 (1) \$12,500,000 is appropriated for the state fiscal  
18 year ending August 31, 2008; and

19 (2) \$12,500,000 and any unexpended balance of the  
20 amount appropriated under Subdivision (1) of this subsection are  
21 appropriated for the state fiscal year ending August 31, 2009.

22 (b) The appropriations made by Subsection (a) of this  
23 section are contingent on the occurrence of either:

24 (1) the enactment and becoming law of Senate Bill No.  
25 2039 or similar legislation by the 80th Legislature, Regular  
26 Session, 2007; or

27 (2) the appointment of a conservator for Texas

1 Southern University under Chapter 2104, Government Code.

2 (c) The amounts appropriated by Subsection (a) of this  
3 section shall be used for:

- 4 (1) proven academic success programs;
- 5 (2) existing graduate programs;
- 6 (3) undergraduate education; and
- 7 (4) initiatives to target enrollment growth.

8 (d) Not later than November 1 of each fiscal year, the  
9 university shall submit to the Texas Southern University Board of  
10 Regents, the Texas Higher Education Coordinating Board, the  
11 Legislative Budget Board, and the governor a report describing the  
12 use of the funds appropriated by Subsection (a) of this section that  
13 states the goals to be achieved through use of the funds and  
14 establishes timelines and milestones for showing progress in  
15 meeting the goals. The report shall include proposed actions to be  
16 taken in the event a milestone is not met.

17 SECTION 11. TEXAS FOREST SERVICE: REIMBURSEMENT FOR  
18 WILDFIRE COSTS. In addition to amounts previously appropriated for  
19 the state fiscal biennium ending August 31, 2007, the amount of  
20 \$44,730,767 is appropriated out of the general revenue fund to the  
21 Texas Forest Service for the two-year period beginning on the  
22 effective date of this Act for the purpose of providing  
23 reimbursement for costs related to wildfire.

24 SECTION 12. UNIVERSITY OF HOUSTON: TEXAS FORENSIC SCIENCE  
25 COMMISSION EXPENSES. (a) In addition to amounts previously  
26 appropriated for the state fiscal biennium ending August 31, 2007,  
27 the amount of \$45,000 is appropriated out of the general revenue

1 fund to the University of Houston for the two-year period beginning  
2 on the effective date of this Act for the purposes of paying salary,  
3 office, and travel expenses of the Texas Forensic Science  
4 Commission under Article 38.01, Code of Criminal Procedure.

5 (b) From money appropriated by Subsection (a) of this  
6 section, the commission is authorized to employ one full-time  
7 equivalent employee (FTE) during the period covered by the  
8 appropriation.

9 SECTION 13. ADJUTANT GENERAL'S DEPARTMENT: OPERATIONS. In  
10 addition to amounts previously appropriated for the state fiscal  
11 biennium ending August 31, 2007, the amount of \$1,681,615 is  
12 appropriated out of the general revenue fund to the Adjutant  
13 General's Department for the two-year period beginning on the  
14 effective date of this Act for the purpose of paying salaries and  
15 wages and providing for maintenance and operations.

16 SECTION 14. RESTORATION OF REDUCTIONS RELATED TO COMMERCIAL  
17 AIR TRAVEL. In addition to amounts previously appropriated for the  
18 state fiscal biennium ending August 31, 2007, the following amounts  
19 are appropriated to the following agencies for the two-year period  
20 beginning on the effective date of this Act for the purpose of  
21 restoring reductions in appropriations for commercial air travel  
22 made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the  
23 79th Legislature, Regular Session, 2005 (the General  
24 Appropriations Act):

25 (1) the Structural Pest Control Board is appropriated  
26 \$2,595 out of the general revenue fund;

27 (2) the School for the Blind and Visually Impaired is

1 appropriated \$33,370 out of the general revenue fund;

2 (3) the School for the Deaf is appropriated \$139,207  
3 out of the general revenue fund; and

4 (4) the Eleventh Court of Appeals, Eastland, is  
5 appropriated \$3,383 out of the general revenue fund.

6 SECTION 15. SUPREME COURT: MULTI-DISTRICT LITIGATION. In  
7 addition to amounts previously appropriated for the state fiscal  
8 biennium ending August 31, 2007, the amount of \$50,747 is  
9 appropriated out of the general revenue fund to the Supreme Court of  
10 Texas for the two-year period beginning on the effective date of  
11 this Act for the purpose of providing grants to appellate  
12 courts for additional court staff to handle multi-district  
13 litigation cases, such as cases related to asbestosis or silicosis,  
14 appealed from the trial courts.

15 SECTION 16. HEALTH AND HUMAN SERVICES COMMISSION: PRIVATE  
16 HOSPITAL UPPER PAYMENT LIMIT PROGRAM; TRANSFER FROM TEXAS TECH  
17 HEALTH SCIENCES CENTER. (a) The Texas Tech University Health  
18 Sciences Center shall transfer an amount of non-Medicaid  
19 state-appropriated funds, not to exceed \$4,500,000, to the Health  
20 and Human Services Commission during the state fiscal biennium  
21 ending August 31, 2007. The comptroller in consultation with the  
22 commission shall determine the time or times of the transfer. The  
23 commission in consultation with the Legislative Budget Board, the  
24 comptroller, and the health sciences center shall determine the  
25 amount of the transfer based on achieving the optimal match of  
26 available federal funds.

27 (b) The Health and Human Services Commission is authorized

1 to expend amounts transferred under Subsection (a) of this section  
2 during the two-year period beginning on the date of the transfer for  
3 the state contribution under the private hospital upper payment  
4 limit program.

5 SECTION 17. HEALTH AND HUMAN SERVICES COMMISSION: TRANSFER  
6 OF FUNDS APPROPRIATED FOR CHIP SERVICES. Notwithstanding any  
7 provision of another Act making appropriations to the contrary, the  
8 Health and Human Services Commission may, without the necessity of  
9 prior approval by another officer or entity, transfer funds  
10 appropriated to the commission under Goal C: CHIP Services by  
11 Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005  
12 (page II-70, General Appropriations Act), to other goals and  
13 strategies as necessary to efficiently and effectively comply with  
14 the provisions of this Act.

15 SECTION 18. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING  
16 AND CAPITAL BUDGET AUTHORITY IN LIEU OF CONTRACTED  
17 RESPONSIBILITIES. (a) Notwithstanding any other provision in this  
18 Act or another Act making an appropriation, if the executive  
19 commissioner of the Health and Human Services Commission determines  
20 that a service performed as of the effective date of this Act under  
21 a contract would be more effectively performed by state personnel,  
22 the executive commissioner may adjust the agency's full-time  
23 equivalent employee (FTE) limitation prescribed by any Act making  
24 an appropriation to the extent necessary to ensure the successful  
25 assumption of such contracted duties, provided that the commission  
26 has made corresponding adjustments in the scope of duties and  
27 responsibilities under the affected contract. An increase in

1 agency staffing resulting from the executive commissioner's  
2 determination under this section is subject to the following  
3 requirements:

4 (1) the executive commissioner must notify the  
5 Legislative Budget Board and the governor at least 10 days before  
6 adjusting the budgeted FTE levels; and

7 (2) the executive commissioner must report on a  
8 quarterly basis beginning December 1, 2007, to the Legislative  
9 Budget Board and the governor the number of eligibility and related  
10 support staff and any related costs under the appropriations made  
11 to the commission for Strategy A.1.2, Integrated Eligibility and  
12 Enrollment, by the applicable General Appropriations Act.

13 (b) Notwithstanding any other provision in an Act making an  
14 appropriation, if the executive commissioner of the Health and  
15 Human Services Commission determines that a service performed as of  
16 the effective date of this Act under a contract would be more  
17 effectively performed by state personnel, the Health and Human  
18 Services Commission may exceed the capital budget authority  
19 limitations provided elsewhere in an Act making an appropriation to  
20 the extent necessary to acquire hardware, software, and office  
21 space to support any assumed contracted duties and  
22 responsibilities, provided that the commission has made  
23 corresponding adjustments in the scope of the affected contract.  
24 An increase in capital expenditures is subject to the following  
25 requirements:

26 (1) the executive commissioner must notify the  
27 Legislative Budget Board and the governor at least 10 days before



1 acquiring capital equipment; and

2 (2) the executive commissioner must include capital  
3 acquisitions in required financial reporting to the Legislative  
4 Budget Board and the governor.

5 (c) This section applies in relation to the Health and Human  
6 Services Commission for the two-year period beginning on the  
7 effective date of this Act.

8 SECTION 19. HEALTH AND HUMAN SERVICES COMMISSION: GENERAL  
9 SUPPLEMENTAL APPROPRIATIONS. In addition to other amounts  
10 appropriated for the state fiscal biennium ending August 31, 2007,  
11 the amount of \$110,000,000 is appropriated out of the general  
12 revenue fund to the Health and Human Services Commission for the  
13 two-year period beginning on the effective date of this Act. The  
14 amounts appropriated by this section may be expended by the  
15 commission or transferred by the commission to a health and human  
16 services agency for expenditure for any purpose for which the  
17 Health and Human Services Commission or health and human services  
18 agency received an appropriation under Chapter 1369, Acts of the  
19 79th Legislature, Regular Session, 2005 (the General  
20 Appropriations Act).

21 SECTION 20. HEALTH AND HUMAN SERVICES COMMISSION AND HEALTH  
22 AND HUMAN SERVICES AGENCIES: *FREW V. HAWKINS* COMPLIANCE. (a) This  
23 section provides direction, information, transfer authority,  
24 capital budget authority, and full-time-equivalent employee (FTE)  
25 authority in relation to the *Frew v. Hawkins* lawsuit regarding  
26 amounts described by this section that are appropriated by any Act  
27 of the 80th Legislature, Regular Session, 2007. This section does

1 not of itself make an appropriation.

2 (b) In this section:

3 (1) "Appropriating Act" means an Act of the 80th  
4 Legislature, Regular Session, 2007, that makes one or more  
5 appropriations.

6 (2) "Executive Commissioner" means the Executive  
7 Commissioner of the Health and Human Services Commission.

8 (3) "*Frew v. Hawkins*" means the lawsuit styled *Linda*  
9 *Frew, et al. v. Albert Hawkins, et al.*, Civil Action No. 3:93CA65  
10 (U.S. Dist.--E.D. Tex.).

11 (4) "Health and human services agency" has the meaning  
12 assigned by Section 531.001, Government Code.

13 (5) "Joint Motion" means the Joint Motion for Entry of  
14 Agreed Corrective Action Order filed jointly by the plaintiffs and  
15 defendants in *Frew v. Hawkins* on April 27, 2007.

16 (c) Contingent on applicable approval by the federal  
17 judiciary and pursuant to the Joint Motion in *Frew v. Hawkins*, the  
18 amount of \$1,779.9 million in All Funds, including \$706.7 million  
19 in General Revenue, appropriated by any appropriating Act to the  
20 Health and Human Services Commission (HHSC) may be used to improve  
21 access to medically necessary services for members of the plaintiff  
22 class in that lawsuit and to ensure compliance with the Consent  
23 Decree and judicially-approved Corrective Action Plans in that  
24 lawsuit during the state fiscal biennium ending August 31, 2009.  
25 Notwithstanding any limitation on transfer authority prescribed by  
26 any appropriating Act, the Executive Commissioner may transfer  
27 amounts appropriated to the Health and Human Services Commission or

1 to a health and human services agency by any appropriating Act, in a  
2 cumulative amount not to exceed the amounts described above in this  
3 subsection, within and among the commission and the health and  
4 human services agencies as necessary to accomplish the purposes  
5 described by this section.

6 (d) The Executive Commissioner shall develop a plan  
7 consistent with Subsection (c) of this section that details the  
8 proposed expenditure of funds under this section in a manner that  
9 addresses the requirements of the Consent Decree, the Joint Motion,  
10 and the judicially-approved Corrective Action Plans in *Frew v.*  
11 *Hawkins*, to the extent those judicially-approved Corrective Action  
12 Plans supersede the Joint Motion. All expenditures by HHSC or a  
13 health and human services agency that address the requirements of  
14 the Consent Decree, the Joint Motion, or the judicially-approved  
15 Corrective Action Plans in *Frew v. Hawkins* must be made pursuant to  
16 the plan or a plan amendment. The Executive Commissioner shall  
17 submit the plan to the Legislative Budget Board and the Governor not  
18 later than September 1, 2007, or as soon thereafter as practical  
19 following judicial approval of the Corrective Action Plans. The  
20 Executive Commissioner may develop amendments to the plan as  
21 necessary and shall submit any amendments to the plan to the  
22 Legislative Budget Board and the Governor. In accordance with  
23 Section 69, Article XVI, Texas Constitution, expenditures pursuant  
24 to the plan or any plan amendment may not be made without the prior  
25 approval of the Governor and the Legislative Budget Board.

