

1-1 By: Ogden S.B. No. 1579  
1-2 (In the Senate - Filed March 11, 2011; March 23, 2011, read  
1-3 first time and referred to Committee on Finance; April 26, 2011,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 11, Nays 2; April 26, 2011, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 1579 By: Ogden

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to state fiscal matters related to general government.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 ARTICLE 1. REDUCTION OF EXPENDITURES AND IMPOSITION OF CHARGES  
1-12 GENERALLY

1-13 SECTION 1.01. This article applies to any state agency that  
1-14 receives an appropriation under Article I of the General  
1-15 Appropriations Act.

1-16 SECTION 1.02. Notwithstanding any other statute of this  
1-17 state, each state agency to which this article applies is  
1-18 authorized to reduce or recover expenditures by:

1-19 (1) consolidating any reports or publications the  
1-20 agency is required to make and filing or delivering any of those  
1-21 reports or publications exclusively by electronic means;

1-22 (2) extending the effective period of any license,  
1-23 permit, or registration the agency grants or administers;

1-24 (3) entering into a contract with another governmental  
1-25 entity or with a private vendor to carry out any of the agency's  
1-26 duties;

1-27 (4) adopting additional eligibility requirements for  
1-28 persons who receive benefits under any law the agency administers  
1-29 to ensure that those benefits are received by the most deserving  
1-30 persons consistent with the purposes for which the benefits are  
1-31 provided;

1-32 (5) providing that any communication between the  
1-33 agency and another person and any document required to be delivered  
1-34 to or by the agency, including any application, notice, billing  
1-35 statement, receipt, or certificate, may be made or delivered by  
1-36 e-mail or through the Internet; and

1-37 (6) adopting and collecting fees or charges to cover  
1-38 any costs the agency incurs in performing its lawful functions.

1-39 ARTICLE 2. FISCAL MATTERS REGARDING LEASING CERTAIN STATE  
1-40 FACILITIES

1-41 SECTION 2.01. The heading to Section 2165.2035, Government  
1-42 Code, is amended to read as follows:

1-43 Sec. 2165.2035. LEASE OF SPACE IN STATE-OWNED PARKING LOTS  
1-44 AND GARAGES; USE AFTER HOURS.

1-45 SECTION 2.02. Subchapter E, Chapter 2165, Government Code,  
1-46 is amended by adding Sections 2165.204, 2165.2045, and 2165.2046 to  
1-47 read as follows:

1-48 Sec. 2165.204. LEASE OF SPACE IN STATE-OWNED PARKING LOTS  
1-49 AND GARAGES; EXCESS INDIVIDUAL PARKING SPACES. (a) The commission  
1-50 may lease to a private individual an individual parking space in a  
1-51 state-owned parking lot or garage located in the city of Austin that  
1-52 the commission determines is not needed to accommodate the regular  
1-53 parking requirements of state employees who work near the lot or  
1-54 garage and visitors to nearby state government offices.

1-55 (b) Money received from a lease under this section shall be  
1-56 deposited to the credit of the general revenue fund.

1-57 Sec. 2165.2045. LEASE OF SPACE IN STATE-OWNED PARKING LOTS  
1-58 AND GARAGES; EXCESS BLOCKS OF PARKING SPACE. (a) The commission  
1-59 may lease to an institution of higher education or a local  
1-60 government all or a significant block of a state-owned parking lot  
1-61 or garage located in the city of Austin that the commission  
1-62 determines is not needed to accommodate the regular parking  
1-63 requirements of state employees who work near the lot or garage and

2-1 visitors to nearby state government offices.  
2-2 (b) Money received from a lease under this section shall be  
2-3 deposited to the credit of the general revenue fund.

2-4 Sec. 2165.2046. REPORTS ON PARKING PROGRAMS. On or before  
2-5 October 1 of each even-numbered year, the commission shall submit a  
2-6 report to the Legislative Budget Board describing the effectiveness  
2-7 of parking programs developed by the commission under this  
2-8 subchapter. The report must, at a minimum, include:

- 2-9 (1) the yearly revenue generated by the programs;
- 2-10 (2) the yearly administrative and enforcement costs of
- 2-11 each program;
- 2-12 (3) yearly usage statistics for each program; and
- 2-13 (4) initiatives and suggestions by the commission to:
- 2-14 (A) modify administration of the programs; and
- 2-15 (B) increase revenue generated by the programs.

2-16 SECTION 2.03. This article takes effect immediately if this  
2-17 Act receives a vote of two-thirds of all the members elected to each  
2-18 house, as provided by Section 39, Article III, Texas Constitution.  
2-19 If this Act does not receive the vote necessary for immediate  
2-20 effect, this article takes effect September 1, 2011.

2-21 ARTICLE 3. FISCAL MATTERS RELATING TO SECRETARY OF STATE

2-22 SECTION 3.01. Section 405.014, Government Code, is amended  
2-23 to read as follows:

2-24 Sec. 405.014. ACTS OF THE LEGISLATURE. (a) At each  
2-25 session of the legislature the secretary of state shall obtain the  
2-26 bills that have become law. Immediately after the closing of each  
2-27 session of the legislature, the secretary of state shall bind all  
2-28 enrolled bills and resolutions in volumes on which the date of the  
2-29 session is placed.

2-30 (b) As soon as practicable after the closing of each session  
2-31 of the legislature, the secretary of state shall publish and  
2-32 maintain electronically the bills enacted at that session. The  
2-33 electronic publication must be:

- 2-34 (1) indexed by bill number and assigned chapter number
- 2-35 for each bill; and
- 2-36 (2) made available by an electronic link on the
- 2-37 secretary of state's generally accessible Internet website.

2-38 SECTION 3.02. Subchapter B, Chapter 2158, Government Code,  
2-39 is repealed.

2-40 SECTION 3.03. The change in law made by this article does  
2-41 not apply to a contract for the publication of the laws of this  
2-42 state entered into before the effective date of this article.

2-43 SECTION 3.04. This article takes effect immediately if this  
2-44 Act receives a vote of two-thirds of all the members elected to each  
2-45 house, as provided by Section 39, Article III, Texas Constitution.  
2-46 If this Act does not receive the vote necessary for immediate  
2-47 effect, this article takes effect September 1, 2011.

2-48 ARTICLE 4. FISCAL MATTERS REGARDING ATTORNEY GENERAL

2-49 SECTION 4.01. Section 402.006, Government Code, is amended  
2-50 by adding Subsection (e) to read as follows:

2-51 (e) The attorney general may charge a reasonable fee for the  
2-52 electronic filing of a document.

2-53 SECTION 4.02. The heading to Section 402.0212, Government  
2-54 Code, is amended to read as follows:

2-55 Sec. 402.0212. PROVISION OF LEGAL SERVICES--OUTSIDE  
2-56 COUNSEL; FEES.

2-57 SECTION 4.03. Section 402.0212, Government Code, is amended  
2-58 by amending Subsections (b) and (c) and adding Subsections (d),  
2-59 (e), and (f) to read as follows:

2-60 (b) An invoice submitted to a state agency under a contract  
2-61 for legal services as described by Subsection (a) must be reviewed  
2-62 by the attorney general to determine whether the invoice is  
2-63 eligible for payment.

