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et al.

H.B. No. 2770

A BILL TO BE ENTITLED

AN ACT

relating to the investment of a portion of the economic
stabilization fund balance.

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

SECTION 1. Subchapter C, Chapter 404, Government Code, is
amended by adding Section 404.0241 to read as follows:

Sec. 404.0241. INVESTMENT OF CERTAIN ECONOMIC
STABILIZATION FUND BALANCES. (a) The comptroller shall invest the
balance of the economic stabilization fund that exceeds an amount
equal to 30 percent of the maximum authorized balance of the fund
for the applicable state fiscal biennium as prescribed by Section
49-g(g), Article III, Texas Constitution, in accordance with the
investment standard described by Section 404.024(j). The
comptroller's investment of that excess balance is not subject to
any other limitation or other requirement provided by Section
404.024.

(b) The comptroller shall adjust the investment portfolio
of economic stabilization fund money periodically to ensure that,
as appropriated money is withdrawn or money is otherwise
transferred from the fund or as the maximum authorized balance of
the fund as prescribed by Section 49-g(g), Article III, Texas
Constitution, changes, only the balance of the fund that exceeds
the amount specified by Subsection (a) is invested in a manner that
does not comply with all limitations and other requirements of

1 Section 404.024.

2 SECTION 2. (a) The comptroller of public accounts shall
3 conduct a study of the potential costs and benefits of investing, as
4 provided by Section 404.0241, Government Code, as added by this
5 Act, or of investing under an alternative method as the comptroller
6 may propose, a portion of the economic stabilization fund in
7 precious metals stored in this state. The comptroller shall report
8 the findings and conclusions of the study to the legislature not
9 later than August 31, 2014.

10 (b) In conducting the study under Subsection (a) of this
11 section, the comptroller shall include the comptroller's analysis
12 of the costs and benefits of the following scenarios for managing
13 the storage of precious metals in which economic stabilization fund
14 money is invested:

15 (1) establishing and operating a state depository for
16 precious metals;

17 (2) establishing and operating a state depository for
18 precious metals with private depository agents regulated by this
19 state;

20 (3) establishing and operating several state
21 depositories for precious metals;

22 (4) establishing and operating several state
23 depositories for precious metals with private depository agents
24 regulated by this state; and

25 (5) using an established network of private depository
26 agents with regulatory oversight conducted by this state.

27 SECTION 3. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2013.