

By: Brown of Brazos

H.B. No. 213

A BILL TO BE ENTITLED

AN ACT

relating to the amount and disposition of funds retained by a state agency under the savings incentive program for state agencies.

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

SECTION 1. Section 2108.103, Government Code, is amended to read as follows:

Sec. 2108.103. RETENTION OF FUNDS. (a) The affected agency retains ~~[one-fourth of]~~ the full amount of savings verified by the comptroller ~~[, not to exceed one percent of the amount of undedicated general revenue derived from nonfederal sources appropriated to the agency for the fiscal year in which the savings are realized]~~.

(b) Savings retained under this section may only be appropriated by the legislature to the affected agency.

(c) The administrative head of the agency shall determine how to spend the savings. The agency may spend the savings only on an activity or expense that ~~[does not]~~:

(1) does not create new or expanded services; ~~[or]~~

(2) does not require ongoing funding at a later date; and

(3) the administrative head of the agency determines will enhance the agency's ability to perform the agency's duties.

(d) The agency may spend the savings on one-time merit payments to employees in accordance with Section 659.255.

1 SECTION 2. The changes in law made by this Act to Section
2 2108.103, Government Code, apply beginning with savings made during
3 the fiscal year ending August 31, 2010.

4 SECTION 3. This Act takes effect September 1, 2009.