2-64 (c) An attorney or law firm must pay an administrative fee  
2-65 to the attorney general for the review described in Subsection (b)  
2-66 when entering into a contract to provide legal services to a state  
2-67 agency.

2-68 (d) For purposes of this section, the functions of a hearing  
2-69 examiner, administrative law judge, or other quasi-judicial

3-1 officer are not considered legal services.  
3-2 (e) [~~(e)~~] This section shall not apply to the Texas Turnpike  
3-3 Authority division of the Texas Department of Transportation.  
3-4 (f) The attorney general may adopt rules as necessary to  
3-5 implement and administer this section.  
3-6 SECTION 4.04. Section 371.051, Transportation Code, is  
3-7 amended to read as follows:  
3-8 Sec. 371.051. ATTORNEY GENERAL REVIEW AND FEE. (a) A toll  
3-9 project entity may not enter into a comprehensive development  
3-10 agreement unless the attorney general reviews the proposed  
3-11 agreement and determines that it is legally sufficient.  
3-12 (b) The attorney general may charge a toll project entity a  
3-13 reasonable fee for the review described in Subsection (a).  
3-14 (c) If the toll project entity submits multiple proposed  
3-15 comprehensive development agreements relating to the same toll  
3-16 project for review, the entity shall pay the fee under Subsection  
3-17 (b) for each proposed comprehensive development agreement.  
3-18 (d) The toll project entity may collect or seek  
3-19 reimbursement of the fee under Subsection (b) from the private  
3-20 participant under the proposed comprehensive development  
3-21 agreement.  
3-22 (e) The attorney general may adopt rules necessary to  
3-23 implement and administer this section.  
3-24 SECTION 4.05. The fee prescribed by Section 402.006,  
3-25 Government Code, as amended by this article, applies only to a  
3-26 document electronically submitted to the office of the attorney  
3-27 general on or after the effective date of this article.  
3-28 SECTION 4.06. The fee prescribed by Section 402.0212,  
3-29 Government Code, as amended by this article, applies only to  
3-30 invoices for legal services submitted to the office of the attorney  
3-31 general for review on or after the effective date of this article.  
3-32 SECTION 4.07. The fee prescribed by Section 371.051,  
3-33 Transportation Code, as amended by this article, applies only to a  
3-34 comprehensive development agreement submitted to the office of the  
3-35 attorney general on or after the effective date of this article.  
3-36 SECTION 4.08. The changes in law made by this article apply  
3-37 only to a contract for legal services between a state agency and a  
3-38 private attorney or law firm entered into on or after the effective  
3-39 date of this article. A contract for legal services between a state  
3-40 agency and a private attorney or law firm entered into before the  
3-41 effective date of this article is governed by the law in effect at  
3-42 the time the contract was entered into, and the former law is  
3-43 continued in effect for that purpose.  
3-44 SECTION 4.09. This article takes effect immediately if this  
3-45 Act receives a vote of two-thirds of all the members elected to each  
3-46 house, as provided by Section 39, Article III, Texas Constitution.  
3-47 If this Act does not receive the vote necessary for immediate  
3-48 effect, this article takes effect September 1, 2011.  
3-49 ARTICLE 5. TEXAS PRESERVATION TRUST FUND ACCOUNT  
3-50 SECTION 5.01. Subsections (a), (b), and (f), Section  
3-51 442.015, Government Code, are amended to read as follows:  
3-52 (a) Notwithstanding Section [~~Sections 403.094 and~~] 403.095,  
3-53 the Texas preservation trust fund account is a separate account in  
3-54 the general revenue fund. The account consists of transfers made to  
3-55 the account, loan repayments, grants and donations made for the  
3-56 purposes of this program, proceeds of sales, income earned  
3-57 [~~earnings~~] on money in the account, and any other money received  
3-58 under this section. Money in [~~Distributions from~~] the account may  
3-59 be used only for the purposes of this section and [~~may not be used~~]  
3-60 to pay operating expenses of the commission. Money allocated to the  
3-61 commission's historic preservation grant program shall be  
3-62 deposited to the credit of the account. Income earned [~~Earnings~~]  
3-63 on money in the account shall be deposited to the credit of the  
3-64 account.  
3-65 (b) The commission may use money in [~~distributions from~~] the  
3-66 Texas preservation trust fund account to provide financial  
3-67 assistance to public or private entities for the acquisition,  
3-68 survey, restoration, or preservation, or for planning and  
3-69 educational activities leading to the preservation, of historic

4-1 property in the state that is listed in the National Register of  
 4-2 Historic Places or designated as a State Archeological Landmark or  
 4-3 Recorded Texas Historic Landmark, or that the commission determines  
 4-4 is eligible for such listing or designation. The financial  
 4-5 assistance may be in the amount and form and according to the terms  
 4-6 that the commission by rule determines. The commission shall give  
 4-7 priority to property the commission determines to be endangered by  
 4-8 demolition, neglect, underuse, looting, vandalism, or other threat  
 4-9 to the property. Gifts and grants deposited to the credit of the  
 4-10 account specifically for any eligible projects may be used only for  
 4-11 the type of projects specified. If such a specification is not  
 4-12 made, the gift or grant shall be unencumbered and accrue to the  
 4-13 benefit of the Texas preservation trust fund account. If such a  
 4-14 specification is made, the entire amount of the gift or grant may be  
 4-15 used during any period for the project or type of project specified.

4-16 (f) The advisory board shall recommend to the commission  
 4-17 rules for administering this section [~~Subsections (a)-(e)~~].

4-18 SECTION 5.02. Subsections (h), (i), (j), (k), and (l),  
 4-19 Section 442.015, Government Code, are repealed.

4-20 SECTION 5.03. The comptroller of public accounts and the  
 4-21 Texas Historical Commission shall enter into a memorandum of  
 4-22 understanding to facilitate the conversion of assets of the Texas  
 4-23 preservation trust fund account into cash for deposit into the  
 4-24 state treasury using a method that provides for the lowest amount of  
 4-25 revenue loss to the state.

4-26 SECTION 5.04. This article takes effect November 1, 2011.

4-27 ARTICLE 6. FISCAL MATTERS CONCERNING INFORMATION TECHNOLOGY

4-28 SECTION 6.01. Section 2054.380, Government Code, is amended  
 4-29 to read as follows:

4-30 Sec. 2054.380. FEES. (a) The department shall set and  
 4-31 charge a fee to each state agency that receives a service from a  
 4-32 statewide technology center in an amount sufficient to cover the  
 4-33 direct and indirect cost of providing the service.

4-34 (b) Revenue derived from the collection of fees imposed  
 4-35 under Subsection (a) may be appropriated to the department for:

4-36 (1) developing statewide information resources  
 4-37 technology policies and planning under this chapter and Chapter  
 4-38 2059; and

4-39 (2) providing shared information resources technology  
 4-40 services under this chapter.

