

By: Otto, Keffer, Darby, Ashby, Aycok

H.B. No. 2

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to making supplemental appropriations and giving  
3 direction and adjustment authority regarding appropriations.

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

5 SECTION 1. APPROPRIATION REDUCTION: PUBLIC FINANCE  
6 AUTHORITY. The unencumbered appropriations from the general  
7 revenue fund to the Public Finance Authority made by Chapter 1411  
8 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013 (the  
9 General Appropriations Act), for use during the state fiscal  
10 biennium ending August 31, 2015, for bond debt service payments,  
11 including appropriations subject to Rider 2, page I-45, Chapter  
12 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013  
13 (the General Appropriations Act), to the bill pattern of the  
14 appropriations to the authority, are reduced by a total aggregate  
15 of \$21,000,000. The Public Finance Authority shall identify the  
16 strategies and objectives to which the reduction is to be allocated  
17 and the amount of the reduction for each of those strategies and  
18 objectives.

19 SECTION 2. APPROPRIATION REDUCTION: TEXAS EDUCATION  
20 AGENCY. The unencumbered appropriations from the general revenue  
21 fund to the Texas Education Agency made by Chapter 1411 (S.B. 1),  
22 Acts of the 83rd Legislature, Regular Session, 2013 (the General  
23 Appropriations Act), for use during the state fiscal biennium  
24 ending August 31, 2015, for Strategy A.1.1., FSP-Equalized

1 Operations, are reduced by \$710,000,000.

2 SECTION 3. APPROPRIATION REDUCTION: DEPARTMENT OF  
3 TRANSPORTATION. The unencumbered appropriations from the general  
4 revenue fund to the Department of Transportation made by Chapter  
5 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013  
6 (the General Appropriations Act), for use during the state fiscal  
7 biennium ending August 31, 2015, for Strategy G.1.1., General  
8 Obligation Bonds, are reduced by \$22,100,000.

9 SECTION 4. APPROPRIATION REDUCTION: HEALTH AND HUMAN  
10 SERVICES COMMISSION. The unencumbered appropriations from federal  
11 funds to the Health and Human Services Commission made by Chapter  
12 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013  
13 (the General Appropriations Act), for use during the state fiscal  
14 biennium ending August 31, 2015, for Strategy D.1.1., TANF (Cash  
15 Assistance) Grants, are reduced by \$35,083,683.

16 SECTION 5. APPROPRIATION REDUCTION: DEBT SERVICE PAYMENTS -  
17 NON-SELF SUPPORTING G.O. WATER BONDS. (a) The unencumbered  
18 appropriations from the general revenue fund to the Debt Service  
19 Payments - Non-Self Supporting G.O. Water Bonds made by Chapter  
20 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013  
21 (the General Appropriations Act), for use during the state fiscal  
22 biennium ending August 31, 2015, for Strategy A.1.1., EDAP Debt  
23 Service, are reduced by \$362,107.

24 (b) The unencumbered appropriations from the general  
25 revenue fund to the Debt Service Payments - Non-Self Supporting  
26 G.O. Water Bonds made by Chapter 1411 (S.B. 1), Acts of the 83rd  
27 Legislature, Regular Session, 2013 (the General Appropriations

1 Act), for use during the state fiscal biennium ending August 31,  
2 2015, for Strategy A.1.3., WIF Debt Service, are reduced by  
3 \$5,570,411.

4 SECTION 6. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:  
5 FOSTER CARE SHORTFALL. In addition to amounts previously  
6 appropriated for the state fiscal biennium ending August 31, 2015,  
7 \$17,729,316 is appropriated out of the general revenue fund to the  
8 Department of Family and Protective Services for Strategy B.1.11.,  
9 Foster Care Payments, as listed in Chapter 1411 (S.B. 1), Acts of  
10 the 83rd Legislature, Regular Session, 2013 (the General  
11 Appropriations Act), for the state fiscal year ending August 31,  
12 2015, for the purpose of providing foster care.

