

**Greg Bonnen**  
Chairman



**Mary González**  
Vice Chair

**TEXAS HOUSE OF REPRESENTATIVES  
COMMITTEE ON APPROPRIATIONS**

**AGENDA**

MARCH 29, 2021  
11:00 AM  
CAPITOL EXTENSION, E1.030

- I. CALL TO ORDER**
- II. CHAIRMAN’S OPENING REMARKS**
- III. FEDERAL FUNDS UPDATE**
  - Sarah Hicks, Director of Policy and Budget, Office of the Governor
- IV. BUDGET RECOMMENDATIONS FOR ARTICLE I**

LEGISLATIVE BUDGET BOARD

  - Lena Conklin, Manager, General Government & Information Technology Team
  - Wayne Pulver, Assistant Director
- V. BUDGET RECOMMENDATIONS FOR ARTICLE IV**

LEGISLATIVE BUDGET BOARD

  - Mark Wiles, Manager, Judiciary Team
  - Wayne Pulver, Assistant Director
- VI. BUDGET RECOMMENDATIONS FOR ARTICLE V**

LEGISLATIVE BUDGET BOARD

  - Katy Fallon-Brown, Manager, Public Safety & Criminal Justice Team
  - Wayne Pulver, Assistant Director
- VII. BUDGET RECOMMENDATIONS FOR ARTICLE II**

LEGISLATIVE BUDGET BOARD

  - Julie Lindsey, Manager, Health & Human Services Team
  - Wayne Pulver, Assistant Director
- VIII. CLOSING REMARKS**
- IX. ADJOURN**

Coronavirus Relief Fund Allocations as of 3.26.21

State CRF Funding Summary	Texas Total	\$11,243,461,411
	Direct to Local Governments	\$3,205,147,120
	State of Texas Total	\$8,075,729,465

Current Uses of CRF		
Subject	Agency/Use	CRF Allocated
Local Assistance	TDEM - Funding for City and Council COVID-19 Response (May 2020)	\$583,082,555
Health and Safety Expenses	Texas Division of Emergency Management - PPE, Food Banks, and Testing (May 2020)	\$250,000,000
	TDEM - PPE, Food Banks, and Testing (September 2020)	\$250,000,000
	Department of State Health Services - Surge Medical Staffing and Supplies Costs (July 2020)	\$300,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (August 2020)	\$250,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (September 2020)	\$200,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (October 2020)	\$448,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (November 2020)	\$250,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (December 2020)	\$144,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (December 2020)	\$125,000,000
	DSHS - Surge Medical Staffing and Supplies Costs (January 2021)	\$292,500,000
	DSHS - Surge Medical Staffing and Supplies Costs (January 2021)	\$445,300,000
	DSHS - Surge Medical Staffing and Supplies Costs (February 2021)	\$274,700,000
	DSHS - Surge Medical Staffing and Supplies Costs (February 2021)	\$417,500,000
	DSHS - Surge Medical Staffing and Supplies Costs (March 2021)*	\$499,500,000
	DSHS - HIV Medication Program COVID-19 Related Shortfall (March 2021)*	\$34,400,000
	Texas Military Department - Health Response Staffing (October 2020 and December 2020)	\$2,375,941
	VLB/GLO - Veterans Home Costs (December 2020 and January 2021)	\$26,125,460
Education	TEA - Operation Connectivity Bulk Purchase Program (July 2020)	\$200,000,000
	TDEM - SY19-20 Local Education Agency Reimbursement (October 2020)	\$200,000,000
Public Health and Public Safety Salaries for Employees Substantially Dedicated to COVID-19 Response	Department of State Health Services (March 1 - October 31)	\$100,167,327
	Texas Department of Criminal Justice (March 1 - December 30)	\$1,592,142,678
	Texas Juvenile Justice Department (March 1 - October 31)	\$64,652,069
	Department of Public Safety (March 1 - October 31)	\$620,084,870
	Texas Military Department (March 1 - October 31)	\$6,207,725
	Texas Parks and Wildlife Department (March 1 - October 31)	\$20,947,697
	Department of Family and Protective Services (March 1 - October 31)	\$296,049,543
	Texas Alcoholic Beverage Commission (March 1 - October 31)	\$33,955,087
	UT MD Anderson (March 1 - October 31)	\$69,170,945
	UT Medical Branch Galveston (March 1 - October 31)	\$41,630,008
	UT Health Science Center Tyler (March 1 - October 31)	\$9,651,458
State Agency Uses	Office of Court Administration - Essential Legal Service Assistance (October 2020)	\$4,218,000
	State Preservation Board - Leave Costs for the Museum (December 2020)	\$2,121,972
	Department of Information Resources - IT Bulk Purchase Program (January 2021)	\$7,246,130
	Secretary of State - Census Outreach Assistance (September 2020)	\$15,000,000
Subtotal - Approved to Date		\$8,075,729,465
CRF Remaining		\$0

Future Uses of CRF		
Subject	Agency/Use	Total Cost
Health and Safety Expenses	TDEM - PPE and Testing	\$103,000,000
	DSHS - Surge Medical Staffing and Supplies Costs	\$1,502,600,000
Public Health and Public Safety Salaries	Encumbered Funding for Verified Costs (November 1 - December 30)	\$645,340,593

\*Denotes transfers since the 2/22/21 House Appropriations Hearing

**House Appropriations Committee Decision Document**  
**Representative González, Subcommittee Chair on Articles I, IV, and V**  
**Members: Representatives Ashby, Holland, Schaefer, and Sherman**

Decisions as of March 24, 2021 @ 3:00 p.m.

LBB Manager: Lena Conklin

Article I, General Government Total, Article I, General Government Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Commission on the Arts (813)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 1,268,954	\$ 1,268,954	\$ -	\$ -	\$ -	\$ -	\$ 1,268,954	\$ 1,268,954
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Office of the Attorney General (302)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 106,017,996	\$ 162,631,569	\$ -	\$ -	\$ (5,400,000)	\$ -	\$ 46,304,868	\$ 52,170,632
Total, Full-time Equivalents / Tentative Decisions	154.0	154.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Bond Review Board (352)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 181,341	\$ 181,341	\$ -	\$ -	\$ -	\$ -	\$ 181,341	\$ 181,341
Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0
<b>Cancer Prevention and Research Institute of Texas (542)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ 6,236,064	\$ -	\$ -	\$ -	\$ 6,236,064	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	8.0	8.0	0.0	0.0	8.0	8.0	0.0	0.0
<b>Comptroller of Public Accounts (304)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Fiscal Programs - Comptroller of Public Accounts (30R)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 2,589,008	\$ 2,589,008	\$ -	\$ -	\$ -	\$ -	\$ 2,589,008	\$ 2,589,008
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Informational Listing: Social Security and BRP (S22)</b>								
Total, Outstanding Items / Tentative Decisions	\$ (98,996,489)	\$ (1,363,709)	\$ -	\$ -	\$ (98,996,489)	\$ (1,363,709)	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Total, Article I, General Government Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
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	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Commission on State Emergency Communications (477)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 383,146	\$ 383,146	\$ -	\$ -	\$ -	\$ -	\$ 297,646	\$ 297,646
Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0
<b>Texas Emergency Services Retirement System (326)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 110,448	\$ 110,448	\$ -	\$ -	\$ -	\$ -	\$ 110,448	\$ 110,448
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Employees Retirement System (327)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 361,912,818	\$ 1,053,905,085	\$ -	\$ -	\$ (426,870,320)	\$ (4,122,223)	\$ 788,783,138	\$ 1,058,027,308
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Texas Ethics Commission (356)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 718,784	\$ 718,784	\$ -	\$ -	\$ -	\$ -	\$ 72,194	\$ 72,194
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Texas Facilities Commission (303)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 343,331,545	\$ 343,331,545	\$ -	\$ -	\$ -	\$ -	\$ 38,502,733	\$ 38,502,733
Total, Full-time Equivalents / Tentative Decisions	84.8	85.8	0.0	0.0	0.0	0.0	65.8	65.8
<b>Texas Public Finance Authority (347)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 82,924	\$ 615,008	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 186,711
Total, Full-time Equivalents / Tentative Decisions	2.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Office of the Governor (301)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Trusted Programs within the Office of the Governor (300)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ 90,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000,000
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Total, Article I, General Government Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
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	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Texas Historical Commission (808)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 42,450,565	\$ 43,156,565	\$ -	\$ -	\$ 4,389,000	\$ 4,389,000	\$ 2,556,070	\$ 2,556,070
Total, Full-time Equivalents / Tentative Decisions	14.1	14.1	0.0	0.0	9.5	9.5	0.0	0.0
<b>Department of Information Resources (313)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 45,129,622	\$ 46,943,385	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	15.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Texas Library and Archives Commission (306)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 30,600,042	\$ 30,600,042	\$ -	\$ -	\$ 3,750,000	\$ 3,750,000	\$ 180,042	\$ 180,042
Total, Full-time Equivalents / Tentative Decisions	6.0	6.0	0.0	0.0	5.0	5.0	1.0	1.0
<b>Pension Review Board (338)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 112,875	\$ 112,875	\$ -	\$ -	\$ -	\$ -	\$ 112,875	\$ 112,875
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>State Preservation Board (809)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 39,516,278	\$ 39,516,278	\$ -	\$ -	\$ 2,505,124	\$ 2,505,124	\$ 777,154	\$ 777,154
Total, Full-time Equivalents / Tentative Decisions	5.9	5.9	0.0	0.0	0.0	0.0	5.9	5.9
<b>State Office of Risk Management (479)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Secretary of State (307)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 54,416,701	\$ 54,416,701	\$ -	\$ -	\$ -	\$ -	\$ 5,095,143	\$ 5,095,143
Total, Full-time Equivalents / Tentative Decisions	8.0	8.0	0.0	0.0	0.0	0.0	8.0	8.0
<b>Texas Veterans Commission (403)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 1,829,169	\$ 1,829,169	\$ -	\$ -	\$ -	\$ -	\$ 1,371,540	\$ 1,371,540
Total, Full-time Equivalents / Tentative Decisions	13.0	13.0	0.0	0.0	0.0	0.0	13.0	13.0
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ 931,655,727</b>	<b>\$ 1,877,182,258</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (520,622,685)</b>	<b>\$ 11,394,256</b>	<b>\$ 888,203,154</b>	<b>\$ 1,253,499,799</b>

Article I, General Government Total, Article I, General Government Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<u>NO-COST ADJUSTMENTS</u>								
1 Historical Commission (808)	\$ (4,389,000)	\$ (4,389,000)	\$ -	\$ -	\$ (4,389,000)	\$ (4,389,000)	\$ -	\$ -
<b>Total, NO COST ADJUSTMENTS</b>	\$ (4,389,000)	\$ (4,389,000)	\$ -	\$ -	\$ (4,389,000)	\$ (4,389,000)	\$ -	\$ -
<b>Total GR &amp; GR-Ded Adopted Items less Cost-out Adjustments</b>	<u>\$ 927,266,727</u>	<u>\$ 1,872,793,258</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ (525,011,685)</u>	<u>\$ 7,005,256</u>	<u>\$ 888,203,154</u>	<u>\$ 1,253,499,799</u>
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	<b>312.8</b>	<b>312.8</b>	<b>0.0</b>	<b>0.0</b>	<b>22.5</b>	<b>22.5</b>	<b>95.7</b>	<b>95.7</b>

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article I, General Government Commission on the Arts (813) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<u>Agency Requests:</u>									
1.	Request to restore 5% budget reduction to allocate to arts organizations to offset COVID-19 related revenue loss.	\$ 1,268,954	\$ 1,268,954					\$ 1,268,954	\$ 1,268,954
Total, Outstanding Items / Tentative Decisions		\$ 1,268,954	\$ 1,268,954	\$ -	\$ -	\$ -	\$ -	\$ 1,268,954	\$ 1,268,954
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Office of the Attorney General (302) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Amend language in Rider 7, Appropriation of Receipts, Court Costs, to include \$20,983,263 per fiscal year in appropriation of court costs, attorneys' fees, and investigative costs recovered by the OAG as Appropriated Receipts (Other Funds) for A.1.1, Legal Services and B.1.1, Child Support Enforcement.	\$ -	\$ -			Adopted			
2. Adjust the General Revenue appropriation amount to \$6,209,094 provided in Rider 30, Human Trafficking Prevention, to reconcile with the amount provided in Article IX, Sec. 17.12 for Human Trafficking Prevention. <b>HB 1 as Introduced includes \$6,209,092 in Rider 30 in funding for Human Trafficking Prevention.</b>	\$ -	\$ -			Adopted			
<b>Other Budget Issues:</b>								
1. GR-D Compensation to Victims of Crime Account 469 Balance Deficiency. Amounts in the introduced General Appropriations Bill is projected to result in a negative fund balance at the end of FY 2023. Beginning FY 2022 balances are estimated by OAG to be \$11.2 million with revenues of \$133.7 million over the biennium (total available \$145 million). Funding in the introduced bill, including End of Article benefits includes \$158.8 million, detailed below, <u>resulting in a negative ending balance of \$13.8 million.</u> In addition, the OAG maintains a \$10 million emergency reserve in case crime victim claims exceed projections and to allow for an additional 5 percent excess revenue for certification (\$6.2 million) required by statute (Code of Criminal Procedure, Article 56B.460). If those amounts are factored in, the resulting negative balance is \$30.3 million.					Adopted \$13,765,175 in GR at Health and Human Services Commission and corresponding reduction in GR-D 469 for Child Advocacy Programs. No change to OAG.			



		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article I, General Government Office of the Attorney General (302) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	Funding in the introduced bill includes a total of \$158,755,404: - Attorney General: \$125,245,380 - Health and Human Services Commission: \$20,459,688 - End of Article: \$13,050,336								
2.	GR-D Sexual Assault Program Account 5010 Balance Deficiency. Amounts in the introduced General Appropriations Bill is projected to result in a negative fund balance at the end of FY 2023. Beginning FY 2022 balances are estimated by OAG to be \$3.7 million with revenues of \$37.8 million over the biennium (total available \$41.5 million). Funding in the introduced bill, including End of Article benefits includes \$52.7 million, detailed below, <u>resulting in a negative ending balance of \$11.2 million.</u>					Adopted \$11,186,740 in GR for Health and Human Services Commission (\$10,000,000) and Governor Trusteed Programs (\$1,186,740) and corresponding reductions of GR-D 5010 at those agencies. No change to OAG.			
	Funding in the introduced bill includes a total of \$52,677,297: - Attorney General: \$19,208,611 - Governor Trusteed Programs: \$2,000,000 - Health and Human Services Commission: \$10,000,000 - Supreme Court: \$10,000,000 - Department of Public Safety: \$9,900,022 - End of Article (benefits for DPS staff): \$1,558,664								
<b>Agency Requests:</b>									
1.	Restore Appropriated Receipts UB to Legal Services Strategy. This reduces the Appropriated Receipts amount in C.1.2, Victims Assistance from \$33,059,998 to \$0 and the amount in A.1.1, Legal Services from \$0 to \$33,059,998. Also adjust FTEs by 154.0 each fiscal year. <b>HB 1 as Introduced reallocates \$33.1 million in Appropriated Receipts UB from A.1.1, Legal Services to C.1.2, Victims Assistance.</b>	\$ -	\$ -						

Article I, General Government Office of the Attorney General (302) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. Restore funding for Victims Assistance Programs (VAP) and Grants Administration via method of finance swap of General Revenue for Appropriated Receipts.	\$ 41,247,299	\$ 41,247,299						
3. Method of finance swap for Crime Victims' Claim Payments. Swap of \$5.4 million in General Revenue-Dedicated Account No. 0469 for \$5.4 million in Federal Funds. This involves an accelerated use of VOCA grants to mitigate revenue decline General Revenue-Dedicated Account No. 0469.	\$ (5,400,000)	\$ -			\$ (5,400,000)	\$ -		
4. Funding for CAPPs Finance Transition Phase II. Request for funding to transition to CAPPs Financial tower.	\$ 4,120,889	\$ 4,224,001						
a. General Revenue: \$4,120,889								
b. Interagency Contracts: \$103,112								
5. Funding for Legal Case Legacy Modernization project, which will replace legacy legal applications remaining on the agency's mainframe system. The agency's current mainframe system will not be supported beyond FY 2023.	\$ 4,698,192	\$ 4,841,500						
a. General Revenue: \$4,698,192								
b. Interagency Contracts: \$143,308								
6. Funding for Child Support IT Modernization Project Phase 1. This item includes reallocating Appropriated Receipts from the C.1.2 Victims Assistance to E.1.1 Agency IT Projects, as well as restoration of matching Federal Funds.	\$ -	\$ 15,892,997						
a. Appropriated Receipts: \$8,187,301								
b. Federal Funds: \$15,892,997								
7. Funding for Child Support IT Modernization Project Phase 2.	\$ 15,046,748	\$ 44,255,140						
a. General Revenue: \$11,114,674								
b. Child Support Retained Collections (GR): \$3,932,074								
c. Federal Funds: \$29,208,392								

Article I, General Government Office of the Attorney General (302) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
8.	Restore Child Support Funding. <b>HB 1 includes \$653.1 million in base funding for Child Support Enforcement.</b>	\$ 3,021,756	\$ 8,887,520					\$ 3,021,756	\$ 8,887,520
	a. General Revenue: \$1,510,878								
	b. Child Support Retained Collections: \$1,510,878								
	c. Federal Funds: \$5,865,764								
9.	General Revenue funding for the State of Texas vs. Google, LLC Litigation that is being pursued by the OAG. These appropriations would be used to attain outside legal counsel related to anti-trust. Add new rider designating funding and purpose.	\$ 43,283,112	\$ 43,283,112					\$ 43,283,112	\$ 43,283,112
10.	Modification of Rider 18, Unexpended Balances Carried Forward Between Biennia, to designate amounts of \$33,059,998 million for A.1.1, Legal Services and \$8,187,301 million for E.1.1, Agency IT Projects. This correlates with funding requests #1 and #6.	\$ -	\$ -						
11.	Revision of Rider 9, Victims Assistance Grants, in accordance with funding requests #1, 2 and 6.	\$ -	\$ -						
12.	Addition of new rider, Cash Flow Contingency, which allows the agency to access additional General Revenue in the event that receipts for GR-D 5010 Sexual Assault Program do not sufficiently materialize to meet expenses.	\$ -	\$ -						
13.	Restoration of language in Rider 2, Capital Budget, to allow transfer of capital funding to noncapital items.	\$ -	\$ -						
14.	Deletion of Rider 32, Outside Legal Fees, which requires for the OAG to cover the cost of outside legal expenses for a client agency, if the OAG chooses to recuse itself from representing the agency.								

