

SENATE AMENDMENTS

2nd Printing

By: Zerwas

H.B. No. 3317

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the creation and re-creation of funds and accounts, the
3 dedication and rededication of revenue and allocation of accrued
4 interest on dedicated revenue, and the exemption of unappropriated
5 money from use for general governmental purposes.

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

7 SECTION 1. DEFINITION. In any provision of this Act that
8 does not amend current law, "state agency" means an office,
9 institution, or other agency that is in the executive branch or the
10 judicial branch of state government, has authority that is not
11 limited to a geographical portion of the state, and was created by
12 the constitution or a statute of this state. The term does not
13 include an institution of higher education as defined by Section
14 61.003, Education Code.

15 SECTION 2. ABOLITION OF FUNDS, ACCOUNTS, AND DEDICATIONS.
16 Except as otherwise specifically provided by this Act, all funds
17 and accounts created or re-created by an Act of the 86th
18 Legislature, Regular Session, 2019, that becomes law and all
19 dedications or rededications of revenue collected by a state agency
20 for a particular purpose by an Act of the 86th Legislature, Regular
21 Session, 2019, that becomes law are abolished on the later of August
22 31, 2019, or the date the Act creating or re-creating the fund or
23 account or dedicating or rededicating revenue takes effect.

24 SECTION 3. PREVIOUSLY EXEMPT DEDICATIONS, FUNDS, AND

1 ACCOUNTS. Section 2 of this Act does not apply to:

2 (1) statutory dedications, funds, and accounts that
3 were enacted before the 86th Legislature convened to comply with
4 requirements of state constitutional or federal law;

5 (2) dedications, funds, or accounts that remained
6 exempt from former Section 403.094(h), Government Code, at the time
7 dedications, accounts, and funds were abolished under that
8 provision;

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

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

13 SECTION 4. FEDERAL FUNDS. Section 2 of this Act does not
14 apply to funds created under an Act of the 86th Legislature, Regular
15 Session, 2019, for which separate accounting is required by federal
16 law, except that the funds shall be deposited in accounts in the
17 general revenue fund unless otherwise required by federal law.

18 SECTION 5. TRUST FUNDS. Section 2 of this Act does not
19 apply to trust funds or dedicated revenue deposited to trust funds
20 created under an Act of the 86th Legislature, Regular Session,
21 2019, except that the trust funds shall be held in the state
22 treasury, with the comptroller in trust, or outside the state
23 treasury with the comptroller's approval.

24 SECTION 6. BOND FUNDS. Section 2 of this Act does not apply
25 to bond funds and pledged funds created or affected by an Act of the
26 86th Legislature, Regular Session, 2019, except that the funds
27 shall be held in the state treasury, with the comptroller in trust,

1 or outside the state treasury with the comptroller's approval.

2 SECTION 7. CONSTITUTIONAL FUNDS. Section 2 of this Act does
3 not apply to funds or accounts that would be created or re-created
4 by the Texas Constitution or revenue that would be dedicated or
5 rededicated by the Texas Constitution under a constitutional
6 amendment proposed by the 86th Legislature, Regular Session, 2019,
7 or to dedicated revenue deposited to funds or accounts that would be
8 so created or re-created, if the constitutional amendment is
9 approved by the voters.

10 SECTION 8. ADDITIONAL USES FOR DEDICATED FUNDS OR ACCOUNTS.
11 Section 2 of this Act does not apply to a newly authorized use of a
12 dedicated fund or dedicated account as provided by an Act of the
13 86th Legislature, Regular Session, 2019, to the extent:

14 (1) the fund or account was exempted from abolition by
15 an Act of the legislature that became law before January 1, 2019;
16 and

17 (2) the newly authorized use is within the scope of the
18 original dedication of the fund or account.

19 SECTION 9. COMMERCIAL SEXUAL EXPLOITATION VICTIM FUND;
20 DEDICATION OF REVENUE. Section 2 of this Act does not apply to the
21 commercial sexual exploitation victim fund, created as a dedicated
22 account in the general revenue fund by Article 102.023, Code of
23 Criminal Procedure, as added by House Bill No. 3206 or similar
24 legislation of the 86th Legislature, Regular Session, 2019, that
25 becomes law, and does not apply to the dedication of revenue to that
26 account as provided by that legislation.

27 SECTION 10. TEXAS B-ON-TIME STUDENT LOAN ACCOUNT. (a)

1 Section 56.0092(d), Education Code, is amended to read as follows:

2 (d) On September 1, 2024 [~~2020~~], the Texas B-On-time student
3 loan account is abolished, and any remaining money in the account
4 may be appropriated only to eligible institutions in the manner
5 provided by Subsection (e).

6 (b) Section 2 of this Act does not apply to the dedication of
7 money in the Texas B-On-time student loan account as rededicated by
8 this Act.

9 SECTION 11. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
10 DEDICATED REVENUE. Effective September 1, 2019, Section 403.0956,
11 Government Code, is reenacted to read as follows:

12 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
13 DEDICATED REVENUE. Notwithstanding any other law, all interest or
14 other earnings that accrue on all revenue held in an account in the
15 general revenue fund any part of which Section 403.095 makes
16 available for certification under Section 403.121 are available for
17 any general governmental purpose, and the comptroller shall deposit
18 the interest and earnings to the credit of the general revenue fund.
19 This section does not apply to:

20 (1) interest or earnings on revenue deposited in
21 accordance with Section 51.008, Education Code;

22 (2) an account that accrues interest or other earnings
23 on deposits of state or federal money the diversion of which is
24 specifically excluded by federal law;

25 (3) the lifetime license endowment account;

26 (4) the game, fish, and water safety account;

27 (5) the coastal protection account;

1 (6) the Alamo complex account; or

2 (7) the artificial reef account.

3 SECTION 12. AMENDMENT OF SECTION 403.095, GOVERNMENT CODE.
4 Effective September 1, 2019, Sections 403.095(b), (d), and (f),
5 Government Code, are amended to read as follows:

6 (b) Notwithstanding any law dedicating or setting aside
7 revenue for a particular purpose or entity, dedicated revenues that
8 on August 31, 2021 [~~2019~~], are estimated to exceed the amount
9 appropriated by the General Appropriations Act or other laws
10 enacted by the 86th [~~85th~~] Legislature are available for general
11 governmental purposes and are considered available for the purpose
12 of certification under Section 403.121.

