

Amend CSHB 6 (senate committee report) by striking SECTION 8 of the bill (page 2, lines 27 through 58) and substituting the following:

SECTION 8. AMENDMENT OF SECTION 403.095, GOVERNMENT CODE.

(a) If S.J.R. No. 1 of the 83rd Legislature, Regular Session, 2013, is approved by both houses of the legislature, and if, on or before September 1, 2013, Section 39.9039, Utilities Code, as proposed by H.B. No. 7 or similar legislation of the 83rd Legislature, Regular Session, 2013, becomes law, effective September 1, 2013, Section 403.095, Government Code, is amended by amending Subsections (b), (d), and (e) and adding Subsection (b-1) to read as follows:

(b) Notwithstanding any law dedicating or setting aside revenue for a particular purpose or entity, an amount of dedicated revenues, not to exceed a total of \$1 billion, that [7] on August 31 of an odd-numbered year is~~[7, 2013, are]~~ estimated to exceed the amount appropriated by the General Appropriations Act or other laws enacted by the legislature is ~~[82nd Legislature are]~~ available for general governmental purposes and is ~~[are]~~ considered available for the purpose of certification under Section 403.121. It is the intent of the legislature that dedicated revenues that exceed the total amount that this subsection makes available for general governmental purposes and for certification must be used for the purposes for which the revenues are dedicated.

(b-1) Notwithstanding the limitation provided by Subsection (b), the amount of dedicated revenues described by that subsection that on August 31 of an odd-numbered year is estimated to exceed the amount appropriated by the General Appropriations Act or other laws enacted by the legislature is considered available for general governmental purposes and for the purpose of the certification under Section 403.121 in an amount not to exceed:

(1) \$4.2 billion for the fiscal biennium ending August 31, 2015;

(2) \$3.4 billion for the fiscal biennium ending August 31, 2017;

(3) \$2.6 billion for the fiscal biennium ending August 31, 2019; and

(4) \$1.8 billion for the fiscal biennium ending August

31, 2021.

(d) Following certification of the General Appropriations Act and other appropriations measures enacted by the legislature [~~82nd Legislature~~], the comptroller shall reduce each dedicated account as directed by the legislature by an amount that may not exceed the amount by which estimated revenues and unobligated balances exceed appropriations. The reductions may be made in the amounts and at the times necessary for cash flow considerations to allow all the dedicated accounts to maintain adequate cash balances to transact routine business. The legislature may authorize, in the General Appropriations Act, the temporary delay of the excess balance reduction required under this subsection. This subsection does not apply to revenues or balances in:

- (1) funds outside the treasury;
- (2) trust funds, which for purposes of this section include funds that may or are required to be used in whole or in part for the acquisition, development, construction, or maintenance of state and local government infrastructures, recreational facilities, or natural resource conservation facilities;
- (3) funds created by the constitution or a court; or
- (4) funds for which separate accounting is required by federal law.

(e) This subsection and Subsection (b-1) expire [~~section expires on~~] September 1, 2023 [~~2013~~].

(b) If either of the conditions provided by Subsection (a) of this section is not met, Subsection (a) of this section has no effect, and, effective September 1, 2013, Section 403.095, Government Code, is amended by amending Subsections (b), (d), and (e) and adding Subsection (b-1) to read as follows:

(b) Notwithstanding any law dedicating or setting aside revenue for a particular purpose or entity, an amount of dedicated revenues, not to exceed a total of \$1 billion, that [~~7~~] on August 31 of an odd-numbered year is [~~7, 2013, are~~] estimated to exceed the amount appropriated by the General Appropriations Act or other laws enacted by the legislature is [~~82nd Legislature are~~] available for general governmental purposes and is [~~are~~] considered available for the purpose of certification under Section 403.121. It is the

intent of the legislature that dedicated revenues that exceed the total amount that this subsection makes available for general governmental purposes and for certification must be used for the purposes for which the revenues are dedicated.

(b-1) Notwithstanding the limitation provided by Subsection (b), the amount of dedicated revenues described by that subsection that on August 31 of an odd-numbered year is estimated to exceed the amount appropriated by the General Appropriations Act or other laws enacted by the legislature is considered available for general governmental purposes and for the purpose of the certification under Section 403.121 in an amount not to exceed:

(1) \$5.0 billion for the fiscal biennium ending August 31, 2015;

(2) \$4.0 billion for the fiscal biennium ending August 31, 2017;

(3) \$3.0 billion for the fiscal biennium ending August 31, 2019; and

(4) \$2.0 billion for the fiscal biennium ending August 31, 2021.

(d) Following certification of the General Appropriations Act and other appropriations measures enacted by the legislature [~~82nd Legislature~~], the comptroller shall reduce each dedicated account as directed by the legislature by an amount that may not exceed the amount by which estimated revenues and unobligated balances exceed appropriations. The reductions may be made in the amounts and at the times necessary for cash flow considerations to allow all the dedicated accounts to maintain adequate cash balances to transact routine business. The legislature may authorize, in the General Appropriations Act, the temporary delay of the excess balance reduction required under this subsection. This subsection does not apply to revenues or balances in:

(1) funds outside the treasury;

(2) trust funds, which for purposes of this section include funds that may or are required to be used in whole or in part for the acquisition, development, construction, or maintenance of state and local government infrastructures, recreational facilities, or natural resource conservation facilities;

(3) funds created by the constitution or a court; or
(4) funds for which separate accounting is required by federal law.

(e) This subsection and Subsection (b-1) expire [~~section expires on~~] September 1, 2023 [~~2013~~].

WILLIAMS

WATSON