4-41 SECTION 6.02. Subsection (d), Section 2157.068, Government  
 4-42 Code, is amended to read as follows:

4-43 (d) The department may charge a reasonable administrative  
 4-44 fee to a state agency, political subdivision of this state, or  
 4-45 governmental entity of another state that purchases commodity items  
 4-46 through the department in an amount that is sufficient to recover  
 4-47 costs associated with the administration of this section. Revenue  
 4-48 derived from the collection of fees imposed under this subsection  
 4-49 may be appropriated to the department for:

4-50 (1) developing statewide information resources  
 4-51 technology policies and planning under Chapters 2054 and 2059; and

4-52 (2) providing shared information resources technology  
 4-53 services under Chapter 2054.

4-54 SECTION 6.03. Subsections (a) and (d), Section 2170.057,  
 4-55 Government Code, are amended to read as follows:

4-56 (a) The department shall develop a system of billings and  
 4-57 charges for services provided in operating and administering the  
 4-58 consolidated telecommunications system that allocates the total  
 4-59 state cost to each entity served by the system based on  
 4-60 proportionate usage. The department shall set and charge a fee to  
 4-61 each entity that receives services provided under this chapter in  
 4-62 an amount sufficient to cover the direct and indirect costs of  
 4-63 providing the service. Revenue derived from the collection of fees  
 4-64 imposed under this subsection may be appropriated to the department  
 4-65 for:

4-66 (1) developing statewide information resources  
 4-67 technology policies and planning under Chapters 2054 and 2059; and

4-68 (2) providing:  
 4-69 (A) shared information resources technology

5-1 services under Chapter 2054; and  
 5-2 (B) network security services under Chapter  
 5-3 2059.

5-4 (d) The department shall maintain in the revolving fund  
 5-5 account sufficient amounts to pay the bills of the consolidated  
 5-6 telecommunications system and the centralized capitol complex  
 5-7 telephone system. The department shall certify amounts that exceed  
 5-8 this amount to the comptroller, and the comptroller shall transfer  
 5-9 the excess amounts to the credit of the general revenue fund. The  
 5-10 amounts transferred under this subsection may be appropriated to  
 5-11 the department for the purposes described by Subsections (a)(1) and  
 5-12 (2) [~~statewide network applications account established by Section~~  
 5-13 2054.011].

5-14 SECTION 6.04. This article takes effect immediately if this  
 5-15 Act receives a vote of two-thirds of all the members elected to each  
 5-16 house, as provided by Section 39, Article III, Texas Constitution.  
 5-17 If this Act does not receive the vote necessary for immediate  
 5-18 effect, this article takes effect September 1, 2011.

5-19 ARTICLE 7. HANDLING FEES IMPOSED BY COMPTROLLER FOR PROCESSING  
 5-20 UNCLAIMED PROPERTY

5-21 SECTION 7.01. Section 74.509, Property Code, is amended to  
 5-22 read as follows:

5-23 Sec. 74.509. HANDLING FEE FOR PROCESSING UNCLAIMED  
 5-24 PROPERTY. (a) The comptroller shall deduct from each approved  
 5-25 claim a handling fee of 10 percent of the amount of the claim and  
 5-26 retain the fee in the general revenue fund [~~A handling fee may be~~  
 5-27 deducted from the amount of the claim payment] if the approved claim  
 5-28 [payment] is at least \$100.

5-29 (b) Subject to legislative appropriation, the comptroller  
 5-30 may use the retained handling fees to pay the costs to process  
 5-31 unclaimed property claims.

5-32 ARTICLE 8. STATE BAR OF TEXAS MEMBERSHIP DUES FOR ATTORNEY EMPLOYED  
 5-33 BY ATTORNEY GENERAL

5-34 SECTION 8.01. Section 81.054, Government Code, is amended  
 5-35 by adding Subsections (m) and (n) to read as follows:

5-36 (m) A member is not required to pay a membership fee for a  
 5-37 year in which the member is employed as a full-time attorney by the  
 5-38 office of the attorney general.

5-39 (n) The state bar shall adopt rules governing the proration  
 5-40 of a membership fee paid by an attorney who is not employed by the  
 5-41 office of the attorney general for an entire year.

5-42 SECTION 8.02. Subsections (m) and (n), Section 81.054,  
 5-43 Government Code, as added by this article, apply to a membership fee  
 5-44 for membership or renewal of membership in the State Bar of Texas  
 5-45 that becomes due on or after the effective date of this Act. A  
 5-46 membership fee for membership or renewal of membership that becomes  
 5-47 due before the effective date of this Act is governed by the law in  
 5-48 effect on the date the membership fee becomes due, and the former  
 5-49 law is continued in effect for that purpose.

5-50 ARTICLE 9. REGISTRATION FEE AND REGISTRATION RENEWAL FEE FOR  
 5-51 LOBBYISTS

5-52 SECTION 9.01. Subsection (c), Section 305.005, Government  
 5-53 Code, is amended to read as follows:

5-54 (c) The registration fee and registration renewal fee are:

5-55 (1) an amount prescribed by the General Appropriations  
 5-56 Act of not more than \$200 and not less than \$100 for a registrant  
 5-57 employed by an organization exempt from federal income tax under  
 5-58 Section 501(c)(3) or 501(c)(4), Internal Revenue Code of 1986;

5-59 (2) an amount prescribed by the General Appropriations  
 5-60 Act of not more than \$100 and not less than \$50 for any person  
 5-61 required to register solely because the person is required to  
 5-62 register under Section 305.0041 [~~of this chapter]; or~~

5-63 (3) an amount prescribed by the General Appropriations  
 5-64 Act of not more than \$1,000 and not less than \$500 for any other  
 5-65 registrant.

5-66 ARTICLE 10. ASSESSMENT OF FEE ON CERTAIN PUBLIC EMPLOYEES WHO USE  
 5-67 TOBACCO

5-68 SECTION 10.01. Subchapter G, Chapter 1551, Insurance Code,  
 5-69 is amended by adding Section 1551.3075 to read as follows:

6-1 Sec. 1551.3075. TOBACCO USER FEE. (a) The board of  
6-2 trustees shall assess each participant in a health benefit plan  
6-3 provided under the group benefits program who uses one or more  
6-4 tobacco products a tobacco user fee, to be paid in monthly  
6-5 installments. Except as provided by Subsection (b), the board of  
6-6 trustees shall determine the amount of the monthly installments of  
6-7 the fee.

6-8 (b) If the General Appropriations Act for a state fiscal  
6-9 biennium sets the amount of the monthly installments of the tobacco  
6-10 user fee for that biennium, the board of trustees shall assess the  
6-11 fee during that biennium in the amount prescribed by the General  
6-12 Appropriations Act.

6-13 SECTION 10.02. Section 1551.314, Insurance Code, is amended  
6-14 to read as follows:

6-15 Sec. 1551.314. CERTAIN STATE CONTRIBUTIONS PROHIBITED. A  
6-16 state contribution may not be:

6-17 (1) made for coverages under this chapter selected by  
6-18 an individual who receives a state contribution, other than as a  
6-19 spouse, dependent, or beneficiary, for coverages under a group  
6-20 benefits program provided by an institution of higher education, as  
6-21 defined by Section 61.003, Education Code; or

6-22 (2) made for or used to pay a tobacco user fee assessed  
6-23 under Section 1551.3075.