13 SECTION 7. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES:  
14 TITLE IV-E WAIVER. In addition to amounts previously appropriated  
15 for the state fiscal biennium ending August 31, 2015, \$800,000 is  
16 appropriated out of the general revenue fund, and \$800,000 is  
17 appropriated out of federal funds, to the Department of Family and  
18 Protective Services for Strategy B.1.11., Foster Care Payments, as  
19 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,  
20 Regular Session, 2013 (the General Appropriations Act), for the  
21 state fiscal year ending August 31, 2015, for the purpose of  
22 matching funds for information technology costs and pre-evaluation  
23 costs associated with the Title IV-E waiver.

24 SECTION 8. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID  
25 SHORTFALL. In addition to amounts previously appropriated for the  
26 state fiscal biennium ending August 31, 2015, \$85,543,166 is  
27 appropriated out of the general revenue fund, and \$118,373,797 is

1 appropriated out of federal funds, to the Health and Human Services  
2 Commission for Goal B, Medicaid, as listed in Chapter 1411 (S.B. 1),  
3 Acts of the 83rd Legislature, Regular Session, 2013 (the General  
4 Appropriations Act), for the state fiscal year ending August 31,  
5 2015, for Medicaid acute care services.

6 SECTION 9. HEALTH AND HUMAN SERVICES COMMISSION: MEDICAID  
7 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.

8 In addition to amounts previously appropriated for the state fiscal  
9 biennium ending August 31, 2015, \$79,685,024 is appropriated out of  
10 the general revenue fund, and \$113,570,204 is appropriated out of  
11 federal funds, to the Health and Human Services Commission for Goal  
12 B, Medicaid, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd  
13 Legislature, Regular Session, 2013 (the General Appropriations  
14 Act), for the state fiscal year ending August 31, 2015, for the  
15 purpose of adjusting Medicaid capitation payments made to managed  
16 care organizations providing health care services through managed  
17 care plans under the Medicaid program to account for the health  
18 insurance providers fee imposed under Section 9010 of the federal  
19 Patient Protection and Affordable Care Act (Pub. L. No. 111-148),  
20 as amended by the Health Care and Education Reconciliation Act of  
21 2010 (Pub. L. No. 111-152), and the associated effects of that fee  
22 on federal income taxes. Before the Health and Human Services  
23 Commission makes any capitation payments to managed care  
24 organizations that are adjusted using money appropriated under this  
25 section, the executive commissioner of the commission shall submit  
26 a report to the Legislative Budget Board that specifies:

- 27 (1) the methodology and bases used to determine the

1 amount of the capitation payment adjustments;

2 (2) the amounts by which capitation payments are  
3 adjusted using money appropriated under this section; and

4 (3) whether any managed care organization that is a  
5 recipient of a capitation payment adjustment paid using money  
6 appropriated under this section was also a recipient of one or more  
7 other Medicaid capitation payment adjustments paid during the state  
8 fiscal biennium ending August 31, 2013, or August 31, 2015, and the  
9 aggregate cost to this state of the other Medicaid capitation  
10 payment adjustments paid during those bienniums.

11 SECTION 10. HEALTH AND HUMAN SERVICES COMMISSION: CHIP  
12 HEALTH INSURANCE PROVIDERS FEE AND ASSOCIATED FEDERAL INCOME TAX.  
13 In addition to amounts previously appropriated for the state fiscal  
14 biennium ending August 31, 2015, \$4,516,607 is appropriated out of  
15 the general revenue fund, and \$15,404,526 is appropriated out of  
16 federal funds, to the Health and Human Services Commission for Goal  
17 C, CHIP Services, as listed in Chapter 1411 (S.B. 1), Acts of the  
18 83rd Legislature, Regular Session, 2013 (the General  
19 Appropriations Act), for the state fiscal year ending August 31,  
20 2015, for the purpose of adjusting child health plan program  
21 capitation payments made to managed care organizations providing  
22 health care services through managed care plans under the child  
23 health plan program to account for the health insurance providers  
24 fee imposed under Section 9010 of the federal Patient Protection  
25 and Affordable Care Act (Pub. L. No. 111-148), as amended by the  
26 Health Care and Education Reconciliation Act of 2010 (Pub. L.  
27 No. 111-152), and the associated effects of that fee on federal

