1-1 By: Nelson, et al. S.B. No. 11 (In the Senate - Filed August 6, 2021; August 7, 2021, read first time and referred to Committee on Finance; August 29, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 15, Nays 0; August 29, 2021, sent to 1-2 1-3 1-4 1-5 1-6 printer.)

1-7 COMMITTEE VOTE

1-8		Yea	Nay	Absent	PNV
1-9	Nelson	X			
1-10	Lucio	X			
1-11	Bettencourt	X			
1-12	Buckingham	X			
1-13	Campbell	X			
1-14	Creighton	X			
1-15	Hancock	X			
1-16	Huffman	X			
1-17	Kolkhorst	X			
1-18	Nichols	X			
1-19	Perry	X			
1-20	Schwertner	X			
1-21	Taylor	X			
1-22	West	Х			
1-23	Whitmire	X			

COMMITTEE SUBSTITUTE FOR S.B. No. 11 1-24

By: Nelson

1-25 A BILL TO BE ENTITLED 1-26 AN ACT

1-27 supplemental appropriations and relating to making giving 1-28 direction regarding appropriations.

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

SECTION 1. SENATE. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Senate in that section (page X-1):

4. General Funding. In addition to amounts otherwise appropriated by this Act to the Senate, there is appropriated to the Senate from the general revenue fund the amount of \$34,422,614 for the state fiscal year beginning September 1, 2021, and the amount of \$37,291,165 for the state fiscal year beginning September 1, 2022, for Strategy A.1.1, Senate, to be spent in accordance with Rider

- (b) Rider 3 (page X-1), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern
- appropriations to the Senate is amended to read as follows:

 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.

SECTION 2. HOUSE OF REPRESENTATIVES. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the House of Representatives pattern of the appropriations made to the House of Representatives in that section (page X-2):

4. General Funding. In addition to amounts otherwise

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appropriated by this Act to the House of Representatives, there is appropriated to the House of Representatives from the general revenue fund the amount of \$43,098,410 for the state fiscal year beginning September 1, 2021, and the amount of \$48,600,335 for the state fiscal year beginning September 1, 2022, for Strategy A.1.1, House of Representatives, to be spent in accordance with Rider 1 above.

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- (b) Rider 3 (page X-2), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the House of Representatives is amended to read as follows:
- Any unobligated and unexpended 3. Unexpended Balances. 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 August 31, 2022, from appropriations made to the House of Representatives are appropriated for the same purposes fiscal year beginning September 1, 2022.

SECTION 3. LEGISLATIVE BUDGET BOARD. (a) Sec the

Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Legislative Budget Board in that section (page X-3):

- 4. General Funding. In addition to amounts otherwise appropriated by this Act to the Legislative Budget Board, there is appropriated to the Legislative Budget Board from the general revenue fund the amount of \$13,178,999 for the state fiscal year beginning September 1, 2021, and the amount of \$13,178,998 for the state fiscal year beginning September 1, 2022, for Strategy A.1.1, Legislative Budget Board, to be spent in accordance with Rider 1
- (b) Rider 2 (page X-3), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of appropriations to the Legislative Budget Board is amended to read as follows:
- 2. Unexpended Balance. unobligated and unexpended Any 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.

SECTION 4. LEGISLATIVE COUNCIL. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Legislative Council in that section (page X-4):

- 5. General Funding. In addition to amounts otherwise appropriated by this Act to the Legislative Council, there is appropriated to the Legislative Council from the general revenue fund the amount of \$40,205,883 for the state fiscal year beginning September 1, 2021, and the amount of \$43,556,374 for the state fiscal year beginning September 1, 2022, for Strategy A.1.1, Legislative Council, to be spent in accordance with Rider 1 above.

 (b) Rider 2 (page X-4), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Legislature Council is a granded to read accordance.
- appropriations to the Legislative Council is amended to read as follows:
- 2. Unexpended Balances. Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made 2-68 2-69

to the Legislative Council are appropriated to the Legislative 3-1 Council for the same purposes for the biennium beginning September 3-2 1, 2021. 3-3 3-4

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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.

