

## **BILL ANALYSIS**

Senate Research Center

S.B. 8  
By: Nelson  
Finance  
10/25/2021  
Enrolled

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The federal American Rescue Plan Act (ARPA) of 2021 provided fiscal relief to states aimed at mitigating the continuing effects of the COVID-19 pandemic. In part, ARPA established the Coronavirus State Fiscal Recovery Fund and the Coronavirus Capital Projects Fund, to which Texas' allocations total \$15.8 billion and \$500.5 million, respectively. S.B. 8 makes appropriations of federal coronavirus relief money, including these two funds from ARPA.

(Original Author's / Sponsor's Statement of Intent)

S.B. 8 amends current law relating to making supplemental appropriations and giving direction regarding appropriations.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

**SECTION 1. COMPTROLLER OF PUBLIC ACCOUNTS: UNEMPLOYMENT COMPENSATION FUND.** Provides that the amount of \$7,245,419,946 is appropriated to the Comptroller of Public Accounts of the State of Texas (comptroller) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the state fiscal year beginning September 1, 2021, for the purpose of immediately depositing that amount to the credit of the unemployment compensation fund under Section 203.021 (Unemployment Compensation Fund; Separate Accounts), Labor Code, to pay back outstanding advances received by this state under Section 1201, Social Security Act (42 U.S.C. Section 1321), and to return the unemployment compensation fund to the statutory floor computed under Section 204.061 (Ceiling and Floor of Compensation Fund), Labor Code, on October 1, 2021, as reimbursement for payments made as a result of the coronavirus disease pandemic.

**SECTION 2. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: TOURISM, TRAVEL, AND HOSPITALITY RECOVERY GRANTS.** (a) Provides that the amount of \$180,000,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants during the two-year period beginning on the effective date of this Act for tourism, travel, and hospitality industry recovery, to the extent the grants are authorized by other law.

(b) Provides that it is the intent of the legislature that the governor give priority to potential grantees that have not received direct federal aid and that the amount of each authorized grant awarded does not exceed \$20,000.

SECTION 3. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: CHILDREN'S ADVOCACY. Provides that the amount of \$1,200,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for information technology case management system improvements for children's advocacy centers during the two-year period beginning on the effective date of this Act.

SECTION 4. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19 SERVICES. (a) Provides that the amount of \$2,000,000,000 is appropriated to the Department of State Health Services (DSHS) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 during the period beginning on the effective date of this Act and ending January 1, 2023, for the following purposes related to costs incurred during the period beginning March 3, 2021, and ending January 1, 2023, due to the coronavirus disease pandemic:

- (1) providing funding for surge staffing at state and local hospitals, long-term care facilities, psychiatric hospitals, and nursing facilities;
- (2) purchasing therapeutic drugs, including drugs for monoclonal antibody treatments; and
- (3) providing funding for the operation of regional infusion centers.

(b) Requires DSHS, notwithstanding Section 13.05, page IX-64, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), to expend any Coronavirus State Fiscal Recovery Funds freed-up as a result of reimbursements received by DSHS from the Federal Emergency Management Agency related to expenditures paid from money appropriated under Subsection (a) of this section only after prior approval of the Legislative Budget Board (LBB).

SECTION 5. FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS: BROADBAND INFRASTRUCTURE. (a) Provides that the amount of \$500,475,163 is appropriated to Fiscal Programs - Comptroller of Public Accounts from money received by this state from the Coronavirus Capital Projects Fund (42 U.S.C. Section 804) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for broadband infrastructure in accordance with Section 490I.0108 (Broadband Development Account), Government Code, and other applicable state or federal law during the two-year period beginning on the effective date of this Act.

(b) Authorizes \$75,000,000, out of money appropriated by Subsection (a) of this section, to be used only for the Texas broadband pole replacement program.

SECTION 6. DEPARTMENT OF CRIMINAL JUSTICE: COMPENSATION. (a) Provides that the amount of \$359,673,191 is appropriated to the Texas Department of Criminal Justice (TDCJ) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing compensation for agency employees for the state fiscal year beginning September 1, 2021.