13 (d) Following certification of the General Appropriations
14 Act and other appropriations measures enacted by the 86th [~~85th~~]
15 Legislature, the comptroller shall reduce each dedicated account as
16 directed by the legislature by an amount that may not exceed the
17 amount by which estimated revenues and unobligated balances exceed
18 appropriations. The reductions may be made in the amounts and at
19 the times necessary for cash flow considerations to allow all the
20 dedicated accounts to maintain adequate cash balances to transact
21 routine business. The legislature may authorize, in the General
22 Appropriations Act, the temporary delay of the excess balance
23 reduction required under this subsection. This subsection does not
24 apply to revenues or balances in:

25 (1) funds outside the treasury;

26 (2) trust funds, which for purposes of this section
27 include funds that may or are required to be used in whole or in part

1 for the acquisition, development, construction, or maintenance of
2 state and local government infrastructures, recreational
3 facilities, or natural resource conservation facilities;

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

5 (4) funds for which separate accounting is required by
6 federal law.

7 (f) This section expires September 1, 2021 [~~2019~~].

8 SECTION 13. AMENDMENT OF SECTION 504.6012, TRANSPORTATION
9 CODE. Effective September 1, 2019, Section 504.6012,
10 Transportation Code, is amended to read as follows:

11 Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS;
12 REVENUES IN TRUST. (a) Notwithstanding any other law, not later
13 than September 30, 2019 [~~2015~~], the comptroller shall eliminate all
14 dedicated accounts established for specialty license plates and
15 shall set aside the balances of those dedicated accounts so that the
16 balances may be appropriated only for the purposes intended as
17 provided by the dedications.

18 (b) On and after September 1, 2019 [~~2015~~], the portion of a
19 fee payable that is designated for deposit to a dedicated account
20 shall be paid instead to the credit of an account in a trust fund
21 created by the comptroller outside the general revenue fund. The
22 comptroller shall administer the trust fund and accounts and may
23 allocate the corpus and earnings on each account only in accordance
24 with the dedications of the revenue deposited to the trust fund
25 accounts.

26 SECTION 14. STRATEGIC MAPPING ACCOUNT. (a) Section
27 16.023, Water Code, as added by Section 2.13, Chapter 1430 (S.B. 3),

1 Acts of the 80th Legislature, Regular Session, 2007, is reenacted
2 to read as follows:

3 Sec. 16.023. STRATEGIC MAPPING ACCOUNT. (a) The strategic
4 mapping account is an account in the general revenue fund. The
5 account consists of:

6 (1) money directly appropriated to the board;

7 (2) money transferred by the board from other funds
8 available to the board;

9 (3) money from gifts or grants from the United States
10 government, state, regional, or local governments, educational
11 institutions, private sources, or other sources;

12 (4) proceeds from the sale of maps, data,
13 publications, and other items; and

14 (5) interest earned on the investment of money in the
15 account and depository interest allocable to the account.

16 (b) The account may be appropriated only to the board to:

17 (1) develop, administer, and implement the strategic
18 mapping program;

19 (2) provide grants to political subdivisions for
20 projects related to the development, use, and dissemination of
21 digital, geospatial information; and

22 (3) administer, implement, and operate other programs
23 of the Texas Natural Resources Information System, including:

24 (A) the operation of a Texas-Mexico border region
25 information center for the purpose of implementing Section
26 16.021(e)(5);

27 (B) the acquisition, storage, and distribution

1 of historical maps, photographs, and paper map products;

2 (C) the maintenance and enhancement of
3 information technology; and

4 (D) the production, storage, and distribution of
5 other digital base maps, as determined by the executive
6 administrator.

7 (c) The board may invest, reinvest, and direct the
8 investment of any available money in the fund as provided by law for
9 the investment of money under Section 404.024, Government Code.

10 (b) The strategic mapping account is re-created by this Act
11 as an account in the general revenue fund, and all revenue dedicated
12 for deposit to the credit of the strategic mapping account is
13 rededicated by this Act for that purpose. Section 2 of this Act
14 does not apply to the account as re-created by this Act or a
15 dedication of revenue to the account as rededicated by this Act.

16 SECTION 15. EFFECT OF ACT. (a) This Act prevails over any
17 other Act of the 86th Legislature, Regular Session, 2019,
18 regardless of the relative dates of enactment, that purports to
19 create or re-create a special fund or account or to dedicate or
20 rededicate revenue to a particular purpose, including any fund,
21 account, or revenue dedication abolished under former Section
22 403.094, Government Code.

23 (b) An exemption from the application of Section 403.095,
24 Government Code, contained in another Act of the 86th Legislature,
25 Regular Session, 2019, that is exempted from the application of
26 Section 2 of this Act has no effect.

27 (c) Revenue that, under the terms of another Act of the 86th

1 Legislature, Regular Session, 2019, would be deposited to the
2 credit of a special account or fund shall be deposited to the credit
3 of the undedicated portion of the general revenue fund unless the
4 fund, account, or dedication is exempted under this Act.

5 SECTION 16. EFFECTIVE DATE. Except as otherwise provided
6 by this Act:

7 (1) this Act takes effect immediately if this Act
8 receives a vote of two-thirds of all the members elected to each
9 house, as provided by Section 39, Article III, Texas Constitution;
10 and

11 (2) if this Act does not receive the vote necessary for
12 immediate effect, this Act takes effect on the 91st day after the
13 last day of the legislative session.

ADOPTED

MAY 22 2019

Letty Law
Secretary of the Senate

By: NELSON

H.B. No. 3317

Substitute the following for ___B. No. _____:

By: *Nelson*

C.S. H.B. No. 3317

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the creation and re-creation of funds and accounts, the
3 dedication and rededication of revenue and allocation of accrued
4 interest on dedicated revenue, and the exemption of unappropriated
5 money from use for general governmental purposes.

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

7 SECTION 1. DEFINITION. In any provision of this Act that
8 does not amend current law, "state agency" means an office,
9 institution, or other agency that is in the executive branch or the
10 judicial branch of state government, has authority that is not
11 limited to a geographical portion of the state, and was created by
12 the constitution or a statute of this state. The term does not
13 include an institution of higher education as defined by Section
14 61.003, Education Code.

15 SECTION 2. ABOLITION OF FUNDS, ACCOUNTS, AND DEDICATIONS.
16 Except as otherwise specifically provided by this Act, all funds
17 and accounts created or re-created by an Act of the 86th
18 Legislature, Regular Session, 2019, that becomes law and all
19 dedications or rededications of revenue collected by a state agency
20 for a particular purpose by an Act of the 86th Legislature, Regular
21 Session, 2019, that becomes law are abolished on the later of August
22 31, 2019, or the date the Act creating or re-creating the fund or
23 account or dedicating or rededicating revenue takes effect.

