

1-1 By: Duncan S.B. No. 2567
1-2 (In the Senate - Filed April 29, 2009; April 29, 2009, read
1-3 first time and referred to Committee on Finance; May 5, 2009,
1-4 reported favorably by the following vote: Yeas 8, Nays 0;
1-5 May 5, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to state fiscal matters.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subchapter B, Chapter 403, Government Code, is
1-11 amended by adding Section 403.0122 to read as follows:

1-12 Sec. 403.0122. DEPOSIT OF AMERICAN RECOVERY AND
1-13 REINVESTMENT ACT FUNDS. (a) The American Recovery and
1-14 Reinvestment Act fund (ARRA fund) is created as a special fund in
1-15 the state treasury outside the general revenue fund.
1-16 Notwithstanding any state law to the contrary and except as
1-17 otherwise provided by federal law, state agencies that receive
1-18 money under the American Recovery and Reinvestment Act of 2009
1-19 (Pub. L. No. 111-5) (ARRA) shall deposit such money in the ARRA fund
1-20 as the comptroller determines is necessary to hold and account for
1-21 ARRA funds.

1-22 (b) Additional funds may be deposited into the ARRA fund as
1-23 appropriated by the legislature, required by federal law, or as the
1-24 comptroller determines is necessary to account for ARRA related
1-25 funds. Funds deposited into the ARRA fund may only be used for the
1-26 purposes identified in the ARRA to stimulate the economy, including
1-27 aid for unemployment, welfare, education, health, and
1-28 infrastructure.

1-29 (c) Agencies shall transfer amounts between the ARRA fund
1-30 and other accounts and funds as the comptroller determines is
1-31 necessary to properly account for ARRA funds. This section does not
1-32 affect the authority of the comptroller to establish and use
1-33 accounts necessary to manage and account for revenues and
1-34 expenditures.

1-35 (d) Interest earned on funds deposited into the ARRA fund is
1-36 exempt from Section 404.071, and shall be retained in the fund.

1-37 (e) The comptroller may issue guidelines for state agencies
1-38 regarding the implementation of the provisions of this section.

1-39 SECTION 2. Subsection (d), Section 403.0551, Government
1-40 Code, is amended to read as follows:

1-41 (d) This section does not authorize the comptroller to
1-42 deduct the amount of a state employee's indebtedness to a state
1-43 agency from any amount of compensation owed by the agency to the
1-44 employee, the employee's successor, or the assignee of the employee
1-45 or successor. In this subsection, "compensation" has the meaning
1-46 assigned by Section 403.055, and [~~"compensation,"~~] "indebtedness,"
1-47 "state agency," "state employee," and "successor" have the meanings
1-48 assigned by Section 666.001.

1-49 SECTION 3. Subsection (a), Section 661.062, Government
1-50 Code, is amended to read as follows:

1-51 (a) A state employee who, at any time during the employee's
1-52 lifetime, has accrued six months of continuous state employment and
1-53 who resigns, is dismissed, or otherwise separates from state
1-54 employment by a state agency other than an institution of higher
1-55 education is entitled to be paid for the accrued balance of the
1-56 employee's vacation time as of the date of separation, if the
1-57 individual is not reemployed by the state in a position under which
1-58 the employee accrues vacation leave for one calendar month [~~during~~
1-59 ~~the 30-day period~~] immediately following the date of separation
1-60 from state employment. A state employee who, at any time during the
1-61 employee's lifetime, has accrued six months of continuous state
1-62 employment and who resigns, is dismissed, or otherwise separates
1-63 from state employment by an institution of higher education is
1-64 entitled to be paid for the accrued balance of the employee's

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