

By: Pitts

H.B. No. 4586

Substitute the following for H.B. No. 4586:

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C.S.H.B. No. 4586

A BILL TO BE ENTITLED

AN ACT

relating to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.

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

SECTION 1. DATA CENTER SERVICES. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the following amounts are appropriated out of the general revenue fund for the two-year period beginning on the effective date of this Act to the following agencies for the purpose of providing funding for unanticipated increases in consumption related to data center services:

(1) \$128,000 is appropriated out of the general revenue fund to the Texas Facilities Commission;

(2) \$278,855 is appropriated out of the general revenue fund to the secretary of state;

(3) \$6,730,000 is appropriated out of the general revenue fund to the Texas Department of Criminal Justice;

(4) \$150,991 is appropriated out of the general revenue fund to the Texas Youth Commission;

(5) \$42,089 is appropriated out of the general revenue fund to the Department of Agriculture;

(6) \$1,094,830 is appropriated out of general revenue dedicated account number 550, \$121,648 is appropriated out of

1 general revenue dedicated account number 549, \$64,706 is
2 appropriated out of general revenue dedicated account number 153,
3 and \$12,941 is appropriated out of general revenue dedicated
4 account number 151 to the Texas Commission on Environmental
5 Quality;

6 (7) \$1,179,894 is appropriated out of the general
7 revenue fund to the Parks and Wildlife Department;

8 (8) \$349,929 is appropriated out of the general
9 revenue fund to the Railroad Commission;

10 (9) \$135,999 is appropriated out of the general
11 revenue fund to the Department of Licensing and Regulation; and

12 (10) \$147,687 is appropriated out of the general
13 revenue fund and \$265,313 is appropriated out of general revenue
14 dedicated account number 36 to the Texas Department of Insurance.

15 (b) In addition to the capital budget authority previously
16 granted for the state fiscal biennium ending August 31, 2009, the
17 agencies listed in Subsection (a) of this section may use the
18 additional amounts appropriated by this section for capital budget
19 items in response to unanticipated increases in consumption related
20 to data center services. If those amounts are transferred by
21 interagency contract or otherwise to the Department of Information
22 Resources, the department also may use the additional amounts
23 appropriated by this section for capital budget items in response
24 to unanticipated increases in consumption related to data center
25 services.

26 SECTION 2. CANCER PREVENTION AND RESEARCH INSTITUTE:
27 OPERATIONS. (a) In addition to amounts previously appropriated for

1 the state fiscal biennium ending August 31, 2009, the amount of
2 \$917,389 is appropriated out of the general revenue fund to the
3 Cancer Prevention and Research Institute for the two-year period
4 beginning on the effective date of this Act for the purpose of
5 providing for salaries and wages, travel, acquisition of
6 information technology, computers, furniture, legal counseling,
7 and contracts.

8 (b) In addition to the number of full-time equivalent
9 employees (FTEs) the Cancer Prevention and Research Institute is
10 authorized by other law to employ during the state fiscal year
11 ending August 31, 2009, the center may employ an additional 16.0
12 FTEs during that state fiscal year.

13 SECTION 3. TEXAS FACILITIES COMMISSION: UTILITY COSTS. (a)
14 In addition to amounts previously appropriated for the state fiscal
15 biennium ending August 31, 2009, the amount of \$2,396,612 is
16 appropriated out of the general revenue fund to the Texas
17 Facilities Commission under Strategy B.2.1, Building Design and
18 Construction, for the two-year period beginning on the effective
19 date of this Act for the purpose of providing for payment of
20 increased utility costs as a result of an increase in utility rates.

21 (b) Notwithstanding Article IX, Section 14.01,
22 Appropriation Transfers, or similar provisions of Chapter 1428
23 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
24 General Appropriations Act), funds appropriated by this section may
25 not be transferred by the commission to another appropriation item
26 or be used by the commission for a purpose other than payment of
27 utility expenses without the prior written approval of the

Legislative Budget Board.

SECTION 4. TEXAS ETHICS COMMISSION: *FREE MARKET ASSOCIATION*
V. TEXAS ETHICS COMMISSION. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$188,349 is appropriated out of the general revenue fund to the Texas Ethics Commission for the fiscal year ending August 31, 2009, for the purpose of reimbursing the 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.

SECTION 5. DEPARTMENT OF INFORMATION RESOURCES: DATA CENTER SERVICES. (a) In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$68,268,044 is appropriated out of the general revenue fund to the Department of Information Resources for the two-year period beginning on the effective date of this Act 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.

(b) In addition to the capital budget authority previously granted for the state fiscal biennium ending August 31, 2009, the Department of Information Resources may use an amount not to exceed an additional \$68,268,044 in capital budget authority for the

1 transfer of agency mainframe and server systems to the State Data
2 Center, the transition of agency staff to the Data Center Services
3 contractors, the initiation of common policies, procedures, and
4 processes, the implementation of service management tools,
5 metrics, and processes, the deployment of system automation tools,
6 and the initiation of infrastructure rollout and upgrades.

7 SECTION 6. TEXAS STATE LIBRARY AND ARCHIVES COMMISSION:
8 LORENZO DE ZAVALA BUILDING. In addition to amounts previously
9 appropriated for the state fiscal biennium ending August 31, 2009,
10 the amount of \$1,894,676 is appropriated out of the general revenue
11 fund to the Texas State Library and Archives Commission for the
12 two-year period beginning on the effective date of this Act for the
13 purchase of furniture and shelving for the Lorenzo de Zavala
14 Building.

15 SECTION 7. HISTORICAL COMMISSION: RESTORATION OF THE
16 GOVERNOR'S MANSION. In addition to amounts previously appropriated
17 for the state fiscal biennium ending August 31, 2009, the amount of
18 \$8,289,680 is appropriated out of the general revenue fund to the
19 Texas Historical Commission for the two-year period beginning on
20 the effective date of this Act for costs associated with the
21 restoration of the Governor's Mansion.

22 SECTION 8. HEALTH AND HUMAN SERVICES COMMISSION: RED LIGHT
23 CAMERA TRAUMA FUND. In addition to amounts previously appropriated
24 for the state fiscal biennium ending August 31, 2009, all revenue
25 deposited to the Regional Trauma Account 5137 (Red Light Camera
26 Trauma Fund) (estimated to be \$6,712,284) is appropriated under
27 Strategy A.1.1, Enterprise Oversight and Policy, to the Health and

Human Services Commission for the state fiscal year ending August 31, 2009, to be used to reimburse uncompensated trauma care.