24 SECTION 3. PREVIOUSLY EXEMPT DEDICATIONS, FUNDS, AND

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1 ACCOUNTS. Section 2 of this Act does not apply to:

2 (1) statutory dedications, funds, and accounts that
3 were enacted before the 86th Legislature convened to comply with
4 requirements of state constitutional or federal law;

5 (2) dedications, funds, or accounts that remained
6 exempt from former Section 403.094(h), Government Code, at the time
7 dedications, accounts, and funds were abolished under that
8 provision;

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

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

13 SECTION 4. FEDERAL FUNDS. Section 2 of this Act does not
14 apply to funds created under an Act of the 86th Legislature, Regular
15 Session, 2019, for which separate accounting is required by federal
16 law, except that the funds shall be deposited in accounts in the
17 general revenue fund unless otherwise required by federal law.

18 SECTION 5. TRUST FUNDS. Section 2 of this Act does not
19 apply to trust funds or dedicated revenue deposited to trust funds
20 created under an Act of the 86th Legislature, Regular Session,
21 2019, except that the trust funds shall be held in the state
22 treasury, with the comptroller in trust, or outside the state
23 treasury with the comptroller's approval.

24 SECTION 6. BOND FUNDS. Section 2 of this Act does not apply
25 to bond funds and pledged funds created or affected by an Act of the
26 86th Legislature, Regular Session, 2019, except that the funds
27 shall be held in the state treasury, with the comptroller in trust,

1 or outside the state treasury with the comptroller's approval.

2 SECTION 7. CONSTITUTIONAL FUNDS. Section 2 of this Act does
3 not apply to funds or accounts that would be created or re-created
4 by the Texas Constitution or revenue that would be dedicated or
5 rededicated by the Texas Constitution under a constitutional
6 amendment proposed by the 86th Legislature, Regular Session, 2019,
7 or to dedicated revenue deposited to funds or accounts that would be
8 so created or re-created, if the constitutional amendment is
9 approved by the voters.

10 SECTION 8. ADDITIONAL USES FOR DEDICATED FUNDS OR ACCOUNTS.
11 Section 2 of this Act does not apply to a newly authorized use of a
12 dedicated fund or dedicated account as provided by an Act of the
13 86th Legislature, Regular Session, 2019, to the extent:

14 (1) the fund or account was exempted from abolition by
15 an Act of the legislature that became law before January 1, 2019;
16 and

17 (2) the newly authorized use is within the scope of the
18 original dedication of the fund or account.

19 SECTION 9. COMMERCIAL SEXUAL EXPLOITATION VICTIM FUND;
20 DEDICATION OF REVENUE. Section 2 of this Act does not apply to the
21 commercial sexual exploitation victim fund, created as a dedicated
22 account in the general revenue fund by Article 102.023, Code of
23 Criminal Procedure, as added by House Bill No. 3206 or similar
24 legislation of the 86th Legislature, Regular Session, 2019, that
25 becomes law, and does not apply to the dedication of revenue to that
26 account as provided by that legislation.

27 SECTION 10. TEXAS B-ON-TIME STUDENT LOAN ACCOUNT. (a)

1 Section 56.0092(d), Education Code, is amended to read as follows:

2 (d) On September 1, 2024 [~~2020~~], the Texas B-On-time student
3 loan account is abolished, and any remaining money in the account
4 may be appropriated only to eligible institutions in the manner
5 provided by Subsection (e).

6 (b) Section 2 of this Act does not apply to the dedication of
7 money in the Texas B-On-time student loan account as rededicated by
8 this Act.

9 SECTION 11. ACCOUNTS IN GENERAL REVENUE FUND. Effective on
10 the later of the effective date of the Act creating or re-creating
11 the specified account or August 31, 2019, the following accounts,
12 the revenue deposited to the credit of those accounts, and the
13 revenue dedicated for deposit to the credit of those accounts, are
14 exempt from Section 2 of this Act and the accounts are created or
15 re-created in the general revenue fund, if created or re-created by
16 an Act of the 86th Legislature, Regular Session, 2019, that becomes
17 law:

18 (1) the identification fee exemption account, created
19 as an account in the general revenue fund by House Bill No. 123 or
20 similar legislation;

21 (2) the newborn screening preservation account,
22 created as an account in the general revenue fund by House Bill
23 No. 1111, Senate Bill No. 748, or similar legislation;

24 (3) the cultivated oyster mariculture cleanup
25 subaccount in the game, fish, and water safety account, created as a
26 subaccount by House Bill No. 1300 or similar legislation;

27 (4) the state hemp production account, created as an

1 account in the general revenue fund by House Bill No. 1325 or
2 similar legislation;

3 (5) the disaster recovery loan account, created as an
4 account in the general revenue fund by House Bill No. 2300 or
5 similar legislation;

6 (6) the Texas music incubator account, created as an
7 account in the general revenue fund by House Bill No. 2806 or
8 similar legislation;

9 (7) the border security infrastructure enhancement
10 fund, created as an account in the general revenue fund by House
11 Bill No. 4306 or similar legislation;

12 (8) the historic site account, re-created as an
13 account in the general revenue fund by Senate Bill No. 26 or similar
14 legislation;

15 (9) the specialty court account, the DNA testing
16 account, and the transportation administrative fee account,
17 created as accounts in the general revenue fund by Senate Bill
18 No. 346 or similar legislation;

19 (10) the safety training account, created as an
20 account in the general revenue fund by Senate Bill No. 568 or
21 similar legislation;

22 (11) the veterans treatment court account, created as
23 an account in the general revenue fund by Senate Bill No. 1180 or
24 similar legislation; and

25 (12) the coastal erosion response account, re-created
26 as an account in the general revenue fund by Senate Bill No. 1719 or
27 similar legislation.