Article I, General Government Office of the Attorney General (302) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
15.	Addition of new rider, Unexpended Balance Authority Seized Assets, which provides agency the ability to UB collected seized assets from one biennia to the next.	\$ -	\$ -						
16.	Restoration of Rider 33, TXCSES 2.0, indicating cancellation of the project. This request is made with the intent of protecting the state against litigation. This item is not contingent on restoration of funding for the Child Support IT Modernization Project.	\$ -	\$ -			Adopted			
Subcommittee Revisions and Additions:									
1.	Revise Rider 32, Outside Legal Fees, to adjust the circumstances in which the Office of the Attorney General must cover the cost of outside legal counsel for a client agency. Revision would require the OAG to cover the cost when it declines a state agency request to provide legal representation in litigation.					Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 106,017,996	\$ 162,631,569	\$ -	\$ -	\$ (5,400,000)	\$ -	\$ 46,304,868	\$ 52,170,632
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		154.0	154.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Bond Review Board (352) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>									
1.	General Revenue funding to restore 5% reductions to prevent a reduction in staff and to address an increase in workload related to analysis of local bond debt.	\$ 90,341	\$ 90,341					\$ 90,341	\$ 90,341
2.	General Revenue funding for an additional Accounting Tech FTE for analysis of local bond debt.	\$ 91,000	\$ 91,000					\$ 91,000	\$ 91,000
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 181,341</b>	<b>\$ 181,341</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 181,341</b>	<b>\$ 181,341</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0

Article I, General Government Cancer Prevention and Research Institute of Texas (542) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Modify the current allocation to include \$6,236,064 in General Obligation (GO) Bond proceeds to reflect the amount transferred to the Department of State Health Services in Rider 4, Transfer to Department of State Health Services for the Cancer Registry to provide CPRIT the fully authorized \$600 million in GO Bonds. <b>HB 1 as Introduced includes \$593,763,936 in GO Bonds.</b>	\$ -	\$ 6,236,064			\$ -	\$ 6,236,064		
<b>Agency Requests:</b>								
1. Request to reallocate \$6,298,752 in G.O. bond proceeds from Strategy A.1.1, Award Cancer Research Grants and Strategy A.1.2, Award Cancer Prevention Grants to maintain the current funding level in A.1.3 Grant Review and Award Operations. This includes increases in honoraria for peer reviewers, grant support services and evaluations, as well as an interagency contract with the Texas Safekeeping Trust Company. This request also includes a transfer of \$900,000 for the biennium from grant Strategies A.1.1 and A.1.2 to Strategy B1.1, Indirect Administration to cover a significant increase in the agency's Statewide Cost Allocation Plan (SWCAP) cost share amount of \$448,525 per fiscal year.	\$ -	\$ -			Adopted			

Article I, General Government Cancer Prevention and Research Institute of Texas (542) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2.	Request to reallocate \$1,204,746 in G.O. bond proceeds from Strategy A.1.1, Award Cancer Research Grants, and Strategy A.1.2, Award Cancer Prevention Grants to Strategy A.1.3, Grant Review and Award Operations, and Strategy B.1.1, Indirect Administration, to add the following 8.0 FTE positions: -2.0 Grant Accountants -1.0 Accountant -3.0 Grant Compliance Specialists -1.0 Program Manager, Academic Research Program -1.0 Program Manager, Product Development Research Program	\$ -	\$ -			Adopted			
3.	Increase in authority for the Chief Scientific Officer by 10.0 percent from \$553,500 to \$608,850. The agency would use existing GO Bond funds in Strategy A.1.3, Grant Review and Award Operations.	\$ -	\$ -						
Total, Outstanding Items / Tentative Decisions		\$ -	\$ 6,236,064	\$ -	\$ -	\$ -	\$ 6,236,064	\$ -	\$ -
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		8.0	8.0	0.0	0.0	8.0	8.0	0.0	0.0

Article 1, General Government Comptroller of Public Accounts (304) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0



Article 1, General Government Comptroller - Fiscal Programs (30R) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b><u>Agency Requests:</u></b>								
1. Law Enforcement Education Funds. Agency requests restoration of 5% reduction from the General Revenue-Dedicated Law Enforcement Officer Standards and Education Account 116. Funding is provided to local law enforcement agencies to provide continuing education for licensed peace officers. <b>HB1 as Introduced includes \$11,400,000 in GR-D Fund 116 for the biennium in Strategy A.1.7, Law Enforcement Education Funds.</b>	\$ 600,000	\$ 600,000					\$ 600,000	\$ 600,000
2. Advanced Tax Compliance. Agency requests restoration of 5% General Revenue reduction. Funds are used to ensure tax compliance including conducting tax audits and collecting all legally due taxes. <b>HB1 as Introduced includes \$13,246,465 in General Revenue for the biennium in Strategy A.1.8, Advanced Tax Compliance.</b>	\$ 697,183	\$ 697,183					\$ 697,183	\$ 697,183
3. Habitat Protection Fund. Agency requests restoration of 5% General Revenue reduction. Funds are used to contract with public universities to conduct research studies on species of interest, including candidate, threatened, or endangered species. <b>HB1 includes \$4,750,000 in General Revenue for the biennium in Strategy A.1.11, Habitat Protection Fund.</b>	\$ 250,000	\$ 250,000					\$ 250,000	\$ 250,000

Article 1, General Government Comptroller - Fiscal Programs (30R) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
4.	Disabled Veteran Assistance Payments to Cities and Counties. Agency requests restoration of 5% General Revenue reduction. Funds are used to provide state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans. <b>HB1 as Introduced includes \$19,000,000 in General Revenue for the biennium in Strategy A.1.13, Disabled Veteran Assistance Payments.</b>	\$ 1,000,000	\$ 1,000,000					\$ 1,000,000	\$ 1,000,000
5.	Promote and Manage Energy Programs. Agency requests restoration of 5% General Revenue reduction for administration of the State Energy Conservation Office (SECO). SECO promotes and supports energy efficiency, water efficiency, and clean energy technology deployment to reduce utility costs for taxpayer-supported facilities. <b>HB1 as Introduced includes \$794,669 in General Revenue and \$3,216,669 in All Funds for the biennium in Strategy B.1.1, Energy Programs.</b>	\$ 41,825	\$ 41,825					\$ 41,825	\$ 41,825
<b>Subcommittee Revisions and Additions:</b>									
1.	Revise Rider 21, Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan, to authorize funds appropriated in Strategy A.1.12, Texas Guaranteed Tuition Plan, to be used to pay operational costs and refunds in addition to payment of tuition and required fees.					Adopted			
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 2,589,008</b>	<b>\$ 2,589,008</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,589,008</b>	<b>\$ 2,589,008</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Social Security/ Benefit Replacement Pay (S22) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Reduce Social Security to align with a reduction of 154 FTEs in the Office of the Attorney General in HB 1. The reduction is \$1,351,912 in GR & GR Dedicated funds and \$11,797 in Federal Funds.	\$ (1,351,912)	\$ (1,363,709)			\$ (1,351,912)	\$ (1,363,709)		
2. Adjust the MOF proportions in Social Security and Benefit Replacement Pay to align with the anticipated proportion of Federal Funds in benefits for Article II. The adjustment decreases the proportion of GR & GR Dedicated funds and increases the proportion of Federal Funds. There is no change to the All Funds total.	\$ (97,644,577)	\$ -			\$(97,644,577)	\$ -		
<b>Agency Requests:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ (98,996,489)</b>	<b>\$ (1,363,709)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (98,996,489)</b>	<b>\$ (1,363,709)</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Commission on State Emergency Communications (477) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>								
1. General Revenue-Dedicated Commission on State Emergency Communications Account 5007 funding for 1.0 FTE for an Information Security position.	\$ 297,646	\$ 297,646					\$ 297,646	\$ 297,646
2. General Revenue-Dedicated funding for agency-estimated Capitol Complex move costs. This amount includes \$68,000 for furniture, \$7,500 for moving personal office items, and \$10,000 for digitizing files. Requested funding would come from GR-D Commission on State Emergency Communications 5007 (\$10,000) and 911 Service Fees Account 5050 (\$75,500).	\$ 85,500	\$ 85,500						
3. Increase salary cap for the Executive Director position from its current \$132,845 to market average, as determined by SAO, of \$140,698.								
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ 383,146</b>	<b>\$ 383,146</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 297,646</b>	<b>\$ 297,646</b>
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article I, General Government Texas Emergency Services Retirement System (326) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>									
1.	General Revenue Dedicated funding (account 5064, Volunteer Fire Dept. Assistance) to increase state contributions to this pension system provided for volunteer firefighters and EMS personnel in participating departments across the state. The funding was reduced as part of the agency's 5% reduction. <b>HB 1 as Introduced includes \$2,525,526 over the biennium for state contributions to this pension system.</b>	\$ 110,448	\$ 110,448					\$ 110,448	\$ 110,448
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 110,448</b>	<b>\$ 110,448</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 110,448</b>	<b>\$ 110,448</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article I, General Government Employees Retirement System (327) Items Not Included in Bill as Introduced		Items Not Included in HB 1 <u>2022-23 Biennial Total</u> GR & GR- Dedicated                      All Funds		Pended Items <u>2022-23 Biennial Total</u> GR & GR- Dedicated                      All Funds		Adopted <u>2022-23 Biennial Total</u> GR & GR- Dedicated                      All Funds		Article XI <u>2022-23 Biennial Total</u> GR & GR- Dedicated                      All Funds	
<b>Technical Adjustments:</b>									
1.	Reduce Employee Retirement and Group Insurance to align with a reduction of 154 FTEs in the Office of the Attorney General in HB 1. The reduction is \$4,084,086 in GR & GRD Dedicated funds and \$38,137 in Federal Funds.	\$ (4,084,086)	\$ (4,122,223)			\$ (4,084,086)	\$ (4,122,223)		
2	Adjust the MOF proportions in Employee Retirement and Group Insurance to align with the anticipated proportion of Federal Funds in benefits for Article II. The adjustment decreases the proportion of GR & GR Dedicated funds and increases the proportion of Federal Funds. There is no change to the All Funds total.	\$ (422,786,234)	\$ -			\$ (422,786,234)	\$ -		
<b>Agency Requests:</b>									
1.	Funding to increase the state contribution to ERS Retirement to 16.13 percent of payroll in order to reach the Actuarially Sound Contribution (ASC) rate of 26.13 percent when combined with member and agency contributions.	\$ 688,599,320	\$ 952,544,662					\$688,599,320	\$ 952,544,662
2.	Funding to increase the state contribution to Law Enforcement and Correctional Officers Supplement to 3.07 percent of payroll in order to reach the ASC of 3.57 percent when combined with member contributions (before court fees).	\$ 88,804,592	\$ 89,374,278					\$ 88,804,592	\$ 89,374,278
3.	Funding to increase state contribution to Judicial Retirement System Plan Two to 24.52 percent of payroll to reach the ASC of 33.94 percent when combined with member contributions.	\$ 11,379,226	\$ 16,108,368					\$ 11,379,226	\$ 16,108,368
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 361,912,818</b>	<b>\$ 1,053,905,085</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (426,870,320)</b>	<b>\$ (4,122,223)</b>	<b>\$788,783,138</b>	<b>\$1,058,027,308</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Texas Ethics Commission (356) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>								
1. General Revenue to transition the Electronic Filing System to the cloud. <b>HB1 as Introduced includes \$895,780 for this function.</b>	\$ 300,000	\$ 300,000						
2. General Revenue funding to extend capacity of Electronic Filing System as required by changes to state statutes passed during the 85th and 86th Legislatures and to increase its functionality. The requested amount would purchase 1,100 hours of contracted work at \$125/hour. Specific requirements identified by the agency include implementing redaction of judicial addresses (§254.0313 Election Code), redaction of home addresses and other personal information (§572.032(a-1) Govt Code), and report deletions following the second anniversary after an individual ceases to be a state officer (§572.032(c) Govt Code). Functionality increases include electronic submission of affidavits. <b>HB1 as Introduced includes \$895,780 for this function.</b>	\$ 275,000	\$ 275,000						
3. General Revenue funding to increase Disclosure Filing Division salaries. The request would reclassify 3 positions from Administrative Assistant II to Program Specialist.	\$ 40,000	\$ 40,000					\$ 40,000	\$ 40,000
4. General Revenue funding to increase programmer salaries for two unfilled Programmer II-III positions. This request would increase the maximum salary for these positions to the state averages of \$60,575 and \$70,522 respectively. Both are currently posted with a maximum salary of \$60,000.	\$ 32,194	\$ 32,194					\$ 32,194	\$ 32,194

Article I, General Government Texas Ethics Commission (356) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5.	Amend Rider 3, Judgments and Settlements, to shift payment of state court awarded judgments and settlements against the Commission from the agency's appropriation to appropriations out of the Comptroller's Fiscal Programs Strategy A.1.3, Judgments and Settlements.	\$ -	\$ -			Adopted			
6.	General Revenue funding for Case Management System software license subscription to reflect actual cost of the software. HB1 as Introduced includes \$44,000 for this function.	\$ 10,000	\$ 10,000						
7.	General Revenue funding to add Public Information Records module to Case Management System software license.	\$ 61,590	\$ 61,590						
8.	Amend Rider 5, Transfer Authority, to grant the agency unrestricted transfer authority including between direct and indirect Administration strategies.	\$ -	\$ -						
Total, Outstanding Items / Tentative Decisions		\$ 718,784	\$ 718,784	\$ -	\$ -	\$ -	\$ -	\$ 72,194	\$ 72,194
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0



Article I, General Government Texas Facilities Commission (303) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>									
1.	General Revenue funding total of \$36,290,054 and 8.9 FTEs for completion costs for TFC portion of Capitol Complex Phase I and operation costs for the fiscal year 2022-23 biennium. <b>Note that Items a and b may be included in the Supplemental Appropriations Act.</b>								
a.	General Revenue for completion of Phase I Capitol Complex buildings. These funds will be used for completion of interior elements such as offices, newly identified expenses such as repaving of MLK, and moving expenses for affected agencies. Note that \$19.4 million in supplemental funding is included in HB 2 and that the amount in this decision document reflects increases in costs as identified by TFC 2/26/2021.	\$ 34,724,146	\$ 34,724,146						
b.	General Revenue and 3 FTEs to expand the Secure Workplace initiative to Capitol Complex Phase I buildings. This initiative provides physical security, equipment, and personnel for screening and verifying worker access to buildings and building related systems. The introduced bill includes \$3,744,556 in GR for this program. Note that this item is included in supplemental funding in HB 2. <b>HB 1 as Introduced includes \$3,744,556 in GR for this program.</b>	\$ 196,608	\$ 196,608						
c.	General Revenue and 5.9 FTEs to establish a Building Information Modeling/Management system (BIM) and provide administrative support for the Secure Workforce and BIM initiatives.	\$ 1,369,300	\$ 1,369,300					\$ 1,369,300	\$ 1,369,300

Article I, General Government Texas Facilities Commission (303) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2.	General Revenue funding for anticipated additional expenses for the fiscal year 2022-23 biennium related to COVID (e.g., additional ventilation requirements). These costs include \$4,100,000 per year for increased operation of HVAC systems, \$5,325,000 for expanded custodial cleaning services, and \$233,900 in increases in costs for telework. The base bill does not include specific funding for COVID-related expenses; however, additional resources were reallocated to Strategy B.2.1, Facilities Management, for this purpose.	\$ 19,317,800	\$ 19,317,800					\$ 19,317,800	\$ 19,317,800
3.	General Revenue funding and 10 FTEs for Centralized Accounting and Payroll/Personnel System (CAPPS) transition to CAPPS Financials. The agency requests 9 FTEs in fiscal year 2022 and 10 FTEs in fiscal year 2023.	\$ 2,173,394	\$ 2,173,394						
4.	General Revenue funding and 1 FTE for a construction auditor position. This position will be attached to the Internal Audit function.	\$ 221,826	\$ 221,826					\$ 221,826	\$ 221,826
5.	General Revenue funding and 1 FTE for a new 150,000 square foot Flex Space office building. This building would be used as temporary workspace for agencies between leases or that are occupying permanent spaces requiring significant renovation. Includes land purchase and building construction.	\$ 40,122,388	\$ 40,122,388						

Article I, General Government Texas Facilities Commission (303) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
6.	General Revenue funding and 58.9 FTEs, for new operations expenses related to the new Capitol Complex buildings and grounds keeping for the Texas Mall. 46 of these FTEs will be required for the maintenance of the new Phase I facilities, 7 for grounds maintenance at the new Texas Mall, and 5.9 FTEs for support staff related to these new functions. Biennial staff costs are \$6,826,407 and non-staff costs (contracts, equipment, and space modifications) are \$10,767,400.	\$ 17,593,807	\$ 17,593,807					\$ 17,593,807	\$ 17,593,807
7.	General Revenue and 6 FTEs for TFC Deferred Maintenance, total of \$227,405,317. <b>HB 1 as Introduced includes UB for this program.</b>								
a)	Deferred maintenance projects at TFC, Texas School for the Deaf (TSD) and Texas School for the Blind and Visually Impaired.	\$ 226,406,391	\$ 226,406,391						
b)	Staff (6.0 FTEs) to support site management, inspection, and procurement services related to deferred maintenance projects.	\$ 998,926	\$ 998,926						
8.	General Revenue funding for increase in baseline cost of Data Center Services (DCS) due to increase in costs as assessed by DIR.	\$ 206,959	\$ 206,959						
9.	Amend Rider 12, Federal Surplus Property Program, to authorize the agency to reallocate 2 FTEs to the program. No net change to agency FTEs.	\$ -	\$ -			Adopted			
10.	Amend Rider 13, State Surplus Property Program, to authorize the agency to reallocate 2 FTEs to the program. No net change to agency FTEs.	\$ -	\$ -			Adopted			