1 income taxes. Before the Health and Human Services Commission makes  
2 any capitation payments to managed care organizations that are  
3 adjusted using money appropriated under this section, the executive  
4 commissioner of the commission shall submit a report to the  
5 Legislative Budget Board that specifies:

6 (1) the methodology and bases used to determine the  
7 amount of the capitation payment adjustments;

8 (2) the amounts by which capitation payments are  
9 adjusted using money appropriated under this section; and

10 (3) whether any managed care organization that is a  
11 recipient of a capitation payment adjustment paid using money  
12 appropriated under this section was also a recipient of one or more  
13 other child health plan program capitation payment adjustments paid  
14 during the state fiscal biennium ending August 31, 2013, or August  
15 31, 2015, and the aggregate cost to this state of the other child  
16 health plan program capitation payment adjustments paid during  
17 those bienniums.

18 SECTION 11. TEACHER RETIREMENT SYSTEM: TRS CARE SHORTFALL.  
19 In addition to amounts previously appropriated for the state fiscal  
20 biennium ending August 31, 2015, \$768,100,754 is appropriated out  
21 of the general revenue fund to the Teacher Retirement System for the  
22 state fiscal year ending August 31, 2015, for Strategy A.2.1.,  
23 Retiree Health-Statutory Funds, as listed in Chapter 1411 (S.B. 1),  
24 Acts of the 83rd Legislature, Regular Session, 2013 (the General  
25 Appropriations Act), for TRS Care.

26 SECTION 12. DEPARTMENT OF CRIMINAL JUSTICE: CORRECTIONAL  
27 MANAGED HEALTH CARE SHORTFALL. In addition to amounts previously

1 appropriated for the state fiscal biennium ending August 31, 2015,  
2 \$50,500,000 is appropriated out of the general revenue fund to the  
3 Department of Criminal Justice for the state fiscal year ending  
4 August 31, 2015, for Strategy C.1.8., Hospital and Clinical Care,  
5 as listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,  
6 Regular Session, 2013 (the General Appropriations Act), for  
7 correctional managed health care.

8 SECTION 13. VETERANS COMMISSION: FULL-TIME EQUIVALENT  
9 EMPLOYEES. The number of full-time equivalent employees (FTEs) the  
10 Veterans Commission is authorized by other law to employ during the  
11 state fiscal year ending August 31, 2015, the commission may employ  
12 an additional 19.5 FTEs during that state fiscal year.

13 SECTION 14. DEPARTMENT OF TRANSPORTATION: UNEXPENDED  
14 BALANCE AUTHORITY FOR ENERGY SECTOR ROAD APPROPRIATIONS. Any  
15 money appropriated by Section 40, Chapter 836 (H.B. 1025), Acts of  
16 the 83rd Legislature, Regular Session, 2013, from the general  
17 revenue fund to the Department of Transportation for transfer to  
18 the Transportation Infrastructure Fund or State Highway Fund 6 and  
19 use during the two-year period beginning on the effective date of  
20 that Act for road repairs in energy sectors as specified by that Act  
21 that, immediately preceding the expiration of that two-year period,  
22 is unexpended and unencumbered, is appropriated to the department  
23 for the same purpose for the two-year period beginning on the  
24 effective date of this Act.

25 SECTION 15. TEXAS DEPARTMENT OF INSURANCE: HEALTHY TEXAS  
26 PROGRAM. (a) In addition to amounts previously appropriated for the  
27 state fiscal biennium ending August 31, 2015, \$708,000 is

1 transferred from the general revenue fund to general revenue  
2 account number 0036, Texas Department of Insurance Operating Fund  
3 Account, and is appropriated from that account to the Texas  
4 Department of Insurance for the state fiscal year ending August 31,  
5 2015, for Strategy A.1.1., Consumer Education and Outreach, as  
6 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,  
7 Regular Session, 2013 (the General Appropriations Act), for agency  
8 operations.