1 SECTION 12. SEPARATE FUNDS. Effective on the later of the
2 effective date of the Act creating or re-creating the specified
3 fund or August 31, 2019, the following funds, if created or
4 re-created by an Act of the 86th Legislature, Regular Session,
5 2019, the revenue deposited to the funds, and the revenue dedicated
6 for deposit to the funds, are exempt from Section 2 of this Act, and
7 the funds are created or re-created as separate funds inside or
8 outside of the state treasury, as specified by the Act creating or
9 re-creating the fund:

10 (1) the flood infrastructure fund, created as a
11 special fund in the treasury by House Bill No. 13 or similar
12 legislation;

13 (2) the pesticide disposal fund, created as a special
14 fund in the treasury by House Bill No. 191 or similar legislation;

15 (3) the disaster reinvestment and infrastructure
16 planning revolving fund, created as a special fund outside of the
17 treasury by House Bill No. 274 or similar legislation;

18 (4) the cannabis testing and quality control fund,
19 created as provided by House Bill No. 1365 or similar legislation;

20 (5) the dedicated account in the general revenue fund
21 for proceeds from the sale of certain historic property, created by
22 House Bill No. 1422 or similar legislation;

23 (6) the Texas-bred incentive fund, created as an
24 escrow account in the treasury by House Bill No. 3366 or similar
25 legislation;

26 (7) the Texas emissions reduction plan fund, created
27 as a trust fund outside the treasury to be held by the comptroller

1 and administered by the Texas Commission on Environmental Quality
2 as trustee by House Bill No. 3745 or similar legislation;

3 (8) the Texas innovation fund and state agency
4 technology upgrades account, created as special funds outside of
5 the treasury by House Bill No. 4214 or similar legislation;

6 (9) the flood infrastructure fund, created as a
7 special fund in the treasury by Senate Bill No. 7 or similar
8 legislation;

9 (10) the Texas leverage fund, created as a trust fund
10 held outside the treasury by the comptroller as trustee by Senate
11 Bill No. 132 or similar legislation;

12 (11) the jury service fund, created as a fund in the
13 treasury by Senate Bill No. 346 or similar legislation; and

14 (12) the charter school liquidation fund, created as
15 provided by Senate Bill No. 1454 or similar legislation.

16 SECTION 13. REVENUE DEDICATIONS. Effective on the later of
17 the effective date of the Act dedicating or rededicating the
18 specified revenue or August 31, 2019, the following dedications or
19 rededications of revenue collected for a particular purpose are
20 exempt from Section 2 of this Act, if dedicated or rededicated by an
21 Act of the 86th Legislature, Regular Session, 2019:

22 (1) the dedication of certain tax revenue to the drug
23 court account provided by House Bill No. 1243 or similar
24 legislation;

25 (2) the dedication of certain fee revenue to the Texas
26 Department of Motor Vehicles fund provided by House Bill No. 1548
27 or similar legislation;

- 1 (3) the dedication of revenue to the state highway
2 fund provided by House Bill No. 1649 or similar legislation;
- 3 (4) the dedication of certain fee revenue to the Texas
4 Department of Motor Vehicles fund provided by House Bill No. 1711 or
5 similar legislation;
- 6 (5) the dedication of certain administrative penalty
7 revenue to the sexual assault program fund provided by House Bill
8 No. 1735 or similar legislation;
- 9 (6) the dedication of revenue to the state lottery
10 account provided by House Bill No. 1790 or similar legislation;
- 11 (7) the dedication of certain assessment revenue to
12 the account with the Texas Treasury Safekeeping Trust Company
13 provided by House Bill No. 1880 or similar legislation;
- 14 (8) the dedication of certain revenue to the Texas
15 Racing Commission account in the general revenue fund provided by
16 House Bill No. 1995 or similar legislation;
- 17 (9) the dedication of certain administrative penalty
18 revenue to the freestanding emergency medical care facility
19 licensing fund provided by House Bill No. 2041 or similar
20 legislation;
- 21 (10) the dedication of grants or donations to the
22 state highway fund provided by House Bill No. 2043 or similar
23 legislation;
- 24 (11) the dedication of certain revenue to the
25 designated trauma facility and emergency medical services account
26 provided by House Bill No. 2048 or similar legislation;
- 27 (12) the dedication of fee revenue to the Texas

1 mobility fund provided by House Bill No. 2478 or similar
2 legislation;

3 (13) the dedication of revenue provided by House Bill
4 No. 2587 or similar legislation;

5 (14) the dedication of certain fee revenue to the
6 Texas Department of Motor Vehicles fund provided by House Bill
7 No. 2620 or similar legislation;

8 (15) the dedication of revenue to the Texas water
9 resources fund provided by House Bill No. 4116 or similar
10 legislation;

11 (16) the dedication of revenue to the foundation
12 school fund provided by House Bill No. 4306 or similar legislation;

13 (17) the dedication of revenue provided by Senate Bill
14 No. 7 or similar legislation;

15 (18) the dedication of revenue provided by Senate Bill
16 No. 26 or similar legislation;

17 (19) the dedication of administrative penalty revenue
18 to the sexual assault program fund provided by Senate Bill No. 212
19 or similar legislation;

20 (20) the dedication of gifts, grants, and donations to
21 the motorcycle education fund account provided by Senate Bill No.
22 616 or similar legislation;

23 (21) the dedication of fee revenue to the game, fish,
24 and water safety account provided by Senate Bill No. 733 or similar
25 legislation; and

26 (22) the dedication of fee revenue to the food and drug
27 retail fee account provided by Senate Bill No. 932 or similar

1 legislation.

2 SECTION 14. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
3 DEDICATED REVENUE. Effective September 1, 2019, Section 403.0956,
4 Government Code, is reenacted to read as follows:

5 Sec. 403.0956. REALLOCATION OF INTEREST ACCRUED ON CERTAIN
6 DEDICATED REVENUE. Notwithstanding any other law, all interest or
7 other earnings that accrue on all revenue held in an account in the
8 general revenue fund any part of which Section 403.095 makes
9 available for certification under Section 403.121 are available for
10 any general governmental purpose, and the comptroller shall deposit
11 the interest and earnings to the credit of the general revenue fund.
12 This section does not apply to:

- 13 (1) interest or earnings on revenue deposited in
14 accordance with Section 51.008, Education Code;
- 15 (2) an account that accrues interest or other earnings
16 on deposits of state or federal money the diversion of which is
17 specifically excluded by federal law;
- 18 (3) the lifetime license endowment account;
- 19 (4) the game, fish, and water safety account;
- 20 (5) the coastal protection account;
- 21 (6) the Alamo complex account; or
- 22 (7) the artificial reef account.

23 SECTION 15. AMENDMENT OF SECTION 403.095, GOVERNMENT CODE.
24 Effective September 1, 2019, Sections 403.095(b), (d), and (f),
25 Government Code, are amended to read as follows:

26 (b) Notwithstanding any law dedicating or setting aside
27 revenue for a particular purpose or entity, dedicated revenues that

1 on August 31, 2021 [~~2019~~], are estimated to exceed the amount
2 appropriated by the General Appropriations Act or other laws
3 enacted by the 86th [~~85th~~] Legislature are available for general
4 governmental purposes and are considered available for the purpose
5 of certification under Section 403.121.

