

By: Bonnen

H.B. No. 2

A BILL TO BE ENTITLED

1 AN ACT
2 relating to making supplemental appropriations and giving
3 direction regarding appropriations.

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

5 SECTION 1. COMPTROLLER OF PUBLIC ACCOUNTS: UNEMPLOYMENT
6 COMPENSATION FUND. The amount of \$7,245,419,946 is appropriated to
7 the comptroller of public accounts from money received by this
8 state from the Coronavirus State Fiscal Recovery Fund (42
9 U.S.C. Section 802) established under the American Rescue Plan Act
10 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
11 Coronavirus Relief Fund No. 325 for use during the state fiscal
12 year beginning September 1, 2021, for the purpose of immediately
13 depositing that amount to the credit of the unemployment
14 compensation fund under Section 203.021, Labor Code, to pay back
15 outstanding advances received by this state under Section 1201,
16 Social Security Act (42 U.S.C. Section 1321), and to return the
17 unemployment compensation fund to the statutory floor computed
18 under Section 204.061, Labor Code, on October 1, 2021, as
19 reimbursement for payments made as a result of the coronavirus
20 disease pandemic.

21 SECTION 2. DEPARTMENT OF STATE HEALTH SERVICES: COVID-19
22 SERVICES. (a) The amount of \$3,000,000,000 is appropriated to the
23 Department of State Health Services from money received by this
24 state from the Coronavirus State Fiscal Recovery Fund (42

1 U.S.C. Section 802) established under the American Rescue Plan Act
2 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
3 Coronavirus Relief Fund No. 325 for the following purposes related
4 to the coronavirus disease pandemic during the period beginning on
5 the effective date of this Act and ending December 31, 2021:

6 (1) providing funding for state and local hospital
7 surge staffing;

8 (2) purchasing therapeutic drugs; and

9 (3) providing funding for the operation of regional
10 infusion centers.

11 (b) It is the intent of the legislature that any
12 reimbursement received by the Department of State Health Services
13 from the Federal Emergency Management Agency related to
14 expenditures paid from money appropriated under Subsection (a) of
15 this section be deposited to the general revenue fund and not
16 expended until appropriated by the 88th Legislature.
17 Appropriations made under Subsection (a) of this section that
18 remain unobligated on January 1, 2022, lapse to the general revenue
19 fund.

20 SECTION 3. COMPTROLLER OF PUBLIC ACCOUNTS: BROADBAND
21 INFRASTRUCTURE. (a) The amount of \$500,475,163 is appropriated to
22 the comptroller of public accounts from money received by this
23 state from the Coronavirus Capital Projects Fund (42 U.S.C. Section
24 804) established under the American Rescue Plan Act of 2021
25 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
26 Relief Fund No. 325 for the purpose of providing funding for
27 broadband infrastructure in accordance with Section [490I.0108](#),

1 Government Code, and other applicable state or federal law during
2 the two-year period beginning on the effective date of this Act.

3 (b) Out of money appropriated by Subsection (a) of this
4 section, \$75,000,000 may be used only for the Texas broadband pole
5 replacement program.

6 SECTION 4. OFFICE OF THE GOVERNOR: VICTIMS OF CRIME. The
7 amount of \$160,000,000 is appropriated to the Office of the
8 Governor from money received by this state from the Coronavirus
9 State Fiscal Recovery Fund (42 U.S.C. Section 802) established
10 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and
11 deposited to the credit of the Coronavirus Relief Fund No. 325 for
12 the purpose of providing funding for grants for victims of crime
13 during the two-year period beginning on the effective date of this
14 Act.

15 SECTION 5. PUBLIC SAFETY AGENCY SALARY COMPENSATION. (a)
16 From money received by this state from the Coronavirus State Fiscal
17 Recovery Fund (42 U.S.C. Section 802) established under the
18 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited
19 to the credit of the Coronavirus Relief Fund No. 325, the following
20 agencies are appropriated the following amounts for the purpose of
21 providing compensation for agency employees for the state fiscal
22 biennium beginning September 1, 2021:

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

24 and

25 (2) Department of Public Safety: \$582,369,271.