(b) Requires TDCJ to:

- (1) in consultation with the comptroller and the LBB, determine the proper allocation of benefits included in the appropriations made under Subsection (a) of this section; and

(2) identify the strategies and objectives for which the appropriations made under Subsection (a) of this section are directed.

(c) Provides that it is the intent of the legislature that TDCJ consider the appropriations as a change in the method of finance of the compensation to be paid to agency employees and not as an increase in total appropriations to the agency.

**SECTION 7. DEPARTMENT OF AGRICULTURE: FOOD BANKS.** Provides that the amount of \$95,000,000 is appropriated to the Texas Department of Agriculture (TDA) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing supplemental funding to food banks in response to the coronavirus pandemic during the two-year period beginning on the effective date of this Act.

**SECTION 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD MENTAL HEALTH CARE CONSORTIUM.** (a) Provides that the amount of \$113,082,887 is appropriated to the Texas Higher Education Coordinating Board (THECB) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of supporting the operations and expansion of the Texas Child Mental Health Care Consortium to expand mental health initiatives for children, pregnant women, and women who are up to one year postpartum during the two-year period beginning on the effective date of this Act. Requires THECB, at the direction of the Texas Child Mental Health Care Consortium, to transfer appropriations through interagency contracts with health-related institutions of higher education for the following purposes:

(1) \$20,578,442 for enhancements and expansion of the Child Psychiatry Access Network;

(2) \$56,218,976 for enhancements and expansion of the Texas Child Access Through Telemedicine program;

(3) \$32,991,791 for expansion of the child and adolescent mental health workforce; and

(4) \$3,293,676 for administrative expenses.

(b) Requires THECB, not later than December 1, 2021, out of money appropriated by Subsection (a) of this section, to transfer \$3,293,676 to an institution of higher education designated by the Texas Child Mental Health Care Consortium for oversight and evaluation of the outlined initiatives by means of interagency agreements or any other necessary contracts.

(c) Authorizes the Texas Child Mental Health Care Consortium to transfer up to 10 percent of money appropriated for the purposes described by Subsection (a)(1), (2), or (3) of this section to any of the other purposes described by those provisions. Authorizes the Texas Child Mental Health Care Consortium to transfer more than 10 percent of funds for those purposes only with the prior approval for the transfer and expenditure from the LBB. Provides that a request for approval of the transfer and expenditure by the consortium is considered approved unless the LBB issues a written disapproval within 10 business days of the receipt and review of the request by the LBB.

(d) Authorizes the Texas Child Mental Health Care Consortium, out of money appropriated by Subsection (a) of this section, to enhance the Child Psychiatry Access Network to improve perinatal mental health services.

**SECTION 9. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE OPERATIONS CENTER.** Provides that the amount of \$300,000,000 is appropriated to the Texas Division of Emergency Management from money received by this state from the Coronavirus State Fiscal

Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of the acquisition of land for, and construction of, a state operations center during the two-year period beginning on the effective date of this Act.

**SECTION 10. HIGHER EDUCATION COORDINATING BOARD: UNIVERSITY CONSTRUCTION.** (a) Provides that, contingent on legislation by the 87th Legislature, 3rd Called Session, 2021, relating to the issuance of tuition revenue bonds, becoming law, the amount of \$325,000,000 is appropriated to THECB from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of university construction during the two-year period beginning on the effective date of this Act.

(b) Provides that if an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

(1) the appropriated money is prohibited from being spent and is required to be retained in the treasury and available for later legislative appropriation; and

(2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to THECB for the purpose and period described by Subsection (a) of this section.

**SECTION 11. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS STATE HOSPITAL.** (a) Provides that the amount of \$237,800,000 is appropriated to the Health and Human Services Commission (HHSC) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of construction of a state hospital in Dallas during the two-year period beginning on the effective date of this Act.