26 (e) To the extent not otherwise superseded by the  
27 judicially-approved Corrective Action Plans, the amounts described

1 by this section that may be used for purposes of *Frew v. Hawkins*  
2 compliance may be used for the following purposes:

3 (1) a 25 percent increase in physician and other  
4 professional reimbursement rates for services to children enrolled  
5 in the medical assistance program and covered by the Joint Motion  
6 (\$511.3 million in All Funds including \$203 million in General  
7 Revenue);

8 (2) a 50 percent increase in dental reimbursement  
9 rates for services to children enrolled in the medical assistance  
10 program and covered by the Joint Motion (\$661.6 million in All Funds  
11 including \$258.7 million in General Revenue);

12 (3) a targeted rate increase for certain specialists  
13 for services to children enrolled in the medical assistance program  
14 and covered by the Joint Motion (\$125.9 million in All Funds  
15 including \$50 million in General Revenue);

16 (4) strategic dental and medical initiatives  
17 concerning services to children enrolled in the medical assistance  
18 program and covered by the Joint Motion (\$150 million in General  
19 Revenue) which may include but are not limited to the following:

20 (A) mobile medical and dental vans and operations  
21 in underserved areas of the state, commencing with health and human  
22 services Region 11;

23 (B) stipends or other incentives that qualify for  
24 federal financial participation to health care professionals who  
25 provide health care services in an underserved area to children  
26 enrolled in the medical assistance program;

27 (C) targeted rate adjustments not otherwise

1 included in Subdivisions (1)-(3) of this subsection that further  
2 improve access for children enrolled in the medical assistance  
3 program;

4 (D) improvements in medical transportation;

5 (E) improvements such as the Medicaid Access Card  
6 that simplify access to medically necessary services and enhance  
7 scheduling and notification of required check-ups and follow-up  
8 care;

9 (F) appropriate efforts to provide specialty  
10 services in or near underserved areas, such as providing for  
11 regular, periodic clinics by specialists in communities that are  
12 closer to underserved areas than the specialists' regular offices;  
13 and

14 (G) other appropriate strategic initiatives to  
15 improve the access to medically necessary services in underserved  
16 areas of the state for children enrolled in the medical assistance  
17 program and covered by the Joint Motion;

18 (5) implementation of the judicially-approved  
19 Corrective Action Plans (\$113.4 million in All Funds including \$45  
20 million in General Revenue); and

21 (6) reasonable variances in utilization or cost  
22 estimates of the court-ordered Corrective Action Plans.

23 (f) Notwithstanding any provision of any appropriating Act  
24 to the contrary, the Executive Commissioner is authorized to adjust  
25 staffing levels and to acquire capital items to the extent the  
26 Executive Commissioner determines is necessary to ensure  
27 compliance with the judicially-approved Corrective Action Plans,

1 subject to the following requirements:

2 (1) staffing and capital equipment needs must be  
3 described in adequate detail in the plan submitted by the Executive  
4 Commissioner pursuant to Subsection (d) of this section, to the  
5 extent such needs are known at the time the plan is submitted; and

6 (2) to the extent such needs are not known at that  
7 time, the Executive Commissioner shall amend the plan and notify  
8 the Legislative Budget Board and the Office of the Governor not  
9 later than:

10 (A) the 30th day following the date the Executive  
11 Commissioner determines that additional staffing and capital items  
12 are required; and

13 (B) the 10th day before the date the number of  
14 FTEs are adjusted or capital equipment is acquired in a manner that  
15 differs from the original plan or an earlier amendment to the plan.

16 SECTION 21. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:  
17 CPS REFORM. (a) In addition to amounts previously appropriated for  
18 the state fiscal biennium ending August 31, 2007, the following  
19 amounts are appropriated to the Department of Family and Protective  
20 Services for the two-year period beginning on the effective date of  
21 this Act to initiate child protective services reforms relating to  
22 family group decision-making, in-home family support, redaction of  
23 adoption records, improvement of court services, tablet personal  
24 computers for conservatorship workers, and centralization of  
25 background and criminal history checks:

26 (1) \$1,502,423 is appropriated out of the general  
27 revenue fund; and

1                   (2) \$2,214,557 in federal funds (TANF) is  
2 appropriated.

3           (b) In addition to the number of full-time equivalent  
4 employees (FTEs) the Department of Family and Protective Services  
5 is authorized to employ by other law during the state fiscal year  
6 ending August 31, 2007, the department may employ an additional 117  
7 FTEs during the remainder of that period.

8           (c) In addition to the capital budget authority previously  
9 granted for the state fiscal biennium ending August 31, 2007, the  
10 Department of Family and Protective Services may use an additional  
11 \$2,033,837 in capital budget authority for programming expenses  
12 associated with providing tablet personal computers for  
13 conservatorship workers, child-care licensing staff, and  
14 residential child-care licensing staff.

15           SECTION 22. DEPARTMENT OF AGING AND DISABILITY SERVICES:  
16 RESTORATION OF COMMUNITY CARE PROVIDER RATES TO FISCAL YEAR 2003  
17 LEVELS. The amount of \$10,814,194 is appropriated out of the  
18 general revenue fund and \$16,422,160 in federal funds is  
19 appropriated to the Department of Aging and Disability Services for  
20 the two-year period beginning June 1, 2007, for the purpose of  
21 restoring provider rates to fiscal year 2003 levels in programs for  
22 home and community-based services, in programs for community living  
23 assistance and support services (CLASS), in the Texas Home Living  
24 Waiver program, and in intermediate care facilities for the  
25 mentally retarded. The adjustment to provider rates for such  
26 services shall be effective January 1, 2007.

27           SECTION 23. DEPARTMENT OF STATE HEALTH SERVICES:

1 ANTIVIRALS FOR INFLUENZA PANDEMIC. In addition to amounts  
2 previously appropriated for the state fiscal biennium ending August  
3 31, 2007, the amount of \$11,000,000 is appropriated out of the  
4 general revenue fund to the Department of State Health Services for  
5 the two-year period beginning on the effective date of this Act for  
6 the purpose of purchasing antiviral drugs for use in the event of an  
7 influenza pandemic.

8 SECTION 24. COMPTROLLER OF PUBLIC ACCOUNTS: SUPPORT FOR TAX  
9 ADMINISTRATION DUTIES AND STATEWIDE FISCAL RESPONSIBILITIES. In  
10 addition to other amounts appropriated for the state fiscal  
11 biennium ending August 31, 2009, that may be used for this purpose,  
12 the amount of \$4,100,000 is appropriated out of the general revenue  
13 fund to the comptroller of public accounts for the state fiscal  
14 biennium ending August 31, 2009, for the purpose of supporting the  
15 comptroller's tax administration duties and statewide fiscal  
16 responsibilities.

17 SECTION 25. GENERAL LAND OFFICE AND VETERANS' LAND BOARD:  
18 DERELICT STRUCTURE REMOVAL. In addition to other amounts  
19 appropriated for the state fiscal biennium ending August 31, 2007,  
20 the amount of \$2,000,000 is appropriated out of the general  
21 revenue-dedicated coastal protection account No. 27 to the General  
22 Land Office and Veterans' Land Board for the two-year period  
23 beginning on the effective date of this Act for the purpose of  
24 removing and disposing of the Zeus jack rig, an off-shore oil  
25 platform abandoned in the Freeport Channel.

26 SECTION 26. SECRETARY OF STATE: COSTS OF MAY 12  
27 CONSTITUTIONAL AMENDMENT ELECTION. In addition to other amounts



1 appropriated for the state fiscal biennium ending August 31, 2007,  
2 the amount of \$5,000,000 is appropriated out of the general revenue  
3 fund to the secretary of state for the two-year period beginning on  
4 the effective date of this Act for the purpose of reimbursing each  
5 county in this state for the expense incurred by the county in  
6 conducting the election held on May 12, 2007, at which a proposed  
7 amendment to the Texas Constitution was on the ballot.

8 SECTION 27. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:  
9 HELOTES FIRE. In addition to other amounts appropriated for the  
10 state fiscal biennium ending August 31, 2007, the amount of  
11 \$2,800,000 is appropriated out of the general revenue-dedicated  
12 solid waste disposal fees account No. 5000 to the Texas Commission  
13 on Environmental Quality for the two-year period beginning on the  
14 effective date of this Act for the purpose of supporting efforts to  
15 extinguish the fire in or near the city of Helotes on property owned  
16 by H.L. Zumwalt Construction, Inc., that poses a potential threat  
17 to Edwards Aquifer groundwater.

18 SECTION 28. TEXAS YOUTH COMMISSION: OPERATING EXPENSES.  
19 In addition to amounts previously appropriated for the state fiscal  
20 biennium ending August 31, 2007, the amount of \$20,000,000 is  
21 appropriated out of the general revenue fund to the Texas Youth  
22 Commission for the two-year period beginning on the effective date  
23 of this Act for the purpose of providing for the agency's operating  
24 expenses and video surveillance needs. Notwithstanding any  
25 limitation on the capital budget authority of the Texas Youth  
26 Commission, the commission may expend the amount necessary from the  
27 appropriation made by this section to acquire needed video

1 surveillance equipment.

2 SECTION 29. DATA CENTER SERVICES. (a) The following  
3 amounts are appropriated for the state fiscal biennium ending  
4 August 31, 2009, to the following agencies for the purpose of making  
5 payments for data center services:

6 (1) \$154,354 is appropriated out of the general  
7 revenue fund to the Railroad Commission of Texas;

8 (2) \$1,124,521 is appropriated out of the general  
9 revenue fund and an additional \$4,856,648 is appropriated out of  
10 general revenue dedicated accounts to the Texas Commission on  
11 Environmental Quality;

12 (3) \$381,705 is appropriated out of the general  
13 revenue fund, an additional \$17,699 is appropriated out of general  
14 revenue dedicated accounts, and \$1,937,066 in federal funds is  
15 appropriated to the Texas Workforce Commission;

16 (4) \$958,928 is appropriated out of the state highway  
17 fund to the Texas Department of Transportation;

18 (5) \$2,734,431 is appropriated out of general revenue  
19 dedicated accounts to the Parks and Wildlife Department;

20 (6) \$339,523 is appropriated out of the general  
21 revenue fund to the Texas State Library and Archives Commission;

22 (7) \$773,164 is appropriated out of the general  
23 revenue fund to the secretary of state;

24 (8) \$1,295,979 is appropriated out of the general  
25 revenue fund, \$136,277 in other funds is appropriated, and \$778,098  
26 in federal funds is appropriated to the Texas Education Agency;

27 (9) \$552,478 is appropriated out of the general

1 revenue fund, \$590,858 in other funds is appropriated, and \$10,995  
2 in federal funds is appropriated to the Texas Higher Education  
3 Coordinating Board;

4 (10) \$519,429 is appropriated out of the general  
5 revenue fund to the Public Utility Commission of Texas;

6 (11) \$78,920 is appropriated out of the general  
7 revenue fund to the General Land Office;

8 (12) \$1,929,901 is appropriated out of the general  
9 revenue fund to the Office of the Attorney General;

10 (13) \$329,626 is appropriated out of the general  
11 revenue fund to the Texas Alcoholic Beverage Commission;

12 (14) \$147,631 is appropriated out of the general  
13 revenue fund to the Texas Department of Licensing and Regulation;

14 (15) \$2,466,681 is appropriated out of the general  
15 revenue fund to the Texas Water Development Board; and

16 (16) \$839,500 is appropriated out of the general  
17 revenue fund to the Texas Youth Commission.

18 (b) The amount of \$8,081,368 is appropriated out of the  
19 general revenue fund to the Department of Information Resources for  
20 the state fiscal year ending August 31, 2007, for the purpose of  
21 transferring funds to state agencies as necessary for use by the  
22 agencies in making payments for data center services.

23 (c) The following amounts are appropriated out of the  
24 general revenue fund to the Department of Information Resources for  
25 the purpose of paying one-time costs related to the data center  
26 services contract:

27 (1) in addition to amounts previously appropriated for

1 the state fiscal biennium ending August 31, 2007, the amount of  
2 \$32,335,000 is appropriated for the two-year period beginning on  
3 the effective date of this Act; and

4 (2) in addition to other amounts appropriated for all  
5 or part of the state fiscal biennium ending August 31, 2009, that  
6 may be used for this purpose, the amount of \$34,385,000 is  
7 appropriated for the state fiscal year ending August 31, 2008, and  
8 the amount of \$9,935,000 is appropriated for the state fiscal year  
9 ending August 31, 2009.

10 (d) As a result of reduced costs due to the implementation  
11 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
12 2005 (House Bill 1516), appropriations to the Employees Retirement  
13 System for the state fiscal year ending August 31, 2007, are reduced  
14 by the following amounts to reflect decreased retirement program  
15 costs:

16 (1) appropriations out of the general revenue fund are  
17 reduced by \$221,782;

18 (2) appropriations out of general revenue dedicated  
19 accounts are reduced by \$58,608; and

20 (3) appropriations out of other funds are reduced by  
21 \$88,412.

