

BILL ANALYSIS

C.S.H.B. 4586
By: Pitts
Appropriations
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Each legislative session, state agencies project the costs of fulfilling their functions and providing important services for the following two-year budget period. This information includes projections related to caseload, population, and enrollment growth, as well as other economic factors and, combined with the biennial estimate of revenues submitted to the governor and the legislature before the convening of each regular session, is a key component of the construction of the General Appropriations Act.

C.S.H.B. 4586 makes adjustments in appropriations for various state agencies, including adjustments necessary to reimburse agencies for unexpected expenses. The bill takes into account, and appropriates, funds from the American Recovery and Reinvestment Act of 2009 and establishes governing provisions concerning such Act. The bill reduces entirely and reappropriates in their entirety certain appropriations regarding The Texas A&M University System that are used or proposed to be used for certain projects. The bill establishes certain prohibitions on the governor, the Office of the Governor, and Trusteed Programs within the office concerning certain appropriations.

RULEMAKING AUTHORITY

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

ANALYSIS

C.S.H.B. 4586 appropriates certain amounts out of the general revenue fund and certain general revenue dedicated accounts, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, for the two-year period beginning on the effective date of the bill to 10 agencies for the purpose of providing funding for unanticipated increases in consumption related to data center services. The bill authorizes such agencies, in addition to the capital budget authority previously granted for the state fiscal biennium ending August 31, 2009, to use the additional appropriated amounts for capital budget items in response to unanticipated increases in consumption related to data center services. The bill authorizes the Department of Information Resources (DIR), if such amounts are transferred by interagency contract or otherwise to the department, to also use such amounts for capital budget items in response to unanticipated increases in consumption related to data center services.

C.S.H.B. 4586 appropriates \$917,389 out of the general revenue fund to the Cancer Prevention and Research Institute for the two-year specified time period, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, to provide for salaries and wages, travel, acquisition of information technology, computers, furniture, legal counseling, and contracts. The bill authorizes the center, in addition to the number of full-time equivalent employees the center is authorized by other law to employ during the state fiscal year ending August 31, 2009, to employ an additional 16 full-time equivalent employees during that state fiscal year.

C.S.H.B. 4586 appropriates \$2,396,612 out of the general revenue fund to the Texas Facilities Commission (TFC) under Strategy B.2.1., Building Design and Construction, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, for the two-year specified time period to provide for payment of increased utility costs as a result of an increase in utility rates. The bill prohibits, notwithstanding certain provisions, the appropriated amount from being transferred by TFC to another appropriation item or from being used by TFC for a purpose other than payment of utility expenses without the prior written approval of the Legislative Budget Board.

C.S.H.B. 4586 appropriates \$188,349 out of the general revenue fund to the Texas Ethics Commission for the fiscal year ending August 31, 2009, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, for the purpose of reimbursing the Texas Ethics Commission for the payment of the judgment on October 2, 2008, in *Free Market Association of Texas v. Texas Ethics Commission* in the United States District Court for the Western District of Texas, Austin Division.

C.S.H.B. 4586 appropriates \$68,268,044 out of the general revenue fund to DIR for the two-year specified time period, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, for the transfer of agency mainframe and server systems to the State Data Center, the transition of agency staff to the Data Center Services contractors, the initiation of common policies, procedures, and processes, the implementation of service management tools, metrics, and processes, the deployment of system automation tools, and the initiation of infrastructure rollout and upgrades. The bill authorizes DIR, in addition to the capital budget authority previously granted for the state fiscal biennium ending August 31, 2009, to use an amount not to exceed an additional \$68,268,044 in capital budget authority for such purposes.