SECTION 5. COMMISSION ON UNIFORM STATE LAWS. (a) Section

1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Commission on Uniform State Laws in that section (page X-5):

3. General Funding. In addition to amounts otherwise appropriated by this Act to the Commission on Uniform State Laws, there is appropriated to the Commission on Uniform State Laws from the general revenue fund the amount of \$143,958 for each state fiscal year of the state fiscal biennium beginning September 1, 2021, for Strategy A.1.1, Commission on Uniform State Laws, to be spent in accordance with Rider 1 above.

(b) Rider 2 (page X-5), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the Concrete Appropriations (Act)) to the bill pattern of the

General Appropriations Act), to the bill pattern of the appropriations to the Commission on Uniform State Laws is amended to read as follows:

2. Unexpended Balances. Any unobligated and unexpended balances remaining as of August 31, 2021, from appropriations made 2. Unexpended Balances. 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.

SECTION 6. SUNSET ADVISORY COMMISSION. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Sunset Commission in that section (page X-6):

General Funding. In addition to amounts otherwise appropriated by this Act to the Sunset Advisory Commission, there is appropriated to the Sunset Advisory Commission from the general revenue fund the amount of \$2,268,722 for each state fiscal year of the state fiscal biennium beginning September 1, 2021, for Strategy A.1.1, Sunset Advisory Commission.

(b) Riders 1 and 2 (pages X-5 and X-6), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Sunset Advisory Commission are amended to read as follows:

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.

SECTION 7. STATE AUDITOR'S OFFICE. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session 2021 (the Coneral Appropriations Act) is amended by

3-66 3-67 3-68 Session, 2021 (the General Appropriations Act), is amended by 3-69

4-1 adding the following rider at the end of the riders to the bill 4-2 pattern of the appropriations made to the State Auditor's Office in 4-3 that section (page X-7):
4-4 8. General Funding. (a) In addition to amounts otherwise

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- 8. General Funding. (a) In addition to amounts otherwise appropriated by this Act to the State Auditor's Office, there is appropriated to the State Auditor's Office from the general revenue fund the amount of \$17,027,403 for the state fiscal year beginning September 1, 2021, and the amount of \$17,027,402 for the state fiscal year beginning September 1, 2022, for Strategy A.1.1, State Auditor.
- (b) The State Auditor's Office shall use money appropriated by Subsection (a) of this rider as necessary to perform the office's duties under Riders 5, 6, and 7 above.
- duties under Riders 5, 6, and 7 above.

 (b) Riders 2 and 3 (page X-6), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the State Auditor's Office are amended to read as follows:
- 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 balances 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.

- SECTION 8. LEGISLATIVE REFERENCE LIBRARY. (a) Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following riders at the end of the riders to the bill pattern of the appropriations made to the Legislative Reference Library in that section (page X-8):
- 3. General Funding. In addition to amounts otherwise appropriated by this Act to the Legislative Reference Library, there is appropriated to the Legislative Reference Library from the general revenue fund the amount of \$1,733,325 for each state fiscal year of the state fiscal biennium beginning September 1, 2021, for Strategy A.1.1, Legislative Reference Library, to be spent in accordance with Rider 1 above.

 4. Appropriation of Interagency Contracts. All funds
- 4. Appropriation of Interagency Contracts. All funds transferred to the Legislative Reference Library pursuant to interagency contracts for services provided by the Legislative Reference Library are appropriated to the Legislative Reference Library during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 324.
- 5. Appropriation of Appropriated Receipts. All funds reimbursed to the Legislative Reference Library by governmental entities for the provision of services are appropriated to the Legislative Reference Library during the fiscal year in which they are received and shall be used as provided by Government Code, Chapter 324.
- (b) Rider 2 (page X-8), Section 1, Article X, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to the bill pattern of the appropriations to the Legislative Reference Library is amended to read as follows:
- 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.
- 4-68 Any unobligated and unexpended balances remaining as of 4-69 August 31, 2022, from appropriations made to the Legislative

Reference Library from the General Revenue Fund are appropriated 5-1 for the same purposes for the fiscal year beginning September 1, 5-2 5-3