(b) Provides that the capital budget authority of HHSC in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$237,800,000 for the appropriation made under Subsection (a) of this section.

**SECTION 12. HEALTH AND HUMAN SERVICES COMMISSION: RURAL HOSPITALS.** Provides that the amount of \$75,000,000 is appropriated to HHSC from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants to support rural hospitals that have been affected by the COVID-19 pandemic during the two-year period beginning on the effective date of this Act.

**SECTION 13. HEALTH AND HUMAN SERVICES COMMISSION: INTERNET PORTAL.** Provides that the amount of \$20,000,000 is appropriated to HHSC from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the creation of a consolidated Internet portal for Medicaid and the Children's Health Insurance Program medical services provider data during the two-year period beginning on the effective date of this Act.

**SECTION 14. HEALTH AND HUMAN SERVICES COMMISSION: TECHNOLOGY UPDATES.** Provides that the amount of \$5,000,000 is appropriated to HHSC from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for

technology updates to the Medicaid eligibility computer system during the two-year period beginning on the effective date of this Act.

**SECTION 15. HEALTH AND HUMAN SERVICES COMMISSION: TEXAS CIVIL COMMITMENT OFFICE.** Provides that the amount of \$14,250 is appropriated to HHSC for the Texas Civil Commitment Office from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for COVID-19 related expenses incurred by the Texas Civil Commitment Office related to consumable supplies and travel during the two-year period beginning on the effective date of this Act.

**SECTION 16. DEPARTMENT OF STATE HEALTH SERVICES: RIO GRANDE VALLEY.** Provides that the amount of \$16,700,000 is appropriated to DSHS from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of upgrading existing laboratory facilities associated with a level 1 trauma facility in Hidalgo County and new laboratory infrastructure in Starr County during the two-year period beginning on the effective date of this Act.

**SECTION 17. THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER AT HOUSTON: TEXAS EPIDEMIC PUBLIC HEALTH INSTITUTE.** Provides that the amount of \$40,000,000 is appropriated to The University of Texas Health Science Center at Houston from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of operating the Texas Epidemic Public Health Institute during the two-year period beginning on the effective date of this Act.

**SECTION 18. HIGHER EDUCATION COORDINATING BOARD: TEXAS RESKILLING AND UPSKILLING THROUGH EDUCATION (TRUE) PROGRAM.** (a) Provides that the amount of \$15,000,000 is appropriated to THECB from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of operating the Texas Reskilling and Upskilling through Education (TRUE) Program during the two-year period beginning on the effective date of this Act.

(b) Requires THECB to distribute the money appropriated by Subsection (a) of this section in a manner consistent with Subchapter T-2 (Texas Reskilling and Upskilling Through Education (TRUE) Program), Chapter 61 (Texas Higher Education Coordinating Board), Education Code, as added by Section 1, Chapter 601 (S.B. 1102), Acts of the 87th Legislature, Regular Session, 2021. Prohibits THECB from placing additional eligibility requirements on eligible entities beyond the statutory limitations of Subchapter T-2, Chapter 61, Education Code, as added by Section 1, Chapter 601 (S.B. 1102), Acts of the 87th Legislature, Regular Session, 2021, including matching fund requirements by recipients of money appropriated by this section.

**SECTION 19. HIGHER EDUCATION COORDINATING BOARD: PERFORMANCE-BASED FUNDING FOR AT-RISK STUDENTS AT COMPREHENSIVE REGIONAL UNIVERSITIES.** (a) Provides that the amount of \$20,000,000 is appropriated to THECB from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of allocating and distributing the money in a manner that is consistent with Subsection (b) of this section and Section 62.183(b) (relating to authorizing an alternative method of allocating comprehensive regional university funding to be provided by appropriation), Education Code, as added by Section 2, Chapter 186 (S.B. 1295), Acts of the 87th Legislature, Regular Session, 2021, during the state fiscal year beginning September 1, 2021.