SECTION 9. TEXAS EDUCATION AGENCY: CRIMINAL HISTORY BACKGROUND CHECKS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the amount of \$2,630,206 is appropriated out of the general revenue fund to the Texas Education Agency for the two-year period beginning on the effective date of this Act to conduct criminal history background checks pursuant to Chapter 1372 (S.B. 9), Acts of the 80th Legislature, Regular Session, 2007.

SECTION 10. HIGHER EDUCATION GROUP INSURANCE CONTRIBUTIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the following amounts are appropriated out of the general revenue fund for the two-year period beginning on the effective date of this Act to the following 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 for Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act):

(1) \$12,185,357 is appropriated out of the general revenue fund to Alamo Community College;

(2) \$1,574,860 is appropriated out of the general revenue fund to Alvin Community College;

1 (3) \$3,758,285 is appropriated out of the general
2 revenue fund to Amarillo College;

3 (4) \$1,367,325 is appropriated out of the general
4 revenue fund to Angelina College;

5 (5) \$7,164,544 is appropriated out of the general
6 revenue fund to Austin Community College;

7 (6) \$3,054,600 is appropriated out of the general
8 revenue fund to Blinn College;

9 (7) \$1,373,650 is appropriated out of the general
10 revenue fund to Brazosport College;

11 (8) \$2,731,087 is appropriated out of the general
12 revenue fund to Central Texas College;

13 (9) \$990,189 is appropriated out of the general
14 revenue fund to Cisco Junior College;

15 (10) \$461,040 is appropriated out of the general
16 revenue fund to Clarendon College;

17 (11) \$1,497,422 is appropriated out of the general
18 revenue fund to Coastal Bend College;

19 (12) \$2,138,088 is appropriated out of the general
20 revenue fund to the College of the Mainland;

21 (13) \$3,784,295 is appropriated out of the general
22 revenue fund to Collin County Community College;

23 (14) \$15,758,341 is appropriated out of the general
24 revenue fund to the Dallas County Community College District;

25 (15) \$4,018,340 is appropriated out of the general
26 revenue fund to Del Mar College;

27 (16) \$6,182,391 is appropriated out of the general

1 revenue fund to El Paso Community College;
2 (17) \$585,527 is appropriated out of the general
3 revenue fund to Frank Phillips College;
4 (18) \$943,016 is appropriated out of the general
5 revenue fund to Galveston College;
6 (19) \$1,468,952 is appropriated out of the general
7 revenue fund to Grayson County College;
8 (20) \$954,181 is appropriated out of the general
9 revenue fund to Hill College;
10 (21) \$10,278,053 is appropriated out of the general
11 revenue fund to Houston Community College;
12 (22) \$1,813,685 is appropriated out of the general
13 revenue fund to Howard College;
14 (23) \$2,129,068 is appropriated out of the general
15 revenue fund to Kilgore College;
16 (24) \$3,342,228 is appropriated out of the general
17 revenue fund to Laredo Community College;
18 (25) \$2,119,681 is appropriated out of the general
19 revenue fund to Lee College;
20 (26) \$8,670,589 is appropriated out of the general
21 revenue fund to the Lone Star College System;
22 (27) \$2,724,160 is appropriated out of the general
23 revenue fund to McLennan Community College;
24 (28) \$2,065,163 is appropriated out of the general
25 revenue fund to Midland College;
26 (29) \$1,470,933 is appropriated out of the general
27 revenue fund to Navarro College;

1 (30) \$1,418,908 is appropriated out of the general
2 revenue fund to North Central Texas College;

3 (31) \$874,764 is appropriated out of the general
4 revenue fund to Northeast Texas Community College;

5 (32) \$1,963,198 is appropriated out of the general
6 revenue fund to Odessa College;

7 (33) \$945,499 is appropriated out of the general
8 revenue fund to Panola College;

9 (34) \$1,278,367 is appropriated out of the general
10 revenue fund to Paris Junior College;

11 (35) \$474,991 is appropriated out of the general
12 revenue fund to Ranger College;

13 (36) \$6,628,666 is appropriated out of the general
14 revenue fund to San Jacinto College;

15 (37) \$3,338,955 is appropriated out of the general
16 revenue fund to South Plains College;

17 (38) \$3,985,978 is appropriated out of the general
18 revenue fund to South Texas College;

19 (39) \$1,666,736 is appropriated out of the general
20 revenue fund to Southwest Texas Junior College;

21 (40) \$9,207,978 is appropriated out of the general
22 revenue fund to Tarrant County College;

23 (41) \$1,330,783 is appropriated out of the general
24 revenue fund to Temple College;

25 (42) \$1,667,329 is appropriated out of the general
26 revenue fund to Texarkana College;

27 (43) \$1,706,940 is appropriated out of the general

1 revenue fund to Trinity Valley Community College;

2 (44) \$3,361,192 is appropriated out of the general
3 revenue fund to Tyler Junior College;

4 (45) \$1,120,729 is appropriated out of the general
5 revenue fund to Vernon College;

6 (46) \$1,519,013 is appropriated out of the general
7 revenue fund to Victoria College;

8 (47) \$1,397,289 is appropriated out of the general
9 revenue fund to Weatherford College;

10 (48) \$694,843 is appropriated out of the general
11 revenue fund to Western Texas College; and

12 (49) \$1,789,670 is appropriated out of the general
13 revenue fund to Wharton County Junior College.

14 SECTION 11. TEXAS FOREST SERVICE: VOLUNTEER FIRE DEPARTMENT
15 ASSISTANCE PROGRAM. In addition to amounts previously appropriated
16 for the state fiscal biennium ending August 31, 2009, the amount of
17 \$2,500,000 is appropriated out of general revenue fund dedicated
18 account number 5064 to the Texas Forest Service for the two-year
19 period beginning on the effective date of this Act for grants to
20 volunteer fire departments for training and equipment through the
21 Volunteer Fire Department Assistance Program.

22 SECTION 12. UNIVERSITY OF TEXAS MEDICAL BRANCH: HIGHER
23 EDUCATION GROUP INSURANCE CONTRIBUTIONS. In addition to amounts
24 previously appropriated for the state fiscal biennium ending August
25 31, 2009, the amount of \$500,000 is appropriated out of the general
26 revenue fund to The University of Texas Medical Branch at Galveston
27 for the two-year period beginning on the effective date of this Act

1 for additional contributions made to higher education group
2 insurance made on behalf of 47 full-time equivalent positions
3 transferred under a contract with the Texas Youth Commission from
4 the Texas Tech University Health Sciences Center to The University
5 of Texas Medical Branch.