Article I, General Government Texas Facilities Commission (303) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
11.	Amend Rider 17, Unexpended Balances of General Revenue - Dedicated Deferred Maintenance Account No. 5166, to remove language that requires LBB approval to expend additional obligations if the unexpended balance in the fund is below \$9.5 million.	\$ -	\$ -			Adopted			
12.	New rider to set aside \$250,000 in base funding for fiscal year 2022 for the Capitol Complex Master Plan and grant authority for the agency to carry forward and expend balances within the biennium for this purpose.	\$ -	\$ -			Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 343,331,545	\$ 343,331,545	\$ -	\$ -	\$ -	\$ -	\$ 38,502,733	\$ 38,502,733
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		84.8	85.8	0.0	0.0	0.0	0.0	65.8	65.8

Article I, General Government Texas Public Finance Authority (347) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Method of finance swap of \$4,156,598 in General Revenue for GR-D Accounts 5044, 5045, and 5046 to use remaining balances of Tobacco Settlement Funds for debt service on General Obligation Bond Proceeds for CPRIT. Add rider to appropriate all remaining balances. <b>Please note that this item relates to the budget for End of Article - TPFA GO Bond Debt Service.</b>	\$ -	\$ -			\$ -	\$ -		
					Adopted			
a. General Revenue - Dedicated Account 5044 Permanent Fund for Health and Tobacco Education and Enforcement: \$2,231,062								
b. General Revenue - Dedicated Account 5045 Permanent Fund for Children and Public Health: \$632,668								
c. General Revenue - Dedicated Account 5046 Permanent Fund for Emergency Medical Services and Trauma Care: \$1,292,868								
2. Restoration of unexpended balance authority within biennium for Strategies A.1.1, Analyze Financings and Issue Debt and A.1.2, Manage Bond Proceeds.	\$ -	\$ -						
					Adopted			
<b>Agency Requests:</b>								
1. Restoration of base funding that the agency intends to use for board meetings and maintenance/development of the agency's enterprise content management system.	\$ -	\$ 81,157					\$ -	\$ 81,157
a. TPFA Master Lease Project Fund: \$40,578								
b. Revenue Bond Proceeds: \$40,579								
2. Funding for 3% merit pool for staff salaries.	\$ -	\$ 105,554					\$ -	\$ 105,554
a. TPFA Master Lease Project Fund: \$52,778								
b. Revenue Bond Proceeds: \$52,776								

Article I, General Government Texas Public Finance Authority (347) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3. Exempt salary increase for Executive Director from \$151,994 to \$200,000 with movement for Salary Group 5 to Group 6. This includes the addition of the Executive Director to Article IX Schedule of Exempt Positions, Sec. 3.04(c)(6).	\$ -	\$ 106,573						
a. TPFA Master Lease Project Fund: \$53,286								
b. Revenue Bond Proceeds: \$53,287								
c. Revise Article IX, Schedule of Exempt Positions, Sec. 3.04 (c)(6) to provide the ability for the agency to request approval from the LBB and Office of the Governor to increase the salary cap to any amount within the salary group.								
4. Funding for additional FTE - Attorney I/II	\$ -	\$ 164,800						
a. TPFA Master Lease Project Fund: \$82,400								
b. Revenue Bond Proceeds: \$82,400								
5. Funding for DIR Data Center Services. The agency does not currently have any Data Center Services related capital projects or obligations for continuity of operations plan (COOP) to move the agency's application and file servers to the state data centers in FY 2023.	\$ -	\$ 60,000						
a. TPFA Master Lease Project Fund: \$30,000								
b. Revenue Bond Proceeds: \$30,000								
6. Funding for computer equipment refresh to replace eleven computers at the end of a 5-year life cycle.	\$ -	\$ 14,000						
a. TPFA Master Lease Project Fund: \$7,000								
b. Revenue Bond Proceeds: \$7,000								
7. General Revenue funding for CAPPS HR/Payroll transition. This includes the addition of one FTE in FY 2022.	\$ 82,924	\$ 82,924						

Article I, General Government Texas Public Finance Authority (347) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
8.	New Article IX rider to provide appropriation authority for up to \$25,000 in Appropriated Receipts (Other Funds) associated with monitoring and administering the outstanding obligations associated with the Texas Windstorm Insurance Association.	\$ -	\$ -			Adopted			
9.	Modification to Rider 5, Appropriations and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees, to allow the agency to carry forward and expend balances within the biennium and across biennia in the revenue commercial paper program funds to pay for administrative costs related to the programs. <b>HB 1 currently includes in the rider a specified amount of \$243,768 in each fiscal year out of Revenue Bond Proceeds the administration of the revenue commercial paper programs.</b>	\$ -	\$ -			Adopted as amended to provide authority to carry forward unexpended balances between fiscal years of the biennium.			
10.	New Article IX rider to encourage state agencies and institutions of higher education to consider TPFA's Master Lease Purchase Program for capital asset financing.	\$ -	\$ -			Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 82,924	\$ 615,008	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 186,711
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		2.0	1.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Office of the Governor (301) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0



Article I, General Government Trusted Programs Within the Office of the Governor (300) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Revise language in Rider 2, Disaster and Deficiency Grants, to indicate that the \$30.0 million in General Revenue included for disaster grants is estimated unexpended balances remaining as of August 31, 2021.	\$ -	\$ -			Adopted			
<b>Agency Requests:</b>								
1. Economic Stabilization Funds for Disaster Grants. <b>HB 1 as Introduced includes \$30.0 million in General Revenue for Disaster Grants. The entirety of this amount is in unexpended balances.</b>	\$ -	\$ 90,000,000					\$ -	\$ 90,000,000
<b>Subcommittee Revisions and Additions:</b>								
1. Provide for a method of finance swap reducing GR-Dedicated Sexual Assault Program Account 5010 by \$1,186,740 and increasing GR by the same amount in Strategy B.1.1, Criminal Justice, to address funding deficiency in GR-D 5010. Revise Rider 23, Child Sex Trafficking Team, accordingly.	\$ -	\$ -			\$ -	\$ -		
2. Rider addition which directs the Office of the Governor to collaborate with the Children's Advocacy Centers of Texas in filing a report with information concerning the Children's Justice Grants to State program to the Legislative Budget Board in each fiscal year.					Adopted			
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ 90,000,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 90,000,000
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Texas Historical Commission (808) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Cost-Out Adjustments:</b>								
1. Increase Sporting Goods Sales Tax: Transfer to Historic Sites Account No. 5139 to align with the BRE. Rider 23, Maximum Appropriation of Sporting Goods Sales Tax (SGST) Revenue, appropriates the agency's 7 percent allocation as determined by the comptroller. Also revise Rider 23. <b>No cost to the bill. HB 1 as Introduced includes \$23,947,000 in SGST</b>	\$ 4,389,000	\$ 4,389,000			\$ 4,389,000	\$ 4,389,000		
<b>Agency Requests:</b>								
1. General Revenue and General Revenue-Dedicated funding totaling \$2,352,668 for the restoration of the 2020-21 biennium 5% reduction to the agency base,								
a. General Revenue funding for the restoration of the 2020-21 biennium 5% reduction to the agency base, including 3.6 FTEs.	\$ 1,947,793	\$ 1,947,793					\$ 2,104,043	\$ 2,104,043
b. General Revenue-Dedicated Texas Preservation Trust Fund No. 664 used for grants to support local historic preservation reduced in the 5% reduction.	\$ 248,625	\$ 248,625					\$ 248,625	\$ 248,625
c. Restoration of funding allocated for ongoing CAPPS support, including 1.0 FTE.	\$ 156,250	\$ 156,250						
2. General Revenue funding to replace 21 vehicles at historic sites transferred from Parks and Wildlife, pursuant to HB 1422, Eighty-sixth Legislature. The total cost would be \$655,495.								
a. Replacement of 13 vehicles within Strategy A.1.4, Historic Sites.	\$ 419,350	\$ 419,350						
b. Replacement of 8 vehicles in Austin, Texas within Strategy B.1.1, Central Administration.	\$ 236,145	\$ 236,145						

Article I, General Government Texas Historical Commission (808) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	General Revenue funding for deferred maintenance at state historic sites and the Austin Capitol complex offices, prioritizing life/safety projects and ADA requirements.	\$ 2,500,000	\$ 2,500,000						
4.	General Revenue funding for the continuation of the Courthouse Preservation Grant Program to cover 3-4 full restorations and emergency projects. <b>HB 1 as Introduced includes \$1,361,221 in Strategy A.1.3. Courthouse Preservation Assistance, with \$271,037 in General Revenue allocated for Courthouse Grants.</b>	\$ 25,000,000	\$ 25,000,000						
5.	General Revenue funding for 9.5 additional agency FTEs, a total of \$960,000:					Adopted - FTE Authority Only			
a.	Authority for 3.5 FTEs at the Star of the Republic Museum. The museum was transferred to THC from Blinn College but did not include full funding and several part-time FTEs. Funding for these positions is included in item number eight.	\$ -	\$ -			\$ -	\$ -		
b.	3.0 FTEs at the Charles and Mary Ann Goodnight Ranch	\$ 480,000	\$ 480,000			\$ -	\$ -		
c.	2.0 FTEs at the Levi Jordan Plantation State Historic Site to support on-going support	\$ 320,000	\$ 320,000			\$ -	\$ -		
d.	1.0 FTE for IT support for operations at the National Museum of the Pacific War	\$ 160,000	\$ 160,000			\$ -	\$ -		
6.	General Revenue funding for an agency website upgrade and updated IT equipment.								
a.	Funding for software and web platform upgrades and additional IT equipment.	\$ 240,000	\$ 240,000						
b.	Request for capital budget authority to complete the website upgrade if funds become available during the biennium.	\$ -	\$ -						

Article I, General Government Texas Historical Commission (808) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
7.	General Revenue funding for modifications to the Bush Gallery at the National Museum of the Pacific War, including updates to modernize and refresh the exhibits and visitors experience.	\$ 5,500,000	\$ 5,500,000						
8.	General Revenue funding to annualize appropriations received as a result of transferred operations of the Star of the Republic Museum from Blinn College. THC received \$273,600 for operations from January through August 2020. The full annual cost of operations, \$410,400, was transferred from Blinn for fiscal year 2021. The total for the biennium would be \$820,800. <b>HB 1 as Introduced includes \$684,000 for the biennium.</b>	\$ 136,800	\$ 136,800					\$ 136,800	\$ 136,800
9.	General Revenue funding for the purchase of the Mission Socorro archeological site. The agency has acquired 10 acres of the 20 acre site.	\$ 500,000	\$ 500,000						
10.	General Revenue funding for the restoration of the 5% reduction of the Texas Holocaust and Genocide Commission. This does not take into account potential changes as a result of Sunset Commission decisions. <b>HB 1 as Introduced includes \$1,265,425 for the biennium.</b>	\$ 66,602	\$ 66,602					\$ 66,602	\$ 66,602
11.	State Highway Fund No. 6 funding increase within the Texas Department of Transportation's Rider 21, Road Construction and Maintenance at State Facilities. The request is to increase the Rider 21 amount by \$500,000 per biennium to \$1 million to construct and maintain roads and parking lots in state historic sites. The agency cannot receive State Highway Funds, Account No. 006, but has requested this amount be increased in TxDOT's bill pattern. <b>HB 1 as Introduced includes \$500,000 in TxDOT's Rider 21.</b>	\$ -	\$ 500,000			Adopted as amended to increase the allocation only for road and parking lots construction and maintenance at state historic sites by \$500,000 at Department of Transportation. No increase in funding.			

Article I, General Government Texas Historical Commission (808) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
12.	Request for the creation of an agency mobile travel application for tourists and travelers to showcase agency resources.								
	a. General Revenue funding to complete the project.	\$ 150,000	\$ 150,000						
	b. Request for capital budget authority to create the mobile application if funds become available during the biennium.	\$ -	\$ -						
13.	New Rider to provide unexpended and unobligated balance authority of Sporting Good Sales Tax transferred to the Historic Sites Account No. 5139 between biennia when the Comptroller determines the maximum allocation exceeds the amount appropriated.	\$ -	\$ -			Adopted			
14.	Revision to Rider 15, Appropriation Authority: Texas Historic Preservation Tax Credit Review Fees: Requested increase of \$103,000 to adjust the appropriated receipts from \$97,000 to \$200,000 in each fiscal year due to an increase in applications. <b>HB 1 as Introduced includes \$194,000 in Appropriated Receipts for the biennium.</b>	\$ -	\$ 206,000						
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 42,450,565</b>	<b>\$ 43,156,565</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 4,389,000</b>	<b>\$ 4,389,000</b>	<b>\$ 2,556,070</b>	<b>\$ 2,556,070</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		14.1	14.1	0.0	0.0	9.5	9.5	0.0	0.0

Article 1, General Government Department of Information Resources (304) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>								
1. Security Operations Centers Pilot. Request is for a systems security pilot project. Request includes \$9.8 million in General Revenue for hardware and software and \$4.0 million for salaries and operations for 13.0 FTEs.	\$ 13,818,322	\$ 13,818,322						
2. Endpoint Detections & Response. Request is for technology to protect endpoints at state agencies under the DIR cooperative contracts. Request includes \$30.9 million in General Revenue for professional fees and services and \$0.4 million for salaries and operations for 2.0 FTEs.	\$ 31,311,300	\$ 31,311,300						
3. Rider 11, Fund Balance Limitations. Agency requests to modify rider to:								
a) move the report on cost recovery activities from Dec.1 to March 1 of each fiscal year,	\$ -	\$ -			Adopted			
b) allow the use of cooperative contracts revenue (Clearing Fund Account) in excess of allowable fund balances to fund cybersecurity costs for which General Revenue appropriations have been made, and	\$ -	\$ -			Adopted			
c) remove requirements directing DIR to determine funding sources used by agencies to pay for IT and telecommunications goods and services.	\$ -	\$ -						
4. Rider 9, Statewide Technology Account. Requests are to modify rider to:								

Article 1, General Government Department of Information Resources (304) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
	a) modify rider provisions requiring LBB approval of additional expenditures above amounts appropriated so that it applies only to the amounts appropriated for operations and indirect administrative costs and thereby excludes payments made to service providers on behalf of state agencies from requiring LBB approval;	\$ -	\$ -			Adopted			
	b) provide for approval of requests to increase the administrative cost percentage charged to data center/shared technology services customers, unless a written disapproval is issued within 30 business days of the LBB submitting a review of the request to LBB leadership offices; and	\$ -	\$ -			Adopted			
	c) submit a report by December 1 to notify LBB of any increases in authority for data center services payments made to service providers on behalf of state agencies.	\$ -	\$ -			Adopted			
5.	Data Center Consolidation - Data Warehouse Project. Provide funding and capital budget authority to provide a data optimization system and storage for the system.								
	a) Data Warehouse Project. Capital budget funding request for information technology infrastructure to stand up and maintain the agency's proposed Data Optimization project.	\$ -	\$ 808,541						
	b) Data Optimization. Capital budget funding request of \$926,012 in Other Funds for an analytics system that will be integrated into the data warehouse and provide business intelligence reporting tools.	\$ -	\$ 926,012						

Article 1, General Government Department of Information Resources (304) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
6.	Rider 8, Telecommunications Revolving Account. Agency requests to modify rider provisions requiring LBB approval of additional expenditures above amounts appropriated so that it applies only to the expenditures for operations and indirect administrative costs and thereby excluding payments made to service providers on behalf of state agencies from requiring LBB approval.	\$ -	\$ -			Adopted			
7.	Data Center Consolidation - Robotic Process Automation Project. Capital budget funding request of \$79,210 in Other Funds to automate business processed throughout the agency.	\$ -	\$ 79,210						
8.	Article IX, Sec. 14.03. Transfers - Capital Budget. Agency requests to modify the rider definition of data center consolidation or data center services in subsection (l) (2) to strike "state data center". Rider definition would continue to list the services being provided by DIR which include software licensing services, application services, security services, and public and private cloud services.	\$ -	\$ -			Adopted			
9.	Rider 4, Capital Purchases on Behalf of Other Government Entities. Agency requests to modify rider to expand the exemption from capital budget limitations made in Article IX, Transfers - Capital Budget, to all information resources and telecommunications technologies purchases. Current rider language applies this exemption only to purchases made on behalf of other agencies and entities if DIR directly bills those entities and is reimbursed.	\$ -	\$ -			Adopted			