(b) Requires THECB, after consultation with the LBB, to allocate and distribute the money appropriated by Subsection (a) of this section to each eligible institution, as defined by Section 62.181 (Definitions), Education Code, as added by Section 2, Chapter 186 (S.B. 1295), Acts of the 87th Legislature, Regular Session, 2021, in an amount equal to the sum of the following:

(1) \$250,000; and

(2) the product of:

(A) an amount of money (estimated to be \$400); and

(B) the average number of at-risk students awarded a degree by the eligible institution each year during the three state fiscal years preceding the first year of the state fiscal biennium beginning September 1, 2021.

**SECTION 20. DEPARTMENT OF AGRICULTURE: HOME-DELIVERED MEALS.** Provides that the amount of \$5,000,000 is appropriated to TDA from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for home-delivered meals during the two-year period beginning on the effective date of this Act.

**SECTION 21. GENERAL LAND OFFICE AND VETERANS LAND BOARD: TEXAS STATE VETERANS HOMES.** Provides that the amount of \$35,000,000 is appropriated to the General Land Office (GLO) and the Veterans Land Board from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for HVAC upgrades, negative pressure COVID-19 wards, and mobile HEPA air filtration units for Texas state veterans homes during the two-year period beginning on the effective date of this Act.

**SECTION 22. HEALTH AND HUMAN SERVICES COMMISSION: SUNRISE CANYON HOSPITAL.** Provides that the amount of \$15,000,000 is appropriated to HHSC from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the expansion of capacity of Sunrise Canyon Hospital.

**SECTION 23. HISTORICAL COMMISSION: WASHINGTON-ON-THE-BRAZOS CAPITAL PLAN PROJECT.** Provides that the amount of \$20,000,000 is appropriated to the Texas Historical Commission (THC) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for the purposes of THC's capital plan project for the Washington-on-the-Brazos state historic site.

**SECTION 24. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME.** (a) Provides that the amount of \$160,000,000 is appropriated to the Trusteed Programs within the Office of the Governor from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for grants for victims of crime during the two-year period beginning on the effective date of this Act.

(b) Provides that it is the intent of the legislature that grants made for victims of crime during the state fiscal year beginning September 1, 2021, and the state fiscal year

beginning September 1, 2022, equal grants made for victims of crime during the state fiscal year beginning September 1, 2020.

**SECTION 25. DEPARTMENT OF INFORMATION RESOURCES: CYBERSECURITY PROJECTS.** (a) Provides that the amount of \$200,000,000 is appropriated to the Department of Information Resources (DIR) for deposit into the Technology Improvement and Modernization Fund No. 187 and for use during the two-year period beginning on the effective date of this Act for the purpose of cybersecurity projects from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325. Requires DIR, before spending money appropriated under this subsection, to receive approval for the proposed cybersecurity projects from the Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects established under Section 2054.578 (Joint Oversight Committee on Investment in Information Technology Improvement and Modernization Projects), Government Code.

(b) Provides that the capital budget authority of DIR in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$200,000,000 for the appropriation made under Subsection (a) of this section.

**SECTION 26. TEXAS FACILITIES COMMISSION: PERMIAN BASIN BEHAVIORAL HEALTH CENTER.** (a) Provides that the amount of \$40,000,000 is appropriated to the Texas Facilities Commission (TFC) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of constructing a 100-bed comprehensive behavioral health center to serve the Permian Basin region during the two-year period beginning on the effective date of this Act.

(b) Requires that ownership of the building, upon completion of the construction described by Subsection (a) of this section, transfer to the Permian Basin Behavioral Health Center controlled by the Ector County Hospital District and the Midland County Hospital District.

(c) Provides that the appropriation under Subsection (a) of this section is contingent on the completion of a signed agreement between TFC and the Ector County Hospital District and the Midland County Hospital District guaranteeing the ongoing operations of the comprehensive behavioral health center described by Subsection (a) of this section by the Permian Basin Behavioral Health Center to ensure the continuing benefit to the residents of this state.