6 (d) Following certification of the General Appropriations
7 Act and other appropriations measures enacted by the 86th [~~85th~~]
8 Legislature, the comptroller shall reduce each dedicated account as
9 directed by the legislature by an amount that may not exceed the
10 amount by which estimated revenues and unobligated balances exceed
11 appropriations. The reductions may be made in the amounts and at
12 the times necessary for cash flow considerations to allow all the
13 dedicated accounts to maintain adequate cash balances to transact
14 routine business. The legislature may authorize, in the General
15 Appropriations Act, the temporary delay of the excess balance
16 reduction required under this subsection. This subsection does not
17 apply to revenues or balances in:

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

27 (f) This section expires September 1, 2021 [~~2019~~].

1 SECTION 16. AMENDMENT OF SECTION 504.6012, TRANSPORTATION
2 CODE. Effective September 1, 2019, Section 504.6012,
3 Transportation Code, is amended to read as follows:

4 Sec. 504.6012. ELIMINATION OF DEDICATED REVENUE ACCOUNTS;
5 REVENUES IN TRUST. (a) Notwithstanding any other law, not later
6 than September 30, 2019 [~~2015~~], the comptroller shall eliminate all
7 dedicated accounts established for specialty license plates and
8 shall set aside the balances of those dedicated accounts so that the
9 balances may be appropriated only for the purposes intended as
10 provided by the dedications.

11 (b) On and after September 1, 2019 [~~2015~~], the portion of a
12 fee payable that is designated for deposit to a dedicated account
13 shall be paid instead to the credit of an account in a trust fund
14 created by the comptroller outside the general revenue fund. The
15 comptroller shall administer the trust fund and accounts and may
16 allocate the corpus and earnings on each account only in accordance
17 with the dedications of the revenue deposited to the trust fund
18 accounts.

19 SECTION 17. STRATEGIC MAPPING ACCOUNT. (a) Section
20 16.023, Water Code, as added by Section 2.13, Chapter 1430 (S.B. 3),
21 Acts of the 80th Legislature, Regular Session, 2007, is reenacted
22 to read as follows:

23 Sec. 16.023. STRATEGIC MAPPING ACCOUNT. (a) The strategic
24 mapping account is an account in the general revenue fund. The
25 account consists of:

- 26 (1) money directly appropriated to the board;
27 (2) money transferred by the board from other funds

1 available to the board;

2 (3) money from gifts or grants from the United States
3 government, state, regional, or local governments, educational
4 institutions, private sources, or other sources;

5 (4) proceeds from the sale of maps, data,
6 publications, and other items; and

7 (5) interest earned on the investment of money in the
8 account and depository interest allocable to the account.

9 (b) The account may be appropriated only to the board to:

10 (1) develop, administer, and implement the strategic
11 mapping program;

12 (2) provide grants to political subdivisions for
13 projects related to the development, use, and dissemination of
14 digital, geospatial information; and

15 (3) administer, implement, and operate other programs
16 of the Texas Natural Resources Information System, including:

17 (A) the operation of a Texas-Mexico border region
18 information center for the purpose of implementing Section
19 16.021(e)(5);

20 (B) the acquisition, storage, and distribution
21 of historical maps, photographs, and paper map products;

22 (C) the maintenance and enhancement of
23 information technology; and

24 (D) the production, storage, and distribution of
25 other digital base maps, as determined by the executive
26 administrator.

27 (c) The board may invest, reinvest, and direct the

1 investment of any available money in the fund as provided by law for
2 the investment of money under Section 404.024, Government Code.

3 (b) The strategic mapping account is re-created by this Act
4 as an account in the general revenue fund, and all revenue dedicated
5 for deposit to the credit of the strategic mapping account is
6 rededicated by this Act for that purpose. Section 2 of this Act
7 does not apply to the account as re-created by this Act or a
8 dedication of revenue to the account as rededicated by this Act.

9 SECTION 18. EFFECT OF ACT. (a) This Act prevails over any
10 other Act of the 86th Legislature, Regular Session, 2019,
11 regardless of the relative dates of enactment, that purports to
12 create or re-create a special fund or account or to dedicate or
13 rededicate revenue to a particular purpose, including any fund,
14 account, or revenue dedication abolished under former Section
15 403.094, Government Code.

16 (b) An exemption from the application of Section 403.095,
17 Government Code, contained in another Act of the 86th Legislature,
18 Regular Session, 2019, that is exempted from the application of
19 Section 2 of this Act has no effect.

20 (c) Revenue that, under the terms of another Act of the 86th
21 Legislature, Regular Session, 2019, would be deposited to the
22 credit of a special account or fund shall be deposited to the credit
23 of the undedicated portion of the general revenue fund unless the
24 fund, account, or dedication is exempted under this Act.

25 SECTION 19. EFFECTIVE DATE. Except as otherwise provided
26 by this Act:

27 (1) this Act takes effect immediately if this Act

1 receives a vote of two-thirds of all the members elected to each
2 house, as provided by Section 39, Article III, Texas Constitution;
3 and

4 (2) if this Act does not receive the vote necessary for
5 immediate effect, this Act takes effect on the 91st day after the
6 last day of the legislative session.

ADOPTED

^{VV}
MAY 22 2019

FLOOR AMENDMENT NO. 1

Letae Spauld
Secretary of the Senate

BY:

Jane Nelson

1 Amend C.S.H.B. No. 3317 (senate committee printing) as
2 follows:

3 (1) Strike SECTION 9 of the bill (page 2, lines 32-39) and
4 renumber subsequent SECTIONS of the bill accordingly.

5 (2) In SECTION 11 of the bill (page 2, line 49), add the
6 following appropriately numbered subdivision to that SECTION and
7 renumber the subsequent subdivisions of that SECTION accordingly:

8 () the dedicated account in the general revenue fund
9 for proceeds from the sale of certain historic property, created
10 by House Bill No. 1422 or similar legislation;

11 (3) In SECTION 12 of the bill, strike Subdivision (1) of that
12 SECTION (page 3, lines 33-35) and renumber the subsequent
13 subdivisions of that SECTION accordingly.

14 (4) In SECTION 12 of the bill, strike Subdivision (5) of that
15 SECTION (page 3, lines 43-45) and renumber the subsequent
16 subdivisions of that SECTION accordingly.