6 SECTION 13. THE UNIVERSITY OF NORTH TEXAS SYSTEM:
7 REIMBURSEMENT FOR PLANNING AND DESIGN. In addition to amounts
8 previously appropriated for the state fiscal biennium ending August
9 31, 2009, the amount of \$2,800,000 is appropriated out of the
10 general revenue fund to the University of North Texas System for the
11 two-year period beginning on the effective date of this Act for the
12 purpose of reimbursing the cost of planning and design for
13 construction of a second academic building at the Dallas campus.
14 The legislature finds there is a demonstrated need for undertaking
15 the planning and design process for this building.

16 SECTION 14. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
17 OPERATIONS. In addition to amounts previously appropriated for the
18 state fiscal biennium ending August 31, 2009, the amount of
19 \$125,112,392 is appropriated out of the general revenue fund to the
20 Texas Department of Criminal Justice for the two-year period
21 beginning on the effective date of this Act for the purpose of
22 providing for salaries and wages, hazardous duty and longevity pay,
23 overtime pay, food for wards of the state, contracted temporary
24 capacity, utilities, and fuel.

25 SECTION 15. TEXAS DEPARTMENT OF CRIMINAL JUSTICE:
26 CORRECTIONAL MANAGED HEALTH CARE. In addition to amounts previously
27 appropriated for the state fiscal biennium ending August 31, 2009,

1 the amount of \$38,955,518 is appropriated out of the general
2 revenue fund to the Texas Department of Criminal Justice for the
3 two-year period beginning on the effective date of this Act for the
4 purpose of providing for correctional managed health care.

5 SECTION 16. WATER DEVELOPMENT BOARD: MEDINA LAKE DAM. In
6 addition to amounts previously appropriated for the state fiscal
7 biennium ending August 31, 2009, the amount of \$4,000,000 is
8 appropriated out of the general revenue fund to the Water
9 Development Board for the two-year period beginning on the
10 effective date of this Act to be transferred to the Water Assistance
11 Fund to provide a grant to the Bexar-Medina Atascosa Water Control
12 and Improvement District #1 for structural improvements to the
13 Medina Lake Dam.

14 SECTION 17. SOIL AND WATER CONSERVATION BOARD: MILEAGE
15 REIMBURSEMENT. In addition to amounts previously appropriated for
16 the state fiscal biennium ending August 31, 2009, the amount of
17 \$54,664 is appropriated out of the general revenue fund to the Soil
18 and Water Conservation Board for the two-year period beginning on
19 the effective date of this Act to provide mileage reimbursement for
20 soil and water conservation district directors.

21 SECTION 18. TEXAS DEPARTMENT OF TRANSPORTATION: HIGHWAY AND
22 BRIDGE CONSTRUCTION. In addition to amounts previously
23 appropriated for the state fiscal biennium ending August 31, 2009,
24 the amount of \$662,200,000 is appropriated out of funds received
25 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
26 No. 111-5) to the Texas Department of Transportation for the
27 two-year period beginning on the effective date of this Act for the

1 purpose of highway and bridge construction.

2 SECTION 19. RACING COMMISSION: REVENUE SHORTFALL. In
3 addition to amounts previously appropriated for the state fiscal
4 biennium ending August 31, 2009, the amount of \$178,525 is
5 appropriated out of the general revenue fund to the Racing
6 Commission for the two-year period beginning on the effective date
7 of this Act for the purpose of providing for current operations as a
8 result of a revenue shortfall.

9 SECTION 20. APPROPRIATION REDUCTION: THE UNIVERSITY OF
10 HOUSTON. The unencumbered appropriations from the general revenue
11 fund appropriated to the University of Houston for use during the
12 state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B.
13 1), Acts of the 80th Legislature, Regular Session, 2007 (the
14 General Appropriations Act), by the Section 54 special item
15 appropriation for the University of Houston - Wind Energy under the
16 Special Provisions of Article III of that Act are reduced by
17 \$4,245,244.

18 SECTION 21. THE UNIVERSITY OF HOUSTON: WIND ENERGY. In
19 addition to amounts previously appropriated for the state fiscal
20 biennium ending August 31, 2009, the amount of \$4,245,244 is
21 appropriated out of the general revenue fund to the University of
22 Houston for the two-year period beginning on the effective date of
23 this Act for the purpose of developing and constructing the
24 National Large Wind Turbine Research and Testing Facility. The
25 legislature finds there is a demonstrated need to develop and
26 construct this facility.

27 SECTION 22. JUDICIARY SECTION, COMPTROLLER'S DEPARTMENT:

1 TRANSFERS. Notwithstanding the transfer limitations of Section
2 14.01, Article IX, or Rider 4 following the appropriations to the
3 Judiciary Section, Comptroller's Department, in Chapter 1428 (H.B.
4 1), Acts of the 80th Legislature, Regular Session, 2007 (the
5 General Appropriations Act), the Judiciary Section, Comptroller's
6 Department, may transfer appropriations among items of
7 appropriations appropriated by Chapter 1428 (H.B. 1), Acts of the
8 80th Legislature, Regular Session, 2007 (the General
9 Appropriations Act), in any amount during the state fiscal biennium
10 ending August 31, 2009.

11 SECTION 23. APPROPRIATION REDUCTION: OFFICE OF ATTORNEY
12 GENERAL. As a result of savings created by the American Recovery and
13 Reinvestment Act of 2009 (Pub. L. No. 111-5) in providing a
14 temporary exemption for the use of federal incentives to increase
15 federal funds, the unencumbered appropriations from the general
16 revenue fund appropriated to the Office of the Attorney General for
17 use during the state fiscal biennium ending August 31, 2009, by
18 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
19 Session, 2007 (the General Appropriations Act), under Strategy
20 B.1.1, Child Support Enforcement, are reduced by \$27,300,000.

21 SECTION 24. APPROPRIATION REDUCTION: TEXAS TECH UNIVERSITY
22 HEALTH SCIENCES CENTER. The unencumbered appropriations from the
23 general revenue fund appropriated to the Texas Tech University
24 Health Sciences Center for use during the state fiscal biennium
25 ending August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
26 Legislature, Regular Session, 2007 (the General Appropriations
27 Act), under Strategy A.1.1, Medical Education, are reduced by

1 \$500,000.

2 SECTION 25. APPROPRIATION REDUCTION: TEXAS EDUCATION
3 AGENCY. The unencumbered appropriations from the foundation school
4 fund appropriated to the Texas Education Agency for use during the
5 state fiscal biennium ending August 31, 2009, made by Chapter 1428
6 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
7 General Appropriations Act), under Strategy A.1.1, FSP-Equalized
8 Operations, are reduced by \$500,000,000.