22 (e) As a result of reduced costs due to the implementation  
23 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
24 2005 (House Bill 1516), appropriations to the Employees Retirement  
25 System for the state fiscal year ending August 31, 2007, are reduced  
26 by the following amounts to reflect decreased insurance program  
27 costs:

1           (1) appropriations out of the general revenue fund are  
2 reduced by \$487,921;

3           (2) appropriations out of general revenue dedicated  
4 accounts are reduced by \$128,937; and

5           (3) appropriations out of other funds are reduced by  
6 \$194,507.

7           (f) As a result of reduced costs due to the implementation  
8 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
9 2005 (House Bill 1516), appropriations to the Comptroller of Public  
10 Accounts for the state match for social security for the state  
11 fiscal year ending August 31, 2007, are reduced by the following  
12 amounts to reflect decreased social security costs:

13           (1) appropriations out of the general revenue fund are  
14 reduced by \$263,044;

15           (2) appropriations out of general revenue dedicated  
16 accounts are reduced by \$69,511; and

17           (3) appropriations out of other funds are reduced by  
18 \$104,861.

19           (g) As a result of reduced costs due to the implementation  
20 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
21 2005 (House Bill 1516), appropriations to the Comptroller of Public  
22 Accounts made by Section 13.17(b), Article IX, Chapter 1369, Acts  
23 of the 79th Legislature, Regular Session, 2005 (the General  
24 Appropriations Act), for the state fiscal year ending August 31,  
25 2007, are reduced by the following amounts to reflect decreased  
26 salary costs:

27           (1) appropriations out of the general revenue fund are

1 reduced by \$140,729;

2 (2) appropriations out of general revenue dedicated  
3 accounts are reduced by \$37,189; and

4 (3) appropriations out of other funds are reduced by  
5 \$56,101.

6 (h) As a result of reduced costs due to the implementation  
7 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
8 2005 (House Bill 1516), appropriations to the Texas Department of  
9 Insurance for the state fiscal biennium ending August 31, 2009, are  
10 reduced by the following amounts to reflect decreased costs:

11 (1) appropriations out of the general revenue fund are  
12 reduced by \$912,610; and

13 (2) appropriations out of general revenue dedicated  
14 accounts are reduced by \$1,153,023.

15 (i) As a result of reduced costs due to the implementation  
16 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
17 2005 (House Bill 1516), appropriations to the Department of Family  
18 and Protective Services for the state fiscal biennium ending August  
19 31, 2009, are reduced by the following amounts to reflect decreased  
20 costs:

21 (1) appropriations out of the general revenue fund are  
22 reduced by \$2,192,309; and

23 (2) federal funds appropriations are reduced by  
24 \$371,007.

25 (j) As a result of reduced costs due to the implementation  
26 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
27 2005 (House Bill 1516), appropriations to the Department of Public

1 Safety for the state fiscal biennium ending August 31, 2009, are  
2 reduced by the following amounts to reflect decreased costs:

3 (1) appropriations out of the state highway fund are  
4 reduced by \$83,250; and

5 (2) appropriations out of general revenue dedicated  
6 accounts are reduced by \$141,750.

7 (k) As a result of reduced costs due to the implementation  
8 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
9 2005 (House Bill 1516), appropriations to the Texas Building and  
10 Procurement Commission for the state fiscal biennium ending August  
11 31, 2009, are reduced by the following amounts to reflect decreased  
12 costs:

13 (1) appropriations out of the general revenue fund are  
14 reduced by \$844,083;

15 (2) appropriations out of general revenue dedicated  
16 accounts are reduced by \$34,450; and

17 (3) appropriations out of other funds are reduced by  
18 \$289,273.

19 (1) As a result of reduced costs due to the implementation  
20 of Chapter 1068, Acts of the 79th Legislature, Regular Session,  
21 2005 (House Bill 1516), appropriations out of the general revenue  
22 fund to the Department of Agriculture for the state fiscal biennium  
23 ending August 31, 2009, are reduced by \$105,478 to reflect  
24 decreased costs.

25 (m) If this section makes an appropriation to an agency out  
26 of general revenue dedicated accounts or out of other funds, or  
27 reduces an agency's appropriation out of general revenue dedicated

1 accounts or out of other funds, under circumstances in which more  
2 than one general revenue dedicated account or source of other funds  
3 could be involved, the comptroller with the assistance of the  
4 affected agency shall allocate the appropriation or reduction in  
5 appropriations among the dedicated accounts or sources of other  
6 funds according to:

7 (1) the amounts available in the affected accounts or  
8 from the sources of other funds; and

9 (2) the extent to which the programs supported by the  
10 dedicated accounts or sources of other funds are supported by the  
11 appropriation or, in the case of a reduction in appropriations,  
12 supported by the implementation of Chapter 1068, Acts of the 79th  
13 Legislature, Regular Session, 2005 (House Bill 1516).

14 (n)(1) Amounts appropriated by Subsection (c) of this  
15 section may be used only for one-time implementation costs directly  
16 related to consolidating data center services, such as costs for  
17 labor, hardware, software, software upgrades, travel, human  
18 resources expenses, moving and living expenses of transitioned  
19 employees, consulting, communications, inventory of in-scope  
20 equipment, and facilities renovations to consolidated data  
21 centers, customer data centers, and customer remote facilities.

22 (2) As necessary to maximize the receipt of federal  
23 funds, amounts appropriated by Subsection (c) of this section may  
24 be transferred by the Department of Information Resources to state  
25 agencies involved in the data center contract for use by the  
26 agencies only for the purpose stated by Subsection (c) of this  
27 section and this subsection. Notwithstanding any authority granted



1 by this Act or a General Appropriations Act to transfer  
2 appropriated money between strategies, amounts appropriated by  
3 Subsection (c) of this section are not available for any purpose  
4 other than the purpose stated by Subsection (c) and this  
5 subsection.

6 (3) The Department of Information Resources may not  
7 spend amounts appropriated by Subsection (c) of this section and an  
8 agency to which the department transfers money under this  
9 subsection may not spend a transferred amount unless, more than 21  
10 days before the department spends or transfers the money, as  
11 applicable, the department reports to the Legislative Budget Board  
12 and the Governor the intended use of the funds and, for money  
13 transferred to another agency under this subsection, the specific  
14 amounts proposed to be transferred. Amounts appropriated by  
15 Subsection (c) of this section may not be expended to the extent:

16 (A) the Governor issues a written disapproval of  
17 a proposed expenditure not later than the 21st business day after  
18 the date the Governor receives the report from the department  
19 concerning the proposed expenditure; or

20 (B) the Legislative Budget Board issues a written  
21 disapproval of a proposed expenditure not later than the 21st  
22 business day after the date the staff of the Legislative Budget  
23 Board concludes its review of the report from the department  
24 concerning the proposed expenditure and forwards the staff's  
25 conclusions or comments to the Chair of the House Appropriations  
26 Committee, Chair of the Senate Finance Committee, Speaker of the  
27 House of Representatives, and Lieutenant Governor.

1           (4) Amounts appropriated by Subsection (c) of this  
2 section may not be used by the department or another agency to pay  
3 for costs incurred by the department to administer and oversee the  
4 data center services contract.

5           SECTION 30. PREVIOUSLY AUTHORIZED DEFERRALS OF AUGUST 2007  
6 PAYMENTS. (a) The following riders in Article II, Chapter 1369,  
7 Acts of the 79th Legislature, Regular Session, 2005 (the General  
8 Appropriations Act) are repealed:

9           (1) Rider 66 following the appropriations to the  
10 Health and Human Services Commission;

11           (2) Rider 21 following the appropriations to the  
12 Department of Aging and Disability Services;

13           (3) Rider 48 following the appropriations to the  
14 Department of Aging and Disability Services; and

15           (4) Rider 25 following the appropriations to the  
16 Department of Family and Protective Services.

17           (b) The following unencumbered amounts appropriated to the  
18 Health and Human Services Commission for the state fiscal biennium  
19 ending August 31, 2007, are transferred as follows:

20           (1) the amount of \$122,701,559 in general revenue is  
21 transferred to the Department of Aging and Disability Services for  
22 expenditure by the department during the state fiscal year ending  
23 August 31, 2007, or if appropriate, during the state fiscal year  
24 ending August 31, 2008, in connection with making payments for  
25 August 2007 services; and

26           (2) the amount of \$12,792,244 in general revenue is  
27 transferred to the Department of Family and Protective Services for

1 expenditure by the department during the state fiscal year ending  
2 August 31, 2007, or if appropriate, during the state fiscal year  
3 ending August 31, 2008, in connection with making payments for  
4 August 2007 services.

5 SECTION 31. TRANSFERS TO DEPARTMENT OF ASSISTIVE AND  
6 REHABILITATIVE SERVICES FOR VOCATIONAL REHABILITATION. The  
7 unencumbered amount of \$1,541,628 in general revenue appropriated  
8 to the Health and Human Services Commission for the state fiscal  
9 biennium ending August 31, 2007, is transferred to the Department  
10 of Assistive and Rehabilitative Services for expenditure by the  
11 department during the two-year period beginning on the effective  
12 date of this Act for vocational rehabilitation.

13 SECTION 32. TRANSFERS TO DEPARTMENT OF FAMILY AND  
14 PROTECTIVE SERVICES FOR SUPPLEMENTAL NEEDS. The unencumbered  
15 amount of \$13,047,000 in general revenue appropriated to the Health  
16 and Human Services Commission for the state fiscal biennium ending  
17 August 31, 2007, is transferred to the Department of Family and  
18 Protective Services for expenditure by the department during the  
19 two-year period beginning on the effective date of this Act for the  
20 purpose of making foster care and adoption subsidy payments.

21 SECTION 33. APPROPRIATION REDUCTION: TEACHER RETIREMENT  
22 SYSTEM, TRS-CARE. The unencumbered appropriations from the general  
23 revenue fund appropriated to the Teacher Retirement System for use  
24 during the state fiscal year ending August 31, 2007, by Chapter  
25 1369, Acts of the 79th Legislature, Regular Session, 2005 (the  
26 General Appropriations Act) under Strategy A.3.1 for the Teacher  
27 Retirement System (Retiree Health - Supplemental Funds) are reduced

1 by the amount of \$76,644,468.

2 SECTION 34. REDUCTION IN VETOED FUNDS APPROPRIATION. The  
3 appropriations made from general revenue by Section 13.18, Article  
4 IX, Chapter 1369, Acts of the 79th Legislature, Regular Session,  
5 2005 (the General Appropriations Act), are reduced by the amount of  
6 \$463,973,206.

7 SECTION 35. EFFECTIVE DATE. This Act takes effect  
8 immediately.

Floor Amendment No. 1

By: Carona

Amend C.S.H.B. 15 by striking second reading floor amendment No. 4 (Carona).

**ADOPTED**

MAY 16 2007

*Holley Dew*  
Secretary of the Senate

*on  
3rd*

*53*

# ADOPTED

MAY 23 2007

*Atty. Gen.*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY: *Stephen Egger*

1 Amend C.S.H.B. No. 15 (senate committee printing) as follows:

2 (1) Add the following appropriately numbered SECTION to the  
3 bill immediately following existing SECTION 20 (page 7, between  
4 lines 17 and 18), renumber subsequent SECTIONS of the bill  
5 accordingly, and revise references to existing Section 20 in the  
6 following added SECTION as necessary to ensure that those  
7 references are to existing Section 20 of the bill in the event that  
8 existing Section 20 is renumbered:

9 SECTION \_\_\_\_\_. HEALTH AND HUMAN SERVICES COMMISSION:  
10 APPROPRIATION FOR *FREW V. HAWKINS* SETTLEMENT. (a) In this section,  
11 "*Frew v. Hawkins*" has the meaning assigned by Section 20 of this  
12 Act.

13 (b) The amounts appropriated by Subsection (c) of this  
14 section are contingent on applicable approval of the settlement in  
15 *Frew v. Hawkins* by the federal judiciary and are subject to Section  
16 20 of this Act.

17 (c) In addition to amounts otherwise appropriated for the  
18 state fiscal biennium ending August 31, 2009, the amount of \$706.7  
19 million is appropriated out of the general revenue fund and the  
20 amount of \$1,073.2 million in federal funds is appropriated to the  
21 Health and Human Services Commission for the state fiscal biennium  
22 ending August 31, 2009, for the purpose of complying with the  
23 settlement in *Frew v. Hawkins*.

24 (2) Strike existing SECTION 7 of the bill (page 2, lines 26-  
25 33) and renumber subsequent SECTIONS accordingly.

26 (3) In SECTION 19 of the bill, between "out of the general

1 revenue fund" and "to the Health and Human Services Commission"  
2 (page 5, line 17), insert "and the amount of \$165,300,000 in  
3 federal matching funds is appropriated".

4 (4) In existing SECTION 21 of the bill (page 7, line 35),  
5 strike "117" and substitute "245".