**SECTION 27. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT PROGRAM ACCOUNT.** Provides that the amount of \$52,277,114 is appropriated to the Office of the Attorney General (OAG) for deposit into the Sexual Assault Program Account No. 5010 and for use by the office as authorized by other law during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

**SECTION 28. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS COMPENSATION.** Provides that the amount of \$54,756,000 is appropriated to OAG for deposit into the Compensation to Victims of Crime Account No. 469 and for use by the office during the two-year period beginning on the effective date of this Act for the purpose of compensating crime victims from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

**SECTION 29. APPROPRIATIONS FOR SHORTFALL IN COURT FEES.** (a) Provides that to address matters related to shortfalls in court fee collections, the following amounts are appropriated to the following entities from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan

Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the indicated purposes for the two-year period beginning on the effective date of this Act:

(1) Comptroller of Public Accounts, Judiciary Section: \$7,000,000 for the purpose of addressing the backlog in court cases, including to pay for visiting judges and support staff;

(2) Office of Court Administration, Texas Judicial Council:

(A) \$3,000,000 for the purpose of addressing the backlog in court cases, including information technology support; and

(B) for Strategy D.1.1., Texas Indigent Defense Commission, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), \$13,942,466 for deposit into the Fair Defense Account No. 5073 and for use by the office for the purpose of addressing the backlog in court cases, as authorized by other law;

(3) Office of Capital and Forensic Writs: \$200,000 for the purpose of addressing the backlog in court cases and paying costs related to the coronavirus disease pandemic; and

(4) Texas Commission on Law Enforcement (TCOLE): \$5,800,000 for deposit into TCOLE Account No. 116 and for use by TCOLE as authorized by other law.

(b) Authorizes the Office of Court Administration, Texas Judicial Council, during the two-year period beginning on the effective date of this Act, in addition to the number of full-time equivalent (FTE) employees other law authorizes the office to employ during that period, to employ out of money appropriated by Subsection (a)(2)(A) of this section eight FTE employees.

(c) Authorizes the Office of Capital and Forensic Writs, during the two-year period beginning on the effective date of this Act, in addition to the number of FTE employees other law authorizes the office to employ during that period, to employ out of money appropriated by Subsection (a)(3) of this section one FTE employee.

(d) Provides that the capital budget authority of the Office of Court Administration, Texas Judicial Council, in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$1,330,680 for the appropriation made under Subsection (a)(2)(A) of this section.

**SECTION 30. COMMISSION ON STATE EMERGENCY COMMUNICATIONS: NEXT GENERATION 9-1-1 SERVICE FUND.** (a) Provides that the amount of \$150,000,000 is appropriated to the Commission on State Emergency Communications for deposit into the Next Generation 9-1-1 Service Fund No. 0195 and for use by the commission as authorized by other law for the deployment and reliable operation of next generation 9-1-1 service, including equipment and administration costs, during the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325.

(b) Provides that in accordance with Section 771.0713(f) (relating to requiring that all money in the Next Generation 9-1-1 Fund be distributed not later than December 31, 2022, and that all money distributed be spent not later than December 31, 2024, for the deployment and reliable operation of next generation 9-1-1 service), Health and Safety Code, it is the intent of the legislature that all money appropriated under Subsection (a) of this section be distributed not later than December 31, 2022, and all money distributed under this subsection be spent not later than December 31, 2024, for the purpose described by Subsection (a) of this section.



SECTION 31. DEPARTMENT OF TRANSPORTATION: PRESIDIO CUSTOMS INSPECTION STATION. Provides that the amount of \$15,500,000 is appropriated to the Department of Transportation from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for a customs inspection station on the South Orient Rail Line in Presidio, Texas, during the two-year period beginning on the effective date of this Act.

SECTION 32. TEACHER RETIREMENT SYSTEM: TRS-CARE AND TRS-ACTIVECARE. (a) Provides that the amount of \$286,337,761 is appropriated to the Teacher Retirement System of Texas from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for coronavirus-related claims in TRS-Care and TRS-ActiveCare.