Article 1, General Government Department of Information Resources (304) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
10.	Rider 3, DIR Clearing Fund Account. Agency requests to modify rider to remove the requirement to include in its Annual Financial Report the costs avoided and savings obtained through cooperative contracts, and agencies for which the Clearing Fund Account was used.	\$ -	\$ -			Adopted			
11.	Rider 10, Reporting Requirements for Cost Recovery Activities. Agency requests to change the reporting date from December 1 to March 1.	\$ -	\$ -			Adopted			
12.	Article IX, Sec. 9.04. Information Technology Replacement. Agency requests to modify the reporting date from October 1 to December 1, 2022, on the cost savings realized through a coordinated bulk purchasing effort.	\$ -	\$ -			Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 45,129,622	\$ 46,943,385	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		15.0	15.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I, General Government Texas State Library and Archives Commission (306) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Add \$800,000 to fiscal year 2022 and reduce fiscal year 2023 by \$800,000 to balance \$1,600,000 removed as one-time funding in fiscal year 2022 in Strategy A.1.1, Assistance Provided to Texas Libraries. <b>No cost is associated with this change.</b>	\$ -	\$ -			Adopted			
<b>Agency Requests:</b>								
1. General Revenue funding for architectural and engineering fees to begin the design phase of the expansion of the State Records Center.	\$ 1,400,000	\$ 1,400,000						
2. General Revenue funding for four projects, totaling \$3,750,000 and 5.0 FTEs, in Strategies A.1.1, Assistance Provided to Texas Libraries and B.1.1, Provide Access to Information and Archives to:								
a. Increase workforce tools at libraries by providing services, including trainings and workshops, and materials to support local libraries. The request includes \$163,788 for salaries, wages, and other personnel costs for 1.0 FTE - Librarian IV (Starting Salary - \$59,475).	\$ 1,500,000	\$ 1,500,000			\$ 1,500,000	\$ 1,500,000		
b. Equip libraries with Wi-Fi hotspots and devices to increase access to online resources. The request includes \$831,212 in grants and \$163,788 for salaries, wages, and other personnel costs for 1.0 FTE - Librarian IV (Starting Salary - \$59,475).	\$ 1,000,000	\$ 1,000,000			\$ 1,000,000	\$ 1,000,000		
c. Grow TexShare electronic resources, including the addition of 1.0 FTE to provide support for TexShare, TexQuest, E-Read, and other digital programs. The request includes \$163,788 for salaries, wages, and other personnel costs for 1.0 FTE - Project Specialist (Starting Salary \$55,602).	\$ 1,000,000	\$ 1,000,000			\$ 1,000,000	\$ 1,000,000		

Article I, General Government Texas State Library and Archives Commission (306) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	d. Increase digital access to primary sources and Texas historical records. The request includes \$229,000 for salaries, wages, and other personnel costs for 2.0 FTEs - Archivists II (Starting Salary - \$45,024).	\$ 250,000	\$ 250,000			\$ 250,000	\$ 250,000		
	3. General Revenue funding for 1.0 FTE - an Information Governance Coordinator to work with the Department of Information Resources to provide state agencies and local governments guidance on managing digital records and archival preservation efficiently.	\$ 180,042	\$ 180,042					\$ 180,042	\$ 180,042
	4. General Revenue funding to construct a 60,000 square-foot expansion at the State Records Center.	\$ 25,270,000	\$ 25,270,000						
Total, Outstanding Items / Tentative Decisions		\$ 30,600,042	\$ 30,600,042	\$ -	\$ -	\$ 3,750,000	\$ 3,750,000	\$ 180,042	\$ 180,042
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		6.0	6.0	0.0	0.0	5.0	5.0	1.0	1.0

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article I, General Government Pension Review Board (338) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>									
1.	General Revenue funding to fill a financial analyst position which was left vacant as part of the agency's 5% reduction. The position would help with ongoing intensive reviews of certain public pension systems, develop continuing education for administrators and trustees of public pension plans, and help develop best practices for retirement systems' investment programs.	\$ 112,875	\$ 112,875					\$ 112,875	\$ 112,875
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 112,875</b>	<b>\$ 112,875</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 112,875</b>	<b>\$ 112,875</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article 1 General Government Preservation Board (809) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Agency Requests:</b>								
1. Capitol, Capitol Extension and Capitol Visitors Center Repair and Preservation Projects. General Revenue funding request includes several projects, the largest of which are \$15 million for the Capitol historic roof replacement and \$12.45 million for the Capitol and Extension Phase 1 exterior waterproofing project.	\$ 33,605,000	\$ 33,605,000						
2. Capitol, Extension, and Capitol Visitors Center Janitorial and Maintenance Contracts. Request is for \$1,033,146 in General Revenue for maintenance contract which was included in the agency's 5% reduction, and \$1,471,978 in General Revenue for janitorial contract.	\$ 2,505,124	\$ 2,505,124			\$ 2,505,124	\$ 2,505,124		
3. Texas State History Museum Repair and Renovation Projects. General Revenue funding request includes several projects for building systems controls, flooring and finishes, and insurance premiums.	\$ 2,629,000	\$ 2,629,000						
4. Texas History Education Program and 5.9 FTEs. General Revenue funding request to provide website technical support, website maintenance, salaries and operations of the online educational outreach program.	\$ 777,154	\$ 777,154					\$ 777,154	\$ 777,154
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ 39,516,278</b>	<b>\$ 39,516,278</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 2,505,124</b>	<b>\$ 2,505,124</b>	<b>\$ 777,154</b>	<b>\$ 777,154</b>
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	5.9	5.9	0.0	0.0	0.0	0.0	5.9	5.9

Article I General Government State Office of Risk Management (479) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article I General Government Secretary of State (307) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>								
1. General Revenue funding to restore five-percent reduction. These reductions were implemented by the agency across a variety of functions including statutory filings (\$781,727), publication of the Texas Register (\$9,486), statewide election administration (\$541,641), postal payments (\$800,000), protocol services (\$60,221), and indirect administration (\$152,068). Does not include \$247,220 appropriated in the 2020-21 biennium to study replacement of Business Entity Secured Transaction (BEST) system or for the acquisition of resource technologies.	\$ 2,345,143	\$ 2,345,143					\$ 2,345,143	\$ 2,345,143
2. General Revenue funding for replacement of legacy BEST System, used to process business registrations.	\$ 49,321,558	\$ 49,321,558						
3. General Revenue funding and 4 Program Specialist V FTEs to conduct election training for county officials.	\$ 1,400,000	\$ 1,400,000					\$ 1,400,000	\$ 1,400,000
4. General Revenue funding for salary adjustments related to statewide election administration and 4.0 additional FTEs; biennial total of \$1,350,000. <b>HB1 as Introduced includes 25 FTEs and \$11,803,636 for Strategy B.1.1, Provide Statewide Election Administration.</b>								
a) Salary increases (\$350,000 per fiscal year)	\$ 700,000	\$ 700,000					\$ 700,000	\$ 700,000
b) Reclassification of 10 positions (\$100,000 per fiscal year)	\$ 200,000	\$ 200,000					\$ 200,000	\$ 200,000
c) Additional staff (4.0 FTEs at \$225,000 per fiscal year)	\$ 450,000	\$ 450,000					\$ 450,000	\$ 450,000
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ 54,416,701</b>	<b>\$ 54,416,701</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 5,095,143</b>	<b>\$ 5,095,143</b>
	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	8.0	8.0	0.0	0.0	0.0	0.0	8.0	8.0

Article I, General Government Texas Veterans Commission (403) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Revision to Rider 8, Veterans Housing Grant Program to reflect \$2,389,544 in General Revenue for the 2022-23 biennium allocated to the Veterans Housing Grant Program. This amount is already included in HB 1 as Introduced but is not correctly specified in the rider. This does not reduce funding for the program.	\$ -	\$ -			Adopted			
<b>Agency Requests:</b>								
1. General Revenue funding for 13.0 FTEs, including 12.0 Health Care Advocates (HCA) and 1.0 Staff Service Officer at headquarters to fully staff and support all remaining Department of Veterans Affairs (VA) Outpatient Clinics that do not have an HCA. There are currently 12.0 HCAs staffing each of the VA hospitals and 7 of the 19 Outpatient Clinics. <b>HB1 as Introduced includes \$1,516,858 and 14.0 FTEs in Strategy A.1.6, Health Care Advocacy Program.</b>	\$ 1,371,540	\$ 1,371,540					\$ 1,371,540	\$ 1,371,540
2. General Revenue funding to improve cybersecurity and monitor weaknesses in security oversight, risk management, and technology information systems, using DIR Managed Security Services. <b>HB1 as Introduced includes \$826,408 for Data Center Services for the biennium.</b>	\$ 360,773	\$ 360,773						



Article I, General Government Texas Veterans Commission (403) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	Request for capital authority only for \$600,000 out of Other Funds, Fund for Veterans' Assistance, No. 368, to enhance or replace the Electronic Grant Management System (EGMS) to Support TVC's Administration and Compliance Responsibilities for the Fund for Veterans' Assistance (FVA) Grant Programs. This system is used for grant administration, audit, record retention, and reporting, but updates are needed to reduce paper records and improve reporting. <b>HB1 as Introduced includes \$225,000 for on-going costs for the EGMS.</b>	\$ -	\$ -						
4.	General Revenue funding for TVC Agency Relocation Costs to the Capitol Complex - includes costs associated with consolidation into the new Capitol Complex. The agency currently occupies two state buildings and one leased property. TVC estimates cost savings of \$135,000 or more per year out of the Fund for Veterans' Assistance Account No. 368 and Interagency Contract funding in the Veterans Mental Health Department.	\$ 96,856	\$ 96,856						
Total, Outstanding Items / Tentative Decisions		\$ 1,829,169	\$ 1,829,169	\$ -	\$ -	\$ -	\$ -	\$ 1,371,540	\$ 1,371,540
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		13.0	13.0	0.0	0.0	0.0	0.0	13.0	13.0

By: \_\_\_\_\_

**Office of the Attorney General, Article I**  
**Proposed Funding and Rider**  
**Technical Adjustment: Appropriated Receipts from Court Costs**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend language in Rider 7, Appropriation of Receipts, Court Costs, to include \$20,983,263 per fiscal year in appropriation of court costs, attorneys' fees, and investigative costs recovered by the OAG as Appropriated Receipts for A.1.1, Legal Services.

**Required Action**

On page I-8 of the Office of the Attorney General's bill pattern, amend the following rider:

7.     **Appropriation of Receipts, Court Costs.** Out of the funds appropriated above as Appropriated Receipts, ~~\$23,000,000~~\$20,983,263 in fiscal year 2022 and ~~\$23,000,000~~\$20,983,263 in fiscal year 2023 represents the annual appropriation of court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General. Court costs, attorneys' fees, and investigative costs recovered by the Office of the Attorney General in excess of those specifically appropriated and shown in the agency's method of financing are appropriated to the Office of the Attorney General in an amount not to exceed \$10,000,000 each fiscal year and shall be used for Strategy A.1.1, Legal Services. At least semi-annually, beginning within 60 days after the close of each fiscal year or more often upon request of the Legislative Budget Board, the Office of the Attorney General shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the Governor a report that lists each case in which an award of court costs, attorneys' fees, or investigative fees was made, the date of the award, the amount of court costs that were awarded, the amount of investigative costs that were awarded, the amount of attorneys' fees that were awarded, and the strategy or strategies to which the above receipts were allocated, in addition to any other information that may be requested by the Legislative Budget Board.

By: \_\_\_\_\_

**Office of the Attorney General, Article I**  
**Proposed Funding and Rider**  
**Technical Adjustment: Funding Designation for Human Trafficking Prevention**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend language in Rider 30 to adjust the General Revenue appropriation amount to \$2,793,255 to reconcile with the amount provided in Article IX, Sec. 17.12 for Human Trafficking Prevention.

**Required Action**

On page I-12 of the Office of the Attorney General’s bill pattern, amend the following rider:

- 30.       **Human Trafficking Prevention.** Out of funds appropriated above for the Office of the Attorney General in Strategy A.1.1., Legal Services, ~~\$2,793,254~~\$2,793,255 in General Revenue, \$311,292 in Appropriated Receipts, and 33.0 FTEs in each fiscal year of the 2022-23 biennium shall be used for operations of the Human Trafficking Section.

By: \_\_\_\_\_

**Office of the Attorney General, Article I**  
**Proposed Rider**  
**Cancellation of TXCSES 2.0 Project**

Prepared by LBB Staff, 03/19/2021

**Overview**

Restoration of a rider indicating cancellation of the TXCSES 2.0 project. This request is made with the intent of protecting the state against litigation.

**Required Action**

1. On page I-12 of the Office of the Attorney General’s bill pattern, amend the following rider:

32.

**TXCSES 2.0.** It is the intent of the Legislature that the Texas Child Support Enforcement System 2.0 project be cancelled. No funds appropriated to the Office of the Attorney General may be used to provide payment for the project or any component contract.

By: \_\_\_\_\_

**Office of the Attorney General, Article I**  
**Proposed Rider**  
**Amend Language in Rider 32, Outside Legal Fees**

Prepared by LBB Staff, 03/26/2021

**Overview**

Amend language in Rider 32, Outside Legal Fees, to adjust the circumstances in which the Office of the Attorney General must cover the cost of outside legal counsel for a client agency.

**Required Action**

On page I-12 of the Office of the Attorney General’s bill pattern, amend the following rider:

32. **Outside Legal Fees.** In the event that the Office of the Attorney General ~~reuses~~ itself from representing a state agency in litigation declines a state agency request to provide legal representation in litigation, the Office of the Attorney General must cover the cost of outside legal expenses for the involved state agency, out of funds appropriated in Strategy A.1.1, Legal Services.

By: \_\_\_\_\_

**Fiscal Programs – Comptroller of Public Accounts, Article I**  
**Proposed Rider Revision**  
**Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan**

Prepared by LBB Staff, 3/18/2021

**Overview**

Revise Rider 21 related to the appropriation for payment of obligations of the Texas Guaranteed Tuition Plan to allow the appropriations to pay operational costs and refunds in addition to tuition and required fees.

**Required Action**

On page I-28 of the Fiscal Programs – Comptroller of Public Accounts bill pattern, amend the following rider:

- 21. Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan.**  
Included in amounts appropriated above in Strategy A.1.12, Texas Guaranteed Tuition Plan, is an amount estimated to be \$113,596,096 in fiscal year 2022 and \$157,580,479 in fiscal year 2023 in General Revenue for the purpose of immediate deposit in transfer to the Texas Tomorrow Fund, created under Section 19, Article VII, Texas Constitution, to fund the prepaid higher education tuition program described under that section, for the purpose of paying tuition and required fees for beneficiaries under the Texas Guaranteed Tuition Plan pursuant to Section 19, Article VII, Texas Constitution and Section 54.619, Education Code.

By: \_\_\_\_\_

**Texas Ethics Commission, Article 1**  
**Proposed Funding and Rider**  
**Amend Rider 3, Judgements and Settlements**

Prepared by LBB Staff, 3/19/21

**Overview**

This rider would expand the scope of the current Rider 3, Judgments and Settlements, to include judgments awarded against the Commission in state courts.

**Required Action**

On page I-41 of the Texas Ethics Commission bill pattern, amend the following rider:

3. **Judgments and Settlements.** Notwithstanding Article IX, Section 16.04, Judgments and Settlements, of this Act, payment of judgments or settlements, including attorney's fees, resulting from actions ~~brought under Title 42 United States Code §1983~~ that arise from claims challenging the validity or constitutionality of a state law and prosecuted or defended by the Office of the Attorney General that are obtained against the Texas Ethics Commission, or any individual(s) acting in their official capacity on behalf of the Texas Ethics Commission, shall be paid out by the Comptroller and not from funds appropriated above to the Texas Ethics Commission.

By: \_\_\_\_\_

**Texas Facilities Commission, Article I**  
**Proposed Funding and Rider**  
**Federal Surplus Property Program**

Prepared by LBB Staff, 3/19/2021

**Overview**

Modify Rider 12, Federal Surplus Property Program, to authorize the agency to reallocate up to 2.0 existing FTEs to the program.

**Required Action**

1. On page I-47 of the Texas Facilities Commission bill pattern, amend the following rider:  
  
**12. Federal Surplus Property Program.** Fees, fines, and other miscellaneous revenues as authorized and generated by the operation of the Federal Surplus Property program pursuant to Government Code 2175.369 shall cover, at a minimum, the cost of appropriations made above in Strategies C.1.2, Federal Surplus Property Management, D.1.1, Central Administration, and D.1.2, Information Resources, as well as the "other direct and indirect costs" made elsewhere in this Act associated with this program.

Included in amounts appropriated above in Strategies C.1.2, Federal Surplus Property Management, D.1.1, Central Administration, and D.1.2, Information Resources, are any balances as of August 31, 2021 (estimated to be \$0), in General Revenue-Dedicated Federal Surplus Property Service Charge Fund Account No. 570, including 13.7 full-time equivalent (FTE) positions in each fiscal year. In addition, the agency is authorized to use up to 2 FTEs otherwise allocated to support the Federal Surplus Property Program.

Also included in the amounts appropriated above in Strategies C.1.42, Federal Surplus Property Management, D.1.1, Central Administration, and D.1.2, Information Resources, is all revenue collected on or after September 1, 2021 (estimated to be \$1,664,752 in fiscal year 2022 and \$1,664,752 in fiscal year 2023) deposited to the credit of the General Revenue-Dedicated Federal Surplus Property Service Charge Fund Account No. 570.

"Other direct and indirect costs" are estimated to be \$241,257 for fiscal year 2022 and \$242,905 for fiscal year 2023.

In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.



By: \_\_\_\_\_

**Texas Facilities Commission, Article I**  
**Proposed Funding and Rider**  
**State Surplus Property Program**

Prepared by LBB Staff, 3/19/2021

**Overview**

Modify Rider 13, State Surplus Property Program, to authorize the agency to reallocate up to 2.0 existing FTEs to the program.

**Required Action**

1. On page I-47 of the Texas Facilities Commission bill pattern, amend the following rider:

**13. State Surplus Property Program.** Included in the amounts appropriated above in Strategy C.1.1, State Surplus Property Management, are unexpended balances (estimated to be \$0) as of August 31, 2021 out of Appropriated Receipts from the State Surplus Property Program for the same purposes for the fiscal year beginning September 1, 2021.

Also, included in the amounts appropriated above in Strategy C.1.1, Surplus Property Management, are \$772,536 in fiscal year 2022 and \$772,536 in fiscal year 2023 out of Appropriated Receipts, including 16.3 full-time equivalent (FTE) positions in each fiscal year. In addition, the agency is authorized to use up to 2 FTEs otherwise allocated to support the State Surplus Property Program.