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SECTION 9. TEXAS EDUCATION AGENCY: SCHOOL DISTRICT AD SECTION 9. TEXAS EDUCATION AGENCY: SCHOOL DISTRICT AD VALOREM TAX RELIEF. Notwithstanding Rider 3, page III-5, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and contingent on S.B. 8 or similar legislation by the 87th Legislature, 2nd Called Session, 2021, relating to the authority of a person who acquires a residence homestead to receive an ad valorem tax exemption for the homestead in the year in which the property is acquired, being enacted and becoming law, the amount of \$50,000,000 is appropriated from the general revenue fund to the Texas Education Agency for each state fiscal year of the state fiscal biennium beginning September 1, 2021, for the purpose of implementing the provisions of the legislation.

SECTION 10. TEXAS EDUCATION AGENCY: CERTAIN PUBLIC SCHOOL CURRICULUM. Contingent on S.B. 3 or similar legislation by the 87th Legislature, 2nd Called Session, 2021, relating to certain curriculum in public schools, including certain instructional requirements and prohibitions, being enacted and becoming law, the amount of \$14,625,000 is appropriated from the general revenue fund to the Texas Education Agency for the state fiscal biennium beginning September 1, 2021, for the purpose of implementing the

provisions of the legislation.

SECTION 11. DEPARTMENT OF FAMILY AND PROTECTIVE SERVICES: FOSTER CARE CAPACITY IMPROVEMENT. Section 1, Article II, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Department of Family and Protective Services in that section (page II-19):

Foster Care Capacity Improvement. (a) the amounts appropriated above, the amount of \$35,000,000 is appropriated from the general revenue fund to the Department of Family and Protective Services for each fiscal year of the state fiscal biennium beginning September 1, 2021, for the purpose of providing supplemental payments to retain providers and increase of providing supplemental payments to retain providers. providing supplemental payments to retain providers and increase provider capacity.

In addition to amounts appropriated above, the amount of \$20,00<mark>0,000 is appropriated from the general revenue fund to the</mark> Department of Family and Protective Services for the state fiscal year beginning September 1, 2021, for the purpose of providing targeted foster care capacity grants across this state to address the existing foster care capacity shortage. The grants should focus on:

serving children with the highest level of need;

(2) expanding certain types of placements and bringing

new providers and capacity online; and
(3) promoting long-term long-term viability child placements.

(c) All unexpended balances of the amount appropriated by Subsection (b) of this rider for the state fiscal year beginning September 1, 2021, are appropriated for the same purposes for the state fiscal year beginning September 1, 2022.

(d) The money appropriated by Subsection (a) of this rider

must be spent in coordination with appropriations provided in Rider 51, Community-based Care (CBC) Capacity, and, beginning with the state fiscal year that begins September 1, 2022, must be spent in compliance with rate methodology requirements outlined in Special Provisions Relating to All Health and Human Services Agencies, Section 26 of this article, Reimbursement Rates and Methodology; Reporting Requirements: Legacy Foster Care, Community Based Care

Services, and Other Child Services.

(e) The Department of Family and Protective Services shall prepare a report on the specific efforts that the department has implemented with money appropriated by this rider and the effect of those efforts on improving foster care capacity across the state. Not later than September 1, 2022, the department shall submit the

6-1 report to the Legislative Budget Board, Senate Finance Committee, House Appropriations Committee, and each standing committee of the senate and house of representatives with primary jurisdiction over health and human services.

SECTION 12. DEPARTMENT OF INFORMATION RESOURCES: CYBERSECURITY. (a) The amount of \$17,443,511 is appropriated from the general revenue fund to the Department of Information Resources for the purpose of providing cybersecurity enhancements for the state during the state fiscal biennium beginning September 1, 2021, to be allocated as follows:

- (1) \$6,534,350 for Endpoint Detection and Response;
- (2) \$6,909,161 for the Security Operations Center; and
- (3) \$4,000,000 for Multifactor Authentication

6-13 6-14 Expansion. 6-15 (b) 6-16 2021, in

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- (b) During the state fiscal biennium beginning September 1, 2021, in addition to the number of full-time equivalent (FTE) employees other law authorizes the department to employ during that period, the Department of Information Resources may employ out of money appropriated by Subsection (a) of this section:
- (1) one full-time equivalent (FTE) employee for Endpoint Detection and Response;
- (2) seven full-time equivalent (FTE) employees for the Security Operations Center; and
- (3) one full-time equivalent (FTE) employee for Multifactor Authentication Expansion.

