

1-1 By: Nelson, et al. S.B. No. 10
 1-2 (In the Senate - Filed August 6, 2021; August 7, 2021, read
 1-3 first time and referred to Committee on Finance; August 29, 2021,
 1-4 reported favorably by the following vote: Yeas 15, Nays 0;
 1-5 August 29, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			
1-21	X			
1-22	X			
1-23				
1-24				

A BILL TO BE ENTITLED

AN ACT

relating to making appropriations for the legislature and legislative agencies.

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

SECTION 1. APPROPRIATIONS TO LEGISLATIVE BRANCH OF STATE GOVERNMENT. In addition to amounts previously appropriated by Senate Bill No. 1, Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), that act of the legislature is amended to read as follows:

ARTICLE X

THE LEGISLATURE

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated legislative agencies.

SENATE

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 34,422,614	\$ 37,291,165
Total, Method of Financing	<u>\$ 34,422,614</u>	<u>\$ 37,291,165</u>
This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.		
Items of Appropriation:		
A. Goal: SENATE		
A.1.1. Strategy: SENATE	\$ 34,422,614	\$ 37,291,165
Grand Total, SENATE	<u>\$ 34,422,614</u>	<u>\$ 37,291,165</u>
Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:		
<u>Employee Benefits</u>		
Retirement	\$ 2,736,734	\$ 2,750,418
Group Insurance	6,742,267	6,859,268
Social Security	2,184,304	2,195,226
Benefits Replacement	<u>13,376</u>	<u>11,075</u>
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	<u>\$ 11,676,681</u>	<u>\$ 11,815,987</u>

1. Purposes for Which Appropriations May Be Expended. Funds appropriated to the Senate may be expended for constitutionally authorized annual salaries for Members of the Senate and the Lieutenant Governor, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in any national or regional

organization of legislative leaders, capital outlay, building repair and remodeling and other expenses of the Senate including interim expenses of the Eighty-seventh and Eighty-eighth Legislatures as may be authorized by law or by resolution.

2. **Appropriation of Fees: Rental Space in Capitol Building.** The Senate shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are appropriated for use by the Senate during the biennium covered by this Act.
3. **Unexpended Balances.** Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Senate are appropriated to the Senate for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Senate are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

HOUSE OF REPRESENTATIVES

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 43,098,410	\$ 48,600,335
Total, Method of Financing	\$ 43,098,410	\$ 48,600,335

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: HOUSE OF REPRESENTATIVES		
A.1.1. Strategy: HOUSE OF REPRESENTATIVES	\$ 43,098,410	\$ 48,600,335
Grand Total, HOUSE OF REPRESENTATIVES	\$ 43,098,410	\$ 48,600,335

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<u>Employee Benefits</u>		
Retirement	\$ 2,900,869	\$ 2,915,373
Group Insurance	10,908,199	11,103,295
Social Security	2,279,638	2,291,036
Benefits Replacement	11,954	9,898
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	\$ 16,100,660	\$ 16,319,602

1. **Purposes For Which Appropriations May Be Expended.** Funds appropriated to the House of Representatives may be expended for Constitutionally authorized annual salaries for Members of the House of Representatives, per diem, other salaries and wages, consumable supplies and materials, current and recurring operating expenses, films, membership dues in the National Conference of State Legislatures and in any national or regional organization of legislative leaders, capital outlay, building repair and remodeling, and other expenses for the House of Representatives, including interim expenses of the Eighty-seventh and Eighty-eighth Legislatures as may be authorized by law or resolution.
2. **Appropriation of Fees: Rental Space in Capitol Building.** The House of Representatives shall charge a reasonable fee for rental of space within the State Capitol Building under its control and authority. Any fees so collected are appropriated for use by the House of Representatives during the biennium covered by this Act.
3. **Unexpended Balances.** Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the House of Representatives are appropriated to the House of Representatives for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the House of Representatives are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

LEGISLATIVE BUDGET BOARD

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 13,178,999	\$ 13,178,998
Total, Method of Financing	\$ 13,178,999	\$ 13,178,998

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: LEGISLATIVE BUDGET BOARD

A.1.1. Strategy: LEGISLATIVE BUDGET BOARD	\$ 13,178,999	\$ 13,178,998
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Grand Total, LEGISLATIVE BUDGET BOARD	\$ 13,178,999	\$ 13,178,998
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Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits

Retirement	\$ 908,149	\$ 912,690
Group Insurance	1,630,821	1,661,477
Social Security	741,193	744,899
Benefits Replacement	6,998	5,794

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act

	\$ 3,287,161	\$ 3,324,860
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1. **Purposes for Which Appropriations May Be Expended.** Amounts appropriated to the Legislative Budget Board shall be budgeted by said Board pursuant to Chapter 322, Government Code, and any amendments there to including the payment of travel expenses and registration fees incurred by Budget Board members or members of its staff in attending meetings on issues regarding federal-state relations, those problems affecting state or local governments, and meetings sponsored by the Council of State Governments or any of its affiliated organizations, and contributions incident to membership in national or regional organizations of state governments.