26 (b) The agencies listed in Subsection (a) of this section
27 shall:

1 (1) in consultation with the comptroller of public
2 accounts and the Legislative Budget Board, determine the proper
3 allocation of benefits included in the appropriations made under
4 Subsection (a) of this section; and

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

8 (c) It is the intent of the legislature that the agencies
9 receiving appropriations under Subsection (a) of this section
10 consider the appropriations as a change in the method of finance of
11 the compensation to be paid to agency employees and not as an
12 increase in total appropriations to the agencies.

13 SECTION 6. TEACHER RETIREMENT SYSTEM: TRS-CARE AND
14 TRS-ACTIVECARE. (a) The amount of \$286,337,761 is appropriated to
15 the Teacher Retirement System from money received by this state
16 from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section
17 802) established under the American Rescue Plan Act of 2021
18 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
19 Relief Fund No. 325 for the purpose of providing funding for
20 coronavirus-related claims in TRS-Care and TRS-ActiveCare incurred
21 before September 1, 2021, during the two-year period beginning on
22 the effective date of this Act.

23 (b) It is the intent of the legislature that premiums for
24 TRS-Care and TRS-ActiveCare insurance policies not increase as a
25 result of coronavirus-related claims incurred before September 1,
26 2021.

27 SECTION 7. DEPARTMENT OF AGRICULTURE: FOOD BANKS. The

1 amount of \$100,000,000 is appropriated to the Department of
2 Agriculture from money received by this state from the Coronavirus
3 State Fiscal Recovery Fund (42 U.S.C. Section 802) established
4 under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and
5 deposited to the credit of the Coronavirus Relief Fund No. 325 for
6 the purpose of providing supplemental funding to food banks in
7 response to the coronavirus pandemic during the two-year period
8 beginning on the effective date of this Act.

9 SECTION 8. HIGHER EDUCATION COORDINATING BOARD: TEXAS CHILD
10 MENTAL HEALTH CARE CONSORTIUM. (a) The amount of \$113,082,887 is
11 appropriated to the Higher Education Coordinating Board from money
12 received by this state from the Coronavirus State Fiscal Recovery
13 Fund (42 U.S.C. Section 802) established under the American Rescue
14 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
15 the Coronavirus Relief Fund No. 325 for the purpose of supporting
16 the operations and expansion of the Texas Child Mental Health Care
17 Consortium to expand mental health initiatives for children during
18 the two-year period beginning on the effective date of this Act. At
19 the direction of the Texas Child Mental Health Care Consortium, the
20 Higher Education Coordinating Board shall transfer appropriations
21 through interagency contracts with health-related institutions of
22 higher education for the following purposes:

23 (1) \$20,578,442 for enhancements and expansion of the
24 Child Psychiatry Access Network;

25 (2) \$56,218,976 for enhancements and expansion of the
26 Texas Child Access Through Telemedicine program;

27 (3) \$32,991,791 for expansion of the child and

1 adolescent mental health workforce; and

2 (4) \$3,293,676 for administrative expenses.

3 (b) Not later than December 1, 2021, out of money
4 appropriated by Subsection (a) of this section, the Higher
5 Education Coordinating Board shall transfer \$3,293,676 to an
6 institution of higher education designated by the Texas Child
7 Mental Health Care Consortium for oversight and evaluation of the
8 outlined initiatives by means of interagency agreements or any
9 other necessary contracts.

10 (c) The Texas Child Mental Health Care Consortium may
11 transfer up to 10 percent of money appropriated for the purposes
12 described by Subsection (a)(1), (2), or (3) of this section to any
13 of the other purposes described by those provisions. The Texas
14 Child Mental Health Care Consortium may transfer more than 10
15 percent of funds for those purposes only with the prior approval for
16 the transfer and expenditure from the Legislative Budget Board. A
17 request for approval of the transfer and expenditure by the
18 consortium is considered approved unless the Legislative Budget
19 Board issues a written disapproval within 10 business days of the
20 receipt and review of the request by the Legislative Budget Board.