6-24 SECTION 10.03. The board of trustees of the Employees  
6-25 Retirement System of Texas shall implement the tobacco user fee  
6-26 required under Section 1551.3075, Insurance Code, as added by this  
6-27 article, not later than January 1, 2012.

6-28 ARTICLE 11. CONSOLIDATION OF REGIONAL POISON CONTROL CENTERS INTO  
6-29 TEXAS POISON CONTROL CENTER

6-30 SECTION 11.01. The heading to Chapter 777, Health and  
6-31 Safety Code, is amended to read as follows:

6-32 CHAPTER 777. TEXAS [REGIONAL] POISON CONTROL CENTER [CENTERS]

6-33 SECTION 11.02. Sections 777.001 through 777.008, Health and  
6-34 Safety Code, are amended to read as follows:

6-35 Sec. 777.001. TEXAS [REGIONAL] POISON CONTROL CENTER  
6-36 [CENTERS]. (a) In this chapter:

6-37 (1) "Center" means the Texas Poison Control Center  
6-38 established under Subsection (b).

6-39 (2) "Coordinating committee" means the coordinating  
6-40 committee on poison control established under Section 777.008.

6-41 (b) The Texas Poison Control Center is established. The  
6-42 coordinating committee shall determine a geographical location in  
6-43 this state for the center and may designate one or more medical  
6-44 facilities in this state to be affiliated with the center.

6-45 (c) ~~[Six regional centers for poison control are designated~~  
6-46 ~~as the regional poison control centers for the state as follows:~~

6-47 ~~[(1) The University of Texas Medical Branch at~~  
6-48 ~~Galveston,~~

6-49 ~~[(2) the Dallas County Hospital District/North Texas~~  
6-50 ~~Poison Center,~~

6-51 ~~[(3) The University of Texas Health Science Center at~~  
6-52 ~~San Antonio,~~

6-53 ~~[(4) the University Medical Center of El Paso, El Paso~~  
6-54 ~~County Hospital District,~~

6-55 ~~[(5) the Texas Tech University Health Sciences Center~~  
6-56 ~~at Amarillo, and~~

6-57 ~~[(6) Scott and White Memorial Hospital, Temple, Texas.~~

6-58 ~~[(b)] The center [poison control centers] shall coordinate~~  
6-59 ~~poison control activities in this [within the designated health and~~  
6-60 ~~human services regions for the] state. [The Commission on State~~  
6-61 ~~Emergency Communications shall adopt rules designating the region~~  
6-62 ~~for each poison control center.] The Commission on State Emergency~~  
6-63 ~~Communications may adopt rules permitting the center [poison~~  
6-64 ~~control centers] to provide [services for regions served by other~~  
6-65 ~~poison control centers in this state as necessary to maximize~~  
6-66 ~~efficient use of resources and provide] appropriate services~~  
6-67 ~~throughout this state [in each region].~~

6-68 ~~[(c) The Commission on State Emergency Communications may~~  
6-69 ~~vote to designate a seventh regional or satellite poison control~~

7-1 ~~center in Harris County. That poison control center is subject to~~  
7-2 ~~all provisions of this chapter and other law relating to regional~~  
7-3 ~~poison control centers.]~~

7-4 Sec. 777.002. TELEPHONE SERVICES. (a) The ~~[A poison~~  
7-5 ~~control]~~ center ~~[established by this chapter]~~ shall provide a  
7-6 24-hour toll-free telephone referral and information service for  
7-7 the public and health care professionals according to the  
7-8 requirements of the American Association of Poison Control Centers.

7-9 (b) Each public safety answering point, as that term is  
7-10 defined by Section 771.001, shall have direct telephone access to  
7-11 the ~~[at least one poison control]~~ center. Poison ~~[Regional poison]~~  
7-12 information services may be available directly from the center ~~[for~~  
7-13 ~~the region or from another poison control center]~~ but shall be  
7-14 available through all 9-1-1 services ~~[in the region]~~, as the term  
7-15 "9-1-1 service" is defined by Section 771.001, throughout the  
7-16 state. The 9-1-1 service calls pertaining to poisonings may be  
7-17 routed to a poison control answering site, if possible, if the  
7-18 routing does not adversely affect the immediate availability of  
7-19 poisoning management services.

7-20 (c) The ~~[A poison control]~~ center shall ensure that poison  
7-21 control activities in this state ~~[within the designated region]~~  
7-22 meet the criteria established by the American Association of Poison  
7-23 Control Centers. The ~~[A]~~ center may meet the criteria directly or  
7-24 may affiliate with other poison control centers or poison treatment  
7-25 facilities in other states, if necessary ~~[possible]~~. The ~~[A]~~  
7-26 center shall ensure that treatment facilities and services are  
7-27 available in this state ~~[within the region]~~ and shall identify and  
7-28 make available to the public and to appropriate health  
7-29 professionals information concerning analytical toxicology,  
7-30 emergency and critical care, and extracorporeal capabilities in  
7-31 this state ~~[within the region]~~.

7-32 Sec. 777.003. COMMUNITY PROGRAMS AND ASSISTANCE. (a) The  
7-33 ~~[A poison control]~~ center shall provide:

7-34 (1) community education programs on poison prevention  
7-35 methods to inform the public, such as presentations to persons  
7-36 attending a primary or secondary school, a parent-teacher  
7-37 association meeting, an employee safety meeting at an industrial  
7-38 company, or other interested groups;

7-39 (2) information and education to health professionals  
7-40 involved in the management of poison and overdose victims,  
7-41 including information regarding appropriate therapeutic use of  
7-42 medications, their compatibility and stability, and adverse drug  
7-43 reactions and interactions;

7-44 (3) professional and technical assistance to state  
7-45 agencies requesting toxicologic assistance; and

7-46 (4) consultation services concerning medical  
7-47 toxicology, for which a fee may be charged in an amount set by the  
7-48 institution in which the center is located to cover the costs of the  
7-49 service.

7-50 (b) The center shall develop an objective evaluation  
7-51 process for community education programs on poison prevention  
7-52 methods provided under Subsection (a)(1) and use the evaluation  
7-53 process to design and update as necessary a standardized program  
7-54 model for use throughout this state.

7-55 Sec. 777.004. STAFF. (a) The ~~[A poison control]~~ center  
7-56 ~~[established under this chapter]~~ shall use physicians,  
7-57 pharmacists, nurses, other professionals, and support personnel  
7-58 trained in various aspects of toxicology and poison control and  
7-59 prevention.

7-60 (b) The ~~[A poison control]~~ center shall make available  
7-61 resources, if possible, to accommodate persons who do not speak  
7-62 English.

7-63 Sec. 777.005. RESEARCH PROGRAMS. (a) The ~~[A poison~~  
7-64 ~~control]~~ center may conduct a toxicology poison treatment research  
7-65 program to improve treatments for poisoning victims and to reduce  
7-66 the severity of injuries from poisonings.

