

By: Kolkhorst

S.B. No. 2217

A BILL TO BE ENTITLED

AN ACT

relating to state fiscal matters.

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

ARTICLE 1. PUBLIC EDUCATION

SECTION 1.01. This article applies to any state agency, school, or other entity, other than an institution of higher education, that receives an appropriation under Article III of the General Appropriations Act.

SECTION 1.02. Notwithstanding any other statute of this state, each entity to which this article applies is authorized to reduce or recover expenditures by:

(1) consolidating any reports or publications the entity is required to make and filing or delivering any of those reports or publications exclusively by electronic means;

(2) extending the effective period of any license, permit, or registration the entity grants or administers;

(3) entering into a contract with another governmental entity or with a private vendor to carry out any of the entity's duties;

(4) providing that any communication between the entity and another person and any document required to be delivered to or by the entity, including any application, notice, billing statement, receipt, or certificate, may be made or delivered by e-mail or through the Internet; and

1 (5) adopting and collecting fees or charges to cover
2 any costs the entity incurs in performing its lawful functions.

3 SECTION 1.03. An employee of a state agency, school, or
4 other entity other than an institution of higher education, that
5 receives an appropriation under Article III of the General
6 Appropriations Act, is not entitled to an amount from the state for
7 expenses, per diem, travel, or salary that exceeds the amount
8 authorized for those purposes by the General Appropriations Act.

9 SECTION 1.04. An employee of a state agency, school, or
10 other entity other than an institution of higher education, that
11 receives an appropriation under Article III of the General
12 Appropriations Act, is not entitled to an amount from the state for
13 a salary, a salary supplement, office expenses or reimbursement of
14 office expenses, or travel that exceeds the amount authorized for
15 those purposes by the General Appropriations Act.

16 SECTION 1.05. An employee of an agency or other entity
17 appropriated funds under Article III of the General Appropriations
18 Act other than an institution of higher education is not entitled to
19 an amount from the state for expenses, per diem, travel, or salary
20 that exceeds the amount authorized for those purposes by the
21 General Appropriations Act.

22 SECTION 1.06. Subsections (c), (d), and (f), Section
23 [42.259](#), Education Code, are amended to read as follows:

24 (c) Payments from the foundation school fund to each
25 category 2 school district shall be made as follows:

26 (1) 22 percent of the yearly entitlement of the district shall be
27 paid in an installment to be made on or before the 25th day of

1 September of a fiscal year;

2 (2) 18 percent of the yearly entitlement of the district shall be
3 paid in an installment to be made on or before the 25th day of
4 October;

5 (3) 9.5 percent of the yearly entitlement of the district shall be
6 paid in an installment to be made on or before the 25th day of
7 November;

8 (4) 7.5 percent of the yearly entitlement of the district shall be
9 paid in an installment to be made on or before the 25th day of April;

10 (5) five percent of the yearly entitlement of the district shall
11 be paid in an installment to be made on or before the 25th day of
12 May;

13 (6) 10 percent of the yearly entitlement of the district shall be
14 paid in an installment to be made on or before the 25th day of June;

15 (7) 13 percent of the yearly entitlement of the district shall be
16 paid in an installment to be made on or before the 25th day of July;
17 and

18 (8) 15 percent of the yearly entitlement of the district shall be
19 paid in an installment to be made after the 5th day of September and
20 not later than the 10th day of September of the calendar year
21 following the calendar year of the payment made under Subdivision
22 (1) [~~on or before the 25th day of August~~]. (d) Payments from the
23 foundation school fund to each category 3 school district shall be
24 made as follows: (1) 45 percent of the yearly entitlement of the
25 district shall be paid in an installment to be made on or before the
26 25th day of September of a fiscal year; (2) 35 percent of the yearly
27 entitlement of the district shall be paid in an installment to be

1 made on or before the 25th day of October; and (3) 20 percent of the
2 yearly entitlement of the district shall be paid in an installment
3 to be made after the 5th day of September and not later than the 10th
4 day of September of the calendar year following the calendar year of
5 the payment made under Subdivision (1) [on or before the 25th day of
6 August].

