

By: Watson

S.B. No. 198

A BILL TO BE ENTITLED

AN ACT

relating to the use of statutorily dedicated revenues for budget certification.

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

SECTION 1. 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 on August 31 of an odd-numbered year is [~~2015, are~~] estimated to exceed the amount appropriated by the General Appropriations Act or other laws enacted by the legislature is [~~83rd 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

1 governmental purposes and for the purpose of certification under
2 Section 403.121 in an amount not to exceed:

3 (1) \$3.4 billion for the fiscal biennium ending August
4 31, 2017;

5 (2) \$2.6 billion for the fiscal biennium ending August
6 31, 2019; and

7 (3) \$1.8 billion for the fiscal biennium ending August
8 31, 2021.

9 (d) Following certification of the General Appropriations
10 Act and other appropriations measures enacted by the legislature
11 [~~83rd Legislature~~], the comptroller shall reduce each dedicated
12 account as directed by the legislature by an amount that may not
13 exceed the amount by which estimated revenues and unobligated
14 balances exceed appropriations. The reductions may be made in the
15 amounts and at the times necessary for cash flow considerations to
16 allow all the dedicated accounts to maintain adequate cash balances
17 to transact routine business. The legislature may authorize, in
18 the General Appropriations Act, the temporary delay of the excess
19 balance reduction required under this subsection. This subsection
20 does not apply to revenues or balances in:

21 (1) funds outside the treasury;

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

27 (3) funds created by the constitution or a court; or

1 (4) funds for which separate accounting is required by
2 federal law.

3 (e) This subsection and Subsection (b-1) expire [~~section~~
4 ~~expires~~] September 1, 2023 [~~2015~~].

5 SECTION 2. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2015.