- a. Out of funds appropriated above, the Texas Facilities Commission shall maintain a surplus property inventory information system to efficiently process and manage the State Surplus Property Program inventory and facilitate the tracking of property sales conducted by the Texas Facilities Commission.
- b. Based on an annual risk assessment, the Texas Facilities Commission shall target the education and outreach efforts of the State Surplus Property Program to select state agencies to ensure appropriate and timely identification of disposition of eligible surplus property.
- c. The Texas Facilities Commission shall develop and track performance benchmarks and targets necessary to evaluate the efficiency and effectiveness of the State Surplus Property Program, specifically evaluating the timeliness, cost, and profitability of program operations. The Texas Facilities Commission shall report to the Legislative Budget Board and the Governor, no later than October 15 in each year of the biennium, on the following:
  1. Surplus property sales proceeds for the previous fiscal year by method of sale. In addition, the report submitted for fiscal year 2021 operations shall contain a five-year history of sales proceeds by method of sale.
  2. Distribution of surplus property sales proceeds for the previous fiscal year, including, at a minimum, remittances to state agencies, expenditures by the State Surplus Property Program, and amounts returned to General Revenue. In addition, the report submitted for fiscal year 2021 operations shall contain a five-year history of the distribution of sales proceeds.
  3. Breakout of the direct and indirect operational costs incurred by the State Surplus Property Program during the previous fiscal year. In addition, the report submitted for fiscal year 2021 operations shall contain a five-year history of program costs.

- 4. Percent of the estimated inventory value of surplus property items recovered through disposal, by sales method, for the previous fiscal year. Inventory value is defined as the estimated value assigned to an item upon receipt by the program.
- 5. Timeliness of surplus property disposal for the previous fiscal year by method of sale. Timeliness is defined as the time, in days, between receipt of the property by the program and final disposition of the property through sale, salvage, donation, or other means of disposal.
- 6. Description of the risk assessment process used in item (b) of this rider, and the resulting agencies targeted by education and outreach efforts. Briefly describe the education and outreach efforts used in targeting these agencies and how they differ from standard program efforts.

By: \_\_\_\_\_

**Texas Facilities Commission, Article I**  
**Proposed Rider**  
**Unexpended Balances of General Revenue - Dedicated Deferred Maintenance Account No. 5166**

Prepared by LBB Staff, 3/26/2021

**Overview**  
Modify Rider 17, Unexpended Balances of General Revenue - Dedicated Deferred Maintenance Account No. 5166, to remove a provision requiring the agency to request approval from the Legislative Budget Board if an obligation would reduce the unexpended balance of that account below \$9.5 million.

**Required Action**  
1. On page I-48 of the Texas Facilities Commission bill pattern, amend the following rider:

**17. Unexpended Balances of General Revenue - Dedicated Deferred Maintenance Account No. 5166.** In addition to the amounts above, any unexpended and unobligated balances of Deferred Maintenance Account No. 5166 (Fund 5166) for projects that have been approved under the provisions of Article IX, Section 18.09 of House Bill 1, Eighty-fourth Legislature, Regular Session, 2015, remaining as of August 31, 2021 (estimated to be \$0) for deferred maintenance, are appropriated for the 2022-23 biennium in Strategy B.2.1, Facilities Operation.

Any unexpended balances in Deferred Maintenance Account No. 5166 described above and remaining as of August 31, 2022, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2022.

~~The Texas Facilities Commission shall make no obligation from Fund 5166 that would cause the projected fund balance following that obligation to be less than \$9,500,000. In the event that the balance of Fund 5166 is below \$9,500,000, no additional obligations may be made without prior written approval from the Legislative Budget Board. The Texas Facilities Commission requesting the approval of the Legislative Budget Board to obligate additional balances shall submit in a timely manner the request, along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board.~~

By: \_\_\_\_\_

**Texas Facilities Commission, Article I**  
**Proposed Funding and Rider**  
**Within-Biennium Transfer Authority for the Capitol Complex Master Plan**

Prepared by LBB Staff, 3/19/2021

**Overview**

Identifies \$250,000 in General Revenue to be used to complete the Capitol Complex Master Plan and provides within-biennium transfer authority for this purpose.

**Required Action**

On page I-49 of the Texas Facilities Commission bill pattern, add the following appropriately numbered rider:

\_\_\_\_\_. **Capitol Complex Master Plan.** Included in the amounts above in fiscal year 2022 is \$250,000 in General Revenue in Strategy A.1.2, Facilities Planning, to develop and publish the Capitol Complex Master Plan pursuant to Texas Government Code, §2166.105. Any unobligated and unexpended balances remaining as of August 31, 2022 identified in this rider are appropriated for the same purpose for the fiscal year beginning September 1, 2022.

By: \_\_\_\_\_

**Bond Debt Service Payments, Article I**  
**Proposed Funding and Rider**  
**Appropriation of Tobacco Settlement Funds**

Prepared by LBB Staff, 03/19/2021

**Overview**

Add a rider that appropriates the remaining combined balance of \$4,156,598 GR-D Accounts 5044, 5045, and 5046 to be used for debt service on General Obligation Bond Proceeds for the Cancer Prevention and Research Institute of Texas. The usage of appropriations in this rider will exhaust the remaining funds in the Tobacco Settlement Fund.

**Required Action**

- I. On page I-102 of the Bond Debt Service bill pattern in fiscal year 2022 reduce General Revenue in Strategy A.1.1, Bond Debt Service, by \$4,156,598 and increase by a total of \$4,156,598 in the following General Revenue Dedicated accounts:
  - a. \$2,231,062 in Permanent Fund for Health and Tobacco Education and Enforcement 5044;
  - b. \$632,668 in Permanent Fund for Children and Public Health 5045; and
  - c. \$1,292,868 in Permanent Fund for Emergency Medical Services and Trauma Care 5046.

- 2. On page I-102 of the Bond Debt Service Payments bill pattern, add the following rider:

1. **Debt Service – Tobacco Settlement Funds.** Amounts appropriated above in fiscal year 2022 include all remaining unexpended and unobligated balances as of August 31, 2021 out of the General Revenue – Dedicated Account 5044 Permanent Fund for Health and Tobacco Education and Enforcement (estimated to be \$2,231,062). General Revenue – Dedicated Account 5045 Permanent Fund for Children and Public Health (estimated to be \$632,668), and General Revenue – Dedicated Account 5046 Permanent Fund for Emergency Medical Services and Trauma Care (estimated to be \$1,292,868), for the purpose of paying off debt service related to the Cancer Prevention Research Institute of Texas.

By: \_\_\_\_\_

**Article IX**  
**Proposed Rider**  
**Appropriation of Administrative Receipts Related to TWIA**

Prepared by LBB Staff, 03/26/2021

**Overview**

Prepare a rider that provides authority of up to \$25,000 in each year of the biennium in Appropriated Receipts collected from the Texas Windstorm Association (TWIA) to be used for administrative costs related to conduit debt issued by the Texas Public Finance Authority on behalf of TWIA.

**Required Action**

1. In Article IX, add the following appropriately numbered provision:

- Appropriation of Administrative Receipts. In addition to amounts appropriated elsewhere in this Act, the Texas Public Finance Authority (TPFA) is appropriated up to \$25,000 in each fiscal year of the biennium beginning on September 1, 2021 out of Appropriated Receipts collected from the Texas Windstorm Insurance Association to implement and manage the provisions of the bonds, or other obligations, for the purpose of reimbursing TPFA for its associated administrative costs. Any unexpended balances of Appropriated Receipts remaining as of August 31, 2022, are appropriated to TPFA for the same purposes for the fiscal year beginning September 1, 2022.

By: \_\_\_\_\_

**Texas Public Finance Authority, Article I**  
**Proposed Rider**  
**Amend Language in Rider 5**

Prepared by LBB Staff, 03/26/2021

**Overview**

Amend language in Rider 5, Appropriation and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees, to include unexpended balance authority for revenue commercial paper program funds between years of the 2022-23 biennium.

**Required Action**

On page I-52 of the Texas Public Finance Authority's bill pattern, amend the following rider:

5. **Appropriation and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees.** The Texas Public Finance Authority is appropriated balances held in and revenue accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 and the interest and sinking funds associated with the Texas Public Finance Authority revenue commercial paper programs for the purpose of making debt service and other payments in accordance with applicable laws, rules, and covenants pertaining to the respective revenue commercial paper programs. Included in amounts appropriated above is \$243,768 in each year of the 2022-23 biennium out of Revenue Bond Proceeds for the administration of the revenue commercial paper programs. Any unexpended and unobligated balances remaining as of August 31, 2022 is appropriated for the fiscal year beginning September 1, 2022 for the same purpose.

The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the respective revenue commercial paper program from each agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority revenue commercial paper program cost of issuance fund(s) and the General Revenue - Dedicated State Lease Fund Account No. 0507, respectively. Such transfers shall not be made earlier than fifteen days prior to the date that the debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for revenue commercial paper debt service payments from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the respective Texas Public Finance Authority revenue commercial paper program's interest and sinking fund(s).

For the purpose of this provision, the Texas Public Finance Authority revenue commercial paper programs include: the Master Lease Purchase Program; the Texas Facilities Commission Revenue Commercial Paper Program; and any revenue financing authorized by the Eighty-sixth Legislature.

By: \_\_\_\_\_

**Article IX**  
**Proposed Rider**  
**Agency’s Participation in Master Lease Purchase Program**

Prepared by LBB Staff, 03/26/2021

**Overview**

Prepare a rider that expresses the intent of the Legislature for agencies to use the Master Lease Purchase Program, when using the program would be cost-effective.

**Required Action**

1. In Article IX, add the following appropriately numbered provision:

- \_\_\_\_. Agency’s Participation in Master Lease Purchase Program. It is the intent of the Legislature that all agencies participate in the Master Lease Purchase Program to the extent that the Master Lease Purchase Program would be the most cost-effective type of financing when using a lease-purchase method for acquisition of capital assets.



By: \_\_\_\_\_

**Trusted Programs Within the Office of the Governor, Article I**  
**Proposed Funding and Rider**  
**Technical Adjustment: Disaster Funding**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend language in Rider 2, Disaster and Deficiency Grants, to specify that the \$30.0 million in General Revenue appropriations in Strategy A.1.1, Disaster Funds, is in estimated unexpended balances.

**Required Action**

On page I-57 of the Office of the Trusted Programs Within the Office of the Governor’s bill pattern, amend the following rider:

**2. Disaster and Deficiency Grants.**

- a. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021 for the biennium beginning September 1, 2021 (estimated to be ~~\$9~~\$30,000,000) in Strategy A.1.1, Disaster Funds to provide grants-in-aid in case of disasters, in accordance with Government Code, Chapter 418.
- b. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021 for the biennium beginning September 1, 2021 (estimated to be \$1,350,000) in General Revenue in fiscal year 2022 to Strategy A.1.2, Agency Grant Assistance, for payments of claims arising prior to the convening of the next legislature by the Governor for deficiencies of up to \$200,000 per agency, per event, in accordance with §403.075, Government Code.
- c. The Governor may, according to the terms of the disaster award or deficiency award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor’s Office with the concurrence of the Comptroller of Public Accounts.
- d. The Governor shall notify the Legislative Budget Board 15 business days after any grants or awards made as described in subsection "a" or "b") above, including any General Revenue or unexpended balances carried forward from previous appropriations.

By: \_\_\_\_\_

**Trusted Programs Within the Office of the Governor, Article I**  
**Proposed Funding and Rider**  
**MOF Swap for Child Sex Trafficking Team**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend language in Rider 23, Child Sex Trafficking Team, to swap \$1.2 million in General Revenue-Dedicated Sexual Assault Program Account 5010 for General Revenue in Strategy B.1.1, Criminal Justice. This decreases General Revenue-Dedicated Sexual Assault Account 5010 by \$1.2 million and increases General Revenue by \$1.2 million under Strategy B.1.1, Criminal Justice within the Trusted Programs Within the Office of the Governor.

**Required Action**

1. On page I-56 of the Trusted Programs Within the Office of the Governor’s bill pattern, increase General Revenue by \$1,186,740 and decrease General Revenue-Dedicated Sexual Assault Program Account 5010 by \$1,186,740 to Strategy B.1.1, Criminal Justice in fiscal year 2022.
2. On page I-61 of the Trusted Programs Within the Office of the Governor’s bill pattern, amend the following rider:

23. **Child Sex Trafficking Team.** Included in amounts appropriated above in Strategy B.1.1, Criminal Justice is ~~\$2,000,000~~\$813,260 in General Revenue - Dedicated Sexual Assault Program Account No. 5010 in fiscal year 2022, and ~~\$1,837,650~~\$3,024,390 in General Revenue in fiscal year 2022 and \$1,830,650 in General Revenue in fiscal year 2023 for the purpose of operating the Child Sex Trafficking Team and providing grants to prevent victimization, to identify, and to recover survivors.

By: \_\_\_\_\_

**Trusteed Programs Within the Office of the Governor, Article I**  
**Proposed Rider**  
**Children’s Justice Grants to States**

Prepared by LBB Staff, 03/26/2021

**Overview**

Prepare a rider that directs the Office of the Governor to collaborate with the Children’s Advocacy Centers of Texas in filing a report with information concerning the Children’s Justice Grants to State program to the Legislative Budget Board in each fiscal year that shows disbursements, the purpose of disbursement, and compliance with grant conditions.

**Required Action**

1. On page I-64 of the Trusteed Programs Within the Office of the Governor’s bill pattern, add the following rider:

\_\_\_\_\_. **Children’s Justice Grants to States.** Out of funds appropriated above, the Office of the Governor shall collaborate with the Children’s Advocacy Centers of Texas, the grant administrator designated by the Governor for the Children’s Justice Grant to States (CFDA 93.643), in filing a report with the Legislative Budget Board within 90 days following August 31st of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

By: \_\_\_\_\_

**Historical Commission, Article I**  
**Proposed Funding and Rider**  
**Maximum Appropriation of Sporting Goods Sales Tax (SGST) Revenue**

Prepared by LBB Staff, 3/18/2021

**Overview**

Modify Rider 23, Maximum Appropriation of Sporting Goods Sales Tax (SGST) Revenue to align with the Comptroller of Public Accounts Biennial Revenue Estimate.

**Required Action**

1. On page I-65 of the Historical Commission bill pattern in House Bill 1, increase appropriations in Strategy A.1.4, Historic Sites, out of the Sporting Goods Sale Tax: Transfer to Historic Sites Funds No. 5139 by \$1,869,000 in fiscal year 2022 and by \$2,520,000 in fiscal year 2023.

2. On page I-71 of the Historical Commission bill pattern, amend the following rider:

23. **Maximum Appropriation of Sporting Goods Sales Tax (SGST) Revenue.**  
Amounts appropriated above include ~~\$11,914,000~~ \$13,783,000 in fiscal year 2022 and ~~\$12,033,000~~ \$14,553,000 in fiscal year 2023 from limited sales, excise, and use tax revenue identified as Sporting Goods Sales Tax: Transfer to Historic Sites Fund No. 5139 (SGST). This appropriation represents the statutory maximum allocation of SGST revenue to the Historical Commission, pursuant to Tax Code, §151.801 (7.0 percent of the total SGST revenue), as calculated in the Comptroller of Public Accounts' Biennial Revenue Estimate.

If the Comptroller determines that the maximum allocation of SGST revenue to the Historical Commission for the 2022-23 biennium exceeds the amounts appropriated above, the difference is appropriated to the agency for Historic Sites.

By: \_\_\_\_\_

**Historical Commission, Article I**  
**Proposed Funding and Rider**  
**Related to unexpended and unobligated balance authority of Sporting Goods Sales Tax**

Prepared by LBB Staff, 3/18/2021

**Overview**

Add a new rider that appropriates unexpended balances between biennia in Sporting Goods Sale Tax in the Historic Sites Account No. 5139 to the Historical Commission.

**Required Action**

On page I-72 of the Historical Commission bill pattern, add the following rider:

\_\_\_\_\_. **Unexpended Balances of Sporting Goods Sales Tax Between Biennia.** Included in amounts appropriated above are any unexpended and unobligated balances remaining as of August 31, 2021 in appropriations made to the Texas Historical Commission out of the Sporting Goods Sales Tax. Transfer to Historic Sites Fund No. 5139 (estimated to be \$0) for the same purpose for the biennium beginning September 1, 2021.

By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider**  
**Rider 11, Fund Balance Limitations**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend Rider 11, Fund Balance Limitation, to move the due date for the report on cost recovery activities from December 1 to March 1 of each fiscal year and allow the use of cooperative contracts revenue in excess of allowable fund balances to fund cybersecurity costs for which General Revenue appropriations have been made.

**Required Action**

On page I-79 of the Department of Information Resources bill pattern, amend the following rider:

**11. Fund Balance Limitations.**

- (a) Before ~~December 1~~ March 1 of each fiscal year, the Department of Information Resources (DIR) shall prepare a report which reflects the amount of unexpended and unobligated balances carried forward in the DIR Clearing Fund, Telecommunications Revolving, Statewide Technology, and Statewide Network Applications accounts, respectively from the previous fiscal year and submit the report to the Governor, Legislative Budget Board, and the Comptroller.
- (b) For purposes of this section (Rider 11, Fund Balance Limitations), "agency" includes a state agency, institution of higher education, or local governmental entity that uses DIR information technology commodity contracts, telecommunications or data center services, or is appropriated funds in this Act.
- (c) For purposes of this subsection, "total revenue" means the total amount of administrative fees collected from users of DIR's information technology commodity contracts authorized by Government Code, Chapter 2157. In the event that unexpended and unobligated balances in the DIR Clearing Fund Account at the end of any fiscal year exceed 10 percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over 10 percent from all funding sources ~~shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source~~ may be used in lieu of General Revenue for cybersecurity purposes as defined in Rider 12, Security Services to State Agencies and Institutions of Higher Education, of the agency's bill pattern. Any General Revenue saved by this swap shall not be expended by the agency without prior written approval from the Legislative Budget Board (LBB) for similar purposes. The agency shall report to the LBB quarterly on the use of excess fund balances for cybersecurity.
- (d) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Telecommunications Services provided by DIR under Government Code, Chapter 2170. In the event that unexpended and unobligated balances in the Telecommunications Revolving Account at the end of any fiscal year exceed four percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.