7 (f) Except as provided by Subsection (c)(8) or (d)(3), any [Any]
8 previously unpaid additional funds from prior fiscal years owed to
9 a district shall be paid to the district together with the September
10 payment of the current fiscal year entitlement.

11 SECTION 1.07. Subsections (c) and (e) of Section [42.2591](#),
12 Education Code, are amended to read as follows: (c) Payments from
13 the foundation school fund to an open-enrollment charter school
14 under this section shall be made as follows:

15 (1) 22 percent of the yearly entitlement of the school
16 shall be paid in an installment to be made on or before the 25th day
17 of September of a fiscal year;

18 (2) 18 percent of the yearly entitlement of the school
19 shall be paid in an installment to be made on or before the 25th day
20 of October;

21 (3) 9.5 percent of the yearly entitlement of the
22 school shall be paid in an installment to be made on or before the
23 25th day of November;

24 (4) four percent of the yearly entitlement of the
25 school shall be paid in an installment to be made on or before the
26 25th day of December;

27 (5) four percent of the yearly entitlement of the

1 school shall be paid in an installment to be made on or before the
2 25th day of January;

3 (6) four percent of the yearly entitlement of the
4 school shall be paid in an installment to be made on or before the
5 25th day of February;

6 (7) four percent of the yearly entitlement of the
7 school shall be paid in an installment to be made on or before the
8 25th day of March;

9 (8) 7.5 percent of the yearly entitlement of the
10 school shall be paid in an installment to be made on or before the
11 25th day of April;

12 (9) five percent of the yearly entitlement of the
13 school shall be paid in an installment to be made on or before the
14 25th day of May;

15 (10) seven percent of the yearly entitlement of the
16 school shall be paid in an installment to be made on or before the
17 25th day of June;

18 (11) seven percent of the yearly entitlement of the
19 school shall be paid in an installment to be made on or before the
20 25th day of July; and

21 (12) eight percent of the yearly entitlement of the
22 school shall be paid in an installment to be made after the 5th day
23 of September and not later than the 10th day of September of the
24 calendar year following the calendar year of the payment made under
25 Subdivision (1) [~~on or before the 25th day of August~~].

26 (e) Except as provided by Subsection (c)(12), previously
27 [~~Previously~~] unpaid additional funds from prior fiscal years owed

1 to an open-enrollment charter school shall be paid to the school
2 together with the September payment of the current fiscal year
3 entitlement.

4 SECTION 1.08. Subsection (c), Section 466.355, Government
5 Code, is amended to read as follows:

6 (c) Each August the comptroller shall:

7 (1) estimate the amount to be transferred to the foundation school
8 fund on or before September 15; and

9 (2) notwithstanding Subsection (b)(4), transfer the amount
10 estimated in Subdivision (1) to the foundation school fund before
11 August 25 [~~installment payments are made under Section 42.259,~~
12 ~~Education Code~~].

13 SECTION 1.09. The changes made by this article to Sections
14 42.259 and 42.2591, Education Code, apply only to a payment from the
15 foundation school fund that is made on or after the effective date
16 of this Act. A payment to a school district from the foundation
17 school fund that is made before that date is governed by Sections
18 42.259 and 42.2591, Education Code, as it existed before amendment
19 by this article, and the former law is continued in effect for that
20 purpose.

21 SECTION 1.10. Section 42.262, Education Code, is repealed.

22 ARTICLE 2. HEALTH AND HUMAN SERVICES

23 SECTION 2.01. This article applies to any state agency that
24 receives an appropriation under Article II of the General
25 Appropriations Act and to any program administered by any of those
26 agencies.