SECTION 13. TEACHER RETIREMENT SYSTEM: ADDITIONAL PAYMENT. Contingent on S.B. 7 or similar legislation by the 87th Legislature, 2nd Called Session, 2021, relating to a one-time supplemental payment of benefits under the Teacher Retirement System of Texas, being enacted and becoming law, the amount of \$701,100,535 is appropriated from the general revenue fund to the Teacher Retirement System for the state fiscal biennium beginning September 1, 2021, for the purpose of implementing the provisions of the legislation.

SECTION 14. OFFICE OF COURT ADMINISTRATION, TEXAS JUDICIAL COUNCIL: BOND LEGISLATION. Section 1, Article IV, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is amended by adding the following rider at the end of the riders to the bill pattern of the appropriations made to the Office of Court Administration, Texas Judicial Council, in that section (page IV-28):

- 14. Contingent Appropriation for Bond Legislation. Contingent on S.B. 6 or similar legislation by the 87th Legislature, 2nd Called Session, 2021, relating to rules for setting the amount of bail, to the release of certain defendants on a monetary bond or personal bond, to related duties of certain officers taking bail bonds and of a magistrate in a criminal case, to charitable bail organizations, and to the reporting of information pertaining to bail bonds, being enacted and becoming law:
- (1) in addition to amounts otherwise appropriated by this Act to the Office of Court Administration, Texas Judicial Council, the amount of \$1,427,218 is appropriated for the state fiscal year beginning September 1, 2021, and the amount of \$885,798 is appropriated for the state fiscal year beginning September 1, 2022, from the general revenue fund to the Office of Court Administration, Texas Judicial Council, to implement the provisions of the legislation;
- (2) in addition to amounts otherwise appropriated by this Act to the Office of Court Administration, Texas Judicial Council, the amount of \$1,500,000 is appropriated for the state fiscal year beginning September 1, 2021, and the amount of \$462,500 is appropriated for the state fiscal year beginning September 1, 2022, from the General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 to the Office of Court Administration, Texas Judicial Council, to implement the provisions of the legislation;

 (3) during the state fiscal biennium beginning
- 6-68 (3) during the state fiscal biennium beginning 6-69 September 1, 2021, the Office of Court Administration, Texas

Judicial Council, may, using money appropriated by this rider, employ six full-time equivalent (FTE) employees to implement the provisions of the legislation; and

(4) the capital budget authority for the Office of Court Administration, Texas Judicial Council, is increased by \$1,500,000 from the General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 for the state fiscal year beginning September 1, 2021, for capital budget items related to the implementation of the legislation.

September 1, 2021, for capital budget items related to the implementation of the legislation.

SECTION 15. REIMBURSEMENT FOR AUDITABLE VOTING MACHINES. The amount of \$4,300,000 is appropriated from the general revenue fund to the Secretary of State for the state fiscal year beginning September 1, 2021, for the purpose of reimbursements for the retrofitting of certain auditable voting systems, the replacement of certain systems that cannot be upgraded, and the development of secure tracking systems for mail ballots in accordance with H.B. 3 or similar legislation of the 87th Legislature, 2nd Called Session, 2021. Unexpended balances remaining for the purposes described by this section for the state fiscal year beginning September 1, 2021, are appropriated for the same purposes for the state fiscal year beginning September 1, 2022.

SECTION 16. BUDGET EXECUTION ORDER SUPERSEDED. As authorized by Section 317.011, Government Code, this Act supersedes any budget execution order issued under Chapter 317, Government Code, during August 2021 and any authorization for a transfer of an appropriation or of money under such an order is void on the effective date of this Act.

SECTION 17. EFFECTIVE DATE. This Act takes effect immediately.

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