- (e) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Data Center Services provided by DIR under Government Code, Chapter 2054, Subchapter L. In the event that unexpended and unobligated balances in the Statewide Technology Account at the end of any fiscal year exceed one percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the one percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.
- (f) For purposes of this subsection, "operating revenue" means the total amount of gross revenue collected related to the state electronic internet portal, Texas.gov, provided by DIR under Government Code, Chapter 2054, Subchapter L, less the cost for payment processing services. In the event that unexpended and unobligated balances in the Statewide Network Applications Account at the end of any fiscal year exceed four percent of operating revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be transferred to the General Revenue Fund.
- (g) The Comptroller may prescribe accounting procedures and regulations to implement this section.
- (h) The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.
- (i) DIR shall coordinate with the Legislative Budget Board on development of a methodology to implement this section and a methodology to determine the source of funds used for agencies' payments which are directly remitted to vendors for information technology and telecommunications products and services.
- (j) DIR shall require participating agencies to provide to DIR, and those agencies shall submit to DIR, information regarding the specific funding sources from which agencies pay administrative costs charged for the use of DIR's telecommunications and/or data center services respectively and as applicable.

By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider**  
**Rider 9, Statewide Technology Account**

Prepared by LBB Staff, 03/19/2021

**Overview**

Modify the provisions in Rider 9, Statewide Technology Account, so that Legislative Budget Board approval of additional expenditures above amounts appropriated applies only to the amounts appropriated for operations and indirect administrative costs; provide for approval of requests to increase the administrative cost percentage charged to data center services customers unless a written disapproval is issued within 30 business of review; and add a December 1 annual reporting requirement.

**Required Action**

On page I-78 of the Department of Information Resources bill pattern, amend the following rider:

**9. Statewide Technology Account.** In accordance with Government Code, §403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the Statewide Technology Account for all transactions relating to the operation and management of statewide technology centers.

Included in amounts appropriated above in Strategies B.2.1, Shared Technology Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all balances not previously encumbered as of August 31, 2021 (estimated to be \$2,557,795), and revenues accruing during the 2022-23 biennium estimated to be \$291,656,443 in fiscal year 2022 and \$299,049,667 in fiscal year 2023 in revenue collected on or after September 1, 2021 appropriated from the operation and management of Statewide Technology Centers as provided by Government Code, Chapter 2054, Subchapter L out of Interagency Contracts and Appropriated Receipts to the Statewide Technology Account. By December 1 of each year the agency shall notify the Legislative Budget Board of any increases in authority outside of operating and indirect administrative costs from estimated amounts appropriated above for the previous fiscal year.

Any unexpended and unobligated balances remaining as of August 31, 2022, in the appropriation made herein are appropriated for the fiscal year beginning September 1, 2022, for the same purposes. For each fiscal year, in the event that unexpended and unobligated balances and/or revenues are less than the amounts estimated by this rider, fund balances in the Statewide Technology Account, authorized by Rider 11, Fund Balance Limitations, may be expended to address a shortfall, subject to the limitations on expenditures included in this rider.

Included in amounts The Department of Information Resources may not expend funds appropriated above is to the Department that exceed the total \$6,822,058 in fiscal year 2022 and \$7,087,573 in fiscal year 2023 in Appropriated Receipts and Interagency Contracts to the Statewide Technology Account for the purpose of providing operating and indirect administrative costs, excluding payments to services providers for data center services/shared technology services for which the Department bills customer state agencies and government entities. ~~identified above for each fiscal year of the 2022-23 biennium~~ The Department may not expend funds in excess of amounts identified in this rider for operating and indirect administrative costs without prior written approval from the Legislative Budget Board. The Department requesting the approval of the Legislative Budget Board shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business



days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days.

The Department of Information Resources shall report all administrative costs collected and the administrative cost percentage charged to each state agency and other users of statewide technology centers as defined in Government Code, §2054.380 to the Governor and Legislative Budget Board no later than April 1 for the first six month period of the fiscal year and by October 1 for the second six month period of the fiscal year. By the same deadlines, the Department of Information Resources shall submit the proposed administrative costs collected and the proposed administrative cost percentage for the next six month period. The Legislative Budget Board and Governor's Office shall consider the incremental change to administrative percentages submitted. Without the written approval of the Governor and the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department if those appropriated funds are associated with an increase to the administrative cost percentage charged to users of the statewide technology centers and deposited to the Statewide Technology Account. The request to increase the administrative cost percentage shall be considered to be approved by the Legislative Budget Board unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupts the counting of the 30 business days. In addition, by September 15 of each even-numbered year the Department shall submit a report to the Legislative Budget Board detailing expended, budgeted and projected costs for data center services by participating agency. The report shall be in a format prescribed by the Legislative Budget Board.

By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider Revision**  
**Rider 8, Telecommunications Revolving Account**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend Rider 8, Telecommunications Revolving Account, so that Legislative Budget Board approval of additional expenditures above amounts appropriated applies only to the amounts appropriated for operations and indirect administrative costs.

**Required Action**

On page I-77 of the Department of Information Resources bill pattern, amend the following rider:

**8. Telecommunications Revolving Account.** Included in amounts appropriated above in Strategies B.4.1, Communications Technology Services; C.1.2, Security Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all balances not previously encumbered as of August 31, 2021, (estimated to be \$3,095,213) and revenues accruing during the 2022-23 biennium estimated to be \$96,967,390 in fiscal year 2022 and \$102,713,990 in fiscal year 2023 in revenue collected on or after September 1, 2021, appropriated from telecommunications services as provided by Government Code, Chapter 2170 out of Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account.

Any unexpended and unobligated balances remaining as of August 31, 2022, in the appropriation made herein are appropriated for the fiscal year beginning September 1, 2022, for the same purposes. For each fiscal year, in the event that unexpended and unobligated balances and/or revenues are less than the amounts estimated by this rider, fund balances in the Telecommunications Revolving Account, authorized by Rider 11, Fund Balance Limitations, may be expended to address a shortfall, subject to the limitations on expenditures included in this rider.

Included in amounts appropriated above The Department of Information Resources is may not expend funds appropriated to the Department that exceed the total \$9,725,739 in fiscal year 2022 and \$9,736,382 in fiscal year 2023 in Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account for the purpose of providing operating and administrative costs, excluding payments to service providers for communications technology services for voice, data, wireless, and internet services for which the Department bills customer state agencies and government entities. The Department may not expend funds in excess of amounts identified in this rider for operating and indirect administrative costs identified above for each fiscal year of the 2022-23 biennium without prior written approval from the Legislative Budget Board. The Department requesting the approval of the Legislative Budget Board shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days.

By: \_\_\_\_\_

**Article IX**  
**Proposed Funding and Rider**  
**Adjust Definition of Data Center Services**

Prepared by LBB Staff, 03/26/2021

**Overview**

Amend Article IX, Section 14.03 Transfers – Capital Budget to modify the definition of data center consolidation or data center services.

**Required Action**

On page IX-69 in Article IX, amend the following provision:

**Sec. 14.03. Transfers – Capital Budget.**

- (a) (1) Contained in appropriations made to certain agencies by this Act are amounts identified as the "Capital Budget." Except as provided under this Section, none of the funds appropriated by this Act, in excess of amounts restricted to capital budget purposes, may be expended for capital budget purposes without the prior written approval of the Governor and Legislative Budget Board.
- (2) The restrictions, limitations, reporting, and approval requirements of this §14.03 do not apply to a change in the method of finance which might result as a part of a transfer transaction involving a capital budget item of appropriation, provided that the transfer transaction otherwise complies with the requirements of this §14.03 and the other provisions of this Act.
- (b) A request for approval to exceed the transfer limitation on capital budget expenditures under Subsection (h) must be submitted by the agency's governing board (if the agency has a governing board) or by the chief administrative officer of the agency (if the agency has no governing board or the governing board has not met) and must include at a minimum:
  - (1) the date on which the governing board (if applicable) approved the request;
  - (2) a statement justifying the need to exceed the limitation;
  - (3) the source of funds to be used to make the purchases; and
  - (4) an explanation as to why such expenditures cannot be deferred.
- (c) This restriction does not apply to:
  - (1) expenditures for capital outlay items or projects that are not included in the definition of "Capital Budget" under Subsection (d); or
  - (2) expenditures for Capital Budget purposes made by institutions, including:
    - (A) institutions and agencies of higher education; or
    - (B) public community/junior colleges.
  - (d) "Capital Budget" includes expenditures, for assets with a biennial project cost or unit cost in excess of \$100,000, within the following categories:
    - (1) Acquisition of Land and Other Real Property (except for right-of-way purchases made by the Texas Department of Transportation);
    - (2) Construction of Buildings and Facilities;
    - (3) Repairs or Rehabilitation of Buildings and Facilities;

- (4) Construction of Roads (except for such expenditures made by the Texas Department of Transportation);
  - (5) Acquisition of Information Resource Technologies (including for purchase or contract for computer time, facility resources, maintenance, and training);
  - (6) Transportation Items;
  - (7) Acquisition of Capital Equipment and Items; or
  - (8) Other Lease Payments to the Master Lease Purchase Program (for items acquired prior to September 1, 2021, only).
- (e) Any expenditure directly related to acquisition of an asset, or to placing an asset in service, may be paid from the appropriation made to the "Capital Budget."
- (f) In implementing this section, the Comptroller should refer to the detailed instructions for preparing and submitting requests for legislative appropriations for the biennium beginning September 1, 2021, and the definitions included in those detailed instructions, and to the official request for legislative appropriations submitted by the affected agency.
- (g) Appropriations restricted to capital budget purposes and not identified in a "Capital Budget" as being for lease payments to the master lease purchase program (MLPP) or for other lease-purchase payments may be utilized to make lease payments under MLPP or for other lease or installment payments only if the agency to which the appropriation is made provides a report to the Comptroller specifying the sum of the lease payments to be made during the biennium for the Capital Budget item being acquired. The Comptroller shall reduce the appropriation made by this Act for the Capital Budget item in an amount equal to the difference between the appropriated amount and the sum of the lease payments for the biennium and deposit that amount into the unappropriated balance of the original funding source. In the event that the Comptroller cannot determine the amount appropriated for a specific Capital Budget item, the amount shall be determined by the Legislative Budget Board.
- (h) (1) Subject to any specific restriction in another provision of this Act, an agency may transfer appropriations:
- (A) from a non-capital budget item to a capital budget item;
  - (B) from a capital budget item to another capital budget item; or
  - (C) from a capital budget item to an additional capital budget item not presented in the agency's bill pattern.
- (2) Without the written approval of the Governor and the Legislative Budget Board:
- (A) the amounts transferred during a fiscal year as provided by Subdivision (1) of this Subsection (h) may not exceed 25 percent of either:
    - (i) the amount of the capital budget item, as presented in the agency's bill pattern from which funds are being transferred; or
    - (ii) the amount of the capital budget item, if presented in the agency's bill pattern, to which funds are being transferred;
  - (B) appropriations may not be transferred directly from a non-capital budget item to an additional capital budget item not presented in the agency's bill pattern;
  - (C) appropriations may not be transferred to an additional capital budget item that is not presented in the agency's bill pattern if that additional capital budget item was presented to a committee, subcommittee, or working group of the Eighty-seventh Legislature but was not adopted by the Eighty-seventh Legislature; and
  - (D) an agency that does not have a capital budget provision following its items of appropriation in this Act may not use funds appropriated by this Act for creation of a capital budget item.

- (3) An agency may not transfer appropriations from a capital budget item to a non-capital budget item without the prior written approval of the Governor and the Legislative Budget Board.
- (4) An agency may transfer appropriations for data center consolidation or data center services, as defined by Subsection (1)(2), as provided by §2054.386, Government Code, after obtaining the written approval of the Legislative Budget Board.
- (i) Unexpended balances remaining in appropriations made by this Act for capital budget purposes for use during the first year of the biennium are appropriated for use during the second year of the biennium for the same purpose.
- (j) (1) Notwithstanding limitations on capital expenditures provided elsewhere, appropriations made by this Act that may be used for the payment of utility bills may be used to pay for energy and water conservation-related projects, including lease payments under the state's Master Lease Purchase Program, entered into in accordance with energy and water conservation statutes.
- (2) Capital expenditures for items that could be financed through the utility savings made possible by a comprehensive energy and water conservation contract authorized by §2166.406, Government Code, are prohibited unless part of a comprehensive energy or water conservation contract authorized under §2166.406, Government Code.
- (3) Before authorizing expenditures for capital items that consume energy or water or that are related to the energy or water consumption of an agency's facilities, the Comptroller must verify that the items could not be part of a cost-effective contract for energy and water conservation measures authorized by §2166.406, Government Code.
- (k) Legislative Budget Board may direct the Comptroller of Public Accounts to reduce funds appropriated by this Act to a state agency for capital budget purposes.
- (l) (1) In order to provide for unanticipated shortages in appropriations made by this Act for fiscal year 2022 for the payment of data center services costs, amounts identified elsewhere in this Act in fiscal year 2023 for "data center consolidation" or "data center services" may be transferred to fiscal year 2022 to pay data center services costs.
- (2) "Data Center Consolidation" or "Data Center Services" for the purposes of this §14.03 is defined as ~~state data center~~ services provided by the Department of Information Resources in accordance with Government Code, Chapter 2054, Subchapter L, including software licensing services, application services, security services, and public and private cloud services.

By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider**  
**Rider 4, Capital Purchases on Behalf of Other Government Entities**

Prepared by LBB Staff, 03/19/2021

**Overview**

Modify Rider 4, Capital Purchases on Behalf of Other Government Entities, to expand the exemption from capital budget limitations made in Article IX, Transfers – Capital Budget, to all information resources and telecommunications technologies purchases.

**Required Action**

On page I-76 of the Department of Information Resources bill pattern, amend the following rider:

**4. Capital Purchases on Behalf of Other Government Entities.** Any capital items related to information resources and telecommunications technologies purchased by the Department of Information Resources for use by other state agencies and governmental entities ~~for which the department directly bills state agencies and governmental entities and is reimbursed~~ do not apply to the department for the purpose of the capital budget rider limitations specified in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

Capital purchases made by the department for the department's internal use are subject to capital budget rider limitations in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider**  
**Rider 3, DIR Clearing Fund Account**

Prepared by LBB Staff, 03/19/2021

**Overview**

Modify Rider 3, DIR Clearing Fund Account, to remove the requirement to include in its Annual Financial Report the costs avoided and savings obtained through cooperative contracts and a list of the agencies for which the Clearing Fund Account was used.

**Required Action**

On page I-75 of the Department of Information Resources bill pattern, amend the following rider:

**3. DIR Clearing Fund Account.** The Comptroller shall establish in the state treasury the Department of Information Resources Clearing Fund Account for the administration of cost recovery activities pursuant to authority granted under Chapters 771, 791, and 2157, Government Code. The account shall be used:

- a. As a depository for funds received as payments from state agencies, units of local government, and/or vendors for goods and services provided;
- b. As a source of funds for the department to purchase, lease, or acquire in any other manner services, supplies, software products, and equipment necessary for carrying out the department's duties relating to services provided to state agencies and units of local government for which the department receives payment from state agencies and local governmental units; and
- c. To pay salaries, wages, and other costs directly attributable to the services provided to state agencies and units of local government for which the department receives payment from those agencies and governmental units. However, the maximum amount for all administrative costs to be applied to state agency receipts and local government receipts shall not exceed 2.0 percent per receipt.

Included in the amounts appropriated above in Strategies A.1.1, Statewide Planning and Rules; A.1.2, Innovation and Modernization; B.1.1, Contract Administration of IT Commodities and Services; C.1.1, Security Policy and Awareness; C.1.2, Security Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all balances not previously encumbered as of August 31, 2021 (estimated to be \$1,127,908), and revenues accruing during the 2022-23 biennium estimated to be \$11,861,066 in fiscal year 2022 and \$13,026,445 in fiscal year 2023 in revenue collected on or after September 1, 2021, appropriated from the sale of information technology commodity items out of Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2022, out of appropriations made herein are appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2022. For each fiscal year, in the event that unexpended and unobligated balances and/or revenues are less than the amounts estimated by this rider, fund balances in the DIR Clearing Fund Account, authorized by Rider 11, Fund Balance Limitations, may be expended to address a shortfall, subject to the limitations on expenditures included in this rider.

The Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts identified above for each fiscal year of the 2022-23 biennium without prior written approval from the Legislative Budget Board. The Department

requesting the approval of the Legislative Budget Board shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days.

~~As part of its Annual Financial Report showing the use of appropriated funds, the Department of Information Resources shall include information showing the costs avoided and/or savings obtained through its cooperative activities and a list of the agencies or units of local government for which the Clearing Fund Account was used.~~



By: \_\_\_\_\_

**Department of Information Resources, Article I**  
**Proposed Rider Revision**  
**Rider 10, Reporting Requirement for Cost Recovery Activities**

Prepared by LBB Staff, 03/19/2021

**Overview**

Modify Rider 10, Reporting Requirements for Cost Recovery Activities, to change the reporting date from December 1 to March 1.

**Required Action**

On page I-79 of the Department of Information Resources bill pattern, amend the following rider:

**10. Reporting Requirements for Cost Recovery Activities.** Out of funds appropriated above, the Department of Information Resources (DIR) shall submit a report detailing all revenues and expenditures out of the DIR Clearing Fund Account, Telecommunications Revolving Account, Statewide Network Applications Account, and the Statewide Technology Account, respectively; estimated unexpended and unobligated balances remaining at the end of each fiscal year out of these accounts; and any expenditures that would exceed the amounts appropriated in DIR's bill pattern out of these accounts. The report shall include the fee rates charged for each service provided by DIR, the total fees charged to each state agency and other users of DIR's cooperative contracts, telecommunications, state electronic internet portal, and data center services, and the methodology DIR used to evaluate and set the respective fees.