6 (5) Strike existing SECTION 22 of the bill (page 7, lines 44-  
7 55) and substitute the following appropriately numbered SECTION:

8 SECTION \_\_\_\_\_. DEPARTMENT OF AGING AND DISABILITY SERVICES:

9 RESTORATION OF COMMUNITY CARE AND ICF-MR PROVIDER RATES TO

10 FISCAL YEAR 2003 LEVELS. (a) The following amounts are

11 appropriated to the Department of Aging and Disability Services

12 for the purpose of restoring provider rates to fiscal year 2003

13 levels in programs for home and community-based services, in

14 programs for community living assistance and support services

15 (CLASS), in the Texas Home Living Waiver program, and in

16 intermediate care facilities for the mentally retarded (ICFs/MR):

17 (1) the amount of \$3,400,000 is appropriated out of

18 the general revenue fund and \$5,150,000 in federal funds is

19 appropriated for the two-year period beginning on the effective

20 date of this Act; and

21 (2) the amount of \$10,800,000 is appropriated out of

22 the general revenue fund and \$16,400,000 in federal funds is

23 appropriated for the state fiscal biennium ending August 31,

24 2009.

25 (b) The adjustment to provider rates for services described

26 by this section is effective January 1, 2007.

27 SECTION \_\_\_\_\_. DEPARTMENT OF AGING AND DISABILITY SERVICES:

28 INCREASE HOME HEALTH PROVIDER RATES IN FISCAL YEAR 2009. The

29 amount of \$18,000,000 is appropriated out of the general revenue

1 fund and \$27,270,000 in federal funds is appropriated to the  
2 Department of Aging and Disability Services for the state fiscal  
3 year ending August 31, 2009, for the purpose of providing a rate  
4 increase to certain home health providers in fiscal year 2009.

5 The Department of Aging and Disability Services may allocate  
6 these funds as appropriate among the following General  
7 Appropriations Act strategies:

- 8 (1) Strategy A.2.1, Primary Home Care;
- 9 (2) Strategy A.2.2, Community Attendant Services;
- 10 (3) Strategy A.3.1, Community-based Alternatives; and
- 11 (4) Strategy A.6.4, Promoting Independence Services.

12 (6) Strike existing SECTION 23 of the bill (page 7, lines 56-  
13 63) and substitute the following appropriately numbered SECTION:

14 SECTION \_\_\_\_\_. DEPARTMENT OF STATE HEALTH SERVICES: ANTIVIRALS  
15 FOR INFLUENZA PANDEMIC. In addition to other amounts appropriated  
16 for the state fiscal biennium ending August 31, 2009, that may be  
17 used for this purpose, the amount of \$11,000,000 is appropriated  
18 out of the general revenue fund to the Department of State Health  
19 Services for the state fiscal biennium ending August 31, 2009, for  
20 the purpose of purchasing antiviral drugs for use in the event of  
21 an influenza pandemic.

22 (7) Strike existing SECTION 24 of the bill (page 7, line 64  
23 through page 8, line 3) and substitute the following appropriately  
24 numbered SECTION:

25 SECTION \_\_\_\_\_. COMPTROLLER OF PUBLIC ACCOUNTS: SUPPORT FOR TAX  
26 ADMINISTRATION DUTIES AND STATEWIDE FISCAL RESPONSIBILITIES. In  
27 addition to other amounts appropriated for the state fiscal  
28 biennium ending August 31, 2007, the amount of \$4,100,000 is  
29 appropriated out of the general revenue fund to the comptroller of



1 public accounts for the two-year period beginning on the effective  
2 date of this Act for the purpose of supporting the comptroller's  
3 tax administration duties and statewide fiscal responsibilities.

4 (8) In existing SECTION 30(b)(1) of the bill (page 12, line  
5 1), strike "the amount of" and substitute "an amount not to  
6 exceed".

7 (9) In existing SECTION 30(b)(2) of the bill (page 12, line  
8 7), strike "the amount of" and substitute "an amount not to  
9 exceed".

10 (10) In existing SECTION 32 of the bill (page 12, lines 22  
11 and 23), strike "The unencumbered amount of" and substitute "An  
12 unencumbered amount not to exceed".

13 (11) In existing SECTION 34 of the bill (page 12, line 41),  
14 strike "\$463,973,206" and substitute "\$472,818,424".

15 (12) In existing SECTION 12 of the bill (page 3, line 32),  
16 strike "The University of Houston" and substitute "Sam Houston  
17 State University".

18 (13) In existing SECTION 10 of the bill (page 3, lines 3-9),  
19 strike proposed subsection (b) and substitute:

20 (b) The appropriation made by Subsection (a) of this section  
21 is contingent upon the development of a suitable plan of  
22 reorganization approved by the Legislative Budget Board and the  
23 Governor or the placement of the university under conservatorship  
24 as defined by Government Code Chapter 2104.

25 (14) In existing SECTION 25 of the bill on page 8, line 12  
26 insert "The agency shall seek to recover all expenses from the scrap  
27 value and or the owner of the structure" after the period.

28 (15) In existing SECTION 21 of the bill on line 28 of page 7  
29 strike "\$1,502,423" and substitute "\$1,952,114".

1 (16) In existing SECTION 21 of the bill on line 30 of page 7  
2 strike "\$2,214,557" and substitute "\$3,383,451".

3 (17) In existing SECTION 21 of the bill on line 40 of page 7  
4 strike "\$2,033,837" and substitute "\$2,555,837".

5 (18) In existing SECTION 29 of the bill strike subsection  
6 (n) (page 11, line 10 through line 54) of the bill and substitute  
7 the following:

8 (n) The following amounts are appropriated for the state  
9 fiscal biennium ending August 31, 2009, to the following agencies  
10 for the purpose of making payments for data center consolidation  
11 hardware upgrades and physical transfer of equipment:

12 (1) \$236,000 is appropriated out of the general revenue  
13 fund to the Railroad Commission of Texas;

14 (2) \$108,858 is appropriated out of the general revenue  
15 fund and an additional \$470,142 is appropriated out of general  
16 revenue dedicated accounts to the Texas Commission on Environmental  
17 Quality;

18 (3) \$226,919 is appropriated out of the general revenue  
19 fund, an additional \$10,522 is appropriated out of general revenue  
20 dedicated accounts, and \$1,151,559 in federal funds is appropriated  
21 to the Texas Workforce Commission;

22 (4) \$214,000 is appropriated out of general revenue  
23 dedicated accounts to the Parks and Wildlife Department;

24 (5) \$217,369 is appropriated out of the general revenue  
25 fund, and an additional \$274,631 is appropriated out of general  
26 revenue dedicated accounts to the Texas Department of Insurance;

27 (6) \$44,000 is appropriated out of the general revenue  
28 fund to the Texas State Library and Archives Commission;

29 (7) \$96,000 is appropriated out of the general revenue

1 fund to the Secretary of State;

2 (8) \$371,424 is appropriated out of the general revenue  
3 fund, \$39,432 in other funds is appropriated, and \$225,144 in  
4 federal funds is appropriated to the Texas Education Agency;

5 (9) \$69,878 is appropriated out of the general revenue  
6 fund, \$74,732 in other funds is appropriated, and \$1,390 in federal  
7 funds is appropriated to the Texas Higher Education Coordinating  
8 Board;

9 (10) \$23,000 is appropriated out of the general revenue  
10 fund to the Public Utility Commission of Texas;

11 (11) \$1,980 is appropriated out of the general revenue  
12 fund to the General Land Office;

13 (12) \$28,350 is appropriated out of the general revenue  
14 dedicated accounts, and \$16,650 in other funds is appropriated to  
15 the Department of Public Safety;

16 (13) \$141,000 is appropriated out of the general revenue  
17 fund to the Office of the Attorney General;

18 (14) \$48,000 is appropriated out of the general revenue  
19 fund to the Texas Alcoholic Beverage Commission;

20 (15) \$29,767 is appropriated out of the general revenue  
21 fund, an additional \$1,195 is appropriated out of general revenue  
22 dedicated accounts, and \$10,038 in other funds is appropriated to  
23 the Texas Building and Procurement Commission;

24 (16) \$126,582 is appropriated out of the general revenue  
25 fund to the Texas Department of Agriculture;

26 (17) \$13,000 is appropriated out of the general revenue  
27 fund to the Texas Department of Licensing and Regulation;

28 (18) \$83,000 is appropriated out of the general revenue  
29 fund to the Texas Water Development Board; and

1           (19) \$138,000 is appropriated out of the general revenue  
2 fund to the Texas Youth Commission.

3  
4           (19) Add the following appropriately numbered SECTION to the  
5 bill immediately following existing SECTION 34 and renumber  
6 subsequent SECTIONS of the bill accordingly:

7           SECTION \_\_\_\_\_. DEPARTMENT OF AGING AND DISABILITY SERVICES:  
8 REDUCTION IN CERTAIN SUPPLEMENTAL APPROPRIATIONS.        The  
9 appropriations made from general revenue by Section 5, Chapter  
10 1362, Acts of the 79th Legislature, Regular Session, 2005 (House  
11 Bill 10), are reduced by the amount of \$30,000,000.

12           SECTION \_\_\_\_\_. PRAIRIE VIEW A&M UNIVERSITY: APPROPRIATION FOR  
13 ACADEMIC DEVELOPMENT INITIATIVE. (a) In addition to other amounts  
14 appropriated for the state fiscal biennium ending August 31, 2009,  
15 that may be used for this purpose, the following amounts are  
16 appropriated out of the general revenue fund to Prairie View A&M  
17 University for the purpose of funding the Academic Development  
18 Initiative:

19           (1) 5,000,000 is appropriated for the state fiscal year  
20 ending August 31, 2008; and

21           (2) \$5,000,000 and any unexpended balance of the amount  
22 appropriated under Subdivision (1) of this subsection are  
23 appropriated for the state fiscal year ending August 31, 2009.

24           (b) The amounts appropriated by Subsection (a) of this  
25 section shall be used for:

26           (1) proven academic success programs;

27           (2) existing graduate programs;

28           (3) undergraduate education; and

29           (4) initiatives to target enrollment growth.

30           (c) Prairie View A&M University and Texas A&M University

1 System shall jointly create and submit an accountability report  
2 outlining use of these funds by November 1 of each fiscal year to  
3 the Texas A&M University System Board of Regents, the Texas Higher  
4 Education Coordinating Board, the Legislative Budget Board, and the  
5 Governor. This accountability report shall set forth goals to be  
6 achieved with the Academic Development Initiative funding,  
7 establish milestones and timelines showing progress toward meeting  
8 those goals. For milestones that are not met, the report will  
9 include recommended actions to achieve the milestones or  
10 recommended changes to more efficiently meet the goals of the  
11 Academic Development Initiative.

12 SECTION \_\_\_\_\_. UNIVERSITY OF TEXAS MEDICAL BRANCH AT  
13 GALVESTON: INTERRUPTIONS CAUSED BY HURRICANE RITA. (a) In  
14 addition to other amounts appropriated for the two year period  
15 beginning the effective date of this Act, that may be used for this  
16 purpose, the amount of \$13,100,000 is appropriated out of the  
17 general revenue fund to The University of Texas Medical Branch at  
18 Galveston for two year period beginning the effective date of this  
19 Act, for the purpose of reimbursing the institution for  
20 nonreimbursed losses resulting from interruptions in services and  
21 operations caused by Hurricane Rita.

22 (b) It is the intent of the legislature that The University  
23 of Texas Medical Branch at Galveston use the money appropriated by  
24 Subsection (a) of this section in equal amounts in each fiscal year  
25 of the state fiscal biennium for which the money is appropriated.

26 SECTION \_\_\_\_\_. UNIVERSITY OF HOUSTON: FINANCIAL NEEDS OF  
27 HURRICANE KATRINA VICTIMS. In addition to other amounts  
28 appropriated for the state fiscal biennium ending August 31, 2007,  
29 the amount of \$2,550,000 is appropriated out of the general revenue

1 fund to the University of Houston for the two-year period beginning  
2 on the effective date of this Act, for the purpose of meeting  
3 financial needs of 930 students enrolled at the university who were  
4 victims of Hurricane Katrina.

5 SECTION \_\_\_\_\_. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:  
6 TARRANT COUNTY WALKER BRANCH FACILITY REMEDIATION. In addition to  
7 other amounts appropriated for the state fiscal biennium ending  
8 August 31, 2007, the amount of \$1,500,000 is appropriated out of  
9 the general revenue-dedicated solid waste disposal fees account No.  
10 5000 to the Texas Commission on Environmental Quality for the two-  
11 year period beginning on the effective date of this Act for the  
12 purpose of removing solid waste and recycling debris from the  
13 Walker Branch facility in Fort Worth.

14 SECTION \_\_\_\_\_. TEXAS COMMISSION ON ENVIRONMENTAL QUALITY:  
15 CONTINGENCY APPROPRIATION. Contingent on S.B. No. 1604 or similar  
16 legislation being enacted by the 80th Legislature, Regular Session,  
17 2007, and becoming law with immediate effect, the amount of  
18 \$200,000 is appropriated, in addition to amounts previously  
19 appropriated for the state fiscal biennium ending August 31, 2007,  
20 to the Texas Commission on Environmental Quality out of the waste  
21 management account (GR Dedicated Account No. 0549) for the two-year  
22 period beginning on the effective date of this Act for the purpose  
23 of implementing that legislation.

