

Amend CSSB 1811 (house committee printing) by adding the following appropriately numbered ARTICLE to the bill and renumbering subsequent ARTICLES of the bill accordingly:

ARTICLE _____. ABOLISHMENT OF THE TEXAS ENTERPRISE FUND

SECTION _____.01. (a) Sections 481.078 and 481.080, Government Code, are repealed.

(b) The repeal by this article of Sections 481.078 and 481.080, Government Code, does not affect the validity of any agreement between the governor and a grant recipient or entity to be awarded a grant entered into under Section 481.078 before the effective date of this article.

(c) On the effective date of this article, the Texas Enterprise Fund is abolished and the unexpended and unencumbered money from that fund shall be transferred to the credit of the foundation school fund.

(d) After the effective date of this article, unspent but encumbered money in the Texas Enterprise Fund at the time the fund was abolished is in the general revenue fund. If the money was deposited in the Texas Enterprise Fund as a gift, grant, or donation under Section 481.078(b)(3), Government Code, and is encumbered by the specific terms of the gift, grant, or donation, the money may be spent only in accordance with the terms of the gift, grant, or donation. If the money is encumbered because it has been awarded or otherwise obligated by agreement before the effective date of this article but under the terms of the award or agreement will not be distributed until a future time, the money shall be distributed in accordance with the terms of the award or agreement. If the governor determines that the money will not be distributed in accordance with the terms of the award or agreement, the governor shall certify that fact to the comptroller. On that certification, the comptroller shall transfer that money in the general revenue fund to the credit of the foundation school fund.

(e) The money transferred to the foundation school fund under Subsections (c) and (d) of this section is appropriated to the Texas Education Agency for use during the 2011-2013 state fiscal biennium as follows:

(1) an amount equal to the difference between the

total amounts appropriated for providing grants under Section 29.155, Education Code, by other Acts of the 82nd Legislature, Regular Session, 2011, and the amounts appropriated for that purpose by the 81st Legislature, Regular Session, 2009, adjusted for monetary inflation and student enrollment growth, to be used for providing the grants; and

(2) any money in excess of the amount appropriated under Subdivision (1) of this subsection to be used for other purposes of the Foundation School Program, as provided by Section 42.002, Education Code.

(f) Section 481.078, Government Code, is continued in effect for the limited purpose of supplying the necessary authority to administer Subsection (d) of this section.

SECTION _____.02. Section 204.123, Labor Code, is amended to read as follows:

Sec. 204.123. TRANSFER TO [~~TEXAS ENTERPRISE FUND,~~] SKILLS DEVELOPMENT FUND, TRAINING STABILIZATION FUND, AND COMPENSATION FUND. (a) If, on September 1 of a year, the commission determines that the amount in the compensation fund will exceed 100 percent of its floor as computed under Section 204.061 on the next October 1 computation date, the commission shall transfer from the holding fund created under Section 204.122:

(1) [~~from~~] the first \$160 million deposited in the holding fund in any state fiscal biennium[~~+~~

~~[(A) during the state fiscal biennium ending August 31, 2007:~~

~~[(i) 67 percent to the Texas Enterprise Fund created under Section 481.078, Government Code, except that the amount transferred under this paragraph may not exceed the amount appropriated by the legislature to the Texas Enterprise Fund in that biennium; and~~

~~[(ii) 33 percent to the skills development fund created under Section 303.003, except that the amount transferred under this paragraph may not exceed the amount appropriated by the legislature to the skills development program strategies and activities in that biennium; and~~

~~[(B) during any state fiscal biennium beginning~~

~~on or after September 1, 2007:~~

~~[(i) 75 percent to the Texas Enterprise Fund created under Section 481.078, Government Code, except that the amount transferred under this paragraph may not exceed the amount appropriated by the legislature to the Texas Enterprise Fund in that biennium; and~~

~~[(ii) 25 percent]~~ to the skills development fund created under Section 303.003, except that the amount transferred under this subdivision ~~[paragraph]~~ may not exceed the amount appropriated by the legislature to the skills development program strategies and activities in that biennium; and

(2) any remaining amount in the holding fund after the distribution under Subdivision (1) to the training stabilization fund created under Section 302.101.

(b) If, on September 1 of a year, the commission determines that the amount in the compensation fund will be at or below 100 percent of its floor as computed under Section 204.061 on the next October 1 computation date, the commission shall transfer to the compensation fund as much of the amount in the holding fund as is necessary to raise the amount in the compensation fund to 100 percent of its floor, up to and including the entire amount in the holding fund. The commission shall transfer any remaining balance in the holding fund to ~~[the Texas Enterprise Fund,~~ the skills development fund~~]~~ and the training stabilization fund as ~~[in the percentages]~~ prescribed by Subsection (a).

SECTION ____ .03. Sections 302.101(b) and (c), Labor Code, are amended to read as follows:

(b) Money in the training stabilization fund may be used in a year in which the amounts in the employment and training investment holding fund are insufficient to meet the legislative appropriation for that fiscal year for ~~[either the Texas Enterprise Fund or]~~ the skills development program strategies and activities.

(c) Money in the training stabilization fund shall be transferred to ~~[the Texas Enterprise Fund and]~~ the skills development fund under Subsection (b) not later than September 30. ~~[The transfer under Subsection (b) shall consist of transferring 67 percent of the money in the training stabilization fund to the Texas~~

~~Enterprise Fund and 33 percent of the money in the training stabilization fund to the skills development fund.]~~ The amount transferred from the training stabilization fund may not exceed the amount [~~amounts~~] appropriated to the [~~Texas Enterprise Fund and~~] skills development program strategies and activities in the fiscal year in which the transfer is made.

SECTION _____.04. This article takes effect September 1, 2011.