27 SECTION 2.02. Notwithstanding any other statute of this

1 state, each state agency to which this article applies is
2 authorized to reduce or recover expenditures by:

3 (1) consolidating any reports or publications the
4 agency is required to make and filing or delivering any of those
5 reports or publications exclusively by electronic means;

6 (2) extending the effective period of any license,
7 permit, or registration the agency grants or administers;

8 (3) entering into a contract with another governmental
9 entity or with a private vendor to carry out any of the agency's
10 duties;

11 (4) adopting additional eligibility requirements
12 consistent with federal law for persons who receive benefits under
13 any law the agency administers to ensure that those benefits are
14 received by the most deserving persons consistent with the purposes
15 for which the benefits are provided, including under the following
16 laws:

17 (A) Chapter 62, Health and Safety Code (child
18 health plan program);

19 (B) Chapter 31, Human Resources Code (temporary
20 assistance for needy families program);

21 (C) Chapter 32, Human Resources Code (Medicaid
22 program);

23 (D) Chapter 33, Human Resources Code
24 (supplemental nutrition assistance and other nutritional
25 assistance programs); and

26 (E) Chapter 533, Government Code (Medicaid
27 managed care);

1 (5) providing that any communication between the
2 agency and another person and any document required to be delivered
3 to or by the agency, including any application, notice, billing
4 statement, receipt, or certificate, may be made or delivered by
5 e-mail or through the Internet;

6 (6) adopting and collecting fees or charges to cover
7 any costs the agency incurs in performing its lawful functions; and

8 (7) modifying and streamlining processes used in:

9 (A) the conduct of eligibility determinations
10 for programs listed in Subdivision (4) of this subsection by or
11 under the direction of the Health and Human Services Commission;

12 (B) the provision of child and adult protective
13 services by the Department of Family and Protective Services;

14 (C) the provision of services for the aging and
15 disabled by the Health and Human Services Commission;

16 (D) the provision of services to children and
17 other persons with disabilities by the Health and Human Services
18 Commission;

19 (E) the provision of community health services,
20 consumer protection services, mental health services, and hospital
21 facilities and services by the Department of State Health Services;
22 and

23 (F) the provision or administration of other
24 services provided or programs operated by the Health and Human
25 Services Commission or a health and human services agency, as
26 defined by Section [531.001](#), Government Code.

27 SECTION 2.03. A health and human services employee is not

1 entitled to an amount from the state for expenses, per diem, travel,
2 or salary that exceeds the amount authorized for those purposes by
3 the General Appropriations Act.

4 SECTION 2.04. A health and human services employee is not
5 entitled to an amount from the state for a salary, a salary
6 supplement, office expenses or reimbursement of office expenses, or
7 travel that exceeds the amount authorized for those purposes by the
8 General Appropriations Act.

9 SECTION 2.05. Subchapter A, Chapter 265, Family Code, is
10 amended by adding Section 265.0042 to read as follows:

11 Sec. 265.0042. COLLABORATION WITH INSTITUTIONS OF HIGHER
12 EDUCATION. (a) Subject to the availability of funds, the Health and
13 Human Services Commission, on behalf of the department, shall enter
14 into agreements with institutions of higher education to conduct
15 efficacy reviews of any prevention and early intervention programs
16 that have not previously been evaluated for effectiveness through a
17 scientific research evaluation process.

18 (b) Subject to the availability of funds, the department
19 shall collaborate with an institution of higher education to create
20 and track indicators of child well-being to determine the
21 effectiveness of prevention and early intervention services.

22 SECTION 2.06. If before implementing any provision of this
23 article a state agency determines that a waiver or authorization
24 from a federal agency is necessary for implementation of that
25 provision, the agency affected by the provision shall request the
26 waiver or authorization and may delay implementing that provision
27 until the waiver or authorization is granted.

ARTICLE 3. ARTICLE VII AGENCIES

SECTION 3.01. This article applies to any state agency that receives an appropriation under Article VII of the General Appropriations Act.