C.S.H.B. 4586 appropriates the following amounts out of the general revenue fund, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, for the two-year specified time period:

- \$1,894,676 to the Texas State Library and Archives Commission for the purchase of furniture and shelving for the Lorenzo de Zavala Building;
- \$8,289,680 to the Texas Historical Commission for costs associated with the restoration of the Governor's Mansion;
- \$2,630,206 to the Texas Education Agency (TEA) to conduct criminal history background checks pursuant to legislation enacted by the 80th Legislature, Regular Session, 2007;
- \$2,500,000 out of dedicated account number 5064 to the Texas Forest Service for grants to volunteer fire departments for training and equipment through the Volunteer Fire Department Assistance Program;
- \$500,000 to The University of Texas Medical Branch at Galveston for additional contributions made to higher education group insurance made on behalf of 47 full-time equivalent positions transferred under a contract with the Texas Youth Commission from the Texas Tech University Health Sciences Center to The University of Texas Medical Branch;
- \$2,800,000 to the University of North Texas System for the purpose of reimbursing the cost of planning and design for construction of a second academic building at the Dallas campus, for which the legislature finds there is a demonstrated need;
- \$125,112,392 to the Texas Department of Criminal Justice (TDCJ) for the purpose of providing for salaries and wages, hazardous duty and longevity pay, overtime pay, food for wards of the state, contracted temporary capacity, utilities, and fuel;
- \$38,955,518 to TDCJ for the purpose of providing for correctional managed health care;
- \$4,000,000 to the Water Development Board to be transferred to the Water Assistance Fund to provide a grant to the Bexar-Medina Atascosa Water Control and Improvement District #1 for structural improvements to the Medina Lake Dam;

- \$54,664 to the Soil and Water Conservation Board to provide mileage reimbursement for soil and water conservation district directors;
- \$178,525 to the Texas Racing Commission for the purpose of providing for current operations as a result of a revenue shortfall; and,
- \$4,245,244 to the University of Houston for the purpose of developing and constructing the National Large Wind Turbine Research and Testing Facility, which the legislature finds that there is a demonstrated need for.

C.S.H.B. 4586 appropriates, under Strategy A.1.1, Enterprise Oversight and Policy, all revenue deposited to the Regional Trauma Account 5137 (Red Light Camera Trauma Fund) (estimated to be \$6,712,284) to the Health and Human Services Commission (HHSC) for the state fiscal year ending August 31, 2009, to be used to reimburse uncompensated trauma care, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009.

C.S.H.B. 4586 appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, certain amounts out of the general revenue fund for the two-year specified time period to 49 community and junior colleges for the purpose of restoring fiscal year 2009 proportional state contributions for health benefits and providing a transitional adjustment sufficient to set the restoration total for each institution at an amount equal to the amount of the fiscal year 2009 higher education group insurance contribution for each institution included in the line item veto of the General Appropriations Act of the 80th Legislature, Regular Session, 2007.

C.S.H.B. 4586 appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the following amounts out of funds received under the American Recovery and Reinvestment Act of 2009 to certain entities for the two-year specified time period:

- \$662,200,000 to the Texas Department of Transportation (TxDOT) for the purpose of highway and bridge construction;
- \$758,084,423 to TEA for the purpose of providing formula distributions to school districts and charter schools for the purchase, in cooperation with TEA, of textbooks under Proclamation 2010 and continuing contracts related to instructional materials;
- \$27,300,000 to the Office of the Attorney General for the purpose of providing child support enforcement;
- \$220,915,577 to TEA for the purpose of providing additional technology and instructional materials through the Technology Allotment under Strategy B.2.1., Technology/Instructional Materials; and,
- \$1,640,156,643 to HHSC for the purpose of increased federal Medicaid funding.

C.S.H.B. 4586 makes the following reductions from unencumbered appropriations from the general revenue fund appropriated to certain entities for use during the state fiscal biennium ending August 31, 2009, by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007:

- a reduction of \$4,245,244 from funds appropriated to the University of Houston by the Section 54 special item appropriation for the University of Houston-Wind Energy;
- a reduction of \$27,300,000 from funds appropriated to the Office of the Attorney General under Strategy B.1.1., Child Support Enforcement, as a result of savings created by the American Recovery and Reinvestment Act of 2009 in providing a temporary exemption for the use of federal incentives to increase federal funds;
- a reduction of \$500,000 from funds appropriated to the Texas Tech University Health Sciences Center under Strategy A.1.1., Medical Education;
- a reduction of \$414,556,053 from funds appropriated to the Department of Aging and Disability Services (DADS) under Strategy A.6.1., Nursing Facility Payments, as a result of savings created by the American Recovery and Reinvestment Act of 2009 providing a temporary exemption for the use of federal incentives to increase federal funds;
- a reduction of \$11,609,096 from funds appropriated to the Department of Family and

Protective Services (DFPS) under Strategy A.2.10., Foster Care Payments, and a reduction of \$7,483,772 from funds appropriated to DFPS under Strategy A.2.11., Adoption Subsidy Payments, as a result of savings created by the American Recovery and Reinvestment Act of 2009 providing a temporary exemption for the use of federal incentives to increase federal funds; and

- a reduction of \$1,206,507,722 from funds appropriated to HHSC under Strategy B.1.4., Children and Medically Needy, as a result of savings created by the American Recovery and Reinvestment Act of 2009 providing a temporary exemption for the use of federal incentives to increase federal funds.

