

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 8  
By: Nelson  
Finance  
10/7/2021  
Committee Report (Substituted)

### **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)

C.S.S.B. 8 amends current law relating to making appropriations of certain federal coronavirus relief money.

### **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 SRC-CAP C.S.S.B. 8 87(3)

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 \$2,462,085,730 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 for the following purposes related to the coronavirus disease pandemic during the period beginning on the effective date of this Act and ending December 31, 2021:

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

(b) Provides that it is the intent of the legislature that any reimbursement received by DSHS from the Federal Emergency Management Agency related to expenditures paid from money appropriated under Subsection (a) of this section be deposited to the general revenue fund and not expended until appropriated by the 88th Legislature. Provides that appropriations made under Subsection (a) of this section that remain unobligated on January 1, 2022, lapse to the credit of the Coronavirus Relief Fund No. 325 and are prohibited from being expended until appropriated by the legislature.

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. TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. (a) Provides that the amount of \$160,000,000 is appropriated to the Trusted 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 during the state fiscal year beginning September 1, 2020.

SECTION 7. PUBLIC SAFETY AGENCIES: COMPENSATION. (a) Provides that 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, the following agencies are appropriated the following amounts for the purpose of providing compensation for agency employees for the state fiscal biennium beginning September 1, 2021:

(1) Texas Department of Criminal Justice: \$2,729,912,000; and

(2) Department of Public Safety of the State of Texas: \$806,836,021.

(b) Requires the agencies listed in Subsection (a) of this section to:

(1) in consultation with the comptroller and the Legislative Budget Board (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 the agencies receiving appropriations under Subsection (a) of this section 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 agencies.

**SECTION 8. 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 for coronavirus-related claims in TRS-Care and TRS-ActiveCare incurred before September 1, 2021, during the two-year period beginning on the effective date of this Act.

(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 incurred before September 1, 2021.

**SECTION 9. 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 10. 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 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.

**SECTION 11. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE OPERATIONS CENTER.** (a) Provides that the amount of \$300,000,000 is appropriated to the Texas Division of Emergency Management (TDEM) 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.

(b) Provides that the capital budget authority of TDEM in Chapter 1053 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the General Appropriations Act), is increased by \$300,000,000 for the appropriation made under Subsection (a) of this section.

**SECTION 12. 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.

(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 13. HIGHER EDUCATION COORDINATING BOARD: UNIVERSITY CONSTRUCTION.** 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.

**SECTION 14. 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 completing 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 15. HEALTH AND HUMAN SERVICES COMMISSION: STAFFING NEEDS.** (a) Provides that the amount of \$400,000,000 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 HHSC to administer one-time grants related to critical staffing needs of frontline health care workers affected by COVID-19, including recruitment and retention bonuses for nursing facilities, assisted living facilities, home health facilities, community attendants, and emergency medical services providers, during the two-year period beginning on the effective date of this Act.

(b) Provides that it is the intent of the legislature that HHSC prioritize grantees that comply with the reporting requirements prescribed by Rider 143, 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 annually to 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 must 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 authorized to be used only for grants for nursing facilities; and

(2) \$200,00,000 is authorized to be used only for grants for assisted living facilities, home health facilities, community attendants, and emergency medical services providers.

**SECTION 16. 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 17. 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 18. 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 19. 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 20. DEPARTMENT OF STATE HEALTH SERVICES: FEDERALLY QUALIFIED HEALTH CENTER INCUBATOR PROGRAM.** Provides that the amount of \$5,000,000 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 21. 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 in Starr County during the two-year period beginning on the effective date of this Act.

**SECTION 22. 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 23. 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 24. 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 consulting 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 25. 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 26. 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 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 27. 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 28. 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 29. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.** (a) Provides that it is the intent of the legislature that the appropriations made by this Act 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.

(b) Provides that it is the intent of the legislature that the appropriations made by this Act be used only for purposes authorized by state and federal law, including guidance issued by the United States Department of the Treasury as part of the interim final rules published in 86 Fed. Reg. 26786 (May 17, 2021).

(c) Provides that it is the intent of the legislature that the appropriations made by this Act be used before all other methods of finance if more than one method of finance has been appropriated by this and a prior act of the legislature for use during a state fiscal year.

(d) Provides that it is the intent of the legislature that if the purpose an appropriation, 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, the appropriated money not be spent and instead be retained in the treasury and available for later legislative appropriation.

SECTION 30. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. Provides that the appropriations made under Sections 2, 3, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, and 28 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 31. 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 32. EFFECTIVE DATE. Effective date: upon passage.