SECTION 3.02. Notwithstanding any other statute of this state, each state agency to which this article applies is authorized to reduce or recover expenditures by:

(1) consolidating any reports or publications the agency is required to make and filing or delivering any of those reports or publications exclusively by electronic means;

(2) extending the effective period of any license, permit, or registration the agency grants or administers;

(3) entering into a contract with another governmental entity or with a private vendor to carry out any of the agency's duties;

(4) adopting additional eligibility requirements for persons who receive benefits under any law the agency administers to ensure that those benefits are received by the most deserving persons consistent with the purposes for which the benefits are provided;

(5) providing that any communication between the agency and another person and any document required to be delivered to or by the agency, including any application, notice, billing statement, receipt, or certificate, may be made or delivered by e-mail or through the Internet; and

(6) adopting and collecting fees or charges to cover any costs the agency incurs in performing its lawful functions.

1 SECTION 3.03. An employee of an agency appropriated funds
2 under Article VII of the General Appropriations Act is not entitled
3 to an amount from the state for expenses, per diem, travel, or
4 salary that exceeds the amount authorized for those purposes by the
5 General Appropriations Act.

6 SECTION 3.04. An employee of an agency appropriated funds
7 under Article VII of the General Appropriations Act is not entitled
8 to an amount from the state for a salary, a salary supplement,
9 office expenses or reimbursement of office expenses, or travel that
10 exceeds the amount authorized for those purposes by the General
11 Appropriations Act.

12 SECTION 3.05. Section 201.601, Transportation Code, is
13 amended by adding Subsection (g) to read as follows:

14 (g) The plan must include a component that evaluates future
15 federal funding opportunities for all modes of transportation and
16 identifies actions necessary to maximize the total amount of
17 federal funds received in the future for transportation
18 improvements in this state.

19 SECTION 3.06. Subchapter H, Chapter 201, Transportation
20 Code, is amended by adding Section 201.623 to read as follows:

21 Sec. 201.623. COOPERATION WITH LOCAL PLANNING ENTITIES TO
22 MAXIMIZE FEDERAL FUNDING FOR PROJECTS. The department shall work
23 and plan with local transportation planning entities to maximize
24 the amount of federal funding awarded for projects in this state by
25 identifying and pursuing projects that are eligible for federal
26 grant programs, including the scenic byways program.

27 SECTION 3.07. Subchapter A, Chapter 623, Transportation

1 Code, is amended by adding Section 623.002 to read as follows:

2 Sec. 623.004. EVALUATION OF PERMIT FEES. (a) The
3 department shall evaluate highway use in this state by oversize or
4 overweight vehicles, calculate the cost of damage to highways in
5 this state caused by those vehicles, and determine whether:

6 (1) the fees charged for permits issued under this
7 chapter are adequate to offset the costs of damage to highways
8 caused by those vehicles and recommend any fee adjustments for the
9 permits to reflect the costs of damage to highways caused by those
10 vehicles; and

11 (2) vehicles currently exempt from permit
12 requirements under this chapter should be required to obtain a
13 permit to operate on roads or highways in this state.

14 (b) Not later than October 1 of each even-numbered year, the
15 department shall report its findings to:

16 (1) the Legislative Budget Board; and

17 (2) the governor.

18 SECTION 3.08. Section 623.077, Transportation Code, is
19 amended to read as follows:

20 Sec. 623.077. HIGHWAY MAINTENANCE FEE. (a) An applicant
21 for a permit under this subchapter, other than a permit under
22 Section 623.071(c)(3), must also pay a highway maintenance fee in
23 an amount determined according to vehicle weight and distance
24 traveled. [~~the following table:~~

Vehicle Weight in Pounds	Fee
[80,001 to 120,000	\$150
[120,001 to 160,000	\$225

1	[160,001 to 200,000	\$300
2	[200,001 and above	\$375]

3

4 (b) The department shall adopt rules to implement this
5 section and establish a schedule of rates, based on miles traveled,
6 for all vehicle weight categories that provides for an increase in
7 the rates according to the weight of a vehicle.