C.S.H.B. 4586 authorizes the Judiciary Section, Comptroller's Department, to transfer appropriations among items of appropriations appropriated by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, in any amount during the state fiscal biennium ending August 31, 2009, notwithstanding the transfer limitations of certain provisions following the appropriations to the Judiciary Section, Comptroller's Department, in such Act.

C.S.H.B. 4586 reduces by \$500,000,000 the unencumbered appropriations from the foundation school fund appropriated to TEA for use during the state fiscal biennium ending August 31, 2009, made by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007 under Strategy A.1.1, FSP- Equalized Operations.

C.S.H.B. 4586 appropriates from the general revenue fund to HHSC for the purposes of funding the Frew Strategic Initiative during the state fiscal year ending August 31, 2010, the unexpended balance of the appropriations from the general revenue fund to HHSC for use during the state fiscal biennium ending August 31, 2009, made by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, under Goal B, Medicaid, in the amount of \$117,054,148 for the purpose of funding the initiative.

C.S.H.B. 4586 reduces entirely and reappropriates in their entirety the appropriations, from any fund, appropriated to Texas A&M University or The Texas A&M University System or an affiliated entity or to the Trusteed Programs within the Office of the Governor for use during the state fiscal biennium ending August 31, 2009, by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, that are used or proposed to be used for certain projects described below. The bill makes such reduction and reappropriation applicable to all appropriated funds used by or for the benefit of, or used in furtherance of, a project or undertaking of The Texas A&M University System's National Center for Therapeutics Manufacturing (the "Center"), the Institute for Advanced Therapeutics, the Texas Institute for Genomic Medicine, the Texas Institute for Pre-Clinical Studies, or any similar institute (collectively referred to as the "Institutes") in connection with a partnership or joint venture for research or manufacturing or a related activity with The Texas A&M University System (the "System") or an entity affiliated with the System, including the Texas A&M Health Science Center (collectively referred to as "A&M"). The bill makes such reduction and reappropriation applicable to all unexpended funds described above in this paragraph appropriated or transferred by or under the bill or by or under a previous Act of the legislature, specifically including but not limited to all appropriated funds transferred from the governor, the office of the governor, or the Trusteed Programs within the office of the governor (collectively referred to as the "governor") to the System, A&M, the Center, or the Institutes. The bill establishes that such funds are restricted funds. The bill prohibits all such restricted funds from being expended or obligated without the written prior approval of the Legislative Budget Board (LBB) as provided under certain provisions of the Texas Constitution. The bill prohibits the System, A&M, the Center, the Institutes, and the comptroller of public accounts from releasing any restricted funds appropriated or transferred for the use or expenditure of the System, A&M, the Center, or the Institutes until the release of the restricted funds has been approved in writing by the LBB. The bill prohibits the comptroller from making any transfers of restricted funds to, for, or on behalf of the System, A&M, the Center, or the Institutes without the written approval of the LBB. The bill requires the System, not later than the 10th calendar day after the date the bill takes effect, to

provide the LBB with an initial report related to restricted funds used directly or indirectly in support of the Center or the Institutes, including the \$50 million transferred from the emerging technology fund to the System as announced by the governor on March 23, 2009, and approved by letter dated January 2, 2009. The bill lists the required information to be included in such report. The bill authorizes the LBB to approve of the release of such restricted funds after receiving adequate reports from the System demonstrating the proper use of the restricted funds. The bill requires the System to provide the LBB with certain specified information on a monthly basis.