7-67 (b) The ~~[A poison control]~~ center may accept grants or  
7-68 contributions from public or private sources to be used for  
7-69 research.

8-1 Sec. 777.006. INFORMATION AT BIRTH. The Commission on  
8-2 State Emergency Communications shall assist the center [~~regional~~  
8-3 ~~poison control centers~~] in providing informational packets on  
8-4 poison prevention to parents of newborns.

8-5 Sec. 777.007. STATE LIABILITY. The state shall indemnify  
8-6 the [~~a poison control~~] center and an employee of the [~~a poison~~  
8-7 ~~control~~] center under Chapter 104, Civil Practice and Remedies  
8-8 Code.

8-9 Sec. 777.008. COORDINATING COMMITTEE. (a) The  
8-10 coordinating committee on poison control shall coordinate the  
8-11 activities of the center [~~regional poison control centers~~  
8-12 ~~designated under Section 777.001(a)~~] and advise the Commission on  
8-13 State Emergency Communications.

8-14 (b) The committee is composed of:

8-15 (1) one public member appointed by the Commission on  
8-16 State Emergency Communications;

8-17 (2) six members who represent the center [~~six regional~~  
8-18 ~~poison control centers, one~~] appointed by the chief executive  
8-19 officer of the [~~each~~] center;

8-20 (3) one member appointed by the commissioner of the  
8-21 Department of State Health Services; and

8-22 (4) one member who is a health care professional  
8-23 designated as the poison control program coordinator appointed by  
8-24 the Commission on State Emergency Communications.

8-25 SECTION 11.03. Subsections (a) and (b), Section 777.009,  
8-26 Health and Safety Code, are amended to read as follows:

8-27 (a) The Commission on State Emergency Communications shall  
8-28 establish a program to award grants to fund the center [~~regional~~  
8-29 ~~poison control centers~~].

8-30 (b) The Commission on State Emergency Communications shall  
8-31 adopt rules to establish criteria for awarding the grants. The  
8-32 rules must require the agency to consider:

8-33 (1) the need [~~of the region based on population~~  
8-34 ~~served~~] for poison control services in this state and the extent to  
8-35 which the grant would meet the identified need;

8-36 (2) the assurance of providing quality services;

8-37 (3) the availability of other funding sources;

8-38 (4) achieving or maintaining certification as a poison  
8-39 control center with the American Association of Poison Control  
8-40 Centers;

8-41 (5) maintenance of effort; and

8-42 (6) the development or existence of  
8-43 telecommunications systems.

8-44 SECTION 11.04. The heading to Section 777.010, Health and  
8-45 Safety Code, is amended to read as follows:

8-46 Sec. 777.010. OUT-OF-STATE [~~OUT-OF-REGION~~] SERVICES;  
8-47 SERVICES FOR PRIVATE ENTITIES.

8-48 SECTION 11.05. Subsections (b) and (c), Section 777.010,  
8-49 Health and Safety Code, are amended to read as follows:

8-50 (b) The Commission on State Emergency Communications shall  
8-51 contract with the center [~~one or more regional poison control~~  
8-52 ~~centers~~] to provide the services required under a contract entered  
8-53 into under Subsection (a). The commission may not enter into a  
8-54 contract under this subsection if, in the opinion of the  
8-55 commission, the [~~regional poison control~~] center's performance of  
8-56 the contract would result in a diminishment in the services  
8-57 provided in this state [~~the region~~].

8-58 (c) A contract described by Subsection (a) must recover the  
8-59 cost of providing the services and may include a reasonable  
8-60 additional amount to support the center's [~~poison control center~~]  
8-61 services in this state. Revenue from a contract described by  
8-62 Subsection (a) must be deposited to the credit of the [~~regional~~]  
8-63 poison control services account.

8-64 SECTION 11.06. Section 777.011, Health and Safety Code, is  
8-65 amended to read as follows:

8-66 Sec. 777.011. [~~REGIONAL~~] POISON CONTROL SERVICES ACCOUNT.  
8-67 The [~~regional~~] poison control services account is an account in the  
8-68 general revenue fund. The account is composed of money deposited to  
8-69 the account under Section 777.010(c). Money in the account may be



9-1 appropriated only to the Commission on State Emergency  
9-2 Communications:

9-3 (1) for administration of and payment for contracts  
9-4 entered into under Section 777.010(b); and

9-5 (2) to fund grants awarded under Section 777.009.

9-6 SECTION 11.07. Subsections (b) and (c), Section 777.012,  
9-7 Health and Safety Code, are amended to read as follows:

9-8 (b) A service provider shall furnish to the [~~a poison~~  
9-9 ~~control~~] center for each call to an emergency line of the center the  
9-10 telephone number of the subscribers and the address associated with  
9-11 the number.

9-12 (c) Information furnished to the [~~a poison control~~] center  
9-13 under this section is confidential and is not available for public  
9-14 inspection. Information contained in an address database used to  
9-15 provide the number or location identification information under  
9-16 this section is confidential and is not available for public  
9-17 inspection. The service provider or a third party that maintains an  
9-18 address database is not liable to any person for the release of  
9-19 information furnished by the service provider or third party in  
9-20 providing number or location identification information under this  
9-21 section, unless the act or omission proximately causing the claim,  
9-22 damage, or loss constitutes gross negligence, recklessness, or  
9-23 intentional misconduct.

9-24 SECTION 11.08. Subsections (a) and (b), Section 777.013,  
9-25 Health and Safety Code, are amended to read as follows:

9-26 (a) The Department of State Health Services, on request of  
9-27 the Commission on State Emergency Communications, shall provide  
9-28 epidemiological support to the center [~~regional poison control~~  
9-29 ~~centers under this chapter~~] to:

9-30 (1) maximize the use of data collected by the center  
9-31 [~~poison control network~~];

9-32 (2) assist the center [~~regional poison control~~  
9-33 ~~centers~~] with quality control and quality assurance;

9-34 (3) assist with research; and

9-35 (4) coordinate poison control activities with other  
9-36 public health activities.

9-37 (b) The [~~Each regional poison control~~] center shall provide  
9-38 the Department of State Health Services with access to all data and  
9-39 information collected by the [~~regional poison control~~] center for  
9-40 public health activities and epidemiological and toxicological  
9-41 investigations.