2. **Unexpended Balance.** Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Legislative Budget Board are appropriated to the Legislative Budget Board for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Legislative Budget Board are appropriated to the Legislative Budget Board for the same purposes for the fiscal year beginning September 1, 2022.

3. **Texas School Performance Reviews.** In view of the cost savings and efficiency measures accruing to school districts from School Performance Reviews, the Legislative Budget Board may enter into interlocal cost sharing agreements with school districts where districts requesting review will be responsible for up to 25 percent of the cost of such performance reviews. The Legislative Budget Board shall be solely responsible for the terms and conditions of the contracts and administration of the program. However, any such cost sharing contracts shall include the school as a third party. The financial responsibility of such schools shall be a direct obligation of the school to pay the vendor upon approval of the work product by the Legislative Budget Board.

LEGISLATIVE COUNCIL

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 40,205,883	\$ 43,556,374
Total, Method of Financing	\$ 40,205,883	\$ 43,556,374

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: LEGISLATIVE COUNCIL

A.1.1. Strategy: LEGISLATIVE COUNCIL \$ 40,205,883 \$ 43,556,374

Grand Total, LEGISLATIVE COUNCIL \$ 40,205,883 \$ 43,556,374

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits

Retirement	\$ 2,481,237	\$ 2,493,643
Group Insurance	4,920,055	4,994,422
Social Security	1,996,878	2,006,862
Benefits Replacement	<u>30,469</u>	<u>25,228</u>

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act \$ 9,428,639 \$ 9,520,155

1. Purposes for Which Appropriations May Be Expended. Funds appropriated to the Legislative Council may be expended for payment of salaries and other necessary expenses to carry out the council's statutory powers and duties (including those powers and duties provided by Chapters 301, 323, and 326, Government Code; §§531.203, 762.011, and 2053.004, Government Code; and §276.008, Election Code) and to carry out responsibilities assigned pursuant to legislative resolution. Out of the funds appropriated above:

- a. \$1,000,000 each shall be transferred annually to the Senate and the House of Representatives for printing costs;
- b. \$50,000 each shall be transferred annually to the Senate and House of Representatives for moving expenses; and
- c. Out of funds appropriated above, the Legislative Council shall transfer to the chamber of the Legislature for which the Council estimates it has spent or will spend less money on bill analysis services during the 2022-23 biennium, as compared to the other chamber, an amount of funds equal to the difference in the amounts estimated by the Council as spent or to be spent on bill analysis services for each chamber of the Legislature.

2. Unexpended Balances. Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Legislative Council are appropriated to the Legislative Council for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Legislative Council are appropriated to the Legislative Council for the same purposes for the fiscal year beginning September 1, 2022.

3. Appropriation of Fees: Charges for Information Services. In addition to other amounts appropriated, there is appropriated to the Legislative Council for the fiscal years beginning September 1, 2021, and September 1, 2022, any amounts received as charges under §323.014(c), Government Code.

4. Transfers to Legislative Agencies. The Legislative Council may transfer amounts, as appropriate, to the Commission on Uniform State Laws and to legislative agencies as determined by the Lieutenant Governor and the Speaker of the House.

COMMISSION ON UNIFORM STATE LAWS

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	<u>\$ 143,958</u>	<u>\$ 143,958</u>

Total, Method of Financing	\$ <u>143,958</u>	\$ <u>143,958</u>
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This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: COMMISSION ON UNIFORM STATE LAWS		
A.1.1. Strategy: <u>COMMISSION ON UNIFORM STATE LAWS</u>	\$ 143,958	\$ 143,958
Grand Total, COMMISSION ON UNIFORM STATE LAWS	<u>\$ 143,958</u>	<u>\$ 143,958</u>

1. Purposes for Which Appropriations May Be Expended. Funds appropriated to the Commission on Uniform State Laws may be expended for payment of the contribution by the State of Texas to the National Conference of Commissioners on Uniform State Laws and for payment of other necessary expenses of the commission in carrying out provisions of Chapter 762, Government Code, including the printing of the commission's report and travel expenses of members of the commission to attend the annual meeting of the National Conference of Commissioner's on Uniform State Laws and travel to the state capitol on commission business.

2. Unexpended Balances. Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Commission on Uniform State Laws are appropriated to the Commission on Uniform State Laws for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Commission on Uniform State Laws are appropriated to the Commission on Uniform State Laws for the same purposes for the fiscal year beginning September 1, 2022.