9 SECTION 26. UNEXPENDED BALANCE APPROPRIATION: HEALTH AND
10 HUMAN SERVICES COMMISSION. The unexpended balance of the
11 appropriations from the general revenue fund to the Health and
12 Human Services Commission for use during the state fiscal biennium
13 ending August 31, 2009, made by Chapter 1428 (H.B. 1), Acts of the
14 80th Legislature, Regular Session, 2007 (the General
15 Appropriations Act), under Goal B, Medicaid, in the amount of
16 \$117,054,148, for the purpose of funding the Frew Strategic
17 Initiative is appropriated from the general revenue fund to the
18 Health and Human Services Commission for the purposes of funding
19 the Frew Strategic Initiative during the state fiscal year ending
20 August 31, 2010.

21 SECTION 27. TEXAS EDUCATION AGENCY: ADDITIONAL
22 APPROPRIATION FOR TEXTBOOKS. In addition to amounts previously
23 appropriated for the state fiscal biennium ending August 31, 2009,
24 the amount of \$758,084,423 is appropriated out of funds received
25 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
26 No. 111-5) to the Texas Education Agency for the two-year period
27 beginning on the effective date of this Act for the purpose of

1 providing formula distributions to school districts and charter
2 schools for the purchase, in cooperation with the
3 agency, of textbooks under Proclamation 2010 and continuing
4 contracts related to instructional materials.

5 SECTION 28. OFFICE OF ATTORNEY GENERAL: ADDITIONAL
6 APPROPRIATION. In addition to amounts previously appropriated for
7 the state fiscal biennium ending August 31, 2009, the amount of
8 \$27,300,000 is appropriated out of funds received under the
9 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
10 to the Office of the Attorney General for the two-year period
11 beginning on the effective date of this Act for the purpose of
12 providing child support enforcement.

13 SECTION 29. APPROPRIATION REDUCTION/RESTORATION AND
14 REPORTS AND LIMITS ON THE USE OF APPROPRIATED OR TRANSFERRED FUNDS:
15 TEXAS A&M UNIVERSITY SYSTEM, TRUSTEED PROGRAMS WITHIN THE OFFICE OF
16 THE GOVERNOR. (a) The appropriations, from any fund, appropriated
17 to Texas A&M University or The Texas A&M University System or an
18 affiliated entity or to the Trusteed Programs within the Office of
19 the Governor for use during the state fiscal biennium ending August
20 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
21 Regular Session, 2007 (the General Appropriations Act), that are
22 used or proposed to be used for a project described by Subsection
23 (b) of this section are reduced entirely by this section and
24 reappropriated in their entirety by this section subject to the
25 restrictions prescribed by this section.

26 (b) This section applies to all appropriated funds used by
27 or for the benefit of, or used in furtherance of, a project or

1 undertaking of The Texas A&M University System's National Center
2 for Therapeutics Manufacturing (the "Center"), the Institute for
3 Advanced Therapeutics, the Texas Institute for Genomic Medicine,
4 the Texas Institute for Pre-Clinical Studies, or any similar
5 institute (collectively referred to as the "Institutes") in
6 connection with a partnership or joint venture for research or
7 manufacturing or a related activity with The Texas A&M University
8 System ("System") or an entity affiliated with the System,
9 including the Texas A&M Health Science Center (collectively
10 referred to as "A&M").

11 (c) This section applies to all unexpended funds described
12 by Subsection (b) appropriated or transferred by or under this Act
13 or by or under a previous Act of the legislature, specifically
14 including but not limited to all appropriated funds transferred
15 from the governor, the Office of the Governor, or the Trusteed
16 Programs within the Office of the Governor (collectively referred
17 to as the "governor") to the System, A&M, the Center, or the
18 Institutes. Funds to which this section applies are restricted
19 funds for purposes of this section.

20 (d) All restricted funds under this section may not be
21 expended or obligated without the written prior approval of the
22 Legislative Budget Board as provided by Section 69, Article XVI,
23 Texas Constitution. The System, A&M, the Center, the Institutes,
24 and the comptroller may not release any restricted funds
25 appropriated or transferred for the use or expenditure of the
26 System, A&M, the Center, or the Institutes until the release of the
27 restricted funds has been approved in writing by the Legislative

Budget Board. The comptroller may not make 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 Legislative Budget Board.

(e) Not later than the 10th calendar day after the date this Act takes effect, the System shall provide the Legislative Budget Board 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, including the following:

(1) a detailed accounting;

(2) an accounting for consulting contracts paid by:

(A) A&M or the System in support of the Center or the Institutes; and

(B) the Center or the Institutes;

(3) an accounting of staff salaries paid by:

(A) A&M or the System in support of the Center or the Institutes; and

(B) the Center or the Institutes;

(4) an accounting of construction-related expenses for the Center and the Institutes accompanied by a narrative description of the progress of any construction that has occurred or that is planned;

(5) a timeline for completion of the construction and operation of the Center and the Institutes; and

1 (6) such other information as the Legislative Budget
2 Board may require.

3 (f) The Legislative Budget Board may approve of the release
4 of restricted funds under this section after receiving adequate
5 reports from the System demonstrating the proper use of the
6 restricted funds. Specifically the System shall provide the
7 Legislative Budget Board with the following information on a
8 monthly basis:

9 (1) an accounting for restricted funds used directly
10 or indirectly in support of the Center or the Institutes;

11 (2) an accounting of staff salaries paid by:

12 (A) A&M or the System in support of the Center or
13 the Institutes; and

14 (B) the Center or the Institutes;

15 (3) an accounting of construction-related expenses
16 accompanied by a narrative description of the progress of any
17 construction;

18 (4) an update of a timeline for completion of the
19 construction and operation of the Center and the Institutes;

20 (5) an update of any new information that could make
21 more complete or accurate the report required under Subsection (e)
22 of this section;

23 (6) an accounting for consulting contracts paid by:

24 (A) A&M or the System in support of the Center or
25 the Institutes; and

26 (B) the Center or the Institutes; and

27 (7) such other information as the Legislative Budget

1 Board may require.

2 SECTION 30. TRANSFER AUTHORITY SUBJECT TO APPROVAL.

3 Notwithstanding other provisions in Chapter 1428 (H.B. 1), Acts of
4 the 80th Legislature, Regular Session, 2007 (the General
5 Appropriations Act), the governor, Office of the Governor, and
6 Trusteed Programs within the Office of the Governor may not,
7 without the written prior approval of the Legislative Budget Board,
8 expend or transfer amounts deposited or appropriated to the
9 Emerging Technology Fund Account No. 5124 or deposited or
10 appropriated to the Texas Enterprise Fund Account No. 5107 and may
11 not assign or transfer appropriations and the corresponding FTEs
12 for Trusteed Programs within the Office of the Governor to other
13 agencies without the written prior approval of the Legislative
14 Budget Board.