9-42 SECTION 11.09. Section 241.153, Health and Safety Code, is  
9-43 amended to read as follows:

9-44 Sec. 241.153. DISCLOSURE WITHOUT WRITTEN AUTHORIZATION. A  
9-45 patient's health care information may be disclosed without the  
9-46 patient's authorization if the disclosure is:

9-47 (1) directory information, unless the patient has  
9-48 instructed the hospital not to make the disclosure or the directory  
9-49 information is otherwise protected by state or federal law;

9-50 (2) to a health care provider who is rendering health  
9-51 care to the patient when the request for the disclosure is made;

9-52 (3) to a transporting emergency medical services  
9-53 provider for the purpose of:

9-54 (A) treatment or payment, as those terms are  
9-55 defined by the regulations adopted under the Health Insurance  
9-56 Portability and Accountability Act of 1996 (Pub. L. No. 104-191);  
9-57 or

9-58 (B) the following health care operations  
9-59 described by the regulations adopted under the Health Insurance  
9-60 Portability and Accountability Act of 1996 (Pub. L. No. 104-191):

9-61 (i) quality assessment and improvement  
9-62 activities;

9-63 (ii) specified insurance functions;

9-64 (iii) conducting or arranging for medical  
9-65 reviews; or

9-66 (iv) competency assurance activities;

9-67 (4) to a member of the clergy specifically designated  
9-68 by the patient;

9-69 (5) to a procurement organization as defined in

10-1 Section 692A.002 for the purpose of making inquiries relating to  
 10-2 donations according to the protocol referred to in Section  
 10-3 692A.015;

10-4 (6) to a prospective health care provider for the  
 10-5 purpose of securing the services of that health care provider as  
 10-6 part of the patient's continuum of care, as determined by the  
 10-7 patient's attending physician;

10-8 (7) to a person authorized to consent to medical  
 10-9 treatment under Chapter 313 or to a person in a circumstance  
 10-10 exempted from Chapter 313 to facilitate the adequate provision of  
 10-11 treatment;

10-12 (8) to an employee or agent of the hospital who  
 10-13 requires health care information for health care education, quality  
 10-14 assurance, or peer review or for assisting the hospital in the  
 10-15 delivery of health care or in complying with statutory, licensing,  
 10-16 accreditation, or certification requirements and if the hospital  
 10-17 takes appropriate action to ensure that the employee or agent:

10-18 (A) will not use or disclose the health care  
 10-19 information for any other purpose; and  
 10-20 (B) will take appropriate steps to protect the  
 10-21 health care information;

10-22 (9) to a federal, state, or local government agency or  
 10-23 authority to the extent authorized or required by law;

10-24 (10) to a hospital that is the successor in interest to  
 10-25 the hospital maintaining the health care information;

10-26 (11) to the American Red Cross for the specific  
 10-27 purpose of fulfilling the duties specified under its charter  
 10-28 granted as an instrumentality of the United States government;

10-29 (12) to the Texas Poison Control Center established  
 10-30 under [a regional poison control center, as the term is used in]  
 10-31 Chapter 777[7] to the extent necessary to enable the center to  
 10-32 provide information and education to health professionals involved  
 10-33 in the management of poison and overdose victims, including  
 10-34 information regarding appropriate therapeutic use of medications,  
 10-35 their compatibility and stability, and adverse drug reactions and  
 10-36 interactions;

10-37 (13) to a health care utilization review agent who  
 10-38 requires the health care information for utilization review of  
 10-39 health care under Chapter 4201, Insurance Code;

10-40 (14) for use in a research project authorized by an  
 10-41 institutional review board under federal law;

10-42 (15) to health care personnel of a penal or other  
 10-43 custodial institution in which the patient is detained if the  
 10-44 disclosure is for the sole purpose of providing health care to the  
 10-45 patient;

10-46 (16) to facilitate reimbursement to a hospital, other  
 10-47 health care provider, or the patient for medical services or  
 10-48 supplies;

10-49 (17) to a health maintenance organization for purposes  
 10-50 of maintaining a statistical reporting system as required by a rule  
 10-51 adopted by a state agency or regulations adopted under the federal  
 10-52 Health Maintenance Organization Act of 1973, as amended (42 U.S.C.  
 10-53 Section 300e et seq.);

10-54 (18) to satisfy a request for medical records of a  
 10-55 deceased or incompetent person pursuant to Section 74.051(e), Civil  
 10-56 Practice and Remedies Code;

10-57 (19) to comply with a court order except as provided by  
 10-58 Subdivision (20); or

10-59 (20) related to a judicial proceeding in which the  
 10-60 patient is a party and the disclosure is requested under a subpoena  
 10-61 issued under:

10-62 (A) the Texas Rules of Civil Procedure or Code of  
 10-63 Criminal Procedure; or

10-64 (B) Chapter 121, Civil Practice and Remedies  
 10-65 Code.

10-66 SECTION 11.10. Subsection (a), Section 771.051, Health and  
 10-67 Safety Code, is amended to read as follows:

10-68 (a) The commission is the state's authority on emergency  
 10-69 communications. The commission shall:

11-1 (1) administer the implementation of statewide 9-1-1  
11-2 service and the poison control network, including the Texas Poison  
11-3 Control Center established [~~poison control centers~~] under Chapter  
11-4 777;

11-5 (2) develop minimum performance standards for  
11-6 equipment and operation of 9-1-1 service to be followed in  
11-7 developing regional plans under Section 771.055, including  
11-8 requirements that the plans provide for:

11-9 (A) automatic number identification by which the  
11-10 telephone number of the caller is automatically identified at the  
11-11 public safety answering point receiving the call; and

11-12 (B) other features the commission considers  
11-13 appropriate;

11-14 (3) examine and approve or disapprove regional plans  
11-15 as provided by Section 771.056;

11-16 (4) recommend minimum training standards, assist in  
11-17 training, and provide assistance in the establishment and operation  
11-18 of 9-1-1 service;

11-19 (5) allocate money to prepare and operate regional  
11-20 plans as provided by Section 771.056;

11-21 (6) develop and provide public education materials and  
11-22 training;

11-23 (7) plan, implement, operate, and maintain poison  
11-24 control center databases and assist in planning, supporting, and  
11-25 facilitating 9-1-1 databases, as needed;

11-26 (8) provide grants or contracts for services that  
11-27 enhance the effectiveness of 9-1-1 service;

11-28 (9) coordinate emergency communications services and  
11-29 providers;

11-30 (10) make reasonable efforts to gain voluntary  
11-31 cooperation in the commission's activities of emergency  
11-32 communications authorities and providers outside the commission's  
11-33 jurisdiction, including:

11-34 (A) making joint communications to state and  
11-35 federal regulators; and

11-36 (B) arranging cooperative purchases of equipment  
11-37 or services; and

11-38 (11) accept, receive, and deposit in its account in  
11-39 the general revenue fund gifts, grants, and royalties from public  
11-40 and private entities. Gifts, grants, and royalties may be used for  
11-41 the purposes of the commission.

11-42 SECTION 11.11. Subsections (e) and (f), Section 771.072,  
11-43 Health and Safety Code, are amended to read as follows:

11-44 (e) From the revenue received from the surcharge imposed by  
11-45 this section, the amount derived from the application of the  
11-46 surcharge at a rate of not more than .8 percent shall be  
11-47 periodically allocated to fund grants awarded under Section 777.009  
11-48 and other activities related to the Texas Poison Control Center  
11-49 [~~poison control centers~~] as required by Chapter 777.