8 (c) The department shall send each fee collected under
9 Subsection (a) to the comptroller, who shall deposit:

- 10 (1) 90 percent of the fee to the credit of the state
11 highway fund; and
- 12 (2) 10 percent of the fee to the credit of the Texas
13 Department of Motor Vehicles fund.

14 SECTION 3.09. (a) The Texas Department of Transportation
15 shall adopt rules implementing Section 623.077, Transportation
16 Code, as amended by this article, not later than January 1, 2018.

17 (b) Section 623.077(a), Transportation Code, as amended by
18 this article, applies only to an application for a permit submitted
19 under Subchapter D, Chapter 623, Transportation Code, to the Texas
20 Department of Transportation on or after January 1, 2018. An
21 application for a permit submitted before January 1, 2018, is
22 governed by the law in effect on the date the application was
23 submitted, and that law is continued in effect for that purpose.

24 ARTICLE 4. GENERAL GOVERNMENT

25 SECTION 4.01. This article applies to any state agency that
26 receives an appropriation under Article I of the General
27 Appropriations Act.

1 SECTION 4.02. Notwithstanding any other statute of this
2 state, each state agency to which this article applies is
3 authorized to reduce or recover expenditures by:

4 (1) consolidating any reports or publications the
5 agency is required to make and filing or delivering any of those
6 reports or publications exclusively by electronic means;

7 (2) extending the effective period of any license,
8 permit, or registration the agency grants or administers;

9 (3) entering into a contract with another governmental
10 entity or with a private vendor to carry out any of the agency's
11 duties;

12 (4) adopting additional eligibility requirements for
13 persons who receive benefits under any law the agency administers
14 to ensure that those benefits are received by the most deserving
15 persons consistent with the purposes for which the benefits are
16 provided;

17 (5) providing that any communication between the
18 agency and another person and any document required to be delivered
19 to or by the agency, including any application, notice, billing
20 statement, receipt, or certificate, may be made or delivered by
21 e-mail or through the Internet; and

22 (6) adopting and collecting fees or charges to cover
23 any costs the agency incurs in performing its lawful functions.

24 SECTION 4.03. An employee of an agency appropriated funds
25 under Article I of the General Appropriations Act is not entitled to
26 an amount from the state for expenses, per diem, travel, or salary
27 that exceeds the amount authorized for those purposes by the

1 General Appropriations Act.

2 SECTION 4.04. An employee of an agency appropriated funds
3 under Article I of the General Appropriations Act is not entitled to
4 an amount from the state for a salary, a salary supplement, office
5 expenses or reimbursement of office expenses, or travel that
6 exceeds the amount authorized for those purposes by the General
7 Appropriations Act.

8 SECTION 4.05. Chapter 1231, Government Code, is amended by
9 adding Subchapter G to read as follows:

10 SUBCHAPTER G. LIMIT ON STATE DEBT PAYABLE FROM GENERAL REVENUE FUND

11 Sec. 1231.151. DEFINITIONS. In this subchapter:

12 (1) "Maximum annual debt service" means the limitation
13 on annual debt service imposed by Section 49-j(a), Article III,
14 Texas Constitution.

15 (2) "State debt payable from the general revenue fund"
16 has the meaning assigned by Section 49-j(b), Article III, Texas
17 Constitution.

18 (3) "Unissued debt" means state debt payable from the
19 general revenue fund that has been authorized but not issued.

20 Sec. 1231.152. COMPUTATION OF DEBT LIMIT. In computing the
21 annual debt service in a state fiscal year on state debt payable
22 from the general revenue fund for purposes of determining whether
23 additional state debt may be authorized without exceeding the
24 maximum annual debt service, the board may employ any assumptions
25 related to unissued debt that the board determines are necessary to
26 reflect common or standard debt issuance practices authorized by
27 law, including assumptions regarding:

- 1 (1) interest rates;
- 2 (2) debt maturity; and
- 3 (3) debt service payment structures.