24 SECTION \_\_\_\_\_. DEPARTMENT OF STATE HEALTH SERVICES: HARRIS  
25 COUNTY PSYCHIATRIC HOSPITAL. In addition to other amounts  
26 appropriated for the state fiscal biennium ending August 31, 2009,  
27 that may be used for this purpose, the amount of \$7,000,000 is  
28 appropriated out of the general revenue fund to the Department of  
29 State Health Services for the state fiscal biennium ending August

1 31, 2009, for the purpose of providing for the operations of The  
2 University of Texas Harris County Psychiatric Center.

3 SECTION \_\_\_\_\_. DEPARTMENT OF STATE HEALTH SERVICES:  
4 INFORMATION RESOURCES TECHNOLOGIES. (a) Notwithstanding the  
5 limitations of Chapter 1369, Acts of the 79th Legislature, Regular  
6 Session, 2005 (the General Appropriations Act), the Department of  
7 State Health Services shall transfer \$9,700,000 in general revenue  
8 funds appropriated to the department by that Act in Strategy A.3.3,  
9 Kidney Health Care, to Strategy F.2.1, Capital Items-Public Health.

10 The department shall expend the funds transferred by this section  
11 during the state fiscal year ending August 31, 2007, on information  
12 technology projects.

13 (b) The capital budget authority granted for the state fiscal  
14 biennium ending August 31, 2007, to the Department of State Health  
15 Services by other law is increased by \$9,700,000 for that biennium  
16 for the acquisition of information resources technologies.

17 SECTION \_\_\_\_\_. PUBLIC UTILITY COMMISSION: SYSTEM BENEFIT FUND.  
18 In addition to other amounts appropriated for the two year period  
19 beginning the effective date of this Act that may be used for this  
20 purpose, the amount of \$30,000,000 is appropriated out of the  
21 system benefit fund (GR Dedicated Account No. 5100) to the Public  
22 Utility Commission for the purpose of providing for the low income  
23 discount program.

24 SECTION \_\_\_\_\_. HEALTH AND HUMAN SERVICES COMMISSION:  
25 COMMUNITY-BASED PREVENTION AND INTERVENTION PROGRAMS. In addition  
26 to other amounts appropriated for the two year period beginning the  
27 effective date of this Act, that may be used for this purpose, the  
28 amount of \$4,000,000 is appropriated from the general revenue fund  
29 to the Health and Human Services Commission for the purpose of

1 providing one time facility start up funds for a settlement house  
2 in northeast Houston. The funding is contingent on Harris County  
3 providing the operating costs for the facility and on the land for  
4 the facility being donated.

5 SECTION \_\_\_\_\_. ANGELO STATE UNIVERSITY: UTILITIES. In  
6 addition to amounts previously appropriated for the state fiscal  
7 biennium ending August 31, 2007, the amount of \$50,000 is  
8 appropriated out of the general revenue fund to Angelo State  
9 University for the two-year period beginning on the effective  
10 date of this Act for the purpose of making utility payments.

11 SECTION \_\_\_\_\_. HEALTH AND HUMAN SERVICES COMMISSION:  
12 REDUCTION IN CHILDREN'S HEALTH INSURANCE PROGRAM. The unencumbered  
13 appropriations from the general revenue fund appropriated to the  
14 Health and Human Services Commission for use during the fiscal year  
15 ending August 31, 2009, by House Bill 1, Eightieth Legislature,  
16 Regular Session, 2007, under Strategy C.1.1. for the Children's  
17 Health Insurance Program are reduced by the amount of \$15,700,000.  
18 Additionally, federal funds are reduced by an amount of \$40,400,000  
19 under strategy C.1.1, CHIP for the fiscal year ending August 31,  
20 2009.

21 SECTION \_\_\_\_\_. APPROPRIATION REDUCTION: TEXAS DEPARTMENT OF  
22 CRIMINAL JUSTICE The unencumbered appropriations from the general  
23 revenue fund appropriated to the Texas Department of Criminal  
24 Justice for use during the fiscal biennium ending August 31, 2009,  
25 by House Bill 1, Eightieth Legislature, Regular Session, 2007,  
26 under Strategy C.1.6., Institutional Operations and Maintenance,  
27 are reduced by the amount of \$27,000,000.

28



# ADOPTED

MAY 23 2007

*Lataj Saul*  
Secretary of the Senate

*Stephen Eggen*

FLOOR AMENDMENT NO. 2

BY: \_\_\_\_\_

1 Amend C.S.H.B. No. 15 (senate committee printing) as follows:

2 (1) In existing SECTION 9 of the bill (page 2, lines 53-57),  
3 strike proposed subsection (b) and substitute:

4 (b) The appropriation made by Subsection (a) of this section  
5 is contingent upon the development of a suitable plan of  
6 reorganization approved by the Legislative Budget Board and the  
7 Governor or the placement of the university under conservatorship  
8 as defined by Government Code Chapter 2104.

9 (2) In existing SECTION 10 of the bill (page 3, lines 3-9),  
10 strike proposed subsection (b) and substitute:

11 (b) The appropriation made by Subsection (a) of this section  
12 is contingent upon the development of a suitable plan of  
13 reorganization approved by the Legislative Budget Board and the  
14 Governor or the placement of the university under conservatorship  
15 as defined by Government Code Chapter 2104.

# ADOPTED

MAY 23 2007

*Haley Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 4

*Haley Spaw*  
Secretary of the Senate

BY:

*Carroll*

1 Amend House Bill No. 15 (senate committee printing) as  
2 follows:

3 (1) Add the following SECTION, numbered appropriately:

4 SECTION \_\_\_\_ . TEXAS DEPARTMENT OF HOUSING AND COMMUNITY  
5 AFFAIRS: WEATHERIZATION ASSISTANCE. In addition to other amounts  
6 appropriated to the Texas Department of Housing and Community  
7 Affairs for the state fiscal biennium ending August 31, 2007, there  
8 is appropriated to that department for the two-year period  
9 beginning on the effective date of this Act, for the purpose of  
10 weatherization assistance under Section 39.905, Utilities Code,  
11 the estimated amount of \$10,000,000 in receipts derived from orders  
12 of the Public Utility Commission of Texas that are designated for  
13 weatherization assistance in accordance with Section 39.905,  
14 Utilities Code. The amounts appropriated include all unexpended  
15 and unobligated amounts derived from those orders and received by  
16 the Texas Department of Housing and Community Affairs for that  
17 purpose before the effective date of this Act and all amounts  
18 received by the department derived from those orders for that  
19 purpose during the two-year period beginning on the effective date  
20 of this Act.

21 (2) Renumber subsequent SECTIONS of the bill accordingly.

**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**May 21, 2007**

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Finance

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

**IN RE: HB15** by Chisum (Relating to making supplemental appropriations and reductions in appropriations and giving direction, transfer authority, and other adjustment authority regarding appropriations.), **Committee Report 2nd House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB15, Committee Report 2nd House, Substituted: a positive impact of \$149,790,006 through the biennium ending August 31, 2009.

**Appropriations:**

Fiscal Year	Appropriation out of <i>GENERAL REVENUE</i> <i>FUND</i> 1	Appropriation out of <i>STATE HIGHWAY</i> <i>FUND</i> 6	Appropriation out of <i>All Affected General</i> <i>Revenue-Dedicated</i> <i>Accounts</i>	Appropriation out of <i>All Affected Other</i> <i>Funds</i>
2007	(\$225,988,938)	\$0	\$5,106,003	(\$443,881)
2008	\$50,324,466	\$334,828	\$3,139,778	\$321,943
2009	\$25,874,466	\$334,828	\$3,139,778	\$321,943

Fiscal Year	Appropriation out of <i>FEDERAL FUNDS</i>
2007	\$18,636,717
2008	\$1,177,576
2009	\$1,177,576

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2007	\$225,988,938
2008	(\$50,324,466)
2009	(\$25,874,466)
2010	\$0
2011	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Savings from <i>STATE HIGHWAY</i> <i>FUND</i> 6	Probable (Cost) from <i>STATE HIGHWAY</i> <i>FUND</i> 6
2007	\$541,731,150	(\$315,742,212)	\$0	\$0
2008	\$2,027,240	(\$52,351,706)	\$144,637	(\$479,464)
2009	\$2,027,240	(\$27,901,706)	\$144,637	(\$479,646)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0



Fiscal Year	Probable Savings from <i>All Affected General Revenue-Dedicated Accounts</i>	Probable (Cost) from <i>All Affected General Revenue-Dedicated Accounts</i>	Probable Savings from <i>All Affected Other Funds</i>	Probable (Cost) from <i>All Affected Other Funds</i>
2007	\$294,245	(\$5,400,248)	\$443,881	\$0
2008	\$664,612	(\$3,804,389)	\$41,625	(\$363,568)
2009	\$664,612	(\$3,804,389)	\$41,625	(\$363,568)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings from <i>FEDERAL FUNDS</i>	Probable (Cost) from <i>FEDERAL FUNDS</i>	Change in Number of State Employees from FY 2006
2007	\$0	\$18,636,717	124.0
2008	\$185,504	(\$1,366,080)	124.0
2009	\$185,504	(\$1,366,080)	124.0
2010	\$0	\$0	124.0
2011	\$0	\$0	124.0

### Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for Fiscal Years 2007-2009.

The bill would take effect immediately upon enactment.

#### Fiscal Year 2007 Appropriations and Reductions:

The bill would make the following appropriations in Fiscal Year 2007:

\$3,678,942 to the Austin Community College and \$1,424,764 to the South Plains College to fund group health insurance;

\$27,000,000 to the Texas Department of Criminal Justice to fund the provision of salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel, as well as \$12,940,619 to fund correctional managed health care;

\$1,823,075 to the Texas Medical Board to fund the repayment of the fiscal year 2006 Governor's Emergency and Deficiency Grant and licensing and enforcement operating expenses including six full-time equivalents (FTEs);

\$463,202 to the Texas Department of Licensing and Regulation to fund obligations and unanticipated costs of relocating the former Cosmetology Commission and former Board of Barber Examiners;

\$3,000,000 to the Texas Building and Procurement Commission to fund the renovation and repairs to the Sam Houston building, and \$2,847,069 to fund utility payments;

\$13,645,120 to Texas Southern University to fund deferred maintenance and other expenses, this appropriation would be contingent on the enactment of SB 2039 or similar legislation by the 80th Legislature, Regular Session (2007) or the appointment of a conservator;

\$44,730,767 to the Texas Forest Service to fund reimbursements for costs related to wildfire;

\$45,000 to the University of Houston to fund salary, office, and travel expenses for the Texas Forensic Science Commission and includes one FTE;

\$1,681,615 to the Adjutant General's Department to fund salaries, wages, maintenance, and operations;



\$2,595 to the Structural Pest Control Board, \$33,370 to the School for the Blind and Visually Impaired, \$139,207 to the School for the Deaf, and \$3,383 to the Eleventh Court of Appeals, Eastland to fund the restoration of reductions in appropriations for commercial air travel made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act);

\$50,747 to the Supreme Court of Texas to fund grants to appellate courts for additional court staff to handle multi-district litigation cases;

\$110,000,000 to the Health and Human Services Commission to fund any purpose for which the Health and Human Services Commission or health and human services agency received an appropriation under Chapter 1369, Acts of the 79th Legislature, Regular Session (2005);

\$3,716,980 to the Department of Family and Protective Services to fund the continuation of child protective services reform, including 117 FTEs, and an additional \$2,033,837 in capital budget authority for programming expenses;

\$27,236,354 to the Department of Aging and Disability to fund the restoration of provider rates to fiscal year 2003 levels in programs for home and community-based services, in programs for community living assistance and support services (Class), in the Texas Home Living Waiver program, and in Intermediate Care Facilities for the mentally retarded;

\$11,000,000 to the Department of State Health Services to fund the purchase of antiviral drugs for use in the event of an influenza pandemic;

\$4,100,000 to the Comptroller of Public Accounts to fund support for the comptroller's tax administration duties and statewide fiscal responsibilities;

\$2,000,000 to the General Land Office and Veteran's Land Board to fund the removal and disposal of the Zeus jack rig, an off-shore oil platform abandoned in the Freeport Channel;

\$5,000,000 to the Secretary of State to fund reimbursements to each county in the state for expenses incurred by the election held on May 12, 2007;

\$2,800,000 to the Texas Commission on Environmental Quality to fund supporting efforts to extinguish the fire in or near the city of Helotes;

\$20,000,000 to the Texas Youth Commission for operating expenses; and

\$8,081,368 to the Department of Information Resources for the purpose of transferring funds to certain agencies for data center services payments and \$32,335,000 to fund one-time data center services contract payments.

The bill would reduce appropriations for the following agencies as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516): \$1,180,167 to the Employees Retirement System for decreased retirement program and insurance program costs, and \$671,435 to the Comptroller of Public Accounts for decreased social security and salary costs.

The bill would require the Texas Tech Health Science Center to transfer a maximum of \$4,500,000 of non-Medicaid state-appropriated funds to the Health and Human Services Commission for the state contribution under the private hospital upper payment limit program.