11-50 (f) The comptroller shall deposit the surcharges and any  
11-51 prior balances in accounts in the general revenue fund in the state  
11-52 treasury until they are allocated to regional planning commissions,  
11-53 other 9-1-1 jurisdictions, and the Texas Poison Control Center  
11-54 [~~regional poison control centers~~] in accordance with this section.  
11-55 From those accounts, the amount necessary for the commission to  
11-56 fund approved plans of regional planning commissions and the Texas  
11-57 Poison Control Center [~~regional poison control centers~~] and to  
11-58 carry out its duties under this chapter shall be appropriated to the  
11-59 commission. Section 403.095, Government Code, does not apply to an  
11-60 account established by this subsection.

11-61 SECTION 11.12. Section 153.015, Occupations Code, is  
11-62 amended to read as follows:

11-63 Sec. 153.015. POISON CONTROL CENTER INFORMATION. The board  
11-64 shall provide to license holders information regarding the services  
11-65 provided by the Texas Poison Control Center [~~poison control~~  
11-66 ~~centers~~].

11-67 SECTION 11.13. Section 202.161, Occupations Code, is  
11-68 amended to read as follows:

11-69 Sec. 202.161. POISON CONTROL CENTER INFORMATION. The board

12-1 shall provide to license holders information regarding the services  
12-2 provided by the Texas Poison Control Center [~~poison control~~  
12-3 ~~centers~~].

12-4 SECTION 11.14. Section 254.017, Occupations Code, is  
12-5 amended to read as follows:

12-6 Sec. 254.017. POISON CONTROL CENTER INFORMATION. The board  
12-7 shall provide to license holders information regarding the services  
12-8 provided by the Texas Poison Control Center [~~poison control~~  
12-9 ~~centers~~].

12-10 SECTION 11.15. Section 301.1582, Occupations Code, is  
12-11 amended to read as follows:

12-12 Sec. 301.1582. POISON CONTROL CENTER INFORMATION. The  
12-13 board shall provide to license holders information regarding the  
12-14 services provided by the Texas Poison Control Center [~~poison~~  
12-15 ~~control centers~~].

12-16 SECTION 11.16. Section 351.167, Occupations Code, is  
12-17 amended to read as follows:

12-18 Sec. 351.167. POISON CONTROL CENTER INFORMATION. The board  
12-19 shall provide to license holders information regarding the services  
12-20 provided by the Texas Poison Control Center [~~poison control~~  
12-21 ~~centers~~].

12-22 SECTION 11.17. Section 554.015, Occupations Code, is  
12-23 amended to read as follows:

12-24 Sec. 554.015. POISON CONTROL CENTER INFORMATION. The board  
12-25 shall provide to license holders information regarding the services  
12-26 provided by the Texas Poison Control Center [~~poison control~~  
12-27 ~~centers~~].

12-28 SECTION 11.18. (a) Not later than March 1, 2012, the  
12-29 Commission on State Emergency Communications shall consolidate the  
12-30 six regional poison control centers in this state into and  
12-31 establish the Texas Poison Control Center, as required by Section  
12-32 777.001, Health and Safety Code, as amended by this article, at the  
12-33 geographical location determined by the coordinating committee on  
12-34 poison control. On that date, the regional poison control centers  
12-35 are abolished and the powers, duties, obligations, rights,  
12-36 contracts, records, personnel, property, and unspent  
12-37 appropriations of the six regional poison control centers in this  
12-38 state are transferred to the Texas Poison Control Center.

12-39 (b) The rules of the regional poison control centers in this  
12-40 state are continued in effect as rules of the Texas Poison Control  
12-41 Center until superseded by rule.

12-42 (c) Notwithstanding the changes in law made by this article,  
12-43 until the date the Commission on State Emergency Communications  
12-44 consolidates the six regional poison control centers as provided by  
12-45 this section, the regional poison control centers shall continue to  
12-46 operate and provide services under the law that governed the  
12-47 centers before the effective date of this Act, and the prior law is  
12-48 continued in effect for that purpose.

12-49 (d) As soon as practicable after the date the Texas Poison  
12-50 Control Center is established as provided by this section, the  
12-51 chief executive officer of the center shall appoint six members who  
12-52 represent the center to the coordinating committee on poison  
12-53 control established by Section 777.008, Health and Safety Code, as  
12-54 amended by this article. The members serving on the coordinating  
12-55 committee as representatives of the six regional poison control  
12-56 centers immediately before the effective date of this Act shall  
12-57 continue to serve on the coordinating committee until the date the  
12-58 chief executive officer appoints members who represent the center  
12-59 as required by this subsection.

12-60 SECTION 11.19. (a) Not later than March 1, 2012, the  
12-61 coordinating committee on poison control established by Section  
12-62 777.008, Health and Safety Code, as amended by this article, shall  
12-63 determine a geographical location for the Texas Poison Control  
12-64 Center, as required by Subsection (b), Section 777.001, Health and  
12-65 Safety Code, as amended by this article.

12-66 (b) Not later than March 1, 2013, the Texas Poison Control  
12-67 Center established under Section 777.001, Health and Safety Code,  
12-68 as amended by this article, shall design the initial standardized  
12-69 program model for community education programs as required by

13-1 Subsection (b), Section 777.003, Health and Safety Code, as added  
13-2 by this article.

13-3 ARTICLE 12. AUTHORIZED USES FOR CERTAIN DEDICATED PERMANENT FUNDS  
13-4 IN STATE TREASURY

13-5 SECTION 12.01. Section 403.105, Government Code, is amended  
13-6 by amending Subsection (b) and adding Subsection (b-1) to read as  
13-7 follows:

13-8 (b) Except as provided by Subsections (b-1), (c), (e), (f),  
13-9 and (h), money in the fund may not be appropriated for any purpose.

13-10 (b-1) The legislature may appropriate money in the fund,  
13-11 including the available earnings of the fund determined under  
13-12 Section 403.1068, to pay the principal of or interest on a bond  
13-13 issued for the purposes of Section 67, Article III, Texas  
13-14 Constitution. This subsection does not authorize the appropriation  
13-15 under this subsection of money subject to a limitation or  
13-16 requirement as described by Subsection (e) that is not consistent  
13-17 with the use of the money in accordance with this subsection.

13-18 SECTION 12.02. Section 403.1055, Government Code, is  
13-19 amended by amending Subsection (b) and adding Subsection (b-1) to  
13-20 read as follows:

13-21 (b) Except as provided by Subsections (b-1), (c), (e), (f),  
13-22 and (h), money in the fund may not be appropriated for any purpose.

13-23 (b-1) The legislature may appropriate money in the fund,  
13-24 including the available earnings of the fund determined under  
13-25 Section 403.1068, to pay the principal of or interest on a bond  
13-26 issued for the purposes of Section 67, Article III, Texas  
13-27 Constitution. This subsection does not authorize the appropriation  
13-28 under this subsection of money subject to a limitation or  
13-29 requirement as described by Subsection (e) that is not consistent  
13-30 with the use of the money in accordance with this subsection.

13-31 SECTION 12.03. Section 403.106, Government Code, is amended  
13-32 by amending Subsection (b) and adding Subsection (b-1) to read as  
13-33 follows:

13-34 (b) Except as provided by Subsections (b-1), (c), (e), (f),  
13-35 and (h), money in the fund may not be appropriated for any purpose.