SUNSET ADVISORY COMMISSION

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 2,268,722	\$ 2,268,722
Total, Method of Financing	<u>\$ 2,268,722</u>	<u>\$ 2,268,722</u>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: SUNSET ADVISORY COMMISSION		
A.1.1. Strategy: <u>SUNSET ADVISORY COMMISSION</u>	\$ 2,268,722	\$ 2,268,722
Grand Total, SUNSET ADVISORY COMMISSION	<u>\$ 2,268,722</u>	<u>\$ 2,268,722</u>

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<u>Employee Benefits</u>		
Retirement	\$ 201,261	\$ 202,267
Group Insurance	321,918	326,606
Social Security	157,847	158,636
Benefits Replacement	<u>704</u>	<u>583</u>

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	<u>\$ 681,730</u>	<u>\$ 688,092</u>
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1. Unexpended Balances. Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Sunset Advisory Commission are appropriated to the Sunset Advisory Commission for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Sunset Advisory Commission are appropriated to the Sunset Advisory Commission for the same purposes for the fiscal year beginning September 1, 2022.

2. **Appropriation to Sunset Advisory Commission Account.** The money that an entity is required by law to pay to the Sunset Advisory Commission to cover the costs the commission incurs in performing a review of the entity is appropriated to the commission for maintaining the operations of the commission.

STATE AUDITOR'S OFFICE

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 17,027,403	\$ 17,027,402
<u>Other Funds</u>		
Appropriated Receipts	\$ 100,000	\$ 100,000
Interagency Contracts	4,675,000	4,675,000
Subtotal, Other Funds	\$ 4,775,000	\$ 4,775,000
Total, Method of Financing	\$ 21,802,403	\$ 21,802,402

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: STATE AUDITOR

A.1.1. Strategy: STATE AUDITOR	\$ 21,802,403	\$ 21,802,402
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Grand Total, STATE AUDITOR'S OFFICE	\$ 21,802,403	\$ 21,802,402
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Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits

Retirement	\$ 1,510,135	\$ 1,517,686
Group Insurance	2,515,059	2,553,626
Social Security	1,183,965	1,189,885
Benefits Replacement	14,028	11,616

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act

	\$ 5,223,187	\$ 5,272,813
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1. **Appropriation of Interagency Contracts.** All funds transferred to the State Auditor's Office (SAO) pursuant to interagency contracts for services provided by the SAO are appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.
2. **Appropriation of Appropriated Receipts.** All funds reimbursed to the State Auditor's Office (SAO) by governmental entities for the provision of services are appropriated to the SAO during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 321.
3. **Unexpended Balances.** Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the State Auditor's Office (SAO) from the General Revenue Fund are appropriated to the SAO for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balance remaining as of August 31, 2022, from appropriations made to the SAO from the General Revenue Fund are appropriated to the SAO for the same purposes for the fiscal year beginning September 1, 2022.

4. **Notification of State Auditor Reports.** The State Auditor's Office shall provide copies of audit reports to the respective affected agencies and to the Legislative Audit Committee prior to public

release of any audit or audit report.

- 5. Actuarial Analysis of Health and Human Services Managed Care Rates.** From funds appropriated above, in accordance with Chapter 321, Texas Government Code, the State Auditor's Office (SAO) shall conduct an actuarial analysis of the fiscal year 2023 and fiscal year 2024 rates for Medicaid managed care at the Health and Human Services Commission (HHSC).
- (a) Within 45 days of the submission of rates by HHSC to the Legislative Budget Board, the SAO shall provide and file a report on the actuarial soundness of the rates, as well as an analysis of key factors that affect the rates with the Speaker of the House, Lieutenant Governor, House Appropriations Committee, and the Senate Finance Committee.
 - (b) No later than November 1, 2022, the SAO shall provide an audit report on the rate making process used by HHSC. The report should identify improvements that can be made to the rate making process, including identifying significant cost drivers in the rate setting process, and identifying improvements to the process of communicating rates with oversight entities. In evaluating the rate making process, determine if the HHSC followed appropriate procurement processes in obtaining vendors. The report should be provided to the Speaker of the House, Lieutenant Governor, House Appropriations Committee, and the Senate Finance Committee.
- 6. Audit of Texas Department of Public Safety TXGANG Index.** From funds appropriated above, in accordance with Chapter 321, Texas Government Code, the State Auditor's Office shall conduct an audit of the TXGANG index to identify all records older than 10 years that have not been recently validated, as defined by the TXGANG Operating Policies and Procedures.
- 7. Audit of Licensing and Permitting Processes of Industrial Hemp Program.** From funds appropriated to the State Auditor's Office, in accordance with Chapter 321, Texas Government Code, the State Auditor's Office shall conduct an audit of the Hemp Program licensing and permit application process at the Texas Department of Agriculture.