The bill would repeal previously authorized deferrals of August 2007 payments and authorize the following interagency transfers from unencumbered amounts appropriated to the Health and Human Services Commission: \$122,701,559 to the Department of Aging and Disability Services and \$12,792,244 to the Department of Family and Protective Services to fund August 2007 services; \$1,541,628 to the Department of Assistive and Rehabilitative Services to fund vocational rehabilitation; and \$13,047,00 to the Department of Family and Protective Services to fund various





supplemental needs.

The bill would reduce the unencumbered appropriations made by Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) under Strategy A.3.1 to the Teacher Retirement System by \$76,644,468.

The bill would reduce the vetoed funds appropriations made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) by \$463,973,206.

**Fiscal Years 2008-09 Appropriations and Reductions:**

The bill would make the following appropriations in Fiscal 2008-2009 biennium:

\$25,000,000 to Texas Southern University to fund the Academic Development Initiative, this appropriation would be contingent on the enactment of SB 2039 or similar legislation by the 80th Legislature, Regular Session (2007) or the appointment of a conservator; and

\$34,385,000 in Fiscal Year 2008 and \$9,350,000 in Fiscal Year 2009 to the Department of Information Resources to fund one-time data center services contract payments.

The bill would make appropriations to the following agencies to fund data center services payments:

\$154,354 to the Railroad Commission of Texas  
\$5,981,169 to the Texas Commission on Environmental Quality  
\$2,336,470 to the Texas Workforce Commission  
\$958,928 to the Texas Department of Transportation  
\$2,734,431 to the Parks and Wildlife Department  
\$339,523 to the Texas State Library and Archive Commission  
\$773,164 to the Secretary of State  
\$2,210,354 to the Texas Education Agency  
\$1,154,331 to the Texas Higher Education Coordinating Board  
\$519,429 to the Public Utility Commission of Texas  
\$78,920 to the General Land Office  
\$1,929,901 to the Office of the Attorney General  
\$329,626 to the Texas Alcoholic Beverage Commission  
\$147,631 to the Texas Department of Licensing and Regulation  
\$2,466,681 to the Texas Water Development Board  
\$839,500 to the Texas Youth Commission.

The bill would reduce appropriations for the following agencies to fund data center services payments as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516):

\$2,065,633 to the Texas Department of Insurance  
\$2,563,316 to the Department of Family and Protective Services  
\$225,000 to the Department of Public Safety  
\$1,67,806 to the Texas Building and Procurement Commission  
\$105,478 to the Department of Agriculture.

The bill would authorize the Health and Human Services Commission to transfer funds appropriated to the commission under Goal C: CHIP Services by Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) (page II-70, General appropriations Act), to other goals and strategies as necessary to comply with the provisions of the bill. The bill would also authorize the commission to make staffing changes and exceed capital authority limitations if the executive commissioner determines that a service performed under a contract would be more effectively performed by state personnel.

The bill would provide direction, information, transfer authority, capital budget authority, and full-time-equivalent employee (FTE) authority in relation to the *Linda Frew, et al. v. Albert Hawkins, et al.* lawsuit regarding amounts appropriated by any Act of the 80th Legislature, Regular Session (2007). The intent of this provision is to appropriate \$1,779,900,000 in All Funds



including \$706,700,000 in General Revenue for the *Frew* settlement; however, the bill would not make an appropriation.

The bill would authorize the Comptroller, with the assistance of the affected agency, to allocate the appropriation or reduction in appropriations made in the bill, among the dedicated accounts or sources of other funds according to the amounts available in the affected accounts or sources of other funds and the extent to which the programs supported by the dedicated accounts or sources of other funds are supported by the appropriation or, in the case of a reduction in appropriations, supported by the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session (2005) (HB 1516).

### **Methodology**

This analysis assumes immediate effect.

### **Fiscal Year 2007 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.

The \$1,823,075 appropriation to the Texas Medical Board would be \$1,222,827 in General Revenue and \$600,248 General Revenue-Dedicated Account No. 5105 (Public Assurance).

The \$3,716,980 appropriation to the Department of Family and Protective Services for child protective services reform would be \$1,502,423 from the General Revenue Fund and \$2,214,557 in matching Federal Funds (TANF).

The \$27,236,354 appropriation to the Department of Aging and Disability Services for provider rates would be \$10,814,194 from the General Revenue Fund and \$16,422,160 from Federal Funds.

The \$2,000,000 appropriation to the General Land Office and Veteran's Land Board for the derelict oil structure removal would be from the General Revenue-Dedicated Account No. 27 (Coastal Protection).

The \$2,800,000 appropriation to the Texas Commission on Environmental Quality for the to city of Helotes fire would be from the General Revenue-Dedicated Account No. 5000 (Solid Waste Disposal Fees).

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) would be:

\$221,782 from the General Revenue Fund, \$58,608 from General Revenue-Dedicated Accounts, and \$88,412 from Other Funds to the Employees Retirement System for decreased retirement costs;

\$487,921 from the General Revenue Fund, \$128,937 from General Revenue-Dedicated Accounts, and \$194,507 from Other Funds to the Employees Retirement System for decreased insurance program costs;

\$263,044 from the General Revenue Fund, \$69,511 from General Revenue-Dedicated Accounts, and \$104,861 from Other Funds to the Comptroller of Public Accounts for decreased social security costs; and

\$140,729 from the General Revenue Fund, \$37,189 from General Revenue-Dedicated Accounts, and \$56,101 from Other Funds to the Comptroller of Public Accounts for decreased salary costs.

### **Fiscal Years 2008-09 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.



Appropriations to fund data center services payments that are not entirely made from the General Revenue Fund include:

The \$5,981,169 appropriation to the Texas Commission on Environmental Quality would be \$1,124,521 from the General Revenue Fund and \$4,856,648 from General Revenue-Dedicated Accounts;

The \$2,336,470 appropriation to the Texas Workforce Commission would be \$381,705 from the General Revenue Fund, \$17,699 from General Revenue-Dedicated Accounts, and \$1,937,066 from Federal Funds;

The \$958,928 appropriation to the Texas Department of Transportation would be from the State Highway Fund (Fund 006);

The \$2,734,431 appropriation to the Park and Wildlife Department would be from General Revenue-Dedicated Accounts;

The \$2,210,354 appropriation to the Texas Education Agency would be \$1,295,979 from the General Revenue Fund, \$136,277 from Other Funds, and \$778,098 from Federal Funds; and

The \$1,154,331 appropriation to the Texas Higher Education Coordinating Board would be \$552,478 from the General Revenue Fund, \$590,858 from Other Funds, and \$10,995 from Federal Funds.

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) relating to data center services payments include:

The \$2,065,633 reduction to the Texas Department of Insurance would be \$912,610 from the General Revenue Fund and \$1,153,023 from General Revenue-Dedicated Accounts;

The \$2,563,316 reduction to the Department of Family and Protective Services would be \$2,192,309 from the General Revenue Fund and \$371,007 from Federal Funds;

The \$225,000 reduction to the Department of Public Safety would be \$141,750 from General Revenue-Dedicated Accounts and \$83,250 from the State Highway Fund (Fund 006); and

The \$1,167,806 reduction to the Texas Building and Procurement Commission would be \$844,083 from the General Revenue Fund, \$34,450 from General Revenue-Dedicated Accounts, and \$289,273 from Other Funds.

#### **Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, CT, SD, EB



**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

May 18, 2007

**TO:** Honorable Steve Ogden, Chair, Senate Committee on Finance

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

**IN RE: HB15** by Chisum (Relating to making supplemental appropriations and reductions in appropriations.), **As Engrossed**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB15, As Engrossed: an impact of \$0 through the biennium ending August 31, 2009.

**Appropriations:**

Fiscal Year	Appropriation out of <i>GENERAL REVENUE</i> <i>FUND</i> 1	Appropriation out of <i>STATE HIGHWAY</i> <i>FUND</i> 6	Appropriation out of <i>All Affected General</i> <i>Revenue-Dedicated</i> <i>Accounts</i>	Appropriation out of <i>All Affected Other</i> <i>Funds</i>
2007	\$325,817,719	\$0	\$306,003	(\$443,881)
2008	\$43,614,379	\$437,839	\$3,341,900	\$1,497,531
2009	\$53,614,379	\$437,839	\$3,341,900	\$1,497,531

Fiscal Year	Appropriation out of <i>FEDERAL FUNDS</i>
2007	\$189,080,900
2008	\$46,026,023
2009	\$46,026,023

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2007	\$97,228,758
2008	(\$43,614,379)
2009	(\$53,614,379)
2010	\$0
2011	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Savings from <i>STATE HIGHWAY</i> <i>FUND</i> 6	Probable (Cost) from <i>STATE HIGHWAY</i> <i>FUND</i> 6
2007	\$500,804,421	(\$403,575,663)	\$0	\$0
2008	\$2,227,742	(\$45,842,121)	\$41,625	(\$479,464)
2009	\$2,227,742	(\$55,842,121)	\$41,625	(\$479,646)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0





Fiscal Year	Probable Savings from <i>All Affected General Revenue-Dedicated Accounts</i>	Probable (Cost) from <i>All Affected General Revenue-Dedicated Accounts</i>	Probable Savings from <i>All Affected Other Funds</i>	Probable (Cost) from <i>All Affected Other Funds</i>
2007	\$294,245	(\$600,248)	\$443,881	\$0
2008	\$667,420	(\$4,009,320)	\$168,217	(\$1,665,748)
2009	\$667,420	(\$4,009,320)	\$168,217	(\$1,665,748)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings from <i>FEDERAL FUNDS</i>	Probable (Cost) from <i>FEDERAL FUNDS</i>	Change in Number of State Employees from FY 2006
2007	\$0	(\$189,080,900)	124.0
2008	\$701,087	(\$46,727,110)	892.0
2009	\$701,087	(\$46,727,110)	1,216.0
2010	\$0	\$0	1,216.0
2011	\$0	\$0	1,216.0

### Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for Fiscal Years 2007-2009.

#### Fiscal Year 2007 Appropriations and Reductions:

The bill would make the following appropriations in Fiscal Year 2007:

\$3,678,942 to the Austin Community College and \$1,424,764 to the South Plains College to fund group health insurance;

\$47,000,000 to the Texas Department of Criminal Justice to fund the provision of salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel, as well as \$12,940,619 to fund correctional managed health care;

\$1,823,075 to the Texas Medical Board to fund the repayment of the fiscal year 2006 Governor's Emergency and Deficiency Grant and licensing and enforcement operating expenses including six full-time equivalents (FTEs);

\$463,202 to the Texas Department of Licensing and Regulation to fund obligations and unanticipated costs of relocating the former Cosmetology Commission and former Board of Barber Examiners;

\$64,013,000 to the Texas Building and Procurement Commission to fund life safety and deferred maintenance projects, \$6,014,700 to fund the abatement of asbestos and build-out of the Stephen F. Austin building, and \$2,847,069 to fund utility payments;

\$13,645,120 to Texas Southern University to fund deferred maintenance and other expenses;

\$50,000 to Angelo State University to fund utility payments;

\$44,730,767 to the Texas Forest Service to fund reimbursements for costs related to wildfire;

\$45,000 to the Texas Forensic Science Commission to fund salary, office, and travel expenses including one FTE;

\$1,681,615 to the Adjutant General's Department to fund salaries, wages, maintenance, and operations;

\$85,000 to the State Board of Dental Examiners to fund appropriated receipts shortfall reimbursement;



\$2,595 to the Structural Pest Control Board, \$33,370 to the School for the Blind and Visually Impaired, \$139,207 to the School for the Deaf, and \$3,383 to the Eleventh Court of Appeals, Eastland to fund the restoration of reductions in appropriations for commercial air travel made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act);

\$101,498 to the Supreme Court of Texas to fund grants to appellate courts for additional court staff to handle multi-district litigation cases;

\$278,851,834 to the Health and Human Services Commission to fund the restoration of Medicaid and CHIP programs rates to fiscal year 2003 levels;

\$3,716,980 to the Department of Family and Protective Services to fund the continuation of child protective services reform, including 117 FTEs, and an additional \$2,033,837 in capital budget authority for programming expenses;

\$27,728,703 to the Department of Aging and Disability to fund the restoration of provider rates to fiscal year 2003 levels in programs for home and community-based services, in programs for community living assistance and support services (Class), in the Texas Home Living Waiver program, and in Intermediate Care Facilities for the mentally retarded;

\$4,800,000 to the Texas Youth Commission for operating expenses; and

\$8,081,368 to the Department of Information Resources for the purpose of transferring funds to certain agencies for data center services payments and \$69,355,000 to fund one-time data center services contract payments.

The bill would reduce appropriations for the following agencies as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516): \$1,180,167 to the Employees Retirement System for decreased retirement program and insurance program costs, and \$671,435 to the Comptroller of Public Accounts for decreased social security and salary costs.