C.S.H.B. 4586 prohibits the governor, the office of the governor, and Trusteed Programs within the office, notwithstanding other provisions in the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, from expending or transferring amounts deposited or appropriated to the emerging technology fund Account No. 5124 or deposited or appropriated to the Texas Enterprise Fund Account No. 5107 without the written prior approval of the LBB, and from assigning or transferring appropriations and the corresponding full-time equivalent employees for Trusteed Programs within the office of the governor to other agencies without the written prior approval of the LBB.

C.S.H.B. 4586 establishes that the office of the governor is not authorized, without the prior written approval of the LBB, to direct agency resources or to transfer appropriated amounts between appropriations items listed under the bill pattern of the office of the governor, notwithstanding limitations on or grants of appropriation transfers contained in the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007. The bill prohibits the governor from transferring appropriations and full-time equivalent employees under the bill pattern of the Trusteed Programs within the office without the prior written approval of the LBB, and from assigning appropriations and the corresponding full-time equivalent employees for Trusteed Programs within the office to other agencies without the prior written approval of the LBB.

C.S.H.B. 4586 requires each state agency and institution of higher education receiving appropriations in the bill out of funds received under the American Recovery and Reinvestment Act of 2009 to develop and submit a plan to the LBB and the governor providing details on the entity's intended use of appropriations made by the bill out of funds received under the Act. The bill requires the plan to include a summary of any Act funds spent, allocated, or encumbered prior to August 31, 2009. The bill requires the report to be delivered not later than September 30, 2009. The bill requires such agencies to submit quarterly reports, in a form determined by the LBB, on the expenditure of those funds. The bill requires the quarterly reports to be submitted not later than December 31, March 31, June 30, and September 30 of each year. The bill requires the quarterly reports to be submitted to the governor, the LBB, the state auditor's office, and the comptroller.

C.S.H.B. 4586 provides that the amounts of general revenue reductions shown in the bill are in accordance with the American Recovery and Reinvestment Act of 2009. The bill provides that all of the general revenue reductions identified in provisions relating to the University of Houston-Wind Energy, the Office of the Attorney General, Texas Tech University Health Sciences Center, and TEA are offset by an equal or greater amount of funds made available to Texas under the Act.

C.S.H.B. 4586 requires appropriations made in the bill to HHSC for Medicaid Enhanced FMAP to be allocated by HHSC to affected agencies. The bill requires HHSC to submit a plan for that allocation to the LBB and the governor not later than September 30, 2009.

C.S.H.B. 4586 establishes that it is the intent of the legislature that to the extent allowed by federal and state law with regard to funds received under the American Recovery and Reinvestment Act of 2009, an agency appropriated funds under the bill is prohibited from adopting a plan, policy, procedure, strategy, or rule to facilitate expenditure of Act funding

during this or a future biennium for expansion of a program, strategy, policy, expense, or employment that cannot be reasonably and proportionately reduced or eliminated after funding from the Act is reduced or eliminated, or that creates liability on behalf of the State of Texas to make repayment to the United States treasury in the event of a future discontinuation of payments to the direct or indirect beneficiaries from those Act funds already expended or payments to direct or indirect beneficiaries of a program or strategy in excess of those funds actually received by the State of Texas from the United States treasury.

C.S.H.B. 4586 requires each agency receiving funds under the American Recovery and Reinvestment Act of 2009 that are appropriated by the bill to prepare a written Discontinued Funding Plan that addresses the fact that Act funding is temporary in nature and that programs authorized and federal funds provided under the Act will be eliminated or reduced or might reasonably be viewed as likely to be eliminated or reduced during this or a future biennium. The bill establishes a list of requirements such a plan must meet.

C.S.H.B. 4586 authorizes all American Recovery and Reinvestment Act of 2009 funds appropriated by the bill to be expended for other items and purposes with the prior written approval of the LBB and the governor as a specific exception to a certain requirement of the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, that all federal funds appropriated by the General Appropriations Act be deposited to and expended from an appropriation item identified by the General Appropriations Act and not be expended for a purpose other than for a purpose reviewed by the 80th Legislature and authorized by specific language in the General Appropriations Act or encompassed by an agency's budget structure as established by the General Appropriations Act.

C.S.H.B. 4586 establishes that it is the intent of the legislature that a position of employment created as a result of the receipt of American Recovery and Reinvestment Act of 2009 funding is required to be eliminated by an agency on exhaustion or discontinued availability of such funding for that position.

