

By: Capriglione

H.B. No. 855

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. Sections 404.0241(a) and (b), Government Code, are amended to read as follows:

(a) The comptroller shall invest the balance [~~a percentage~~] of the economic stabilization fund [~~balance in a state fiscal biennium~~] that exceeds an [~~the~~] amount equal to 30 percent of the maximum authorized [~~of the sufficient~~] balance of the fund for the applicable state fiscal biennium as prescribed by Section 49-g(g), Article III, Texas Constitution, [~~adopted under Section 316.092 for that biennium~~] in accordance with the investment standard described by Section 404.024(j). The comptroller's investment of that [~~percentage of the~~] 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the investment portfolio of economic stabilization fund money periodically to ensure that, as appropriated money is withdrawn or money is otherwise transferred from the fund or as the maximum authorized balance of the fund as prescribed by Section 49-g(g), Article III, Texas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 [~~is sufficient to meet the cash flow requirements~~  
2 ~~of the fund~~].

3 SECTION 2. Sections [404.0241](#)(c) and (d), Government Code,  
4 are repealed.

5 SECTION 3. The comptroller of public accounts shall adjust  
6 the investment portfolio of economic stabilization fund money as  
7 soon as possible after the effective date of this Act to ensure that  
8 the investment of that money complies with Section [404.0241](#),  
9 Government Code, as amended by this Act.

10 SECTION 4. This Act takes effect September 1, 2017.