21 SECTION 9. TEXAS DIVISION OF EMERGENCY MANAGEMENT: STATE
22 OPERATIONS CENTER. The amount of \$300,000,000 is appropriated to
23 the Texas Division of Emergency Management from money received by
24 this state from the Coronavirus State Fiscal Recovery Fund (42
25 U.S.C. Section 802) established under the American Rescue Plan Act
26 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
27 Coronavirus Relief Fund No. 325 for the purpose of the acquisition

1 of land for, and construction of, a state operations center during
2 the two-year period beginning on the effective date of this Act.

3 SECTION 10. DEPARTMENT OF INFORMATION RESOURCES:
4 CYBERSECURITY PROJECTS. The amount of \$200,000,000 is appropriated
5 to the Department of Information Resources for deposit into the
6 Technology Improvement and Modernization Fund No. 187 and for use
7 during the two-year period beginning on the effective date of this
8 Act for the purpose of cybersecurity projects from money received
9 by this state from the Coronavirus State Fiscal Recovery Fund (42
10 U.S.C. Section 802) established under the American Rescue Plan Act
11 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
12 Coronavirus Relief Fund No. 325.

13 SECTION 11. HIGHER EDUCATION COORDINATING BOARD:
14 UNIVERSITY CONSTRUCTION. Contingent on H.B. ___ or similar
15 legislation by the 87th Legislature, 3rd Called Session, 2021,
16 relating to the issuance of tuition revenue bonds, becoming law,
17 the amount of \$500,000,000 is appropriated to the Higher Education
18 Coordinating Board from money received by this state from the
19 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)
20 established under the American Rescue Plan Act of 2021
21 (Pub. L. No. 117-2) and deposited to the credit of the Coronavirus
22 Relief Fund No. 325 for the purpose of university construction
23 during the two-year period beginning on the effective date of this
24 Act.

25 SECTION 12. HEALTH AND HUMAN SERVICES COMMISSION: DALLAS
26 STATE HOSPITAL. The amount of \$237,800,000 is appropriated to the
27 Health and Human Services Commission from money received by this

1 state from the Coronavirus State Fiscal Recovery Fund (42
2 U.S.C. Section 802) established under the American Rescue Plan Act
3 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
4 Coronavirus Relief Fund No. 325 for the purpose of completing
5 construction of a state hospital in Dallas during the two-year
6 period beginning on the effective date of this Act.

7 SECTION 13. TEXAS UNIVERSITY FUND. Contingent on
8 H.J.R. 13, or similar legislation by the 87th Legislature, 3rd
9 Called Session, 2021, relating to establishing the Texas University
10 Fund to provide funding for research activities conducted by public
11 institutions of higher education in this state being approved by
12 the voters, the amount of \$2 billion is appropriated from the
13 economic stabilization fund to the Texas University Fund for use
14 consistent with H.J.R. 13 during the two-year period beginning on
15 the effective date of this Act.

16 SECTION 14. OFFICE OF THE ATTORNEY GENERAL: SEXUAL ASSAULT
17 FUND. The amount of \$52,277,114 is appropriated from the money
18 received by this state from the Coronavirus State Fiscal Recovery
19 Fund (42 U.S.C. Section 802) established under the American Rescue
20 Plan Act of 2021 (Pub. L. No. 117-2) and deposited to the credit of
21 the Coronavirus Relief Fund No. 325 to the Office of the Attorney
22 General for deposit to the General Revenue Dedicated Sexual Assault
23 Fund Account No. 5010 for use during the two-year period beginning
24 on the effective date of this Act.

25 SECTION 15. OFFICE OF THE ATTORNEY GENERAL: CRIME VICTIMS
26 COMPENSATION. The amount of \$54,756,000 is appropriated from the
27 money received by this state from the Coronavirus State Fiscal

1 Recovery Fund (42 U.S.C. Section 802) established under the
2 American Rescue Plan Act of 2021 (Pub. L. No. 117-2) and deposited
3 to the credit of the Coronavirus Relief Fund No. 325 to the Office
4 of the Attorney General for deposit to General Revenue Dedicated
5 Crime Victims Compensation Account No. 469 to be used during the
6 two-year period beginning on the effective date of this Act for
7 crime victims compensation.