C.S.H.B. 4586 authorizes state funds from any source used by a state agency to provide services or benefits to be counted in any manner consistent with then existing law towards any required state matching contribution for receiving American Recovery and Reinvestment Act of 2009 funds, notwithstanding any requirement to the contrary in the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, in order to maximize the amount of American Recovery and Reinvestment Act of 2009 funds that might become available to the State of Texas.

C.S.H.B. 4586 authorizes DADS for the fiscal year ending August 31, 2009, to transfer any amounts among certain items of appropriation, notwithstanding any limitation on transfer among appropriation items prescribed by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007.

C.S.H.B. 4586 authorizes HHSC, for the fiscal year ending August 31, 2009, to transfer any amounts among certain items of appropriation, notwithstanding any limitation on transfer among appropriation items by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007.

C.S.H.B. 4586 reduces the unencumbered amounts appropriated to DFPS for use during the state fiscal biennium ending August 31, 2009, by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, under a strategy regarding foster care payments by the following amounts:

- \$24,492,233 out of the general revenue fund appropriations for that strategy
- \$26,719,977 out of the federal funds (TANF) appropriations for that strategy

C.S.H.B. 4586 appropriates the following amounts out of the general revenue fund to certain entities for the fiscal year ending August 31, 2009, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009:

- \$62,351,306 to DADS under Strategy A.6.1 Nursing Facility Payments
- \$357,839,421 to HHSC under Goal B, Medicaid
- \$322,378,835 to HHSC under Strategy B.2.3, Medicare Federal Give Back

C.S.H.B. 4586 appropriates the following amounts to DFPS for the fiscal year ending August 31, 2009, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009:

- \$5,174,830 from the general revenue fund under Strategy A.2.11, Adoption Subsidy Payments
- \$6,191,042 from the general revenue fund under Strategy C.1.1, CPS Reform Continued
- \$4,199,776 in federal funds (TANF) under Strategy C.1.1, CPS Reform Continued
- \$13,126,361 from the general revenue fund under Strategy A.3.1, APS Direct Delivery Staff
- \$12,460,353 in federal funds (TANF) under Strategy A.2.1, CPS Direct Delivery Staff

C.S.H.B. 4586 authorizes DFPS, for the fiscal year ending August 31, 2009, to transfer any amounts among certain items of appropriation, notwithstanding any limitation on transfer among appropriation items prescribed by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007.

C.S.H.B. 4586 prohibits DADS, at any time during the fiscal year ending August 31, 2009, from exceeding certain limitations on the total number of clients served under certain appropriation items from amounts appropriated by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, for the fiscal year ending August 31, 2009.

C.S.H.B. 4586 establishes that, in order to meet an expected shortfall within the mental health hospital system, certain limitations prescribed by the General Appropriations Act enacted by the 80th Legislature, Regular Session, 2007, do not limit appropriations made to the Department of State Health Services (DSHS) for the fiscal year ending August 31, 2009. The bill requires DSHS to report to the LBB not later than October 1, 2009, regarding each instance in which DSHS transferred funds to meet the shortfall within the mental health hospital system. The bill requires such report to include at a minimum the items of appropriation from which the funds were transferred, the items of appropriation to which the funds were transferred, the amount and method of finance of funds used in each transfer, and any other information requested by the LBB.

C.S.H.B. 4586 appropriates certain amounts out of the general revenue fund to 40 agencies and institutions of higher education for the two-year specified time period to pay for costs incurred by the agencies or institutions associated with damages or disruptions caused by natural disasters that occurred before the effective date of the bill during the state fiscal biennium that began September 1, 2007.

C.S.H.B. 4586 appropriates the amount of \$9,384,231 out of the general revenue fund to the Texas Forest Service for the two-year specified time period to pay for costs incurred by the Texas Forest Service associated with wildfires that occurred before the effective date of the bill during the state fiscal biennium that began September 1, 2007.

C.S.H.B. 4586 appropriates \$69,339 to the Texas Forest Service and \$2,106,560 to the Texas Engineering Extension Service out of the general revenue fund for the two-year specified time period beginning on the effective date of the bill to pay for costs incurred by the agencies or institutions associated with flooding that occurred before the effective date of the bill during the state fiscal biennium that began September 1, 2007.