15 SECTION 31. TRANSFER AUTHORITY. Notwithstanding
16 limitations on or grants of appropriation transfers contained in
17 Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
18 Session, 2007 (the General Appropriations Act), the Office of the
19 Governor is not authorized, without the prior written approval of
20 the Legislative Budget Board, to direct agency resources or to
21 transfer appropriated amounts between appropriations items listed
22 under the bill pattern of the Office of the Governor. Without the
23 prior written approval of the Legislative Budget Board, the
24 governor may not transfer appropriations and FTEs under the bill
25 pattern of the Trusteed Programs within the Office of the Governor,
26 and may not, without the prior written approval of the Legislative
27 Budget Board, assign appropriations and the corresponding FTEs for

1 Trusted Programs within the Office of the Governor to other
2 agencies.

3 SECTION 32. REPORTING REQUIREMENTS; AMERICAN RECOVERY AND
4 REINVESTMENT ACT. (a) Each state agency and institution of higher
5 education receiving appropriations in this Act out of funds
6 received under the American Recovery and Reinvestment Act of 2009
7 (Pub. L. No. 111-5) shall develop and submit a plan to the
8 Legislative Budget Board and the governor providing details on the
9 entity's intended use of appropriations made by this Act out of
10 funds received under the American Recovery and Reinvestment Act of
11 2009. The plan shall include a summary of any American Recovery and
12 Reinvestment Act of 2009 funds spent, allocated, or encumbered
13 prior to August 31, 2009. The report shall be delivered not later
14 than September 30, 2009.

15 (b) Each of the agencies receiving appropriations under
16 this Act out of funds received under the American Recovery and
17 Reinvestment Act of 2009 (Pub. L. No. 111-5) shall submit quarterly
18 reports, in a form determined by the Legislative Budget Board, on
19 expenditure of those funds. Reports shall be submitted not later
20 than the following dates each year: December 31, March 31, June 30,
21 and September 30. The reports shall be submitted to the governor,
22 Legislative Budget Board, state auditor's office, and the
23 comptroller.

24 SECTION 33. INFORMATIONAL SECTION: REDUCTION IN GENERAL.
25 The amounts of general revenue reductions shown in this Act are in
26 accordance with Title V of the American Recovery and Reinvestment
27 Act of 2009 (Pub. L. No. 111-5). All of the general revenue

1 reductions identified in previous provisions of this Act are offset
2 by an equal or greater amount of funds made available to this state
3 under the American Recovery and Reinvestment Act of 2009.

4 SECTION 34. FMAP ALLOCATIONS. Appropriations made in this
5 Act to the Health and Human Services Commission for Medicaid
6 Enhanced FMAP shall be allocated by the commission to affected
7 agencies. The commission shall submit a plan for that allocation to
8 the Legislative Budget Board and the governor not later than
9 September 30, 2009.

10 SECTION 35. PROHIBITION OF EXPANSION OF STATE GOVERNMENT.
11 It is the intent of the legislature that to the extent allowed by
12 federal and state law with regard to funds received under the
13 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5),
14 an agency appropriated funds under this Act may not adopt a plan,
15 policy, procedure, strategy, or rule to facilitate expenditure of
16 American Recovery and Reinvestment Act of 2009 funding during this
17 or a future biennium for expansion of a program, strategy, policy,
18 expense, or employment that:

19 (1) cannot be reasonably and proportionately reduced
20 or eliminated after American Recovery and Reinvestment Act of 2009
21 funding is reduced or eliminated; or

22 (2) creates liability on behalf of the State of Texas
23 to make:

24 (A) repayment to the United States treasury
25 ("clawback") in the event of a future discontinuation of payments
26 to the direct or indirect beneficiaries from those American
27 Recovery and Reinvestment Act of 2009 funds already expended; or

1 (B) payments to direct or indirect beneficiaries
2 of a program or strategy in excess of those funds actually received
3 by the State of Texas from the United States treasury.

4 SECTION 36. DISCONTINUED FUNDING PLAN. Each agency
5 receiving funds under the American Recovery and Reinvestment Act of
6 2009 (Pub. L. No. 111-5) that are appropriated by this Act shall
7 prepare a written Discontinued Funding Plan ("plan") that addresses
8 the fact that American Recovery and Reinvestment Act of 2009
9 funding is temporary in nature and that programs authorized and
10 federal funds provided under the American Recovery and Reinvestment
11 Act of 2009 will be eliminated or reduced or might reasonably be
12 viewed as likely to be eliminated or reduced during this or a future
13 biennium. In accordance with requirements prescribed by the
14 Legislative Budget Board and the governor the plan must:

15 (1) identify funds received under the American
16 Recovery and Reinvestment Act of 2009;

17 (2) forecast the amount of reduction of American
18 Recovery and Reinvestment Act of 2009 funds in future budgets
19 compared to the current budget of the agency;

20 (3) be filed initially with the Legislative Budget
21 Board and the governor not later than September 30, 2009;

22 (4) be updated quarterly;

23 (5) be supplemented as requested by the Legislative
24 Budget Board or the governor;

25 (6) indicate how services or benefits will be provided
26 by the agency after elimination or reduction of American Recovery
27 and Reinvestment Act of 2009 funding;

1 (7) state how a reduction in force employed by the
2 agency will be executed;

3 (8) state whether staff hired by an agency as a result
4 of American Recovery and Reinvestment Act of 2009 funding were
5 notified that the positions of employment are temporary because
6 they are funded by money received under the American Recovery and
7 Reinvestment Act of 2009;

8 (9) state the manner in which the agency will reduce
9 services and benefits when American Recovery and Reinvestment Act
10 of 2009 funding is eliminated or reduced;

11 (10) provide other information required from the
12 agency by the Legislative Budget Board or the governor;

13 (11) provide for avoiding liability for or any
14 commitment by the State of Texas to future financial obligations or
15 responsibilities not approved by the 81st Legislature; and

16 (12) be available for public inspection and review.

17 SECTION 37. EXCEPTIONS PROVIDED FOR USE OF APPROPRIATIONS.
18 As a specific exception to the requirement of Section 8.02, Article
19 IX, Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular
20 Session, 2007 (the General Appropriations Act), that all federal
21 funds appropriated by that Act be deposited to and expended from an
22 appropriation item identified by that Act and not be expended for a
23 purpose other than for a purpose reviewed by the 80th Legislature
24 and authorized by specific language in that Act or encompassed by an
25 agency's budget structure as established by that Act, all American
26 Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5) funds
27 appropriated by this Act may be expended for other items and

1 purposes with the prior written approval of the Legislative Budget
2 Board and the governor.

