

By: Otto

H.B. No. 3328

A BILL TO BE ENTITLED

AN ACT

relating to certain state fiscal matters.

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

SECTION 1. On September 1, 2015, the Texas Department of Motor Vehicles fund created by Section 1001.151, Transportation Code, as enacted by Section 71, Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, is re-created by this Act as a special fund in the state treasury outside the general revenue fund, and all revenue dedicated for deposit to the credit of the Texas Department of Motor Vehicles fund by a provision of Chapter 1287 (H.B. 2202), Acts of the 83rd Legislature, Regular Session, 2013, is rededicated by this Act for that purpose.

SECTION 2. On September 1, 2015, the environmental radiation and perpetual care account created by Section 401.306, Health and Safety Code, as enacted by Section 12, Chapter 1159 (S.B. 347), Acts of the 83rd Legislature, Regular Session, 2013, is re-created by this Act as an account in the general revenue fund, and all revenue dedicated for deposit to the credit of the environmental radiation and perpetual care account by a provision of Chapter 1159 (S.B. 347), Acts of the 83rd Legislature, Regular Session, 2013, is rededicated by this Act for that purpose.

SECTION 3. Section 161.060(c), Agriculture Code, is amended to read as follows:

(c) This subsection and Subsection (b) expire September 1,

1 2017 [2015].

2 SECTION 4. Section 403.093(d), Government Code, is amended  
3 to read as follows:

4 (d) The comptroller shall transfer from the general revenue  
5 fund to the foundation school fund an amount of money necessary to  
6 fund the foundation school program as provided by Chapter 42,  
7 Education Code. The comptroller shall make the transfers in  
8 installments as necessary to comply with Section 42.259, Education  
9 Code, and permit the Texas Education Agency, to the extent  
10 authorized by the General Appropriations Act, to make temporary  
11 transfers from the foundation school fund for payment of the  
12 instructional materials allotment under Section 31.0211, Education  
13 Code. Unless an earlier date is necessary for purposes of temporary  
14 transfers for payment of the instructional materials allotment, an  
15 [An] installment must be made not earlier than two days before the  
16 date an installment to school districts is required by Section  
17 42.259, Education Code, and must not exceed the amount necessary  
18 for that payment and any temporary transfers for payment of the  
19 instructional materials allotment.

20 SECTION 5. Section 411.013, Government Code, is amended to  
21 read as follows:

22 Sec. 411.013. [~~EXPENDITURES,~~ DONATIONS AND USE OF  
23 DONATIONS [~~AND APPROPRIATIONS~~].

24 [~~(b)~~] The department may accept donations of money and other  
25 real or personal property from any individual, group, association,  
26 corporation, or governmental agency and may use those donations for  
27 any purpose designated by the donor that furthers the exercise of

1 duties imposed by law on the department.

2 ~~[(c) Appropriations for the Texas Highway Patrol must be~~  
3 ~~made from the state highway fund.]~~

4 SECTION 6. Section 2054.102, Government Code, is amended by  
5 amending Subsection (a) and adding Subsections (a-1), (a-2), (a-3),  
6 and (a-4) to read as follows:

7 (a) The Legislative Budget Board may specify procedures for  
8 ~~[the]~~ submission, review, approval, and disapproval of biennial  
9 operating plans and amendments, including procedures for review or  
10 reconsideration of the Legislative Budget Board's disapproval of a  
11 biennial operating plan or biennial operating plan amendment. The  
12 Legislative Budget Board shall review and approve or disapprove the  
13 biennial operating plan for a state fiscal biennium on or before ~~[or~~  
14 ~~biennial operating plan amendment not later than]~~ the 60th day  
15 after the last day of the regular legislative session held during  
16 the calendar year during which that state fiscal biennium begins  
17 ~~[date the plan or amendment to the plan is submitted].~~

18 (a-1) If an amendment to a biennial operating plan is  
19 submitted to the Legislative Budget Board on a date that falls  
20 during the period beginning September 1 of an even-numbered year  
21 and ending the last day of the following regular legislative  
22 session, the Legislative Budget Board shall review and approve or  
23 disapprove the amendment on or before the 60th day after the last  
24 day of that regular legislative session.

25 (a-2) If an ~~[The plan or]~~ amendment to a biennial operating  
26 ~~[the]~~ plan is submitted to the Legislative Budget Board on a date  
27 that falls outside of the period described by Subsection (a-1), the

1 Legislative Budget Board shall review and approve or disapprove the  
2 amendment on or before the 60th day after the date the amendment is  
3 submitted.

4 (a-3) The Legislative Budget Board may extend the deadline  
5 for the Legislative Budget Board's action on an amendment to a  
6 biennial operating plan by the number of days the review of the  
7 amendment is delayed while board staff waits for the submission of  
8 additional information regarding the amendment requested by the  
9 staff as necessary for the completion of the review.

10 (a-4) An amendment to a biennial operating plan is  
11 considered to be approved [~~on the 61st day after the date the plan~~  
12 ~~or amendment is submitted~~] if the Legislative Budget Board does not  
13 disapprove the [~~plan or~~] amendment before the later of:

14 (1) the day following the last day of the period for  
15 approval or disapproval of the amendment as provided by Subsection  
16 (a-1) or (a-2), as applicable; or

17 (2) the day following the last day of the period for  
18 approval or disapproval of the amendment as extended under  
19 Subsection (a-3) [~~that date~~].

20 SECTION 7. Sections [502.357](#)(b) and (c), Transportation  
21 Code, are amended to read as follows:

22 (b) Fees collected under this section shall be deposited to  
23 the credit of the state highway fund except that the comptroller  
24 shall provide for a portion of the fees to be deposited first to the  
25 credit of a special fund in the state treasury outside the general  
26 revenue fund to be known as the TexasSure Fund in a total amount  
27 that is necessary to cover the total amount appropriated to the

1 Texas Department of Insurance from that fund and for the remaining  
2 fees to be deposited to the state highway fund. Subject to  
3 appropriations, the money deposited to the credit of the state  
4 highway fund under this section may [~~shall~~] be used by the  
5 Department of Public Safety to:

6 (1) support the Department of Public Safety's  
7 reengineering of the driver's license system to provide for the  
8 issuance by the Department of Public Safety of a driver's license or  
9 personal identification certificate, to include use of image  
10 comparison technology;

11 (2) establish and maintain a system to support the  
12 driver responsibility program under Chapter 708; and

13 (3) make lease payments to the master lease purchase  
14 program for the financing of the driver's license reengineering  
15 project.

16 (c) [~~Fees collected under this section shall be deposited to~~  
17 ~~the credit of the state highway fund.~~] Subject to appropriation,  
18 fees collected under this section [~~the money~~] may be used by the  
19 Department of Public Safety, the Texas Department of Insurance, the  
20 Department of Information Resources, and the department to carry  
21 out Subchapter N, Chapter 601.

22 SECTION 8. This Act takes effect September 1, 2015.