9 (b) In addition to amounts previously appropriated for the  
10 state fiscal biennium ending August 31, 2015, \$1,000,000 is  
11 transferred from the general revenue fund to general revenue  
12 account number 0036, Texas Department of Insurance Operating Fund  
13 Account, and is appropriated from that account to the Texas  
14 Department of Insurance for the state fiscal year ending August 31,  
15 2015, for Strategy A.3.1., Process Rates, Forms & Licenses, as  
16 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,  
17 Regular Session, 2013 (the General Appropriations Act), for agency  
18 operations.

19 (c) In addition to amounts previously appropriated for the  
20 state fiscal biennium ending August 31, 2015, \$3,592,000 is  
21 transferred from the general revenue fund to general revenue  
22 account number 0036, Texas Department of Insurance Operating Fund  
23 Account, and is appropriated from that account to the Texas  
24 Department of Insurance for the state fiscal year ending August 31,  
25 2015, for Strategy A.4.3., Healthy Texas, as listed in Chapter 1411  
26 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013 (the  
27 General Appropriations Act), for agency operations.



1           SECTION 16. FACILITIES COMMISSION: HEALTH AND SAFETY  
2 REPAIRS AT THE TEXAS SCHOOL FOR THE DEAF. (a) In addition to amounts  
3 previously appropriated for the state fiscal biennium ending August  
4 31, 2015, the amount of \$10,952,024 is appropriated out of the  
5 general revenue fund to the Facilities Commission for Strategy  
6 B.2.1., Facilities Operation, as listed in Chapter 1411 (S.B. 1),  
7 Acts of the 83rd Legislature, Regular Session, 2013 (the General  
8 Appropriations Act), for the period beginning on the effective date  
9 of this Act and ending on August 31, 2016, for critical operations,  
10 deferred maintenance, and health and safety projects at the Texas  
11 School for the Deaf.

12           (b) The Facilities Commission shall report monthly to the  
13 Legislative Budget Board, in a manner prescribed by the board,  
14 regarding the use of the money appropriated in Subsection (a) of  
15 this section. Each report must provide information on project  
16 milestones, target completion dates, and money spent as of the date  
17 of the report.

18           SECTION 17. FACILITIES COMMISSION: CRITICAL OPERATIONS,  
19 DEFERRED MAINTENANCE, AND HEALTH AND SAFETY MAINTENANCE AT  
20 STATE-OWNED BUILDINGS. (a) In addition to amounts previously  
21 appropriated for the state fiscal biennium ending August 31, 2015,  
22 the amount of \$9,538,658 is appropriated out of the general revenue  
23 fund to the Facilities Commission for Strategy B.2.1., Facilities  
24 Operation, as listed in Chapter 1411 (S.B. 1), Acts of the 83rd  
25 Legislature, Regular Session, 2013 (the General Appropriations  
26 Act), for the two-year period beginning on the effective date of  
27 this Act for critical operations, deferred maintenance, and health

1 and safety maintenance at state-owned buildings.

2 (b) The Facilities Commission shall report monthly to the  
3 Legislative Budget Board, in a manner prescribed by the board,  
4 regarding the use of the money appropriated in Subsection (a) of  
5 this section. Each report must provide information on project  
6 milestones, target completion dates, and money spent as of the date  
7 of the report.

8 SECTION 18. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL  
9 COUNCIL: E-FILING SYSTEM. In addition to amounts previously  
10 appropriated for the state fiscal biennium ending August 31, 2015,  
11 \$6,400,000 is appropriated out of the general revenue fund to the  
12 Office of Court Administration, Texas Judicial Council, for  
13 Strategy A.1.2., Information Technology, as listed in Chapter 1411  
14 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013 (the  
15 General Appropriations Act), for the state fiscal year ending  
16 August 31, 2015, for management of the statewide e-filing system.