3 SECTION 38. DISCONTINUANCE OF POSITION ASSOCIATED WITH
4 AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009. It is the intent of
5 the legislature that a position of employment created as a result of
6 the receipt of American Recovery and Reinvestment Act of 2009 (Pub.
7 L. No. 111-5) funding shall be eliminated by an agency on exhaustion
8 or discontinued availability of the American Recovery and
9 Reinvestment Act of 2009 funding for that position.

10 SECTION 39. MAXIMIZATION OF AMERICAN RECOVERY AND
11 REINVESTMENT ACT OF 2009 FUNDS. In order to maximize the amount of
12 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
13 funds that might become available to the State of Texas, state funds
14 from any source used by a state agency to provide services or
15 benefits may be counted in any manner consistent with then existing
16 law towards any required state matching contribution for receiving
17 American Recovery and Reinvestment Act funds, notwithstanding any
18 requirement to the contrary in Chapter 1428 (H.B. 1), Acts of the
19 80th Legislature, Regular Session, 2007 (the General
20 Appropriations Act).

21 SECTION 40. TEXAS EDUCATION AGENCY: ADDITIONAL
22 APPROPRIATION FOR TECHNOLOGY. In addition to amounts previously
23 appropriated for the state fiscal biennium ending August 31, 2009,
24 the amount of \$220,915,577 is appropriated out of funds received
25 under the American Recovery and Reinvestment Act of 2009 (Pub. L.
26 No. 111-5) to the Texas Education Agency for the two-year period
27 beginning on the effective date of this Act for the purpose of

1 providing additional technology and instructional materials
2 through the Technology Allotment under Strategy B.2.1,
3 Technology/Instructional Materials.

4 SECTION 41. DEPARTMENT OF AGING AND DISABILITY SERVICES:
5 APPROPRIATION REDUCTION. As a result of savings created by the
6 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
7 providing a temporary exemption for the use of federal incentives
8 to increase federal funds, the unencumbered appropriations from the
9 general revenue fund appropriated to the Department of Aging and
10 Disability Services for use during the state fiscal biennium ending
11 August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
12 Legislature, Regular Session, 2007 (the General Appropriations
13 Act) under Strategy A.6.1, Nursing Facility Payments, are reduced
14 by \$414,556,053.

15 SECTION 42. DEPARTMENT OF AGING AND DISABILITY SERVICES:
16 RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation
17 on transfer among appropriation items prescribed by Chapter 1428
18 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
19 General Appropriations Act), the Department of Aging and Disability
20 Services for the fiscal year ending August 31, 2009, may transfer
21 any amounts among the following items of appropriation:

- 22 (1) A.2.1, Primary Home Care;
- 23 (2) A.2.2, Community Attendant Services;
- 24 (3) A.2.3, Day Activity and Health Services (DAHS);
- 25 (4) A.3.1, Community-based Alternatives (CBA);
- 26 (5) A.3.2, Home and Community-based Services (HCS);
- 27 (6) A.3.3, Community Living Assistance and Support

Services (CLASS);

(7) A.3.4, Deaf-blind Multiple Disabilities (DBMD);

(8) A.3.5, Medically Dependent Children Program
(MDCP);

(9) A.3.6, Consolidated Waiver Program;

(10) A.3.7, Texas Home Living Waiver;

(11) A.5.1, Program of All-Inclusive Care for the
Elderly (PACE);

(12) A.6.1, Nursing Facility Payments;

(13) A.6.2, Medicare Skilled Nursing Facility;

(14) A.6.3, Hospice;

(15) A.6.4, Promoting Independence by Providing
Community-based Client Services;

(16) A.7.1, Intermediate Care Facilities - Mental
Retardation (ICF/MR); and

(17) A.8.1, MR State Schools Services.

SECTION 43. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
APPROPRIATION REDUCTION. As a result of savings created by the
American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
providing a temporary exemption for the use of federal incentives
to increase federal funds, the unencumbered amounts appropriated
from the general revenue fund to the Department of Family and
Protective Services for use during the state fiscal biennium ending
August 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th
Legislature, Regular Session, 2007 (the General Appropriations
Act), are reduced by the following amounts:

(1) \$11,609,096 under Strategy A.2.10, Foster Care

1 Payments; and

2 (2) \$7,483,772 under Strategy A.2.11, Adoption
3 Subsidy Payments.

4 SECTION 44. HEALTH AND HUMAN SERVICES COMMISSION:
5 APPROPRIATION REDUCTION. As a result of savings created by the
6 American Recovery and Reinvestment Act of 2009 (Pub. L. No. 111-5)
7 providing a temporary exemption for the use of federal incentives
8 to increase federal funds, the unencumbered amounts appropriated
9 from the general revenue fund to the Health and Human Services
10 Commission for use during the state fiscal biennium ending August
11 31, 2009, by Chapter 1428 (H.B. 1), Acts of the 80th Legislature,
12 Regular Session, 2007 (the General Appropriations Act), under
13 Strategy B.1.4, Children and Medically Needy, are reduced by
14 \$1,206,507,722.

15 SECTION 45. HEALTH AND HUMAN SERVICES COMMISSION:
16 RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation
17 on transfer among appropriation items prescribed by Chapter 1428
18 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the
19 General Appropriations Act), the Health and Human Services
20 Commission for the fiscal year ending August 31, 2009, may transfer
21 any amounts among the following items of appropriation:

- 22 (1) Strategy B.1.4, Children and Medically Needy;
23 (2) Strategy B.2.4, Medical Transportation;
24 (3) Strategy B.3.1, Health Steps (EPSDT) Medical;
25 (4) Strategy B.3.2, Health Steps (EPSDT) Dental; and
26 (5) Strategy B.3.3, EPSDT Comprehensive Care Program.

27 SECTION 46. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:

1 APPROPRIATION REDUCTION. The unencumbered amounts appropriated to
2 the Department of Family and Protective Services for use during the
3 state fiscal biennium ending August 31, 2009, by Chapter 1428 (H.B.
4 1), Acts of the 80th Legislature, Regular Session, 2007 (the
5 General Appropriations Act), under Strategy A.2.10, Foster Care
6 Payments, are reduced by the following amounts:

7 (1) \$24,492,233 out of the general revenue fund
8 appropriations for that strategy; and

9 (2) \$26,719,977 out of the federal funds (TANF)
10 appropriations for that strategy.

11 SECTION 47. DEPARTMENT OF AGING AND DISABILITY SERVICES:
12 ADDITIONAL APPROPRIATIONS. In addition to amounts previously
13 appropriated for the state fiscal biennium ending August 31, 2009,
14 the amount of \$62,351,306 is appropriated out of the general
15 revenue fund to the Department of Aging and Disability Services
16 under Strategy A.6.1, Nursing Facility Payments, for the fiscal
17 year ending August 31, 2009.