4 Sec. 1231.153. REPORT ON COMPUTATION. (a) The board shall
5 publish during each state fiscal year a report providing a detailed
6 description of the method used to compute the annual debt service in
7 that fiscal year on state debt payable from the general revenue fund
8 for purposes of determining whether additional state debt may be
9 authorized. The report must describe:

- 10 (1) the debt service included in the computation,
11 including debt service on issued and unissued debt;
- 12 (2) the assumptions on which the debt service on
13 unissued debt was based; and
- 14 (3) any other factors required by law that affect the
15 computation.

16 (b) The board may publish the report required by this
17 section as a component of any other report required by law,
18 including the annual report required by Section 1231.102, or as an
19 independent report. The board shall make the report available to
20 the public.

21 SECTION 4.06. The Bond Review Board shall publish the
22 initial report required by Section 1231.153, Government Code, as
23 added by this article, during the state fiscal year beginning
24 September 1, 2017.

25 SECTION 4.07. Subchapter A, Chapter 2176, Government Code,
26 is amended by adding Section 2176.007 to read as follows:

27 Sec. 2176.007. COMPTROLLER STUDY ON MAIL OPERATIONS. (a)

1 The comptroller shall conduct a study on the mail operations of each
2 state agency in the executive branch of state government that
3 receives an appropriation made under Article I of the General
4 Appropriations Act. The study must identify provisions of law
5 relating to the mailing requirements for the agency that impede the
6 efficient transmission and receipt of documents by the agency.

7 (b) In conducting the study, the comptroller shall
8 collaborate with other state agencies to consider the needs or
9 concerns specific to those agencies.

10 (c) Not later than November 1, 2018, the comptroller shall
11 post the findings of the study conducted under this section on the
12 comptroller's Internet website.

13 (d) This section expires September 1, 2019.

14 SECTION 4.08. Section [2054.380](#)(b), Government Code, is
15 amended to read as follows:

16 (b) Revenue derived from the collection of fees imposed
17 under Subsection (a) may be appropriated to the department for:

18 (1) developing statewide information resources
19 technology policies and planning under this chapter and Chapter
20 [2059](#); and

21 (2) providing shared information resources technology
22 services [~~under this chapter~~].

23 SECTION 4.09. Section [2157.068](#)(d), Government Code, is
24 amended to read as follows:

25 (d) The department may charge a reasonable administrative
26 fee to a state agency, political subdivision of this state, or
27 governmental entity of another state that purchases commodity items

1 through the department in an amount that is sufficient to recover
2 costs associated with the administration of this section. Revenue
3 derived from the collection of fees imposed under this subsection
4 may be appropriated to the department for:

5 (1) developing statewide information resources
6 technology policies and planning [~~under Chapters 2054 and 2059~~];
7 and

8 (2) providing shared information resources technology
9 services [~~under Chapter 2054~~].

10 SECTION 4.10. Section 2170.057(d), Government Code, is
11 amended to read as follows:

12 (d) The department shall maintain in the revolving fund
13 account sufficient amounts to pay the bills of the consolidated
14 telecommunications system and the centralized capitol complex
15 telephone system. The department shall certify amounts that exceed
16 this amount to the comptroller, and the comptroller shall transfer
17 the excess amounts to the credit of the general revenue fund.

18 ARTICLE 5. FUNDS, ACCOUNTS, AND DEDICATIONS

19 SECTION 5.01. DEFINITION. In any provision of this Article
20 that does not amend current law, "state agency" means an office,
21 institution, or other agency that is in the executive branch of
22 state government, has authority that is not limited to a
23 geographical portion of the state, and was created by the
24 constitution or a statute of this state. The term does not include
25 an institution of higher education as defined by Section 61.003,
26 Education Code.