(b) Provides that it is the intent of the legislature that premiums for TRS-Care and TRS-ActiveCare insurance policies not increase as a result of coronavirus-related claims.

(c) Provides that notwithstanding Subsection (b) of this section, it is the intent of the legislature that the premiums for TRS-Care and TRS-ActiveCare programs be calculated and adjusted taking into consideration the money appropriated under this section.

SECTION 33. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS. (a) Provides that the amount of \$378,300,000 is appropriated to HHSC from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding during the two-year period beginning on the effective date of this Act for HHSC to administer one-time grants related to providing critical staffing needs resulting from frontline health care workers affected by COVID-19, including recruitment and retention bonuses for staff:

(1) of nursing facilities, assisted living facilities, home health agencies, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care facility for individuals with intellectual disabilities or related conditions (ICF/IID); or

(2) who provide community attendant services.

(b) Provides that it is the intent of the legislature that HHSC prioritize grants to grantees that comply with the reporting requirements prescribed by Rider 143 (Health and Human Services Commission), Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), the reporting requirements established by Chapter 588 (S.B. 809), Acts of the 87th Legislature, 2021, or equivalent reporting requirements established by HHSC.

(c) Requires HHSC to annually report to the LBB the grants awarded under this section. Requires that the report include, for the year covered by the report, the amount of grants awarded, the award recipients, and the total amount of each grant used by the recipient. Requires that the report be submitted to the LBB not later than December 1 of the year in which the report is due.

(d) Provides that of the amount appropriated under Subsection (a) of this section:

(1) \$200,000,000 is required to be used only for grants for nursing facilities; and

(2) \$178,300,000 is required to be used only for grants for assisted living facilities, home health agencies, community attendants, and facilities that serve persons with intellectual or developmental disabilities in an intermediate care

facility for individuals with intellectual disabilities or related conditions (ICF/IID).

(e) Provides that it is the intent of the legislature that HHSC consider federal COVID-19 relief money received by providers when allocating the money described by Subsection (d)(2) of this section.

**SECTION 34. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTER INCUBATOR PROGRAM.** Provides that the amount of \$20,000,000 is appropriated to DSHS from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use during the two-year period beginning on the effective date of this Act for the Federally Qualified Health Center Incubator Program.

**SECTION 35. DEPARTMENT OF STATE HEALTH SERVICES: EMERGENCY MEDICAL SERVICES.** (a) Provides that the amount of \$21,700,000 is appropriated to DSHS from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for emergency medical response service staffing, including:

(1) funding for programs to incentivize and increase the number of Emergency Medical Technicians (EMTs) and paramedics that provide care on an ambulance, including funding for emergency medical services workforce development initiatives at regional advisory councils; and

(2) funding for Emergency Medical Services (EMS) education programs, including distance learning programs, to increase the number of EMTs and paramedics graduating from EMS education programs.

(b) Provides that it is the intent of the legislature that, consistent with state law, DSHS prioritize funding appropriated under Subsection (a) of this section for rural and underserved areas.

**SECTION 36. PARKS AND WILDLIFE DEPARTMENT: EDUCATION AND OUTREACH GRANTS.** Provides that the amount of \$40,000,000 is appropriated to the Texas Parks and Wildlife Department (TPWD) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for grants throughout this state as authorized by other law and consistent with Strategy C.2.1., Outreach and Education, as listed in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act).

**SECTION 37. GENERAL LAND OFFICE: BRAZORIA COUNTY BEACH AND DUNE MAINTENANCE.** Provides that the amount of \$5,000,000 is appropriated to GLO for the two-year period beginning on the effective date of this Act from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for use by the office to maintain with Brazoria County approximately 4,600 feet of beach and dunes along the Bluewater Highway and Beach Access Road Five.