18 SECTION 48. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:
19 ADDITIONAL APPROPRIATIONS. In addition to amounts previously
20 appropriated for the state fiscal biennium ending August 31, 2009,
21 the Department of Family and Protective Services is appropriated
22 for the fiscal year ending August 31, 2009, the following amounts
23 for the following purposes:

24 (1) \$5,174,830 from the general revenue fund under
25 Strategy A.2.11, Adoption Subsidy Payments;

26 (2) \$6,191,042 from the general revenue fund under
27 Strategy C.1.1, CPS Reform Continued;

(3) \$4,199,776 in federal funds (TANF) under Strategy C.1.1, CPS Reform Continued;

(4) \$13,126,361 from the general revenue fund under Strategy A.3.1, APS Direct Delivery Staff; and

(5) \$12,460,353 in federal funds (TANF) under Strategy A.2.1, CPS Direct Delivery Staff.

SECTION 49. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: RESTORATION OF TRANSFER AUTHORITY. Notwithstanding any limitation on transfer among appropriation items prescribed by Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), for the fiscal year ending August 31, 2009, the Department of Family and Protective Services may transfer any amounts among the following items of appropriation:

(1) Strategy A.1.1, Statewide Intake Services;

(2) Strategy A.2.1, CPS Direct Delivery Staff;

(3) Strategy A.2.2, CPS Program Support;

(4) Strategy A.3.1, APS Direct Delivery Staff;

(5) Strategy A.3.2, APS Program Support;

(6) Strategy A.3.3, MH and MR Investigations; and

(7) Strategy A.4.1, Child Care Regulation.

SECTION 50. HEALTH AND HUMAN SERVICES COMMISSION: ADDITIONAL APPROPRIATIONS. In addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2009, the Health and Human Services Commission is appropriated for the fiscal year ending August 31, 2009, the following amounts for the following purposes:

(1) \$357,839,421 from the general revenue fund under

Goal B, Medicaid; and

(2) \$322,378,835 from the general revenue fund under Strategy B.2.3, Medicare Federal Give Back.

SECTION 51. DEPARTMENT OF AGING AND DISABILITY SERVICES: LIMITATION ON CASELOADS. From amounts appropriated by Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), for the fiscal year ending August 31, 2009, the Department of Aging and Disability Services may not at any time during the fiscal year ending August 31, 2009, exceed the following limitations on the total number of clients served under the following appropriation items:

(1) 26,087 clients under Strategy A.3.1, Community Based Alternatives (CBA);

(2) 15,516 clients under Strategy A.3.2, Home and Community-based Services (HCS);

(3) 4,199 clients under Strategy A.3.3, Community Living Assistance and Support Services (CLASS);

(4) 172 clients under Strategy A.3.4, Deaf-blind Multiple Disabilities (DBMD);

(5) 2,745 clients under Strategy A.3.5, Medically Dependent Children Program (MDCP);

(6) 199 clients under Strategy A.3.6, Consolidated Waiver Program;

(7) 1,183 clients under Strategy A.3.7, Texas Home Living Waiver;

(8) 39,005 clients under Strategy A.4.1, Non-Medicaid Services;

(9) 13,109 clients under Strategy A.4.2, MR Community Services;

(10) 4,590 clients under Strategy A.4.4, In-Home and Family Support;

(11) 3,060 clients under Strategy A.4.5, Mental Retardation In-Home Services; and

(12) 909 clients under Strategy A.5.1, Program of All-Inclusive Care for the Elderly (PACE).

SECTION 52. DEPARTMENT OF STATE HEALTH SERVICES: REMOVAL OF CERTAIN LIMITATIONS. (a) In order to meet an expected shortfall within the mental health hospital system, the limitations prescribed by the following provisions of Chapter 1428 (H.B. 1), Acts of the 80th Legislature, Regular Session, 2007 (the General Appropriations Act), do not limit appropriations made to the Department of State Health Services for the fiscal year ending August 31, 2009:

(1) Section 8.03(e), Article IX (Reimbursements and Payments);

(2) Section 14.01, Article IX (Appropriation Transfers);

(3) Section 49, Article II, Special Provisions, Contingent Appropriation of Medicare Part D Savings;

(4) Rider 46, State Owned Multicategorical Teaching Hospital Account (UTMB), following the appropriations to the Department of State Health Services; and

(5) Rider 55, County Indigent Health Care, following the appropriations to the Department of State Health Services.

1 (b) The Department of State Health Services shall report to
2 the Legislative Budget Board not later than October 1, 2009,
3 regarding each instance in which the Department of State Health
4 Services transferred funds to meet the shortfall within the mental
5 health hospital system. The report shall include at a minimum the
6 items of appropriation from which the funds were transferred, the
7 items of appropriation to which the funds were transferred, the
8 amount and method of finance of funds used in each transfer, and any
9 other information requested by the Legislative Budget Board.

10 SECTION 53. HEALTH AND HUMAN SERVICES COMMISSION:
11 ADDITIONAL FEDERAL MEDICAID FUNDING. In addition to amounts
12 previously appropriated for the state fiscal biennium ending August
13 31, 2009, the amount of \$1,640,156,643 is appropriated out of funds
14 received under the American Recovery and Reinvestment Act of 2009
15 (Pub. L. No. 111-5) to the Health and Human Services Commission for
16 the two-year period beginning on the effective date of this Act for
17 the purpose of increased federal Medicaid funding.

18 SECTION 54. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
19 NATURAL DISASTERS. The following amounts are appropriated out of
20 the general revenue fund to the following agencies and institutions
21 of higher education for the two-year period beginning on the
22 effective date of this Act for the purpose of paying for, or
23 reimbursing payments made for, costs incurred by the agencies or
24 institutions associated with damages or disruptions caused by
25 natural disasters that occurred before the effective date of this
26 Act during the state fiscal biennium that began September 1, 2007:

27 (1) UT Medical Branch at Galveston: \$300,000,000;

1 (2) Brazosport College: \$120,111;
2 (3) Parks and Wildlife Department: \$60,849,794;
3 (4) Health and Human Services Commission:
4 \$47,416,821;
5 (5) UT M.D. Anderson Cancer Center: \$1,725,995;
6 (6) Alvin College: \$12,043,688;
7 (7) Texas A&M Galveston: \$10,700,000;
8 (8) Texas Forest Service: \$385,091;
9 (9) Houston Community College: \$6,030,680;
10 (10) Department of Criminal Justice: \$32,387,608;
11 (11) Commission on Environmental Quality:
12 \$4,598,100;
13 (12) San Jacinto College: \$3,700,000;
14 (13) Galveston College: \$491,844;
15 (14) Texas Engineering Extension Service:
16 \$1,190,794;
17 (15) Adjutant General's Department: \$1,244,007;
18 (16) The University of Texas at Brownsville:
19 \$1,178,189;
20 (17) Lamar University: \$2,803,561;
21 (18) Lamar Institute of Technology: \$2,007,758;
22 (19) Lamar State College: Port Arthur: \$1,082,754;
23 (20) Texas Southern University: \$17,884,439;
24 (21) College of the Mainland: \$704,945;
25 (22) The University of Texas Pan American: \$102,258;
26 (23) Texas AgriLife Research: \$281,428;
27 (24) General Land Office and Veterans' Land Board:

1 \$35,220,100;
2 (25) Angelina College: \$142,245;
3 (26) Texas A&M Corpus Christi: \$59,145;
4 (27) Texas AgriLife Extension Service: \$143,378;
5 (28) The University of Texas Health Center at Tyler:
6 \$2,898,557;
7 (29) The University of Texas Health Science Center at
8 Houston: \$8,520,839;
9 (30) University of Houston System Administration:
10 \$7,339,000;
11 (31) Texas State Technical College: Harlingen:
12 \$904,558;
13 (32) Lamar State College: Orange: \$693,691;
14 (33) Prairie View A&M University: \$488,864;
15 (34) Stephen F. Austin State University: \$434,075;
16 (35) Tyler Junior College: \$215,688;
17 (36) Sam Houston State University: \$118,841;
18 (37) The University of Texas Health Science Center at
19 San Antonio: \$89,436;
20 (38) Texas A&M University--Commerce: \$39,694;
21 (39) Lee College: \$137,554; and
22 (40) Department of Agriculture: \$20,000,000.

23 SECTION 55. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
24 WILDFIRES. The amount of \$9,384,231 is appropriated out of the
25 general revenue fund to the Texas Forest Service for the two-year
26 period beginning on the effective date of this Act for the purpose
27 of paying for, or reimbursing payments made for, costs incurred by

1 the Texas Forest Service associated with wildfires that occurred
2 before the effective date of this Act during the state fiscal
3 biennium that began September 1, 2007.

4 SECTION 56. APPROPRIATIONS FOR GENERAL COSTS CAUSED BY
5 FLOODING. The following amounts are appropriated out of the
6 general revenue fund to the following agencies and institutions of
7 higher education for the two-year period beginning on the effective
8 date of this Act for the purpose of paying for, or reimbursing
9 payments made for, costs incurred by the agencies or institutions
10 associated with flooding that occurred before the effective date of
11 this Act during the state fiscal biennium that began September 1,
12 2007:

13 (1) Texas Forest Service: \$69,339; and

14 (2) Texas Engineering Extension Service: \$2,106,560.

15 SECTION 57. CERTAIN APPROPRIATIONS FOR DISASTER RELIEF.
16 (a) An amount not to exceed \$100 million is appropriated out of the
17 general revenue fund for transfer to the disaster contingency fund
18 and is appropriated for expenditure out of the disaster contingency
19 fund to the Trusteed Programs within the Office of the Governor for
20 the two-year period beginning on the effective date of this Act for
21 the purpose of providing disaster relief in accordance with this
22 section. Money may not be transferred out of the general revenue
23 fund or expended from the disaster contingency fund under this
24 section without the prior written approval of the Legislative
25 Budget Board given in response to a request for that approval from
26 the Office of the Governor.

27 (b) The amounts appropriated by Subsection (a) of this

1 section may be transferred to the disaster contingency fund and
2 expended out of the disaster contingency fund only serially as
3 conditions warrant. The Legislative Budget Board may not approve
4 at any one time a transfer or expenditure under this section in an
5 amount that exceeds \$25 million, but the board may concurrently
6 approve under this section the transfer of an amount out of the
7 general revenue fund and the expenditure of all or part of that
8 amount out of the disaster contingency fund.

9 (c) The first priority for the expenditure of funds
10 appropriated by this section shall be to provide to units of local
11 government that are suffering financial hardship as a result of
12 declared disasters, including wildfires, flooding, and other
13 natural disasters, funds for the purpose of:

14 (1) providing local matching funds for FEMA qualifying
15 projects; or

16 (2) preventing default on outstanding bonds or meeting
17 other financial requirements.

18 SECTION 58. CERTAIN REIMBURSEMENTS FROM FEDERAL
19 GOVERNMENT. If any state agency or institution of higher education
20 receives reimbursement from the federal government for an
21 expenditure paid for or reimbursed with money appropriated under
22 Section 57 of this Act, the agency or institution shall reimburse
23 the disaster contingency fund for the amount paid for both by the
24 Section 57 appropriation and the federal reimbursement.

25 SECTION 59. CONTINGENT APPROPRIATION: WEALTH PER STUDENT
26 LIMITATION. Contingent on the enactment of legislation relating to
27 an exception to the wealth per student limitation for school

1 districts that, as a result of natural disasters, are suffering
2 financial hardship and also contingent on a declaration of a state
3 or national emergency, an amount not to exceed \$18 million is
4 appropriated out of the general revenue fund to the Texas Education
5 Agency for the two-year period beginning on the effective date of
6 this Act for the purpose of allowing certain school districts to
7 retain recapture payments in order to respond to a disaster.

8 SECTION 60. REIMBURSEMENT TO GENERAL REVENUE FUND. If any
9 state agency or institution of higher education receives
10 reimbursement from the federal government for an expenditure paid
11 for or reimbursed under Section 54, 55, 56, or 61 of this Act, the
12 agency or institution shall reimburse the state for the amount paid
13 for both by one of those sections of this Act and the federal
14 reimbursement, and that amount shall be deposited to the credit of
15 the general revenue fund in accordance with Section 404.094,
16 Government Code.

17 SECTION 61. TEXAS DEPARTMENT OF TRANSPORTATION: FM 170
18 REPAIRS. An amount not to exceed \$1 million is appropriated out of
19 the general revenue fund to the Texas Department of Transportation
20 for the two-year period beginning on the effective date of this Act
21 for the purpose of repairing the damage caused by flooding to
22 Farm-to-Market Road 170 in Brewster and Presidio Counties. It is
23 the intent of the legislature that this work be completed not later
24 than December 31, 2009.

25 SECTION 62. APPROPRIATIONS ALLOCATED TO APPROPRIATE
26 GENERAL APPROPRIATIONS ACT STRATEGIES. Except as otherwise
27 provided by this Act, the agencies and institutions receiving

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1 appropriations made by this Act shall allocate the appropriations
2 to the appropriate General Appropriations Act strategies.

3 SECTION 63. EFFECTIVE DATE. This Act takes effect
4 immediately.