The report shall be submitted to the Governor, Comptroller, and the Legislative Budget Board no later than ~~December 1~~ March 1 each fiscal year.

By: \_\_\_\_\_

**Article IX**  
**Proposed Funding and Rider**  
**Bulk Purchase Reporting Deadline**

Prepared by LBB Staff, 03/19/2021

**Overview**

Amend Article IX, Section 9.04, Information Technology Replacement, to change the date on which the report on cost savings of coordinated bulk purchases are due to the Legislative Budget Board from October 1, 2022 to December 1, 2022.

**Required Action**

On page IX-49 in Article IX, amend the following provision:

**Sec. 9.04. Information Technology Replacement.**

- (a) Agencies and institutions of higher education receiving appropriated funds for the acquisition of information technology shall perform a cost-benefit analysis of leasing versus purchasing information technology and develop and maintain a personal computer replacement schedule. Agencies and institutions of higher education shall use the Department of Information Resources' (DIR) Guidelines for Lease versus Purchase of Information Technologies to evaluate costs and DIR's PC Life Cycles: Guidelines for Establishing Life Cycles for Personal Computers to prepare a replacement schedule.
- (b) Agencies and institutions of higher education shall adhere to the following principles, when appropriate:
  - (1) Compliance with the Department of Information Resources data center services requirements; and
  - (2) Participation in hardware and software bulk purchasing facilitated by the Department of Information Resources.
- (c) In accordance with Sections 2157.006 and 2157.068, Government Code, the Department of Information Resources may require any state agency with plans to purchase or replace certain information technology equipment, hardware, software, and services, including cyber security, telecommunications and network equipment, out of funds appropriated elsewhere in this Act, to coordinate such purchases with the department to achieve additional cost savings through a coordinated bulk purchasing effort. Any state agency selected by the department for participation in the department's bulk purchasing effort shall cooperate with the department's requirements. Institutions of higher education receiving an appropriation by this Act for information technology initiatives, may also coordinate with the department through a coordinated bulk purchasing effort. The department shall coordinate bulk purchase efforts for the following:
  - (1) personal computers, laptops, and tablets;
  - (2) productivity software;
  - (3) seat management services; and
  - (4) any additional IT commodity items that may produce cost savings from bulk purchases.
- (d) By ~~October 1~~December 1, 2022, the Department of Information Resources shall report to the Legislative Budget Board, the cost savings realized through a coordinated bulk purchasing effort described in Subsection (c) above. The report shall include the participating agencies and the information technology purchased.

By: \_\_\_\_\_

**Texas Veterans Commission, Article I**  
**Proposed Funding and Rider**  
**Revision to Rider 8, Veterans Housing Grant Program**

Prepared by LBB Staff, 3/18/2021

**Overview**

Revise the amounts reflected in Rider 8, Veterans Housing Grant Program. This does not reduce funding for the program, but specifies the amount of General Revenue provided.

**Required Action**

On page I-101 of the Texas Veterans Commission bill pattern, amend the following rider:

- 8. **Veterans Housing Grant Program.** Included in the amounts appropriated above in Strategy B.1.2, Housing for Texas Heroes, is ~~\$4,000,000~~ \$2,389,544 in General Revenue for the 2022-23 biennium to provide grants to non-profit or local government organizations providing temporary or permanent housing to Texas Veterans and their families through the Housing4TexasHeroes program.

# HOUSE COMMITTEE ON APPROPRIATIONS

## ARTICLE I RIDERS



# **House Appropriations Committee Riders - Article I**

**Adopted**

**Legislative Budget Board**

### **Overview**

Along with other workforce analyses and reviews conducted by the Comptroller of Public Accounts, the agency shall identify and evaluate economic development and workforce retraining opportunities with regard to the transition to clean energy sources.

### **Required Action**

On page I-24 of the Comptroller of Public Account's bill pattern, add the following rider:

- \_\_\_\_\_. **Ensuring Workforce Supports through Transitioning Industries.** Out of the funds appropriated above to the Comptroller, the agency shall identify and evaluate economic development and workforce retraining opportunities with regard to the transition to clean energy sources. The agency shall seek and utilize data, as needed, from the Texas Workforce Commission and any other state agency to complete a thorough review of current workforce retraining opportunities and available job positions.

**Trusted Programs Within the Office of the Governor, Article I**  
**Proposed Funding and Rider**  
**Grants for County Jail Medication-assisted Treatment for Opioid and Alcohol Dependence**

Prepared by LBB Staff, 03/18/2021

**Overview**

Reinstate a rider that designates \$1.0 million General Revenue funding out of Strategy B.1.1, Criminal Justice for a grant program that provides funding to county jails administering qualified medication-assisted treatments for opioid and alcohol dependence. The proposed rider is based off Rider 34 of the Trusted Programs Within the Office of the Governor's bill pattern in the 2020-21 GAA.

**Required Action**

On page I-64 of the Trusted Programs Within the Office of the Governor's bill pattern, add the following rider:

36. **Grants for County Jail Medication-assisted Treatment for Opioid and Alcohol Dependence.** Included in amounts appropriated above in Strategy B.1.1., Criminal Justice, is \$1,000,000 in General Revenue in fiscal year 2022 with the purpose of providing inmates in Texas county jails access to Federal Drug Administration-approved, evidence-based medication-assisted treatment for opioid and alcohol dependence. Treatment may be administered while the inmate is confined in the county jail and when participating in outpatient care upon release. Grant funding may only be used for medical evaluations, the purchase of Federal Drug Administration-approved medication to treat opioid or alcohol dependency, individual and group counseling services, cognitive behavioral therapies, and necessary medical and behavioral health staff needed to implement the program.

Not later than December 1 of each year, the Office of the Governor shall provide a report on the previous fiscal year's grants to the Legislative Budget Board that includes participant relapse and recidivism rates for each county receiving funding.

By: Dean

**Trusted Programs Within the Office of the Governor**  
**Proposed Funding and Rider**  
**State Funding for Peace Officer Mental Health Program**

Prepared by LBB Staff, 03/19/2021

**Overview**

Prepare a rider that designating \$200,000 in General Revenue unexpended balances at the end of the 2020-21 biennium and included in fiscal year 2022 out of Strategy B.1.1, Criminal Justice, for the purpose of funding the Peace Officer Mental Health Program.

**Required Action**

On page I-64 of the Trusted Programs Within the Office of the Governor's bill pattern, add the following rider:

\_\_\_\_\_. **Peace Officer Mental Health Program.** Included in amounts appropriated above in Strategy B.1.1, Criminal Justice, is \$200,000 in unexpended balances remaining as of August 31, 2021 identified in Rider 11, Appropriation of Unexpended Balances, Revenue, and Interest Earnings, in General Revenue for the purposes of the Peace Officer Mental Health Program. Any unexpended or unobligated balances remaining as of August 31, 2022, are appropriated for the same purpose for the fiscal year beginning August 31, 2022.



By COLEMAN / ASHBY

### **Trusted Programs Within the Office of the Governor**

#### **Overview**

The following action adds a new rider that directs the Trusted Programs within the Office of the Governor to conduct a study to measure the value of having an additional top 50 public university in Texas.

#### **Required Action**

On page I-xx of the Trusted Programs Within the Office of the Governor bill pattern, add the following rider:

#### **Sec. \_\_ Study of Economic Impact of an Additional Top 50 Ranked Public University.**

Out of funds appropriated above, or through gift proceeds in accordance with Article IX, Sec. 8.01, Acceptance of Gifts of Money, the Trusted Programs within the Office of the Governor shall conduct a study to examine the economic impact of appropriating additional university funding for an existing ethnically diverse public university in order to elevate that university to a Top 50 ranked public university. The study results shall be submitted to the Legislature no later than June 1, 2022.

**Trusted Programs Within the Office of the Governor, Article I**  
**Proposed Funding and Rider**  
**Regarding Disaster Grants to Food Banks**

Prepared by LBB Staff, 03/26/2021

**Overview**

Amend the existing Rider 2, Disaster and Deficiency Grants to add a provision that would require 15 percent of funds appropriated to provide disaster funding within Strategy A.1.1, Disaster Funds be used to provide grants to Texas food banks.

**Required Action**

On page I-57 of the Trusted Programs Within the Office of the Governor bill pattern, amend the following rider:

**2. Disaster and Deficiency Grants.**

- a. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021 for the biennium beginning September 1, 2021 (estimated to be \$0) in Strategy A.1.1, Disaster Funds to provide grants-in-aid in case of disasters, in accordance with Government Code, Chapter 418.
- b. The Trusted Programs within the Office of the Governor shall set aside funds appropriated to Strategy A.1.1., Disaster Funds, for the purchase, storage, and transportation of foods by Texas food banks for distribution during a disaster.
- c. ~~b.~~ Included in the amounts appropriated above is all unexpended balances as of August 31, 2021 for the biennium beginning September 1, 2021 (estimated to be \$1,350,000) in General Revenue in fiscal year 2022 to Strategy A.1.2, Agency Grant Assistance, for payments of claims arising prior to the convening of the next legislature by the Governor for deficiencies of up to \$200,000 per agency, per event, in accordance with §403.075, Government Code.
- d. ~~e.~~ The Governor may, according to the terms of the disaster award or deficiency award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.
- e. ~~d.~~ The Governor shall notify the Legislative Budget Board 15 business days after any grants or awards made as described in subsection "~~a~~ or "~~b~~" "a," "b" or "c" above, including any General Revenue or unexpended balances carried forward from previous appropriations.

**Trusted Programs Within the Office of the Governor, Article I**  
**Proposed Funding and Rider**  
**Study of Economic Impact of an Additional Top 50 Ranked Public University**

Prepared by LBB Staff, 03/17/2021

**Overview**

The following action adds a new rider that directs the Trusted Programs Within the Office of the Governor to conduct a study to measure the value of having an additional top 50 public university in Texas.

**Required Action**

1. On page I-64 of the Trusted Programs Within the Office of the Governor bill pattern, amend the following rider:

\_\_\_\_. **Study of Economic Impact of an Additional Top 50 Ranked Public University.** Out of funds appropriated above, or through gift proceeds in accordance with Article IX, Sec. 8.01, Acceptance of Gifts of Money, the Trusted Programs Within the Office of the Governor shall conduct a study to examine the economic impact of appropriating additional university funding for an existing ethnically diverse public university in order to elevate that university to a Top 50 ranked public university in the United States. The study results shall be submitted to the Legislature no later than June 1, 2022.

By: Turner, Chris

**Library and Archives Commission, Article I**  
**Proposed Funding and Rider**  
**Provide Unexpended Balance Authority for the Library Innovation Zone Grant**

Prepared by LBB Staff, 03/17/2021

**Overview**

Create a new rider that appropriates unexpended balances to the Library and Archives Commission for the Library Innovation Zone Grant for the East Arlington Recreation Center and Library.

**Required Action**

On page I-85 of the Library and Archives bill pattern, add the following rider:

- \_\_\_\_\_. **Unexpended Balances Library Innovation Zone Grant.** Included in amounts appropriated above are unexpended balances as of August 31, 2021 in appropriations made to the Library and Archives Commission for the Library Innovation Zone grant to the East Arlington Recreation Center and Library (estimated to be \$0) for the same purpose for the biennium beginning September 1, 2021.

**House Appropriations Committee Decision Document**  
**Representative González, Subcommittee Chair on Articles I, IV, and V**  
**Members: Representatives Ashby, Holland, Schaefer, Sherman**

Decisions as of March 24, 2021

LBB Manager: Mark Wiles

	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article IV, The Judiciary Total, Article IV, The Judiciary Items Not Included in Bill as Introduced	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Supreme Court of Texas (201)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 8,000,000	\$ 8,000,000	\$ -	\$ -	\$ 1,036,192	\$ 369,690	\$ 4,000,000	\$ 4,000,000
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	(9.0)	(9.0)	0.0	0.0
<b>Court of Criminal Appeals (211)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 10,246,470	\$ 10,246,470	\$ -	\$ -	\$ 3,399,920	\$ 2,733,418	\$ 46,470	\$ 46,470
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	(9.0)	(9.0)	0.0	0.0
<b>14 Courts of Appeals (221-234)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ (23,256,503)	\$ (28,136,503)	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	(80.0)	(80.0)	0.0	0.0
<b>Office of Court Administration, Texas Judicial Council (212)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 6,983,804	\$ 6,983,804	\$ -	\$ -	\$ 3,189,905	\$ 3,174,905	\$ 1,808,658	\$ 1,808,658
Total, Full-time Equivalents / Tentative Decisions	4.0	4.0	0.0	0.0	0.0	0.0	3.0	3.0
<b>Office of Capital and Forensic Writs (215)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 1,366,995	\$ 1,366,995	\$ -	\$ -	\$ 185,535	\$ 185,535	\$ 1,181,460	\$ 1,181,460
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Office of the State Prosecuting Attorney (213)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ (317,240)	\$ (317,240)	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	(1.0)	(1.0)	0.0	0.0

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article IV, The Judiciary		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
Total, Article IV, The Judiciary		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
Items Not Included in Bill as Introduced		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
State Law Library (243)									
	Total, Outstanding Items / Tentative Decisions	\$ 454,632	\$ 454,632	\$ -	\$ -	\$ 2,113,455	\$ 2,128,455	\$ 454,632	\$ 454,632
	Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	12.0	12.0	1.0	1.0
State Commission on Judicial Conduct (242)									
	Total, Outstanding Items / Tentative Decisions	\$ 436,470	\$ 436,470	\$ -	\$ -	\$ -	\$ -	\$ 431,470	\$ 431,470
	Total, Full-time Equivalents / Tentative Decisions	1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0
Judiciary Section, Comptrollers Department (241)									
	Total, Outstanding Items / Tentative Decisions	\$ 9,492,835	\$ 8,952,415	\$ -	\$ -	\$ 30,189,147	\$ 36,402,151	\$ 8,251,953	\$ 8,251,953
	Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	99.0	99.0	0.0	0.0
Special Provisions - Judiciary									
	Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total, Outstanding Items / Tentative Decisions		\$ 36,981,206	\$ 36,440,786	\$ -	\$ -	\$ 16,540,411	\$ 16,540,411	\$ 16,174,643	\$ 16,174,643
NO-COST ADJUSTMENTS									
1 Court of Criminal Appeals (211)		\$ (6,400,000)	\$ (6,400,000)	\$ -	\$ -	\$ (6,400,000)	\$ (6,400,000)	\$ -	\$ -
Total, NO COST ADJUSTMENTS		\$ (6,400,000)	\$ (6,400,000)	\$ -	\$ -	\$ (6,400,000)	\$ (6,400,000)	\$ -	\$ -
Total GR & GR-Ded Adopted Items less Cost-out Adjustments		\$ 30,581,206	\$ 30,040,786	\$ -	\$ -	\$ 10,140,411	\$ 10,140,411	\$ 16,174,643	\$ 16,174,643
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		6.0	6.0	0.0	0.0	12.0	12.0	5.0	5.0

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article IV - The Judiciary Supreme Court of Texas (201) Items Not Included in Bill as Introduced		Items Not Included in HB 1 <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Pended Items <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Adopted <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Article XI <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds	
<u>Technical Adjustments:</u>									
1.	Reallocate \$250,000 in General Revenue each fiscal year from strategy A.1.1 , Appelate Court Operations, to. strategy B.1.4, Judicial Commission on Mental Health. Also, amend Rider 6, Judicial Training Program, to refer to Strategy B.1.4. The funds are for continuing a training program to educate and inform judges and their staff of mental health care resources available in Texas.					Adopted			
<u>Agency Requests:</u>									
1.	<b>Basic Civil Legal Services and Legal Services for Veterans</b> General Revenue funding of \$6.0 million to provide legal services for then indigent and \$2.0 million to provide basic civil legal services to veterans and their families.  <b>HB1 as introduced includes \$74,068,784 million in All Funds for basic civil legal services. This includes General Revenue funding of \$24,780,784 at 2020-21 levels.</b>	\$ 8,000,000	\$ 8,000,000			\$ 4,000,000	\$ 4,000,000	\$ 4,000,000	\$ 4,000,000

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article IV - The Judiciary Supreme Court of Texas (201) Items Not Included in Bill as Introduced		Items Not Included in HB 1 <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Pended Items <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Adopted <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Article XI <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds	
Subcommittee Revisions and Additions:									
1.	Transfer Judicial Positions and Salaries to Judiciary Section, Comptroller's Department								
	a. Transfer the Chief Justice and Justice positions (9.0 FTEs) with Schedule of Exempt Positions salary amounts to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			
	b. Delete Strategy A.1.2, Appellate Justice Salaries, and move \$1,481,904 in General Revenue and \$333,251 in Judicial Fund 573 in fiscal year 2022 and \$1,481,904 in General Revenue and \$333,251 in Judicial Fund 573 in fiscal year 2023 to a new strategy for the same purpose in the Judiciary Section, Comptroller's Department bill pattern.					\$ (2,963,808)	\$ (3,630,310)		
Total, Outstanding Items / Tentative Decisions		\$ 8,000,000	\$ 8,000,000	\$ -	\$ -	\$ 1,036,192	\$ 369,690	\$ 4,000,000	\$ 4,000,000
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	(9.0)	(9.0)	0.0	0.0