13-36 (b-1) The legislature may appropriate money in the fund,  
13-37 including the available earnings of the fund determined under  
13-38 Section 403.1068, to pay the principal of or interest on a bond  
13-39 issued for the purposes of Section 67, Article III, Texas  
13-40 Constitution. This subsection does not authorize the appropriation  
13-41 under this subsection of money subject to a limitation or  
13-42 requirement as described by Subsection (e) that is not consistent  
13-43 with the use of the money in accordance with this subsection.

13-44 SECTION 12.04. This article takes effect immediately if  
13-45 this Act receives a vote of two-thirds of all the members elected to  
13-46 each house, as provided by Section 39, Article III, Texas  
13-47 Constitution. If this Act does not receive the vote necessary for  
13-48 immediate effect, this article takes effect September 1, 2011.

13-49 ARTICLE 13. USE OF TEXAS ENTERPRISE FUND FOR TEXAS HOMELESS  
13-50 HOUSING AND SERVICES PROGRAM

13-51 SECTION 13.01. Section 481.078, Government Code, is amended  
13-52 by amending Subsection (c) and adding Subsection (d-1) to read as  
13-53 follows:

13-54 (c) Except as provided by Subsections [Subsection] (d) and  
13-55 (d-1), the fund may be used only for economic development,  
13-56 infrastructure development, community development, job training  
13-57 programs, and business incentives.

13-58 (d-1) The fund may be used for the Texas homeless housing  
13-59 and services program administered by the Texas Department of  
13-60 Housing and Community Affairs. Subsections (e-1), (f), (g), (h),  
13-61 (i), and (j) and Section 481.080 do not apply to a grant awarded for  
13-62 a purpose specified by this subsection.

13-63 SECTION 13.02. Section 481.079, Government Code, is amended  
13-64 by adding Subsection (a-1) to read as follows:

13-65 (a-1) For grants awarded for a purpose specified by Section  
13-66 481.078(d-1), the report must include only the amount and purpose  
13-67 of each grant.

13-68 SECTION 13.03. This article takes effect immediately if  
13-69 this Act receives a vote of two-thirds of all the members elected to

14-1 each house, as provided by Section 39, Article III, Texas  
14-2 Constitution. If this Act does not receive the vote necessary for  
14-3 immediate effect, this article takes effect September 1, 2011.

14-4 ARTICLE 14. DEBT ISSUANCE AUTHORITY OF AND FUNDING FOR CANCER  
14-5 PREVENTION AND RESEARCH INSTITUTE OF TEXAS

14-6 SECTION 14.01. Subchapter C, Chapter 1232, Government Code,  
14-7 is amended by adding Section 1232.1221 to read as follows:

14-8 Sec. 1232.1221. COMMENCEMENT OF CERTAIN MULTIYEAR  
14-9 CANCER-RELATED PROJECTS. (a) Funds may be distributed to a grant  
14-10 recipient for a multiyear project for which an award is granted by  
14-11 the Cancer Prevention and Research Institute of Texas Oversight  
14-12 Committee as authorized by Section 102.257, Health and Safety Code,  
14-13 after the authority has certified that obligations in an amount  
14-14 sufficient to pay the money needed to fund the project have been  
14-15 authorized for issuance by the authority and approved by the Bond  
14-16 Review Board.

14-17 (b) After issuing the obligations, the board shall:

14-18 (1) pay the costs of the issuance and any related bond  
14-19 administrative costs of the authority;

14-20 (2) certify to the Cancer Prevention and Research  
14-21 Institute of Texas and to the comptroller that the proceeds from the  
14-22 issuance are available; and

14-23 (3) deposit the proceeds into the state treasury to be  
14-24 credited to the account of the Cancer Prevention and Research  
14-25 Institute of Texas.

14-26 SECTION 14.02. Subsections (b) and (c), Section 102.201,  
14-27 Health and Safety Code, are amended to read as follows:

14-28 (b) The cancer prevention and research fund consists of:

14-29 (1) patent, royalty, and license fees and other income  
14-30 received under a contract entered into as provided by Section  
14-31 102.255;

14-32 (2) appropriations of money to the fund by the  
14-33 legislature, except that the appropriated money may not include the  
14-34 proceeds from the issuance of bonds authorized by Section 67,  
14-35 Article III, Texas Constitution;

14-36 (3) gifts, grants, including grants from the federal  
14-37 government, and other donations received for the fund; and

14-38 (4) interest earned on the investment of money in the  
14-39 fund.

14-40 (c) The fund may be used only to pay for:

14-41 (1) grants for cancer research and for cancer research  
14-42 facilities in this state to realize therapies, protocols, and  
14-43 medical procedures for the cure or substantial mitigation of all  
14-44 types of cancer in humans;

14-45 (2) the purchase, subject to approval by the  
14-46 institute, of laboratory facilities by or on behalf of a state  
14-47 agency or grant recipient;

14-48 (3) grants to public or private persons to implement  
14-49 the Texas Cancer Plan;

14-50 (4) the operation of the institute; ~~and~~

14-51 (5) grants for cancer prevention and control programs  
14-52 in this state to mitigate the incidence of all types of cancer in  
14-53 humans; and

14-54 (6) debt service on bonds issued as authorized by  
14-55 Section 67, Article III, Texas Constitution.

14-56 SECTION 14.03. Section 102.257, Health and Safety Code, is  
14-57 amended to read as follows:

14-58 Sec. 102.257. MULTIYEAR PROJECTS. The oversight committee  
14-59 may grant funds for a multiyear project. The oversight committee  
14-60 must specify the total amount of [All the] money approved [needed]  
14-61 to fund the [a] multiyear project. The total amount specified is  
14-62 considered for purposes of Section 102.253 to have been [must be]  
14-63 awarded in the state fiscal year that the project is approved by the  
14-64 research and prevention programs committee. The institute shall  
14-65 distribute only the money that will be expended during that fiscal  
14-66 year. The institute may maintain the remaining money needed in each  
14-67 subsequent fiscal year [shall be maintained] in an escrow account  
14-68 to be distributed by the institute as the money is needed [in  
14-69 subsequent years of the project].

15-1 SECTION 14.04. The changes in law made by this article apply  
15-2 only to a grant of funds for a multiyear project by the Cancer  
15-3 Prevention and Research Institute of Texas Oversight Committee as  
15-4 authorized by Section 102.257, Health and Safety Code, as amended  
15-5 by this article, made on or after June 1, 2011. A grant of funds for  
15-6 a multiyear project made before that date is governed by the law in  
15-7 effect on the date the grant was made, and the former law is  
15-8 continued in effect for that purpose.

15-9 SECTION 14.05. This article takes effect immediately if  
15-10 this Act receives a vote of two-thirds of all the members elected to  
15-11 each house, as provided by Section 39, Article III, Texas  
15-12 Constitution. If this Act does not receive the vote necessary for  
15-13 immediate effect, this article takes effect September 1, 2011.

15-14 ARTICLE 15. EFFECTIVE DATE

15-15 SECTION 15.01. Except as otherwise provided by this Act,  
15-16 this Act takes effect September 1, 2011.

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