The bill would repeal previously authorized deferrals of August 2007 payments and authorize the following interagency transfers from unencumbered amounts appropriated to the Health and Human Services Commission: \$122,701,559 to the Department of Aging and Disability Services and \$21,763,732 to the Department of Family and Protective Services to fund August 2007 services; \$1,541,628 to the Department of Assistive and Rehabilitative Services to fund vocational rehabilitation; and \$30,930,615 to the Department of Family and Protective Services to fund various supplemental needs.

The bill would reduce the unencumbered appropriations made by Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act) under Strategy A.3.1 to the Teacher Retirement System by \$76,644,468.

#### **Fiscal Years 2008-09 Appropriations and Reductions:**

The bill would make the following appropriations in Fiscal 2008-2009 biennium:

\$13,100,000 to the University of Texas Medical Branch at Galveston for non-reimbursed losses caused by Hurricane Rita;

\$21,499,576 to the Department of Family and Protective Services to fund the maintenance of fiscal year 2007 average daily caseload per worker for family-based safety services and additional statewide intake staff;

\$96,199,181 to the Department of Family and Protective Services to fund the continuation of child protective services reform including 768 FTEs in 2008 and 1,092 FTEs in 2009;



\$40,536,259 to the Department of Aging and Disability to fund continuing community care enhancement at fiscal year 2007 levels;

\$3,111,684 to the Department of State Health Services to fund the restoration of provider rates to fiscal year 2003 levels in programs for children with special health care needs, for maternal and child health services, and for family planning services; and

\$10,000,000 to the Department of Information Resources to fund one-time data center services contract payments.

The bill would make appropriations to the following agencies to fund data center services payments:

\$154,354 to the Railroad Commission of Texas

\$5,981,169 to the Texas Commission on Environmental Quality

\$2,336,470 to the Texas Workforce Commission

\$958,928 to the Texas Department of Transportation

\$1,881,572 to the Parks and Wildlife Department

\$280,004 to the Texas State Library and Archive Commission

\$725,426 to the Secretary of State

\$2,198,018 to the Texas Education Agency

\$1,154,331 to the Texas Higher Education Coordinating Board

\$519,429 to the Public Utility Commission of Texas

\$3,946,000 to the General Land Office

\$1,341,008 to the Office of the Attorney General

\$59,907 to the Texas Alcoholic Beverage Commission

\$113,978 to the Texas Department of Licensing and Regulation

\$510,730 to the Texas Water Development Board

\$839,500 to the Texas Youth Commission.

The bill would reduce appropriations for the following agencies to fund data center services payments as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516):

\$2,065,633 to the Texas Department of Insurance

\$2,563,316 to the Department of Family and Protective Services

\$225,000 to the Department of Public Safety

\$1,374,266 to the Texas Building and Procurement Commission

\$1,383,408 to the Department of Agriculture.

The bill would authorize the Health and Human Services Commission to transfer funds appropriated to the commission under Goal C: Chip Services by Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (page II-70, General appropriations Act), to other goals and strategies as necessary to comply with the provisions of the bill. The bill would also authorize the commission to make staffing changes and exceed capital authority limitations if the executive commissioner determines that a service performed under a contract would be more effectively performed by state personnel.

The bill would authorize the Comptroller, with the assistance of the affected agency, to allocate the appropriation or reduction in appropriations made in the bill, among the dedicated accounts or sources of other funds according to the amounts available in the affected accounts or sources of other funds and the extent to which the programs supported by the dedicated accounts or sources of other funds are supported by the appropriation or, in the case of a reduction in appropriations, supported by the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (HB 1516).

The bill would reduce the vetoed funds appropriations made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) by an amount equal to the cumulative net amount of appropriations made by this act.

## Methodology

This analysis assumes immediate effect.



**Fiscal Year 2007 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.

The \$1,823,075 appropriation to the Texas Medical Board would be \$1,222,827 in General Revenue and \$600,248 General Revenue-Dedicated Account No. 5105 (Public Assurance).

The \$278,851,834 appropriation to the Health and Human Services Commission would be \$108,900,000 from the General Revenue Fund and \$169,951,834 in matching Federal Funds.

The \$3,716,980 appropriation to the Department of Family and Protective Services for child protective services reform would be \$1,502,423 from the General Revenue Fund and \$2,214,557 in matching Federal Funds (TANF).

The \$27,728,703 appropriation to the Department of Aging and Disability Services for provider rates would be \$10,814,194 from the General Revenue Fund and \$16,914,509 from Federal Funds.

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) would be:

\$221,782 from the General Revenue Fund, \$58,608 from General Revenue-Dedicated Accounts, and \$88,412 from Other Funds to the Employees Retirement System for decreased retirement costs;

\$487,921 from the General Revenue Fund, \$128,937 from General Revenue-Dedicated Accounts, and \$194,507 from Other Funds to the Employees Retirement System for decreased insurance program costs;

\$263,044 from the General Revenue Fund, \$69,511 from General Revenue-Dedicated Accounts, and \$104,861 from Other Funds to the Comptroller of Public Accounts for decreased social security costs; and

\$140,729 from the General Revenue Fund, \$37,189 from General Revenue-Dedicated Accounts, and \$56,101 from Other Funds to the Comptroller of Public Accounts for decreased salary costs.

Authorized interagency transfers of \$150,082,431 from unencumbered amounts appropriated to the Health and Human Services Commission include:

The \$122,701,559 transfer to the Department of Aging and Disability Services would be general revenue;

The \$21,763,732 transfer to the Department of Family and Protective Services to fund August 2007 services would be \$12,792,244 in general revenue and \$8,971,488 in federal funds (TANF), and the \$30,930,615 transfer to fund various supplemental needs would be \$13,047,000 in general revenue and \$17,883,615 in federal funds (TANF); and

The \$1,541,628 transfer to the Department of Assistive and Rehabilitative Services would be general revenue.

**Fiscal Years 2008-09 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.

The \$21,499,576 appropriation to the Department of Family and Protective Services for maintenance of fiscal year 2007 average daily caseload per worker for family-based safety services and additional statewide intake staff would be \$18,729,595 from the General Revenue Fund and \$2,769,981 in matching Federal Funds; and the \$96,199,181 appropriation for child protective services reform would





be \$32,968,219 from the General Revenue Fund and \$63,230,962 in matching Federal Funds (TANF).

The \$40,536,259 appropriation to the Department of Aging and Disability Services to fund community care enhancements would be \$15,809,141 from the General Revenue Fund and \$24,727,118 from Federal Funds.

Appropriations to fund data center services payments that are not entirely made from the General Revenue Fund include:

The \$5,981,169 appropriation to the Texas Commission on Environmental Quality would be \$1,124,521 from the General Revenue Fund and \$4,856,648 from General Revenue-Dedicated Accounts;

The \$2,336,066 appropriation to the Texas Workforce Commission would be \$381,705 from the General Revenue Fund, \$17,699 from General Revenue-Dedicated Accounts, and \$1,937,066 from Federal Funds;

The \$958,928 appropriation to the Texas Department of Transportation would be from the State Highway Fund (Fund 006);

The \$1,881,572 appropriation to the Park and Wildlife Department would be from General Revenue-Dedicated Accounts;

The \$2,198,018 appropriation to the Texas Education Agency would be \$1,283,643 from the General Revenue Fund, \$136,277 from Other Funds, and \$778,098 from Federal Funds;

The \$1,154,331 appropriation to the Texas Higher Education Coordinating Board would be \$552,478 from the General Revenue Fund, \$590,858 from Other Funds, and \$10,995 from Federal Funds; and

The \$3,946,000 appropriation to the General Land Office would be \$78,920 from the General Revenue Fund, \$1,262,720 from General Revenue-Dedicated Accounts, and \$2,604,360 from Other Funds.

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) relating to data center services payments include:

The \$2,065,633 reduction to the Texas Department of Insurance would be \$912,610 from the General Revenue Fund and \$1,153,023 from General Revenue-Dedicated Accounts;

The \$2,563,316 reduction to the Department of Family and Protective Services would be \$2,192,309 from the General Revenue Fund and \$371,007 from Federal Funds;

The \$225,000 reduction to the Department of Public Safety would be \$141,750 from General Revenue-Dedicated Accounts and \$83,250 from the State Highway Fund (Fund 006);

The \$1,374,266 reduction to the Texas Building and Procurement Commission would be \$997,767 from the General Revenue Fund, \$40,066 from General Revenue-Dedicated Accounts, and \$336,433 from Other Funds; and

The \$1,383,965 reduction to the Department of Agriculture would be \$352,798 from the General Revenue Fund and \$1,031,167 from Federal Funds.

The vetoed funds appropriation reduction made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) would be \$423,046,477 from the General Revenue Account.

#### **Local Government Impact**



No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, SD, EB



**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 21, 2007**

**TO:** Honorable Warren Chisum, Chair, House Committee on Appropriations

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

**IN RE:** HB15 by Chisum (Relating to making supplemental appropriations and reductions in appropriations.), **Committee Report 1st House, Substituted**

**Estimated Two-year Net Impact to General Revenue Related Funds for HB15, Committee Report 1st House, Substituted: an impact of \$0 through the biennium ending August 31, 2009.**

**Appropriations:**

Fiscal Year	Appropriation out of <i>GENERAL REVENUE</i> <i>FUND</i> 1	Appropriation out of <i>STATE HIGHWAY</i> <i>FUND</i> 6	Appropriation out of <i>All Affected General</i> <i>Revenue-Dedicated</i> <i>Accounts</i>	Appropriation out of <i>All Affected Other</i> <i>Funds</i>
2007	\$207,252,103	\$0	\$306,003	(\$443,881)
2008	\$103,352,764	\$446,164	\$3,858,798	\$1,635,190
2009	\$113,352,764	\$446,164	\$3,858,798	\$1,635,190

Fiscal Year	Appropriation out of <i>FEDERAL FUNDS</i>
2007	\$0
2008	\$140,904,480
2009	\$140,904,480

**General Revenue-Related Funds, Five-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2007	\$216,705,528
2008	(\$103,352,764)
2009	(\$113,352,764)
2010	\$0
2011	\$0

**All Funds, Five-Year Impact:**

Fiscal Year	Probable Savings from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable (Cost) from <i>GENERAL REVENUE</i> <i>FUND</i> 1	Probable Savings from <i>STATE HIGHWAY</i> <i>FUND</i> 6	Probable (Cost) from <i>STATE HIGHWAY</i> <i>FUND</i> 6
2007	\$501,715,575	(\$285,010,047)	\$0	\$0
2008	\$1,789,664	(\$105,142,428)	\$33,300	(\$479,464)
2009	\$1,789,664	(\$115,142,428)	\$33,300	(\$479,464)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0

14  
+ of 6



Fiscal Year	Probable Savings from All Affected General Revenue-Dedicated Accounts	Probable (Cost) from All Affected General Revenue-Dedicated Accounts	Probable Savings from All Affected Other Funds	Probable (Cost) from All Affected Other Funds
2007	\$294,245	(\$600,248)	\$443,881	\$0
2008	\$503,832	(\$4,362,631)	\$196,834	(\$2,278,188)
2009	\$503,832	(\$4,362,631)	\$196,834	(\$2,278,188)
2010	\$0	\$0	\$0	\$0
2011	\$0	\$0	\$0	\$0

Fiscal Year	Probable Savings from FEDERAL FUNDS	Probable (Cost) from FEDERAL FUNDS	Change in Number of State Employees from FY 2006
2007	\$0	\$0	7.0
2008	\$475,981	(\$141,380,132)	775.0
2009	\$475,981	(\$141,380,132)	1,099.0
2010	\$0	\$0	1,099.0
2011	\$0	\$0	1,099.0

### Fiscal Analysis

The bill would make supplemental appropriations and reduce appropriations for Fiscal Years 2007-2009.

#### Fiscal Year 2007 Appropriations and Reductions:

The bill would make the following appropriations in Fiscal Year 2007:

\$3,678,942 to the Austin Community College and \$1,424,764 to the South Plains College to fund group health insurance;

\$47,000,000 to the Texas Department of Criminal Justice to fund the provision of salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel, as well as \$12,940,619 to fund correctional managed health care;

\$1,823,075 to the Texas Medical Board to fund the repayment of the fiscal year 2006 Governor's Emergency and Deficiency Grant and licensing and enforcement operating expenses including six full-time equivalents (FTEs);

\$463,202 to the Texas Department of Licensing and Regulation to fund obligations and unanticipated costs of relocating the former Cosmetology Commission and former Board of Barber Examiners;

\$64,013,000 to the Texas Building and Procurement Commission to fund life safety and deferred maintenance projects, \$12,247,069 to fund the abatement of asbestos and build-out of the Stephen F. Austin building, and \$2,847,069 to fund utility payments;

\$13,645,120 to Texas Southern University to fund deferred maintenance and other expenses;

\$50,000 to Angelo State University to fund utility payments;

\$44,730,767 to the Texas Forest Service to fund reimbursements for costs related to wildfire;

\$45,000 to the Texas Forensic Science Commission to fund salary, office, and travel expenses including one FTE;

\$1,681,615 to the Adjutant General's Department to fund salaries, wages, maintenance, and operations;

\$85,000 to the State Board of Dental Examiners to fund appropriated receipts shortfall reimbursement;





\$2,595 to the Structural Pest Control Board, \$33,370 to the School for the Blind and Visually Impaired, \$139,207 to the School for the Deaf, and \$3,383 to the Eleventh Court of Appeals, Eastland to fund the restoration of reductions in appropriations for commercial air travel made pursuant to Section 5.09, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act);

\$101,498 to the Supreme Court of Texas to fund grants to appellate courts for additional court staff to handle multi-district litigation cases; and

\$8,797,336 to the Department of Information Resources for the purpose of transferring funds to certain agencies for data center services payments and \$69,355,000 to fund one-time data center services contract payments.