**SECTION 38. GENERAL LAND OFFICE: ANALYSIS OF COASTAL TEXAS STUDY DESIGN ELEMENTS.** Provides that the amount of \$300,000 is appropriated to GLO from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to be used during the two-year period beginning on the effective date of this Act for the purpose of providing funding for a cost

and component analysis of the Coastal Texas Study design elements to be conducted by the Gulf Coast Protection District under an agreement between the office and the district.

**SECTION 39. TEXAS A&M UNIVERSITY: INSTITUTE FOR A DISASTER RESILIENT TEXAS.** (a) Provides that the amount of \$1,150,000 is appropriated to Texas A&M University - Galveston from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Institute for a Disaster Resilient Texas.

(b) Provides that out of amounts appropriated by Subsection (a) of this section:

(1) \$1,000,000 is authorized to be used only for Digital Flood Risk Infrastructure for Underserved Communities; and

(2) \$150,000 is authorized to be used only for office space in Houston.

**SECTION 40. TEXAS TECH UNIVERSITY AND UNIVERSITY OF HOUSTON: INSTITUTIONAL ENHANCEMENTS.** Provides that the amount of \$100,000,000 is appropriated from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for institutional enhancement during the two-year period beginning on the effective date of this Act to the following entities and in the following amounts:

(1) \$50,000,000 to Texas Tech University; and

(2) \$50,000,000 to the University of Houston.

**SECTION 41. COMPTROLLER OF PUBLIC ACCOUNTS: TEXAS SAFE KEEPING TRUST FUND.** (a) Provides that the amount of \$100,000,000 is appropriated to the comptroller from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for immediate deposit to an account or fund to be managed by the Texas Treasury Safekeeping Trust Company as trustee for the benefit of the State Preservation Board to maintain the Bob Bullock State History Museum.

(b) Provides that if an appropriation made under Subsection (a) of this section for any reason is determined by the United States Department of the Treasury or any other qualified state or federal authority to have been made for an improper use:

(1) the appropriated money is prohibited from being spent and is required to be retained in the treasury and available for later legislative appropriation; and

(2) an amount equal to the amount of the appropriation that was determined to have been made for an improper use is appropriated from the general revenue fund to the comptroller for the purpose described by Subsection (a) of this section.

**SECTION 42. PARKS AND WILDLIFE DEPARTMENT: TEXAS STATE AQUARIUM CENTER.** Provides that the amount of \$3,000,000 is appropriated to TPWD from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding to the Texas State Aquarium Center for wildlife research during the two-year period beginning on the effective date of this Act.

**SECTION 43. UNIVERSITY OF TEXAS AT AUSTIN: MARINE SCIENCE INSTITUTE HOUSING REPLACEMENT.** Provides that the amount of \$3,000,000 is appropriated to The University of Texas at Austin (UT-Austin) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American

Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the Marine Science Institute student housing replacement for the two-year period beginning on the effective date of this Act.

SECTION 44. TEXAS EDUCATION AGENCY: PROGRAM ENHANCEMENTS. Provides that the amount of \$3,000,000 is appropriated to the Texas Education Agency from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the big brothers and big sisters program technological staff enhancements for the two-year period beginning on the effective date of this Act.

SECTION 45. UNIVERSITY OF TEXAS AT AUSTIN: BRISCOE GARNER MUSEUM. Provides that the amount of \$235,000 is appropriated to UT-Austin from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 to UT-Austin for the Briscoe Garner Museum for the two-year period beginning on the effective date of this Act.

SECTION 46. HIGHER EDUCATION COORDINATING BOARD: RURAL VETERINARIANS GRANT PROGRAM. Provides that the amount of \$1,000,000 is appropriated to THECB from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of providing funding for the rural veterinarians grant program for the two-year period beginning on the effective date of this Act.

SECTION 47. STATE PRESERVATION BOARD: MAINTENANCE AND CAPITAL IMPROVEMENT PROJECTS. (a) Provides that the amount of \$25,000,000 is appropriated to the State Preservation Board (SPB) from money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 for the purpose of maintenance and capital improvement projects during the state fiscal biennium beginning September 1, 2021.