17 SECTION 19. PARKS AND WILDLIFE DEPARTMENT: SAN JACINTO  
18 LAWSUIT SETTLEMENT. In addition to the amounts previously  
19 appropriated for the state fiscal biennium ending August 31, 2015,  
20 if money is recovered under an agreed final judgment in Harris  
21 County v. Waste Management of Texas, Inc., No. 2011-76724-A (295th  
22 Dist. Ct., Harris County, Tex. \_\_\_\_ 2014), and deposited to the  
23 credit of the general revenue fund, the amount of that recovered  
24 money that is deposited to the credit of the general revenue fund,  
25 but not to exceed \$10 million, is appropriated from that fund to the  
26 Parks and Wildlife Department for the two-year period beginning on  
27 the effective date of this Act for the purpose of transferring the

1 money to Harris County. Funds may be transferred to Harris County  
2 under this section only in accordance with an agreement between the  
3 Parks and Wildlife Department and Harris County for use along the  
4 San Jacinto River and in its watershed to mitigate the effects of  
5 environmental contamination and the effects of that contamination  
6 on natural resources and the public use of natural resources. Funds  
7 transferred under this section may be used only for one or more of  
8 the following:

- 9 (1) dissemination of information pertaining to marine  
10 life, wild animal life, wildlife values, and wildlife management;
- 11 (2) scientific investigation and survey of marine life  
12 for the better protection and conservation of marine life;
- 13 (3) propagation and distribution of marine life, game  
14 animals, and wild birds;
- 15 (4) protection of wild birds, fish, and game;
- 16 (5) research, management, and protection of the fish  
17 and wildlife resources of this state;
- 18 (6) expansion and development of additional  
19 opportunities of hunting and fishing in state-owned land and water;
- 20 (7) purchase, construction, and maintenance of boat  
21 ramps on or near public waters; and
- 22 (8) resource protection activities.

23 SECTION 20. APPROPRIATION FOR VOLUNTEER FIREMEN MONUMENT.  
24 In addition to amounts previously appropriated for the state fiscal  
25 biennium ending August 31, 2015, the amount of \$95,000 is  
26 appropriated out of the general revenue fund to the State  
27 Preservation Board for the two-year period beginning on the

1 effective date of this Act for the purpose of expanding and  
2 improving the volunteer firemen monument on the south lawn of the  
3 Capitol grounds.

4 SECTION 21. DEPARTMENT OF PUBLIC SAFETY: LIMITATION ON  
5 APPROPRIATIONS FOR RECRUIT SCHOOLS. (a) In this section:

6 (1) "New trooper" means a trooper employed by the  
7 Department of Public Safety for less than 52 weeks.

8 (2) "Recruit school" and "training school" include any  
9 school or other training program operated by or for the benefit of  
10 the Department of Public Safety for a purpose that may include  
11 training a new trooper.

12 (b) This section applies only to:

13 (1) the unexpended and unencumbered appropriations  
14 from the general revenue fund to the Department of Public Safety  
15 made by Chapter 1411 (S.B. 1), Acts of the 83rd Legislature, Regular  
16 Session, 2013 (the General Appropriations Act), for use during the  
17 state fiscal biennium ending August 31, 2015; and

18 (2) any appropriated money transferred to the  
19 Department of Public Safety pursuant to Chapter 317, Government  
20 Code, during the state fiscal biennium ending August 31, 2015, for  
21 use by the department during that biennium.

22 (c) Money to which this section applies may be used to pay:

23 (1) any cost or expense that may be directly or  
24 indirectly related to the operation of a training school or recruit  
25 school that provides a new trooper with 8 weeks of training only  
26 until 250 troopers are graduated and employed as a result of an  
27 8-week training program; or

1           (2) compensation to a trooper who completes the  
2 23-week recruit school in an amount that exceeds the entry-level  
3 trooper compensation.