27 SECTION 5.02. ABOLITION OF FUNDS, ACCOUNTS, AND

1 DEDICATIONS. Except as Otherwise specifically provided by this Act,
2 all funds and accounts created or re-created in the state treasury
3 by an Act of the 85th Legislature, Regular Session, 2017, that
4 becomes law and all dedications or rededications of revenue in the
5 state treasury or otherwise collected by a state agency for a
6 particular purpose by an Act of the 85th Legislature, Regular
7 Session, 2017, that becomes law are abolished on the later of August
8 31, 2017, or the date the Act creating or re-creating the fund or
9 account or dedicating or rededicating revenue takes effect.

10 SECTION 5.03. PREVIOUSLY EXEMPT DEDICATIONS, FUNDS, AND
11 ACCOUNTS. Section 5.02 of this Article does not apply to:

12 (1) statutory dedications, funds, and accounts that
13 were enacted before the 85th Legislature convened to comply with
14 requirements of state constitutional or federal law;

15 (2) dedications, funds, or accounts that remained
16 exempt from former Section 403.094(h), Government Code, at the time
17 dedications, accounts, and funds were abolished under that
18 provision;

19 (3) increases in fees or in other revenue dedicated as
20 described by this section; or

21 (4) increases in fees or in other revenue required to
22 be deposited in a fund or account described by this section.

23 SECTION 5.04. FEDERAL FUNDS. Section 5.02 of this Article
24 does not apply to funds created pursuant to an Act of the 85th
25 Legislature, Regular Session, 2017, for which separate accounting
26 is required by federal law, except that the funds shall be deposited
27 in accounts in the general revenue fund unless otherwise required

1 by federal law.

2 SECTION 5.05. TRUST FUNDS. Section 5.02 of this Article
3 does not apply to trust funds or dedicated revenue deposited to
4 trust funds created under an Act of the 85th Legislature, Regular
5 Session, 2017, except that the trust funds shall be held in the
6 state treasury, with the comptroller in trust, or outside the state
7 treasury with the comptroller 's approval.

8 SECTION 5.06. BOND FUNDS. Section 5.02 of this Article does
9 not apply to bond funds and pledged funds created or affected by an
10 Act of the 85th Legislature, Regular Session, 2017, except that the
11 funds shall be held in the state treasury, with the comptroller in
12 trust, or outside the state treasury with the comptroller 's
13 approval.

14 SECTION 5.07. CONSTITUTIONAL FUNDS. Section 5.02 of this
15 Act does not apply to funds or accounts that would be created or
16 re-created by the Texas Constitution or revenue that would be
17 dedicated or rededicated by the Texas Constitution under a
18 constitutional amendment proposed by the 85th Legislature, Regular
19 Session, 2017, or to dedicated revenue deposited to funds or
20 accounts that would be so created or re-created, if the
21 constitutional amendment is approved by the voters.

22 SECTION 5.08. AMENDMENT OF SECTION 403.095, GOVERNMENT
23 CODE. Effective September 1, 2017, Sections 403.095(b), (d), and
24 (f), Government Code, are amended to read as follows:

25 (b) Notwithstanding any law dedicating or setting aside
26 revenue for a particular purpose or entity, dedicated revenues
27 that, on August 31, 2019 [~~2017~~], are estimated to exceed the amount

1 appropriated by the General Appropriations Act or other laws
2 enacted by the 85th [~~84th~~] Legislature are available for general
3 governmental purposes and are considered available for the purpose
4 of certification under Section 403.121.