17 (5) In SECTION 12 of the bill (page 3, line 24), add the
18 following appropriately numbered subdivisions to that SECTION and
19 renumber the subsequent subdivisions of that SECTION accordingly:

20 () the Texas infrastructure resiliency fund, created
21 as a special fund in the treasury by Senate Bill No. 7 or similar
22 legislation;

23 () the tax reduction and excellence in education fund,
24 created as a special fund in the treasury by House Bill No. 3 or
25 similar legislation;

26 (6) In SECTION 13 of the bill (page 3, line 66), add the
27 following appropriately numbered subdivision to that SECTION and
28 renumber the subsequent subdivisions of that SECTION accordingly:

1 () the dedication of the proceeds from the sale, lease,
2 or other disposition of certain state property to the Texas capital
3 trust fund provided by House Bill No. 4541 or similar legislation;

4 (7) Add the following appropriately numbered SECTIONS to the
5 bill and renumber the subsequent SECTIONS of the bill accordingly:

6 SECTION ____ . COMMERCIAL GULF SHRIMP UNLOADING LICENSING FEE;
7 DEDICATION OF REVENUE. (a) Section 77.034(d), Parks and Wildlife
8 Code, is amended to read as follows:

9 (d) The fee for a commercial gulf shrimp unloading license is
10 \$1485, or an amount set by the commission, whichever amount is
11 more. Revenue from the fee shall be deposited to the credit of the
12 game, fish, and water safety account established under Section
13 11.032.

14 (b) Section 2 of this Act does not apply to money dedicated
15 to the game, fish, and water safety account by Section 77.034(d),
16 Parks and Wildlife Code, as amended by this Act.

17 SECTION ____ . CLEAN AIR ACCOUNT; DEDICATION OF REVENUE. (a)
18 Section 382.05155(d), Health and Safety Code, is amended to read
19 as follows:

20 (d) The commission by rule may add a surcharge to an
21 application fee assessed under this chapter for an expedited
22 application in an amount sufficient to cover the expenses incurred
23 by the expediting, including overtime, contract labor, and other
24 costs. The surcharge is considered part of the application fee and
25 shall be deposited with the fee to the credit of the clean air
26 account established under Section 382.0622(b).

27 (b) Section 2 of this Act does not apply to the dedication of
28 money made by Subsection (a) of this section.

29 SECTION ____ . WATER RESOURCE MANAGEMENT ACCOUNT; DEDICATION
30 OF REVENUE. (a) Section 28A.101(c), Water Code, is reenacted to
31 read as follows:

1 (c) Registration fees collected under this section shall be
2 deposited in the water resource management account and may be used
3 only to implement this chapter.

4 (b) Money dedicated by Section 28A.101(c), Water Code, as
5 added by Chapter 107 (H.B. 571), Acts of the 82nd Legislature,
6 Regular Session, 2011, to the water resource management account
7 for the purposes described by Section 28A.101(c) is rededicated by
8 this Act, and Section 2 of this Act does not apply to the
9 rededication of that money.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 23, 2019

TO: Honorable Dennis Bonnen, Speaker of the House, House of Representatives

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3317 by Zerwas (Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.), **As Passed 2nd House**

Any net gain or loss from the re-creation of existing funds or accounts as exempted in this bill are dependent upon the passage of another act of the 86th Legislature, Regular Session (2019) and are dependent upon appropriations made in the 2020-21 General Appropriations Act.

This bill would abolish all funds, accounts, and revenue dedications created or recreated by the 86th Legislature, Regular Session (2019), unless specifically exempted under separate sections of the bill.

Any funds, accounts, or revenue dedications abolished under the bill would be deposited to the credit of the unobligated portion of the General Revenue Fund.

The bill would exempt dedications, funds, and accounts that were enacted before the 86th Legislature or that remained exempt from abolishment under former Section 403.094(h) of the Government Code. The bill exempts increases in existing fees or in other revenue that were previously dedicated or required to be deposited in a fund or account exempted prior to the 86th Legislature, Regular Session (2019).

Federal funds, created by the 86th Legislature, Regular Session (2019), for which separate accounting is required by federal law, would be exempt. Those funds would be deposited into accounts within the General Revenue Fund, unless otherwise required by federal law.

The bill would exempt all trust funds and bond funds created by the 86th Legislature, Regular Session (2019), except that the funds would have to be held in the State Treasury, with the Comptroller in trust, or outside the State Treasury with the Comptroller's approval.

The bill would exempt funds or accounts created or re-created or revenue dedicated or rededicated under a constitutional amendment proposed by an act of the 86th Legislature, Regular Session (2019), if approved by the voters.

The bill would reenact Section 403.0956, Government Code, relating to reallocation of interest accrued on certain dedicated revenue.

The bill would amend Sections 403.095(b), (d) and (f) of the Government Code to permit the comptroller as directed by the legislature to make reductions in dedicated accounts in the amounts by which estimated revenues and unobligated balances exceeded appropriations following certification of all appropriations enacted by the 86th Legislature. Dedicated revenues exceeding amounts appropriated would be available for certification through August 31, 2021. The section as amended would not apply to funds outside of the state treasury, trust funds, funds created by the state constitution or a court, and funds for which separate accounting is required by federal law. Section 403.095 would expire September 1, 2021.

The bill would extend Section 504.6012 of the Transportation Code relating to license plates through September 30, 2019.

The bill would re-create the Strategic Mapping Account and re-dedicate revenue sources to that account.

The bill would extend Section 56.0092(d) of the Education Code relating the Texas B-On-Time Student Loan Account to September 1, 2024.

The following funds, accounts, and dedications of revenue would be exempt from abolition by this bill if created or re-created by Acts of the 86th Legislature, Regular Session (2019):

The following funds, accounts, and dedications of revenue would be exempt from abolition by this bill if created or re-created by Acts of the 86th Legislature, Regular Session (2019):

- GR Account - Identification Fee Exemption;
- GR Account - Newborn Screening Preservation;
- GR Account 0009 - Game, Fish, and Water Safety's subaccount Cultivated Oyster Mariculture Cleanup;
- GR Account - State Hemp Production;
- GR Account - Disaster Recovery Loan;
- GR Account - Texas Music Incubator;
- GR Account - Border Security Infrastructure Enhancement Fund;
- GR Account - Historic Site;
- GR Account - Specialty Court;
- GR Account - DNA Testing;
- GR Account - Transportation Administrative Fee;
- GR Account - Safety Training;
- GR Account - Veteran Treatment Court;
- GR Account - Coastal Erosion Response;
- GR Account for proceeds from sale of certain historic property;
- Flood Infrastructure Fund;
- Pesticide Disposal Fund;
- Disaster Reinvestment and Infrastructure Planning Revolving;
- Cannabis Testing and Quality Control Fund;
- Texas-bred Incentive Fund;
- Texas Emissions Reduction Plan Trust Fund outside the State Treasury;
- Texas Innovation Fund outside the State Treasury;
- State Agency Technology Upgrades Account outside the State Treasury;
- Texas Leverage Trust Fund outside the State Treasury;
- Jury Service Fund;
- Charter School Liquidation Fund;