4           SECTION 22. DEPARTMENT OF PUBLIC SAFETY: CERTAIN TRANSFER  
5 AUTHORITY. Notwithstanding the transfer authority provided in  
6 Section 14.01, page IX-52, Chapter 1411 (S.B. 1), Acts of the 83rd  
7 Legislature, Regular Session, 2013 (the General Appropriations  
8 Act), money appropriated to the Department of Public Safety by that  
9 Act or any appropriated money transferred to the Department of  
10 Public Safety pursuant to Chapter 317, Government Code, during the  
11 state fiscal biennium ending August 31, 2015, for a purpose may not  
12 be transferred to another appropriation item or purpose without the  
13 prior written approval of the Legislative Budget Board.

14           SECTION 23. HEALTH AND HUMAN SERVICES COMMISSION: CERTAIN  
15 TRANSFERS. The following amounts of general revenue funds  
16 appropriated for the state fiscal biennium ending August 31, 2015,  
17 are transferred to the Health and Human Services Commission for the  
18 state fiscal year ending August 31, 2015, for Goal B, Medicaid, as  
19 listed in Chapter 1411 (S.B. 1), Acts of the 83rd Legislature,  
20 Regular Session, 2013 (the General Appropriations Act), for  
21 Medicaid acute care services:

22           (1) \$98,762,408 from the appropriations made to the  
23 Department of Aging and Disability Services for Strategy A.2.4.,  
24 Habilitation Services, as listed in Chapter 1411 (S.B. 1), Acts of  
25 the 83rd Legislature, Regular Session, 2013 (the General  
26 Appropriations Act);

27           (2) \$43,527,524 from the appropriations made to the

1 Department of Aging and Disability Services for Goal A, Long-Term  
2 Services and Supports, as listed in Chapter 1411 (S.B. 1), Acts of  
3 the 83rd Legislature, Regular Session, 2013 (the General  
4 Appropriations Act);

5 (3) \$5,900,000 from the appropriations made to the  
6 Department of State Health Services for Strategy B.1.4., Community  
7 Primary Care Services, as listed in Chapter 1411 (S.B. 1), Acts of  
8 the 83rd Legislature, Regular Session, 2013 (the General  
9 Appropriations Act);

10 (4) \$101,900,000 from the appropriations made to the  
11 Health and Human Services Commission for Strategy A.1.2.,  
12 Integrated Eligibility and Enrollment (IEE), as listed in Chapter  
13 1411 (S.B. 1), Acts of the 83rd Legislature, Regular Session, 2013  
14 (the General Appropriations Act);

15 (5) \$2,700,000 from the appropriations made to the  
16 Health and Human Services Commission for Strategy G.1.1., Office of  
17 Inspector General, as listed in Chapter 1411 (S.B. 1), Acts of the  
18 83rd Legislature, Regular Session, 2013 (the General  
19 Appropriations Act); and

20 (6) \$43,303 from the appropriations made to the Health  
21 and Human Services Commission for Strategy D.1.1., TANF (Cash  
22 Assistance) Grants, as listed in Chapter 1411 (S.B. 1), Acts of the  
23 83rd Legislature, Regular Session, 2013 (the General  
24 Appropriations Act).

25 SECTION 24. MIDLAND COLLEGE: AMERICAN AIRPOWER HERITAGE  
26 MUSEUM. Unexpended and unencumbered amounts appropriated from the  
27 general revenue fund to Midland College for Strategy AB.1.1.,

1 American Airpower Heritage Museum, as listed in Chapter 1411 (S.B.  
2 1), Acts of the 83rd Legislature, Regular Session, 2013 (the  
3 General Appropriations Act), for use during the state fiscal  
4 biennium ending August 31, 2015, shall be distributed to the  
5 Permian Basin Petroleum Museum. Before disbursing any state money,  
6 Midland College must enter into a grant agreement with the Permian  
7 Basin Petroleum Museum that specifies the use of the money and  
8 requires that the money be spent in accordance with state law and  
9 the General Appropriations Act.

10 SECTION 25. EFFECTIVE DATE. This Act takes effect  
11 immediately.