8 SECTION 16. COURT FEE SHORTFALL. From the money received by
9 this state from the Coronavirus State Fiscal Recovery Fund (42
10 U.S.C. Section 802) established under the American Rescue Plan Act
11 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
12 Coronavirus Relief Fund No. 325, the following entities are
13 appropriated the following amounts for the indicated purposes to be
14 used immediately during the two-year period beginning on the
15 effective date of this Act to address matters that have not been
16 addressed because of court fee collections shortfalls:

17 (1) Comptroller of Public Accounts - Judiciary
18 Section: \$14,854,228 for court case backlog including for visiting
19 judges and support staff;

20 (2) Office of Court Administration: \$10,338,158 for
21 court case backlog including authorization of eight additional full
22 time equivalent employees (FTEs) and information technology
23 support;

24 (3) Office of Court Administration - Texas Indigent
25 Defense Commission (TIDC): \$63,698,784 for court case backlog for
26 public defenders and two additional full time equivalent employees
27 (FTEs);

1 (4) Office of Court Administration - Texas Indigent
2 Defense Commission (TIDC): \$13,942,466 for court case backlog for
3 deposit to the General Revenue Dedicated Fair Defense Account
4 No. 5073;

5 (5) Office Of Capital And Forensic Writs: \$200,000 for
6 court case backlog, COVID costs, and one additional full time
7 equivalent employee (FTE); and

8 (6) Texas Commission on Law Enforcement: \$9,400,000
9 for deposit to General Revenue Dedicated Texas Commission on Law
10 Enforcement Account No. 116.

11 SECTION 17. DEPARTMENT OF STATE HEALTH SERVICES: MONOCLONAL
12 ANTIBODY TREATMENTS. The amount of \$140 million is appropriated to
13 the Department of State Health Services from money received by this
14 state from the Coronavirus State Fiscal Recovery Fund (42
15 U.S.C. Section 802) established under the American Rescue Plan Act
16 of 2021 (Pub. L. No. 117-2) and deposited to the credit of the
17 Coronavirus Relief Fund No. 325 for the purpose of providing
18 funding for the purchase of monoclonal antibody treatments for the
19 coronavirus disease during the two-year period beginning on the
20 effective date of this Act.

21 SECTION 18. LEGISLATIVE INTENT REGARDING APPROPRIATIONS.
22 It is the intent of the legislature that the appropriations made by
23 this Act are one-time appropriations made for the purpose of
24 addressing the needs of this state for the two-year period
25 beginning on the effective date of this Act.

26 SECTION 19. APPROPRIATION AUTHORITY UNDER FEDERAL LAW. The
27 appropriations made under Sections 4, 7, 8, 9, 10, 11, 12, 14, 15,

1 and 16 of this Act using money received by this state from the
2 Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802)
3 established under the American Rescue Plan Act of 2021
4 (Pub. L. No. 117-2) are made in accordance with 42 U.S.C. Section
5 802(c)(1)(C), which allows money from the Coronavirus State Fiscal
6 Recovery Fund to be used to provide government services to the
7 extent of a reduction in the revenue of a state government caused by
8 the COVID-19 public health emergency relative to revenues collected
9 in the most recent full fiscal year of the state government that
10 ended before that emergency.

11 SECTION 20. APPLICABILITY OF TRANSFER PROVISIONS OF OTHER
12 LAW. The transfer provisions of Part 14, Article IX, Chapter 1053
13 (S.B. 1), Acts of the 87th Legislature, Regular Session, 2021 (the
14 General Appropriations Act), and the transfer provisions of Section
15 65, Chapter 995 (H.B. 2), Acts of the 87th Legislature, Regular
16 Session, 2021 (the Supplemental Appropriations Act), apply to the
17 appropriations made by this Act to allow appropriate transfer of
18 appropriations made by this Act as if the appropriations made by the
19 General Appropriations Act, the Supplemental Appropriations Act,
20 and this Act were all a part of the same Act, to the extent permitted
21 by federal law.

22 SECTION 21. EFFECTIVE DATE. This Act takes effect
23 immediately.