C.S.H.B. 4586 appropriates an amount not to exceed \$100 million out of the general revenue fund for transfer to the disaster contingency fund and such amount that is appropriated for expenditure out of the disaster contingency fund to the Trusteed Programs within the office of the governor for the two-year specified time period to provide disaster relief under governing provisions of the bill. The bill prohibits such money from being transferred out of the general revenue fund or expended from the disaster contingency fund without the prior written approval of the LBB given in response to a request for that approval from the governor's office. The bill authorizes such amount to be transferred to the disaster contingency fund and expended out of the disaster contingency fund only serially as conditions warrant. The bill prohibits the LBB from approving at any one time such a transfer or expenditure in an amount that exceeds \$25 million, but authorizes the LBB concurrently to approve the transfer of an amount out of the general revenue fund and the expenditure of all or part of that amount out of the disaster contingency fund. The bill requires the first priority for the expenditure of such funds to be to provide to units of local government that are suffering financial hardship as a result of declared disasters, including wildfires, flooding, and other natural disasters, funds to provide local matching funds for FEMA qualifying projects, or to prevent default on outstanding bonds or meeting other financial requirements. The bill requires a state agency or institution of higher education, if any such agency or institution receives reimbursement from the federal government for an expenditure paid for or reimbursed with such appropriated money, to reimburse the disaster contingency fund for the amount paid for both by the appropriation and the federal reimbursement.

C.S.H.B. 4586 appropriates an amount not to exceed \$18 million out of the general revenue fund to TEA for the two-year specified time period to allow certain school districts to retain recapture payments in order to respond to a disaster, contingent on the enactment of legislation relating to an exception to the wealth per student limitation for school districts that, as a result of natural disasters, are suffering financial hardship and also contingent on a declaration of a state or national emergency.

C.S.H.B. 4586 requires an agency or institution of higher education, if any such agency or institution receives reimbursement from the federal government for an expenditure paid for or reimbursed under certain provisions of the bill relating to disaster relief, to reimburse the state for the amount paid for both by one of those provisions and the federal reimbursement, and requires such amount to be deposited to the credit of the general revenue fund in accordance with the State Funds Reform Act.

C.S.H.B. 4586 appropriates an amount not to exceed \$1 million out of the general revenue fund to TxDOT for the two-year specified time period to repair the damage caused by flooding to Farm-to-Market Road 170 in Brewster and Presidio Counties. The bill establishes that it is the intent of the legislature that this work be completed not later than December 31, 2009.

C.S.H.B. 4586 requires the agencies and institutions receiving appropriations made by the bill to allocate the appropriations to the appropriate General Appropriations Act strategies, except as otherwise provided by the bill.

EFFECTIVE DATE

On passage.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4586 differs from the original by adding all of the provisions analyzed above, except the following, which are provisions in the original that the substitute changes, as described below.

- the substitute appropriates \$332,378,835 from the general revenue fund to the Health and Human Services Commission (HHSC) under Strategy B.2.3, Medicare Federal Giveback,

whereas the original appropriates the same amount to HHSC to provide the Giveback Payment to the federal government pursuant to federal law related to the implementation of the Medicare Part D prescription drug benefit;

- the substitute appropriates \$125,112,392 out of the general revenue fund, whereas the original appropriates \$157,500,000, to the Texas Department of Criminal Justice (TDCJ) for the purpose of providing salaries and wages, hazardous duty and longevity pay, overtime pay, food for wards of the state, contracted temporary capacity, utilities, and fuel, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009;
- the substitute appropriates \$38,955,518 out of the general revenue fund to TDCJ for the purpose of providing correctional managed health care, whereas the original did not include this appropriation;
- the substitute appropriates \$917,389 out of the general revenue fund, whereas the original appropriates \$2,120,294, to the Cancer Prevention and Research Institute for the purpose of providing salaries and wages, travel, acquisition of information technology, computers, furniture, legal counseling, and contracts; and
- the substitute authorizes the Cancer Prevention and Research Institute to employ an additional 16 full-time equivalent employees, whereas the original authorized an additional 33, in addition to the number of full-time equivalent employees it is authorized by other law to employ during the state fiscal year ending August 31, 2009.