5 (d) Following certification of the General Appropriations
6 Act and other appropriations measures enacted by the 85th
7 [~~84th~~] Legislature, the comptroller shall reduce each dedicated
8 account as directed by the legislature by an amount that may not
9 exceed the amount by which estimated revenues and unobligated
10 balances exceed appropriations. The reductions may be made in the
11 amounts and at the times necessary for cash flow considerations to
12 allow all the dedicated accounts to maintain adequate cash balances
13 to transact routine business. The legislature may authorize, in the
14 General Appropriations Act, the temporary delay of the excess
15 balance reduction required under this subsection. This subsection
16 does not apply to revenues or balances in:

- 17 (1) funds outside the treasury;
- 18 (2) trust funds, which for purposes of this section
19 include funds that may or are required to be used in whole or in part
20 for the acquisition, development, construction, or maintenance of
21 state and local government infrastructures, recreational
22 facilities, or natural resource conservation facilities;
- 23 (3) funds created by the constitution or a court; or
- 24 (4) funds for which separate accounting is required by
25 federal law.

26 (f) This section expires on September 1, 2019 [~~2017~~].

27 SECTION 5.09. REPEALER. Section 403.095(e), Government

1 Code, is repealed.

2 SECTION 5.10. EFFECT OF ACT. (a) This Act prevails over any
3 other Act of the 85th Legislature, Regular Session, 2017,
4 regardless of the relative dates of enactment, that purports to
5 create or re-create a special fund or account in the state treasury
6 or to dedicate or rededicate revenue to a particular purpose,
7 including any fund, account, or revenue dedication abolished under
8 former Section 403.094, Government Code.

9 (b) Revenues that, under the terms of another Act of the
10 85th Legislature, Regular Session, 2017, would be deposited to the
11 credit of a special account or fund shall be deposited to the credit
12 of the undedicated portion of the general revenue fund unless the
13 fund, account, or dedication is exempted under this Act.

14 ARTICLE 6. MOTOR FUEL

15 SECTION 6.01. Section 162.503, Tax Code, is amended by
16 adding Subsection (b) to read as follows:

17 (b) Notwithstanding Subsection (a), the comptroller may
18 not allocate revenue otherwise required to be allocated under
19 Subsection (a) during July and August 2019 before the first workday
20 of September 2019. The revenue shall be allocated as otherwise
21 provided by Subsection (a) not later than the fifth workday of
22 September 2019. This subsection expires September 1, 2020.

23 SECTION 6.02. Section 162.504, Tax Code, is amended by
24 adding Subsection (b) to read as follows:

25 (b) Notwithstanding Subsection (a), the comptroller may
26 not allocate revenue otherwise required to be allocated under
27 Subsection (a) during July and August 2019 before the first workday

1 of September 2019. The revenue shall be allocated as otherwise
2 provided by Subsection (a) not later than the fifth workday of
3 September 2019. This subsection expires September 1, 2020.

4 SECTION 6.03. The expiration of the amendments made to the
5 Tax Code in accordance with this article does not affect tax
6 liability accruing before the expiration of those amendments. That
7 liability continues in effect as if the amendments had not expired,
8 and the former law is continued in effect for the collection of
9 Subsection (a) during July and August 2019 before the first workday
10 of September 2019. The revenue shall be allocated as otherwise
11 provided by Subsection (a) not later than the fifth workday of
12 September 2019. This subsection expires September 1, 2020.

13 ARTICLE 7

14 SECTION 7.01. Section 133.102(e), Local Government Code is
15 amended to read as follows:

16 (e) The comptroller shall allocate the court costs received
17 under this section to the following accounts and funds so that each
18 receives to the extent practicable, utilizing historical data as
19 applicable, the same amount of money the account or fund would have
20 received if the court costs for the accounts and funds had been
21 collected and reported separately, except that the account or fund
22 may not receive less than the following percentages:

- 23 (1) [~~abused children's counseling~~] [~~0.0088~~] percent;
- 24 (1[~~2~~]) crime stoppers assistance 0.2581 percent;
- 25 (2[~~3~~]) breath alcohol testing 0.5507 percent;
- 26 (3[~~4~~]) Bill Blackwood Law Enforcement Management
27 Institute 2.1683 percent;