- Texas Infrastructure Resiliency Fund;
- Tax Reduction and Excellence in Education Fund;
- GR Account - Strategic Mapping Account and dedication of revenue to this account made by this bill;
- the dedication of taxes, charges, fees, contributions, amounts, or revenues created by the following or similar legislation: HB 1243, HB 1548, HB 1649, HB 1711, HB 1735, HB 1790, HB 1880, HB 1995, HB 2041, HB 2043, HB 2048, HB 2478, HB 2587, HB 2620, HB 4116, HB 4306, HB 4541, SB 7, SB 26, SB 212, SB 616, SB 733, SB 932;
- Dedication of revenue to the Texas B-On-time Student Loan Account;
- Dedication of Commercial Gulf Shrimp Unloading Licensing Fee;
- Dedication of surcharge to an application fee established under Section 382.0622(b);
- Dedication of aggregate production operations fee.

The bill would prevail over any other act of the 86th Legislature, Regular Session (2019), regardless of the date of enactment, purporting to dedicate or rededicate a fund, account, or revenue in the state treasury, or amending Section 403.095 of the Government Code.

This bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority vote in both houses of the Legislature. Otherwise, it would take effect on the 91st day after the last day of the legislative session.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: WP, BRi, KK, JQ

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 18, 2019

TO: Honorable Jane Nelson, Chair, Senate Committee on Finance

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3317 by Zerwas (relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.), **Committee Report 2nd House, Substituted**

<p>Any net gain or loss from the re-creation of existing funds or accounts as exempted in this bill are dependent upon the passage of another act of the 86th Legislature, Regular Session (2019) and are dependent upon appropriations made in the 2020-21 General Appropriations Act.</p>
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This bill would abolish all funds, accounts, and revenue dedications created or recreated by the 86th Legislature, Regular Session (2019), unless specifically exempted under separate sections of the bill.

Any funds, accounts, or revenue dedications abolished under the bill would be deposited to the credit of the unobligated portion of the General Revenue Fund.

The bill would exempt dedications, funds, and accounts that were enacted before the 86th Legislature or that remained exempt from abolishment under former Section 403.094(h) of the Government Code. The bill exempts increases in existing fees or in other revenue that were previously dedicated or required to be deposited in a fund or account exempted prior to the 86th Legislature, Regular Session (2019).

Federal funds, created by the 86th Legislature, Regular Session (2019), for which separate accounting is required by federal law, would be exempt. Those funds would be deposited into accounts within the General Revenue Fund, unless otherwise required by federal law.

The bill would exempt all trust funds and bond funds created by the 86th Legislature, Regular Session (2019), except that the funds would have to be held in the State Treasury, with the Comptroller in trust, or outside the State Treasury with the Comptroller's approval.

The bill would exempt funds or accounts created or re-created or revenue dedicated or rededicated under a constitutional amendment proposed by an act of the 86th Legislature, Regular Session (2019), if approved by the voters.

The bill would reenact Section 403.0956, Government Code, relating to reallocation of interest accrued on certain dedicated revenue.

The bill would amend Sections 403.095(b), (d) and (f) of the Government Code to permit the comptroller as directed by the legislature to make reductions in dedicated accounts in the amounts by which estimated revenues and unobligated balances exceeded appropriations following certification of all appropriations enacted by the 86th Legislature. Dedicated revenues exceeding amounts appropriated would be available for certification through August 31, 2021. The section as amended would not apply to funds outside of the state treasury, trust funds, funds created by the state constitution or a court, and funds for which separate accounting is required by federal law. Section 403.095 would expire September 1, 2021.

The bill would extend Section 504.6012 of the Transportation Code relating to license plates through September 30, 2019.

The bill would re-create the Strategic Mapping Account and re-dedicate revenue sources to that account.

The bill would extend Section 56.0092(d) of the Education Code relating the Texas B-On-Time Student Loan Account to September 1, 2024.

The following funds, accounts, and dedications of revenue would be exempt from abolition by this bill if created or re-created by Acts of the 86th Legislature, Regular Session (2019):

The following funds, accounts, and dedications of revenue would be exempt from abolition by this bill if created or re-created by Acts of the 86th Legislature, Regular Session (2019):

- GR Account - Identification Fee Exemption;
- GR Account - Newborn Screening Preservation;
- GR Account 0009 - Game, Fish, and Water Safety's subaccount Cultivated Oyster Mariculture Cleanup;
- GR Account - State Hemp Production;
- GR Account - Disaster Recovery Loan;
- GR Account - Texas Music Incubator;
- GR Account - Border Security Infrastructure Enhancement Fund;
- GR Account - Historic Site;
- GR Account - Specialty Court;
- GR Account - DNA Testing;
- GR Account - Transportation Administrative Fee;
- GR Account - Safety Training;
- GR Account - Veteran Treatment Court;
- GR Account - Coastal Erosion Response;
- GR Account for proceeds from sale of certain historic property;
- GR Account - Commercial Sexual Exploitation Victim and dedication of revenue contained in the legislation creating the account;
- Flood Infrastructure Fund;
- Pesticide Disposal Fund;
- Disaster Reinvestment and Infrastructure Planning Revolving;
- Cannabis Testing and Quality Control Fund;
- Texas-bred Incentive Fund;
- Texas Emissions Reduction Plan Trust Fund outside the state treasury;
- Texas Innovation Fund outside the state treasury;
- State Agency Technology Upgrades Account outside the state treasury;
- Texas Leverage Trust Fund outside the state treasury;
- Jury Service Fund;

- Charter School Liquidation Fund;
- Strategic Mapping account and dedication of revenue to this account made by this bill;
- the dedication of taxes, charges, fees, contributions, amounts, or revenues created by the following or similar legislation: HB 1243, HB 1548, HB 1649, HB 1711, HB 1735, HB 1790, HB 1880, HB 1995, HB 2041, HB 2043, HB 2048, HB 2478, HB 2587, HB 2620, HB 4116, HB 4306, SB 7, SB 26, SB 212, SB 616, SB 733, SB 932;
- Dedication of revenue to the Texas B-On-time Student Loan Account.

The bill would prevail over any other act of the 86th Legislature, Regular Session (2019), regardless of the date of enactment, purporting to dedicate or rededicate a fund, account, or revenue in the state treasury, or amending Section 403.095 of the Government Code.

This bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority vote in both houses of the Legislature. Otherwise, it would take effect on the 91st day after the last day of the legislative session.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: WP, KK, JQ, BRI

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

May 16, 2019

TO: Honorable Jane Nelson, Chair, Senate Committee on Finance

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3317 by Zerwas (Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.), **As Engrossed**

Any net gain or loss from the re-creation of existing funds or accounts as exempted in this bill are dependent upon the passage of another act of the 86th Legislature, Regular Session (2019) and are dependent upon appropriations made in the 2020-21 General Appropriations Act.

This bill would abolish all funds, accounts, and revenue dedications created or recreated by the 86th Legislature, Regular Session (2019), unless specifically exempted under separate sections of the bill.

Any funds, accounts, or revenue dedications abolished under the bill would be deposited to the credit of the unobligated portion of the General Revenue Fund.

The bill would exempt dedications, funds, and accounts that were enacted before the 86th Legislature or that remained exempt from abolishment under former Section 403.094(h) of the Government Code. The bill exempts increases in existing fees or in other revenue that were previously dedicated or required to be deposited in a fund or account exempted prior to the 86th Legislature, Regular Session (2019).

Federal funds, created by the 86th Legislature, Regular Session (2019), for which separate accounting is required by federal law, would be exempt. Those funds would be deposited into accounts within the General Revenue Fund, unless otherwise required by federal law.

The bill would exempt all trust funds and bond funds created by the 86th Legislature, Regular Session (2019), except that the funds would have to be held in the State Treasury, with the Comptroller in trust, or outside the State Treasury with the Comptroller's approval.

The bill would exempt funds or accounts created or re-created or revenue dedicated or rededicated under a constitutional amendment proposed by an act of the 86th Legislature, Regular Session (2019), if approved by the voters.

The bill would reenact Section 403.0956, Government Code, relating to reallocation of interest accrued on certain dedicated revenue.

The bill would amend Sections 403.095(b), (d) and (f) of the Government Code to permit the comptroller as directed by the legislature to make reductions in dedicated accounts in the amounts by which estimated revenues and unobligated balances exceeded appropriations following certification of all appropriations enacted by the 86th Legislature. Dedicated revenues exceeding amounts appropriated would be available for certification through August 31, 2021. The section as amended would not apply to funds outside of the state treasury, trust funds, funds created by the state constitution or a court, and funds for which separate accounting is required by federal law. Section 403.095 would expire September 1, 2021.

The bill would extend Section 504.6012 of the Transportation Code relating to license plates through September 30, 2019.

The bill would re-create the Strategic Mapping Account and re-dedicate revenue sources to that account.

The bill would extend Section 56.0092(d) of the Education Code relating the Texas B-On-Time Student Loan Account to September 1, 2024.

The following funds, accounts, and dedications of revenue would be exempt from abolition by this bill if created or re-created by Acts of the 86th Legislature, Regular Session (2019):

- Commercial Sexual Exploitation Victim Fund and dedication of revenue contained in the legislation creating the fund;
- Strategic Mapping Account and dedication of revenue to this fund made by this bill; and
- Dedication of revenue to the Texas B-On-Time Student Loan Account.

The bill would prevail over any other act of the 86th Legislature, Regular Session (2019), regardless of the date of enactment, purporting to dedicate or rededicate a fund, account, or revenue in the state treasury, or amending Section 403.095 of the Government Code.

This bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority vote in both houses of the Legislature. Otherwise, it would take effect on the 91st day after the last day of the legislative session.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: WP, KK, JQ, BRi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION

April 6, 2019

TO: Honorable John Zerwas, Chair, House Committee on Appropriations

FROM: John McGeady, Assistant Director Sarah Keyton, Assistant Director
Legislative Budget Board

IN RE: HB3317 by Zerwas (Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue and allocation of accrued interest on dedicated revenue, and the exemption of unappropriated money from use for general governmental purposes.), **As Introduced**

Any net gain or loss from the re-creation of existing funds or accounts as exempted in this bill are dependent upon the passage of another act of the 86th Legislature, Regular Session (2019) and are dependent upon appropriations made in the 2020-21 General Appropriations Act.

This bill would abolish all funds, accounts, and revenue dedications created or recreated by the 86th Legislature, Regular Session (2019), unless specifically exempted under separate sections of the bill.

Any funds, accounts, or revenue dedications abolished under the bill would be deposited to the credit of the unobligated portion of the General Revenue Fund.

The bill would exempt dedications, funds, and accounts that were enacted before the 86th Legislature or that remained exempt from abolishment under former Section 403.094(h) of the Government Code. The bill exempts increases in existing fees or in other revenue that were previously dedicated or required to be deposited in a fund or account exempted prior to the 86th Legislature, Regular Session (2019).

Federal funds, created by the 86th Legislature, Regular Session (2019), for which separate accounting is required by federal law, would be exempt. Those funds would be deposited into accounts within the General Revenue Fund, unless otherwise required by federal law.

The bill would exempt all trust funds and bond funds created by the 86th Legislature, Regular Session (2019), except that the funds would have to be held in the State Treasury, with the Comptroller in trust, or outside the State Treasury with the Comptroller's approval.

The bill would exempt funds or accounts created or re-created or revenue dedicated or rededicated under a constitutional amendment proposed by an act of the 86th Legislature, Regular Session (2019), if approved by the voters.

The bill would reenact Section 403.0956, Government Code, relating to reallocation of interest accrued on certain dedicated revenue.

The bill would amend Sections 403.095(b), (d) and (f) of the Government Code to permit the comptroller as directed by the legislature to make reductions in dedicated accounts in the amounts by which estimated revenues and unobligated balances exceeded appropriations following certification of all appropriations enacted by the 86th Legislature. Dedicated revenues exceeding amounts appropriated would be available for certification through August 31, 2021. The section as amended would not apply to funds outside of the state treasury, trust funds, funds created by the state constitution or a court, and funds for which separate accounting is required by federal law. Section 403.095 would expire September 1, 2021.

The bill would extend Section 504.6012 of the Transportation Code relating to license plates through September 30, 2019.

The bill would prevail over any other act of the 86th Legislature, Regular Session (2019), regardless of the date of enactment, purporting to dedicate or rededicate a fund, account, or revenue in the state treasury, or amending Section 403.095 of the Government Code.

This bill would take effect immediately upon enactment, assuming it received the requisite two-thirds majority vote in both houses of the Legislature. Otherwise, it would take effect on the 91st day after the last day of the legislative session.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: WP, KK, JQ, BRI