

By: Duncan

S.B. No. 2567

A BILL TO BE ENTITLED

AN ACT

relating to state fiscal matters.

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

SECTION 1. Amend Chapter 403, Government Code by adding Section 403.0122 to read as follows:

SECTION 1. Section 403.0122. DEPOSIT OF AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS. (a) The Federal American Recovery and Reinvestment fund (ARRA fund) is created as a special fund in the state treasury outside the general revenue fund. Notwithstanding any state law to the contrary and except as otherwise provided by federal law, state agencies that receive money under the American Recovery and Reinvestment Act of 2009 (ARRA) shall deposit such money in the ARRA fund as the comptroller determines is necessary to hold and account for ARRA funds.

(b) Additional funds may be deposited into the ARRA fund as appropriated by the legislature, required by federal law, or as the comptroller determines is necessary to account for ARRA related funds. Funds deposited into the ARRA fund may only be used for the purposes identified in the ARRA to stimulate the economy, including aid for unemployment, welfare, education, health and infrastructure.

(c) Agencies shall transfer amounts between the ARRA fund and other accounts and funds as the comptroller determines is necessary to properly account for ARRA funds. This section does not

1 affect the authority of the comptroller to establish and use  
2 accounts necessary to manage and account for revenues and  
3 expenditures.

4 (d) Interest earned on funds deposited into the ARRA fund is  
5 exempt from Section 404.071, Government Code and shall be retained  
6 in the fund.

7 (e) The comptroller may issue guidelines for state agencies  
8 regarding the implementation of the provisions of this section.

9 SECTION 2. Amend Section 403.0551(d), Government Code, to  
10 read as follows:

11 (d) This section does not authorize the comptroller to  
12 deduct the amount of a state employee's indebtedness to a state  
13 agency from any amount of compensation owed by the agency to the  
14 employee, the employee's successor, or the assignee of the employee  
15 or successor. In this subsection, "compensation" has the meaning  
16 assigned by Section 403.055, and "indebtedness," "state agency,"  
17 "state employee," and "successor" have the meanings assigned by  
18 Section 666.001.

19 SECTION 3. Amend Section 661.062(a), Government Code, to  
20 read as follows:

21 Sec. 661.062. ENTITLEMENT TO PAYMENT FOR VACATION TIME.

22 (a) A state employee who, at any time during the employee's  
23 lifetime, has accrued six months of continuous state employment and  
24 who resigns, is dismissed, or otherwise separates from state  
25 employment by a state agency other than an institution of higher  
26 education is entitled to be paid for the accrued balance of the  
27 employee's vacation time as of the date of separation, if the

1 individual is not reemployed by the state in a position under which  
2 the employee accrues vacation leave for one calendar month [~~during~~  
3 ~~the 30-day period~~] immediately following the date of separation  
4 from state employment. A state employee who, at any time during the  
5 employee's lifetime, has accrued six months of continuous state  
6 employment and who resigns, is dismissed, or otherwise separates  
7 from state employment by an institution of higher education is  
8 entitled to be paid for the accrued balance of the employee's  
9 vacation time as of the date of separation.

10 SECTION 4. EFFECTIVE DATE. This Act takes effect  
11 immediately if it receives a vote of two-thirds of all the members  
12 elected to each house, as provided by Section 39, Article III, Texas  
13 Constitution. If this Act does not receive the vote necessary for  
14 immediate effect, this Act takes effect on the 91st day after the  
15 last day of the legislative session.