LEGISLATIVE REFERENCE LIBRARY

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	\$ 1,733,325	\$ 1,733,325
<u>Other Funds</u>		
Appropriated Receipts	\$ 1,425	\$ 1,425
Interagency Contracts	1,000	1,000
Subtotal, Other Funds	\$ 2,425	\$ 2,425
Total, Method of Financing	\$ 1,735,750	\$ 1,735,750

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Items of Appropriation:

A. Goal: LEGISLATIVE REFERENCE LIBRARY		
A.1.1. Strategy: LEGISLATIVE REFERENCE LIBRARY	\$ 1,735,750	\$ 1,735,750
Grand Total, LEGISLATIVE REFERENCE LIBRARY	\$ 1,735,750	\$ 1,735,750

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<u>Employee Benefits</u>		
Retirement	\$ 110,724	\$ 111,278
Group Insurance	274,130	277,829

Social Security	92,806	93,270
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Benefits Replacement	704	583
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act	<u>\$ 478,364</u>	<u>\$ 482,960</u>

- 1. Purposes for Which Appropriations May Be Expended.** Funds appropriated to the Legislative Reference Library may be expended for library administration and services, for salaries and wages, travel, consumable supplies and materials, current and recurring operating expenses, capital outlay, books and periodicals, and other necessary expenses to be expended under the direction of the Legislative Library Board.
- 2. Unexpended Balances.** Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made to the Legislative Reference Library from the General Revenue Fund are appropriated for the same purposes for the biennium beginning September 1, 2021.

Any unobligated and unexpended balances remaining as of August 31, 2022, from appropriations made to the Legislative Reference Library from the General Revenue Fund are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

RETIREMENT AND GROUP INSURANCE

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	<u>\$ 38,161,558</u>	<u>\$ 38,679,876</u>
Total, Method of Financing	<u>\$ 38,161,558</u>	<u>\$ 38,679,876</u>
Items of Appropriation:		
A. Goal: EMPLOYEES RETIREMENT SYSTEM		
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS Retirement Contributions. Estimated.	\$ 10,849,108	\$ 10,903,353
A.1.2. Strategy: GROUP INSURANCE Group Insurance Contributions. Estimated.	<u>27,312,450</u>	<u>27,776,523</u>
Total, Goal A: EMPLOYEES RETIREMENT SYSTEM	<u>\$ 38,161,558</u>	<u>\$ 38,679,876</u>
Grand Total, RETIREMENT AND GROUP INSURANCE	<u>\$ 38,161,558</u>	<u>\$ 38,679,876</u>

SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
General Revenue Fund	<u>\$ 8,714,864</u>	<u>\$ 8,744,591</u>
Total, Method of Financing	<u>\$ 8,714,864</u>	<u>\$ 8,744,591</u>
Items of Appropriation:		
A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT Comptroller - Social Security.		
A.1.1. Strategy: STATE MATCH -- EMPLOYER State Match -- Employer. Estimated.	\$ 8,636,631	\$ 8,679,814
A.1.2. Strategy: BENEFIT REPLACEMENT PAY Benefit Replacement Pay. Estimated.	<u>78,233</u>	<u>64,777</u>
Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT	<u>\$ 8,714,864</u>	<u>\$ 8,744,591</u>
Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY	<u>\$ 8,714,864</u>	<u>\$ 8,744,591</u>

LEASE PAYMENTS

	For the Years Ending	
	August 31, 2022	August 31, 2023
Method of Financing:		
Total, Method of Financing	\$ 0	\$ 0
Items of Appropriation:		
Grand Total, LEASE PAYMENTS	\$ 0	\$ 0

SPECIAL PROVISIONS RELATING TO THE LEGISLATURE

Sec. 2.

- (a) A provision of the General Provisions of this Act that restricts or limits the use or transfer of appropriated funds, or that imposes a duty or places a limitation or condition precedent on a state agency, applies to entities and appropriations under this Article only to the extent that the provision by its terms specifically and expressly applies to those entities or appropriations. A general reference to "funds appropriated by this Act" or similar words is not specific and does not express application for purposes of this section.
- (b) Notwithstanding other provisions in this Article, amounts appropriated under this Article may be transferred among entities covered by this Article:
 - (1) in accordance with Chapter 326, Government Code; or,
 - (2) under a written agreement executed by the presiding officers of the Senate and House of Representatives.

Sec. 3. Authorization to Spend Unexpended Balances. Notwithstanding any other provision contained herein, a legislative agency may only spend prior year balances with the approval of its respective governing board.

SECTION 2. EFFECTIVE DATE. This Act takes effect immediately.