The bill would reduce appropriations for the following agencies as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516): \$1,180,167 to the Employees Retirement System for decreased retirement program and insurance program costs, and \$671,435 to the Comptroller of Public Accounts for decreased social security and salary costs.

The bill would repeal previously authorized deferrals of August 2007 payments and authorize the following interagency transfers from unencumbered amounts appropriated to the Health and Human Services Commission: \$122,701,559 to the Department of Aging and Disability Services and \$21,763,732 to the Department of Family and Protective Services to fund August 2007 services; \$1,541,628 to the Department of Assistive and Rehabilitative Services to fund vocational rehabilitation; and \$30,930,615 to the Department of Family and Protective Services to fund various supplemental needs.

The bill would reduce the unencumbered appropriations made by Chapter 1369, Acts of the 79th Legislature, Regular Session, 2005 (the General Appropriations Act) under Strategy A.3.1 to the Teacher Retirement System by \$76,644,468.

The bill would reduce the vetoed funds appropriations made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) by an amount equal to the cumulative amount of appropriations made by this act.

**Fiscal Years 2008-09 Appropriations and Reductions:**

The bill would make the following appropriations in Fiscal 2008-2009 biennium:

\$3,000,000 to the Texas Building and Procurement Commission to fund renovations of the John H. Reagan Building;

\$4,100,000 to the Comptroller of Public Accounts to fund tax administration duties and statewide fiscal responsibilities;

\$278,851,834 to the Health and Human Services Commission to fund the restoration of Medicaid and CHIP programs rates to fiscal year 2003 levels;

\$21,499,576 to the Department of Family and Protective Services to fund the maintenance of fiscal year 2007 average daily caseload per worker for family-based safety services and additional statewide intake staff;

\$99,916,158 to the Department of Family and Protective Services to fund the continuation of child protective services reform including 768 FTEs in 2008 and 1,092 FTEs in 2009;

\$40,536,259 to the Department of Aging and Disability to fund continuing community care enhancement at fiscal year 2007 levels;

\$27,728,703 to the Department of Aging and Disability to fund the restoration of provider rates to



fiscal year 2003 levels in programs for home and community-based services, in programs for community living assistance and support services (Class), in the Texas Home Living Waiver program, and in Intermediate Care Facilities for the mentally retarded;

\$3,111,684 to the Department of State Health Services to fund the restoration of provider rates to fiscal year 2003 levels in programs for children with special health care needs, for maternal and child health services, and for family planning services; and

\$10,000,000 to the Department of Information Resources to fund one-time data center services contract payments.

The bill would make appropriations to the following agencies to fund data center services payments:

\$390,354 to the Railroad Commission of Texas  
\$6,560,169 to the Texas Commission on Environmental Quality  
\$3,725,470 to the Texas Workforce Commission  
\$958,928 to the Texas Department of Transportation  
\$2,095,572 to the Parks and Wildlife Department  
\$608,538 to the Texas Department of Criminal Justice  
\$324,004 to the Texas State Library and Archive Commission  
\$821,426 to the Secretary of State  
\$2,834,018 to the Texas Education Agency  
\$1,300,331 to the Texas Higher Education Coordinating Board  
\$542,429 to the Public Utility Commission of Texas  
\$4,045,000 to the General Land Office  
\$1,482,008 to the Office of the Attorney General  
\$107,907 to the Texas Alcoholic Beverage Commission  
\$126,978 to the Texas Department of Licensing and Regulation  
\$593,730 to the Texas Water Development Board  
\$977,500 to the Texas Youth Commission  
\$88,182 to the Department of Information Resources.

The bill would reduce appropriations for the following agencies to fund data center services payments as a result of reduced costs due to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516):

\$1,573,633 to the Texas Department of Insurance  
\$1,958,316 to the Department of Family and Protective Services  
\$180,000 to the Department of Public Safety  
\$1,333,266 to the Texas Building and Procurement Commission  
\$887,408 to the Department of Agriculture.

#### **Methodology**

This analysis assumes immediate effect.

#### **Fiscal Year 2007 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.

The \$1,823,075 appropriation to the Texas Medical Board would be \$1,222,827 in General Revenue and \$600,248 General Revenue-Dedicated Account No. 5105 (Public Assurance).

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) would be:

\$221,782 from the General Revenue Fund, \$58,608 from General Revenue-Dedicated Accounts, and \$88,412 from Other Funds to the Employees Retirement System for decreased retirement costs;

\$487,921 from the General Revenue Fund, \$128,937 from General Revenue-Dedicated Accounts, and



\$194,507 from Other Funds to the Employees Retirement System for decreased insurance program costs;

\$263,044 from the General Revenue Fund, \$69,511 from General Revenue-Dedicated Accounts, and \$104,861 from Other Funds to the Comptroller of Public Accounts for decreased social security costs; and

\$140,729 from the General Revenue Fund, \$37,189 from General Revenue-Dedicated Accounts, and \$56,101 from Other Funds to the Comptroller of Public Accounts for decreased salary costs.

Authorized interagency transfers of \$150,082,431 from unencumbered amounts appropriated to the Health and Human Services Commission include:

The \$122,701,559 transfer to the Department of Aging and Disability Services would be general revenue;

The \$21,763,732 transfer to the Department of Family and Protective Services to fund August 2007 services would be \$12,792,244 in general revenue and \$8,971,488 in federal funds (TANF), and the \$30,930,615 transfer to fund various supplemental needs would be \$13,047,000 in general revenue and \$17,883,615 in federal funds (TANF); and

The \$1,541,628 transfer to the Department of Assistive and Rehabilitative Services would be general revenue.

The vetoed funds appropriation reduction made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) would be \$423,957,631 from the General Revenue Account.

**Fiscal Years 2008-09 Appropriations and Reductions:**

All appropriations and reductions are entirely from the General Revenue Fund (Fund 0001) with the exception of the items listed below.

The \$278,851,834 appropriation to the Health and Human Services Commission would be \$108,900,000 from the General Revenue Fund and \$169,951,834 in matching Federal Funds.

The \$21,499,576 appropriation to the Department of Family and Protective Services for maintenance of fiscal year 2007 average daily caseload per worker for family-based safety services and additional statewide intake staff would be \$18,729,595 from the General Revenue Fund and \$2,769,981 in matching Federal Funds; and the \$99,916,158 appropriation for child protective services reform would be \$34,470,640 from the General Revenue Fund and \$65,445,518 in matching Federal Funds (TANF).

The \$40,536,259 appropriation to the Department of Aging and Disability Services to fund community care enhancements would be \$15,809,141 from the General Revenue Fund and \$24,727,118 from Federal Funds; and the \$27,728,703 appropriation for provider rates would be \$10,814,194 from the General Revenue Fund and \$16,914,509 from Federal Funds.

Appropriations to fund data center services payments that are not entirely made from the General Revenue Fund include:

The \$6,560,169 appropriation to the Texas Commission on Environmental Quality would be \$1,242,579 from the General Revenue Fund and \$5,317,590 from General Revenue-Dedicated Accounts;

The \$3,725,470 appropriation to the Texas Workforce Commission would be \$1,770,705 from the General Revenue Fund, \$17,699 from General Revenue-Dedicated Accounts, and \$1,937,066 from Federal Funds;

The \$958,928 appropriation to the Texas Department of Transportation would be from the State



Highway Fund (Fund 006);

The \$2,095,572 appropriation to the Park and Wildlife Department would be from General Revenue-Dedicated Accounts;

The \$2,834,018 appropriation to the Texas Education Agency would be \$1,655,067 from the General Revenue Fund, \$175,709 from Other Funds, and \$1,003,242 from Federal Funds;

The \$1,300,331 appropriation to the Texas Higher Education Coordinating Board would be \$625,478 from the General Revenue Fund, \$663,858 from Other Funds, and \$10,995 from Federal Funds;

The \$4,045,000 appropriation to the General Land Office would be \$80,900 from the General Revenue Fund, \$1,294,400 from General Revenue-Dedicated Accounts, and \$2,699,700 from Other Funds;

The \$88,182 appropriation to the Department of Information Resources would be from Other Funds.

The appropriations reductions relating to the implementation of Chapter 1068, Acts of the 79th Legislature, Regular Session, 2005 (House Bill 1516) relating to data center services payments include:

The \$1,573,633 reduction to the Texas Department of Insurance would be \$718,319 from the General Revenue Fund and \$855,314 from General Revenue-Dedicated Accounts;

The \$1,958,316 reduction to the Department of Family and Protective Services would be \$1,675,034 from the General Revenue Fund and \$283,282 from Federal Funds;

The \$180,000 reduction to the Department of Public Safety would be \$113,400 from General Revenue-Dedicated Accounts and \$66,600 from the State Highway Fund (Fund 006);

The \$1,333,266 reduction to the Texas Building and Procurement Commission would be \$967,247 from the General Revenue Fund, \$38,950 from General Revenue-Dedicated Accounts, and \$327,069 from Other Funds; and

The \$887,408 reduction to the Department of Agriculture would be \$218,728 from the General Revenue Fund and \$668,680 from Federal Funds.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JOB, SD, EB

17





**LEGISLATIVE BUDGET BOARD**  
Austin, Texas

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**March 20, 2007**

**TO:** Honorable Warren Chisum, Chair, House Committee on Appropriations

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

**IN RE: HB15** by Chisum (Relating to making supplemental appropriations and reductions in appropriations.), **As Introduced**

**Estimated Two-year Net Impact to General Revenue Related Funds** for HB15, As Introduced: an impact of \$0 through the biennium ending August 31, 2009.

**Appropriations:**

Fiscal Year	Appropriation out of <i>GENERAL REVENUE FUND</i> 1
2008	\$240,239,233
2009	\$0

**General Revenue-Related Funds, Six-Year Impact:**

Fiscal Year	Probable Net Positive/(Negative) Impact to General Revenue Related Funds
2007	\$0
2008	\$0
2009	\$0
2010	\$0
2011	\$0
2012	\$0

**All Funds, Six-Year Impact:**

Fiscal Year	Probable (Cost) from <i>GENERAL REVENUE FUND</i> 1	Probable Savings from <i>GENERAL REVENUE FUND</i> 1
2007	(\$240,239,233)	\$240,239,233
2008	\$0	\$0
2009	\$0	\$0
2010	\$0	\$0
2011	\$0	\$0
2012	\$0	\$0

**Fiscal Analysis**

The bill would make supplemental fiscal 2007 appropriations and reduce fiscal 2007 appropriations for certain agencies. The supplemental appropriations would be for the two-year period beginning with the effective date of the bill.

20

~~1 of 2~~



The bill would appropriate \$3,678,942 to the Austin Community College and \$1,424,764 to the South Plains College to fund group health insurance.

The bill would appropriate \$47,000,000 to the Texas Department of Criminal Justice to fund the provision of salaries and wages, hazardous duty and longevity pay, overtime pay, contractual rate adjustments, utilities, and fuel.

The bill would appropriate \$1,007,827 to the Texas Medical Board to fund the repayment of the fiscal year 2006 Governor's Emergency and Deficiency Grant and licensing and enforcement operating expenses.

The bill would appropriate \$64,013,000 to the Texas Building and Procurement Commission to fund life safety and deferred maintenance projects.

The bill would appropriate \$12,014,700 to the Texas Building and Procurement Commission to fund the abatement of asbestos and build-out of the Stephen F. Austin building.

The bill would appropriate an amount not to exceed \$111,100,000 to the Health and Human Services Commission for Medicare Part D Giveback. Under the provisions of the bill, if any of this money so appropriated and paid to the federal government were subsequently returned to any agency or office, that agency or office would have to report the return of the money to the Legislative Budget Board (LBB) and could not spend any returned monies without LBB's prior approval.

The bill would reduce the vetoed funds appropriations made by Section 13.18, Article IX, Chapter 1369, Acts of the 79th Legislature, Regular Session (2005) by an amount equal to the cumulative amount of appropriations made by this act.

The bill would take effect immediately upon enactment if it receives two-thirds vote in each house; otherwise, it would take effect September 1, 2007.

#### **Methodology**

The estimated fiscal impact was based on the bill's appropriations and from appropriated amounts remaining from appropriations vetoed after the 79th regular legislative session.

All of the funds appropriated by this bill would come from the General Fund.

#### **Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts

**LBB Staff:** JOB, CT, SD, EB

21

~~2 of 2~~