(b) Provides that the capital budget authority of SPB in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$25,000,000 for the appropriation made under Subsection (a) of this section.

SECTION 48. DEPARTMENT OF STATE HEALTH SERVICES AND HEALTH AND HUMAN SERVICES COMMISSION: FEDERAL FUNDS FOR HOSPITALS. Provides that it is the intent of the legislature that DSHS and HHSC, in distributing any money received from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus Relief Fund No. 325 distribute the money appropriated by this Act to entities that are subject to the hospital price transparency public disclosure requirements required by 45 C.F.R. Sections 180.10 - 180.60 and, on implementation of rules adopted under the chapter, by Chapter 327 (Disclosure of Prices), Health and Safety Code.

SECTION 49. REPORT ON FEDERAL FUNDS BY LEGISLATIVE BUDGET BOARD. (a) Requires the LBB, in consultation with the comptroller, to report on the LBB's Internet website:

- (1) for each political subdivision in this state, an informational listing of any money appropriated by this Act and received by the subdivision; and
- (2) for each state agency and each institution of higher education that receives money appropriated by this Act, an informational listing of the following:

(A) the amount of money received by the agency or institution;

(B) the federal legislation that authorized distribution of the money to the state, agency, or institution and the state legislation, if applicable, that appropriated the money to the agency or institution;

(C) the amount of money spent by the agency or institution;

(D) the allowable uses for which the agency or institution is authorized to spend money received by the agency or institution and the purposes for which the agency or institution has spent the money;

(E) the amount of money received by the agency or institution:

(i) that the agency or institution has not spent; and

(ii) that the agency or institution is authorized to spend without further appropriation; and

(F) the time during which money received by the agency or institution was spent by the agency or institution, including the remaining time in which the agency or institution is authorized to spend the money without further appropriation.

(b) Provides that this section does not apply to a hospital licensed under Chapter 241 (Hospitals), Health and Safety Code, or a hospital owned and operated by this state.

(c) Provides that it is the intent of the legislature that information required to be provided in a report on the LBB's Internet website under Subsection (a) of this section is required to be updated not less than once during each fiscal quarter and once on the first day of each fiscal quarter that occurs on or after December 1, 2021, until at least December 1, 2028.

**SECTION 50. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.** (a) Provides that it is the intent of the legislature that the appropriations made by this Act:

(1) are one-time appropriations made for the purpose of addressing the needs of this state for the two-year period beginning on the effective date of this Act; and

(2) be used:

(A) only for purposes authorized by state and federal law, including guidance issued by the United States Department of the Treasury in 86 Fed. Reg. 26786 (May 17, 2021); and

(B) before all other methods of finance, if more than one method of finance is available for the applicable purpose.

(b) Provides that except as specifically provided otherwise by this Act, it is the intent of the legislature that, if the United States Department of the Treasury or any other qualified state or federal authority determines that an appropriation made by this Act has been made for an improper use, the appropriated money not be spent and is required to be retained in the treasury and available for later legislative appropriation.

**SECTION 51. APPROPRIATION AUTHORITY UNDER FEDERAL LAW.** Provides that the appropriations made under Sections 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, and 47 of this Act using money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section 802(c)(1)(C), which allows money from the Coronavirus State Fiscal Recovery Fund to be used to provide government services to the extent of a reduction in the revenue of a state government caused by the COVID-19 public health

emergency relative to revenues collected in the most recent full fiscal year of the state government that ended before that emergency.

**SECTION 52. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER LAW.** Provides that the transfer provisions of Part 14, Article IX, Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), and the transfer provisions of Section 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular Session, 2021 (the Supplemental Appropriations Act), apply to the appropriations made by this Act to allow appropriate transfer of appropriations made by this Act as if the appropriations made by the General Appropriations Act, the Supplemental Appropriations Act, and this Act were all a part of the same Act, to the extent permitted by federal law.

**SECTION 53. EFFECTIVE DATE.** Effective date: upon passage.