Article IV - The Judiciary Court of Criminal Appeals (211) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Cost-Out Adjustments:</b>									
1.	Revise Judicial and Court Personnel Training Fund No. 540 (GR-D 540) funding in Strategy B.1.1, Judicial Education, to align with the Comptroller's Biennial Revenue Estimate (BRE) for 2022-23. Amend GR-D 540 funding in Strategy B.1.1, Judicial Education, from \$12,687,828 to \$15,887,828 in fiscal year 2022 and from \$12,687,828 to \$15,887,828 in fiscal year 2023 to provide funding for the Judicial Education program.  <b>Cost Neutral. GR-D 540 is estimated and not used for certification.</b>	\$ 6,400,000	\$ 6,400,000			\$ 6,400,000	\$ 6,400,000		

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article IV - The Judiciary Court of Criminal Appeals (211) Items Not Included in Bill as Introduced		Items Not Included in HB 1 <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Pended Items <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Adopted <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds		Article XI <u>2022-23 Biennial Total</u> GR & GR-DedicatedAll Funds	
2.	Revise GR Dedicated - Judicial and Court Personnel Training Fund No. 540 amounts in Rider 2, Judicial Education, to align with amounts in BRE.  In section (a)(1), change \$380,635 to \$476,635  In section (b)(1)(A), change \$827,176 to \$828,022  In section (b)(1)(B), change \$1,872,209 to \$2,574,068  In section (b)(1)(C), change \$1,819,839 to \$2,502,065  In section (b)(1)(D), change \$824,067 to 1,132,995  In section (b)(1)(E), change \$445,012 to \$611,839  In section (b)(1)(F), change \$53,100 to \$73,006  In section (b)(1)(G), change \$262,000 to \$349,229  In section (b)(1)(H), change \$400,399 to \$550,502  See Item 1, in Cost-Out Adjustments above.					Adopted			

Article IV - The Judiciary Court of Criminal Appeals (211) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:								
1. Reallocate \$437,000 in General Revenue each fiscal year from Strategy A.1.1, Appellate Court Operations, to Strategy B.1.1, Judicial Education, to correctly align appropriations with Rider 2, Judicial Education, subsection (b)(2), which relates to continuing legal education and other trainings for judges, court staff, prosecuting attorneys, and defense attorneys on mental health issues, pre-trial diversion, and mrental health resources available in Texas.					Adopted			
Agency Requests:								
1. Continue Staff Salaries at 2021 Levels General Revenue funding of \$23,235 each fiscal year to continue salary increases provided to staff in 2021 for both years in the 2022-23 biennium.	\$ 46,470	\$ 46,470					\$ 46,470	\$ 46,470
2. GR Dedicated - Judicial and Court Personnel Training Fund No. 540 Shortfall General Revenue funding of \$1.9 million each fiscal year to offset court fee revenue reductions in GR Dedicated - Judicial and Court Personnel Training Fund No. 540 to provide additional Judicial Education Program funding.	\$ 3,800,000	\$ 3,800,000						

Article IV - The Judiciary Court of Criminal Appeals (211) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Subcommittee Revisions and Additions:									
1.	Transfer Judicial Positions and Salaries to Judiciary Section, Comptroller's Department								
	a. Transfer the Presiding Judge and Judge positions (9.0 FTEs) with Schedule of Exempt Positions salary amounts to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			
	b. Delete Strategy A.1.2, Appellate Judge Salaries, and move \$1,492,977 in General Revenue and \$333,251 in Judicial Fund 573 in fiscal year 2022 and \$1,507,103 in General Revenue and \$333,251 in Judicial Fund 573 in fiscal year 2023 to a new strategy for the same purpose in the Judiciary Section, Comptroller's Department bill pattern.					\$ (3,000,080)	\$ (3,666,582)		
Total, Outstanding Items / Tentative Decisions		\$ 10,246,470	\$ 10,246,470	\$ -	\$ -	\$ 3,399,920	\$ 2,733,418	\$ 46,470	\$ 46,470
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	(9.0)	(9.0)	0.0	0.0

Article IV - The Judiciary 14 Courts of Appeals (221-234) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>									
1.	Transfer Judicial Positions and Salaries to Judiciary Section, Comptroller's Department								
	a. Transfer the Chief Justice and Justice positions with Schedule of Exempt Positions salary amounts for each of the fourteen Courts of Appeals to the bill pattern of the Judiciary Section, Comptroller's Department. This would transfer 80.0 FTEs.					Adopted			
	b. Delete Strategy A.1.2, Appellate Justice Salaries, and move General Revenue and Judicial Fund 573 funding totaling \$11,576,453 in General Revenue and \$2,440,000 in Judicial Fund 573 in fiscal year 2022 and \$11,680,050 in General Revenue and \$2,440,000 in Judicial Fund 573 in fiscal year 2023 for the fourteen Courts of Appeals to a new strategy for the same purpose in the Judiciary Section, Comptroller's Department bill pattern.					\$ (23,256,503)	\$ (28,136,503)		
<u>Subcommittee Revisions and Additions:</u>									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ -	\$ -	\$ -	\$ -	\$ (23,256,503)	\$ (28,136,503)	\$ -	\$ -
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	(80.0)	(80.0)	0.0	0.0

Article IV - The Judiciary Office of Court Administration, Texas Judicial Council (212) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>									
1.	Add "& UB" to strategies A.1.1, A.1.2, A.1.3, B.1.1, B.1.2, C.1.1, and D.1.1.					Adopted			
<b>Agency Requests:</b>									
1.	<b>Restore Cuts to Critical Programs</b> General Revenue funding to provide for:								
a)	hiring of eight auditors for the Guardianship Abuse, Fraud, and Exploitation Deterrence Program to fill positions already included in the agency's existing FTE cap. This funding was included in the five percent reduction in the 2020-21 biennium.  <b>The introduced bill provides \$1.3 million each fiscal year to fund 20 auditors.</b>	\$ 465,333	\$ 465,333					\$ 465,333	\$ 465,333
b)	continuing 2020-21 appropriations for associate judges and court coordinators to travel to Children's Courts for in-person hearings	\$ 303,360	\$ 303,360			\$ 303,360	\$ 303,360		
c)	hiring one court coordinator (1.0 FTE) each fiscal year for the Child Protection Courts	\$ 100,000	\$ 100,000						
d)	continuing funding for lump-sum annual leave payouts for retiring child support and child protection staff provided in 2020-21	\$ 300,000	\$ 300,000						

Article IV - The Judiciary Office of Court Administration, Texas Judicial Council (212) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2.	COVID-19 Impacted Critical Needs General Revenue funding for:								
	a) Two Program or Media Speciaist (2.0 FTEs), required health and retirement contributions, estimated longevity, travel costs, and office supplies for technical assistance with remote hearings	\$ 247,360	\$ 247,360					\$ 247,360	\$ 247,360
	b) 120 iPads for jurors in remote trials	\$ 213,360	\$ 213,360					\$ 213,360	\$ 213,360
	c) 3,000 ongoing Zoom licenses	\$ 524,400	\$ 524,400					\$ 524,400	\$ 524,400
	d) 1.0 FTE, required health and retirement contributions, and license costs, estimated longevity, travel costs, and computer and office supplies to provide interpreter services.	\$ 154,005	\$ 154,005					\$ 154,005	\$ 154,005
3.	Domestic Violence/Community Safety General Revenue to continue funding a Domestic Violence Training Attorney previously funded with Federal Funds that are no longer available to provide training and technical assistance on domestic violence and protective order issues to judges on domestic violence, sexual assault, stalking, and trafficking cases.	\$ 204,200	\$ 204,200					\$ 204,200	\$ 204,200

Article IV - The Judiciary Office of Court Administration, Texas Judicial Council (212) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4. <b>Restore 5 percent reduction for TIDC</b> General Revenue-Dedicated Statewide Fair Defense Account No. 5073 (GR-D 5073) funding for grants to address (1) the increased demand for counsel due high unemployment following COVID-19; (2) the jury trial backlog created by COVID-19; and (3) the continued demand for defender offices.  <b>HB 1 as introduced includes \$90.0 million in GR-D 5073 funding for TIDC.</b>	\$ 4,471,786	\$ 4,471,786			\$ 4,471,786	\$ 4,471,786		
5. <b>Administrative Director's Exempt Salary Group</b> Increase the Administrative Director position's Salary Group Authority from Group 5 to Group 7.								
<b>Subcommittee Revisions and Additions:</b>								
1. Delete Rider 13, Contingency Appropriation: State Law Library Duties, and reduce appropriations by \$1,056,727 in fiscal year 2022 and \$1,056,728 in fiscal year 2023 in General Revenue and \$7,500 in fiscal year 2022 and \$7,500 in fiscal year 2023 in Appropriated Receipts and 10.0 FTEs each fiscal year related to State Law Library duties to restore funds and FTEs in the bill pattern of the State Law Library.					\$ (2,113,455)	\$ (2,128,455)		
2 Increase General Revenue-Dedicated Statewide Fair Defense Account No. 5073 (GR-D 5073) to provide additional funding for indigent defense grants.					\$ 528,214	\$ 528,214		



Article IV - The Judiciary Office of Court Administration, Texas Judicial Council (212) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	Add a new rider requiring TIDC to create a pilot project in three geographically diverse areas with populations greater than 800,000 to expand capacity of existing mental health defender programs and to establish mental health defender programs in counties currently without them.					Adopted			
4.	Move Rider 12, Children's Justice Grants to States, to the bill pattern for the Governor's Trusteed Programs.					Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 6,983,804	\$ 6,983,804	\$ -	\$ -	\$ 3,189,905	\$ 3,174,905	\$ 1,808,658	\$ 1,808,658
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		4.0	4.0	0.0	0.0	0.0	0.0	3.0	3.0

Article IV - The Judiciary Office of Capital and Forensic Writs (215) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:									
1.	Salary Parity General Revenue-Dedicated Statewide Fair Defense Account No. 5073 (GR-D 5073) funding to provide:								
a)	An increase in the average salary for 12 attorneys from \$75,000 to \$115,000.  HB 1 as introduced includes \$1.6 million in salary funding for these 12 attorneys.	\$ 974,400	\$ 974,400					\$ 974,400	\$ 974,400
b)	An increase in the average salary for 6 mitigation specialists from \$58,000 to \$75,000.  HB 1 as introduced includes \$0.6 million in salary funding for these 6 mitigation specialists.	\$ 207,060	\$ 207,060					\$ 207,060	\$ 207,060
2.	5 Percent Reduction Restoration General Revenue-Dedicated Statewide Fair Defense Account No. 5073 (GR-D 5073) funding to restore the agency's 5 Percent Reduction to maintain 2020-21 salary levels for agency staff. The agency reports an intent to reduce salaries by the amount requested to prioritize funding staff travel and professional fees and services to litigate cases statewide.	\$ 185,535	\$ 185,535			\$ 185,535	\$ 185,535		
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ 1,366,995	\$ 1,366,995	\$ -	\$ -	\$ 185,535	\$ 185,535	\$ 1,181,460	\$ 1,181,460
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IV - The Judiciary Office of the State Prosecuting Attorney (213) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:									
1.	Transfer State Prosecutor Position and Salary to Judiciary Section, Comptroller's Department								
	a. Transfer the State Prosecuting Attorney position (1.0 FTE) with Schedule of Exempt Positions salary amounts to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			
	b. Delete Strategy A.1.2, State Prosecutor Salary, and move \$158,530 in General Revenue in fiscal year 2022 and \$158,710 in General Revenue in fiscal year 2023 to a new strategy for the same purpose in the Judiciary Section, Comptroller's Department bill pattern.					\$ (317,240)	\$ (317,240)		
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ -	\$ -	\$ -	\$ -	\$ (317,240)	\$ (317,240)	\$ -	\$ -
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalent / Tentative Decisions		0.0	0.0	0.0	0.0	(1.0)	(1.0)	0.0	0.0

Article IV - The Judiciary State Law Library (243) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:									
1.	<b>Restore 5 Percent Reduction</b> General Revenue for restoring staff salaries to 2020-21 appropriated levels, membership dues and employee training, the agency's statute digitization project, Westlaw database public access, and to update subscriptions based on need.	\$ 111,234	\$ 111,234					\$ 111,234	\$ 111,234
2.	<b>Maintain &amp; Expand Digital Services</b> General Revenue to fund subscriptions consisting of 5,000 titles, including Westlaw and AILALink.	\$ 58,398	\$ 58,398					\$ 58,398	\$ 58,398
3.	<b>Update Print Collection</b> General Revenue to purchase updates for selected titles and purchase new titles for the library's print collection.	\$ 150,000	\$ 150,000					\$ 150,000	\$ 150,000
4.	<b>Replace Book Scanner</b> General Revenue to purchase an updated library-quality book scanner.	\$ 11,000	\$ 11,000					\$ 11,000	\$ 11,000
5.	<b>Restore Librarian Position</b> General revenue to restore one professional librarian (1.0 FTE) cut in 2010.  <b>SB 1 as introduced includes \$1.0 million in salary funding for 8 librarians.</b>	\$ 124,000	\$ 124,000					\$ 124,000	\$ 124,000
Subcommittee Revisions and Additions:									
1.	Delete Rider 2, Contingency Appropriation, making appropriations and FTEs for the State Law Library (SLL) included in the bill pattern for the Office of Court Administration (OCA) contingent upon the enactment of legislation transferring the SLL's duties to OCA.					Adopted			

Article IV - The Judiciary State Law Library (243) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2.	Increase appropriations in the bill pattern of the State Law Library by \$1,056,727 in fiscal year 2022 and \$1,056,728 in fiscal year 2023 in General Revenue and \$7,500 in fiscal year 2022 and \$7,500 in fiscal year 2023 in Appropriated Receipts in Strategy A.1.1, Administration and Enforcement.					\$ 2,113,455	\$ 2,128,455		
3.	Increase "Number of Full-Time-Equivalents (FTE)" in the bill pattern of the State Law Library by 12.0 FTEs in fiscal year 2022 and 12.0 FTEs in fiscal year 2023.					Adopted			
4.	Add a Director position at Group 2 in the "Schedule of Exempt Positions:" with a salary cap of \$113,298 each fiscal year.					Adopted			
5.	Add a new rider identifying Appropriated Receipts in the State Law Library bill pattern in the amount of \$7,500 each fiscal year as being from collected fees and service charges authorized pursuant to Government Code §91.011 and providing additional appropriation authority for revenues collected above \$7,500 in fiscal year 2022 with authority to carry forward any unexpended and unobligated balances into fiscal year 2023.					Adopted			
6.	Add a new rider providing appropriation authority to allow the agency to carry forward any unexpended and unobligated balances from fiscal year 2022 into 2023 for the purpose of acquiring legal reference materials and paying subscription fees.					Adopted			
7.	Amend Rider 1, Performance Measure Targets, by increasing the target for the "Percentage of Positive Evaluations of Library Service by Library Users" from 0% to 95% each fiscal year.					Adopted			
Total, Outstanding Items / Tentative Decisions		\$ 454,632	\$ 454,632	\$ -	\$ -	\$ 2,113,455	\$ 2,128,455	\$ 454,632	\$ 454,632
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		1.0	1.0	0.0	0.0	12.0	12.0	1.0	1.0

Article IV - The Judiciary State Commission on Judicial Conduct (242) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>									
1.	<b>Restore 5 Percent Reduction</b> General Revenue funding to provide for:								
	a) Filling a vacant attorney position	\$ 60,000	\$ 60,000					\$ 60,000	\$ 60,000
	b) Software maintenance for the agency's case management system	\$ 7,400	\$ 7,400					\$ 7,400	\$ 7,400
	c) Salary increases to four attorneys authorized by the 86th Legislature which were included in the agency's required 5 percent reduction.	\$ 37,504	\$ 37,504					\$ 37,504	\$ 37,504
	d) Continuing Legal Education and conference registrations	\$ 20,000	\$ 20,000					\$ 20,000	\$ 20,000
	e) Utility cost increases	\$ 566	\$ 566					\$ 566	\$ 566
	<b>HB 1 as introduced includes \$2,640 for utilities.</b>								
2.	<b>Outside Counsel and Litigation Expenses</b> General Revenue funding to provide funding for litigation and outside counsel costs in the defense of pending lawsuits for which the Office of the Attorney General has declined representation.	\$ 200,000	\$ 200,000					\$ 200,000	\$ 200,000
3.	<b>Additional Investigator</b> General Revenue funding for one additional investigator staff position (1.0 FTE) to handle a share of pending investigations and review the conduct of judges across various social media platforms.  <b>HB 1 as introduced includes \$0.2 million in salary funding for 4 investigators.</b>	\$ 106,000	\$ 106,000					\$ 106,000	\$ 106,000

Article IV - The Judiciary State Commission on Judicial Conduct (242) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4	Laptops with Wifi and Bluetooth Capabilities General Revenue funding for 15 new laptops with Wifi and Bluetooth for commissioners to use during hearings and meetings.	\$ 5,000	\$ 5,000						
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ 436,470	\$ 436,470	\$ -	\$ -	\$ -	\$ -	\$ 431,470	\$ 431,470
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		1.0	1.0	0.0	0.0	0.0	0.0	1.0	1.0

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Cost-Out Adjustments:									
1.	<b>Assistant Prosecutor Supplement Fund No. 303</b> Decrease Assistant Prosecutor Supplement Fund No. 303 appropriations from \$3,270,210 to \$3,000,000 each year in Strategy D.1.1, Assistant Prosecutor Longevity Pay, to align with the Comptroller's Biennial Revenue Estimate and increase General Revenue by a like amount each fiscal year. The appropriations provide for longevity pay for eligible assistant district attorneys.	\$ 540,420	\$ -						
Agency Requests:									
1.	<b>Visiting Judges - Regions</b>								
	<b>5 Percent Restoration</b> General Revenue funding to restore the 5 percent reduction for salary payments to retired and former judges called to duty as visiting judges for district courts.	\$ 477,094	\$ 477,094					\$ 477,094	\$ 477,094
	<b>Funding to Address Case Backlog</b> General Revenue funding for increased costs resulting from additional visiting judges needed for case backlogs due to the COVID-19 pandemic.  Request made independent of the Judiciary Section.	\$ 6,798,241	\$ 6,798,241					\$ 6,798,241	\$ 6,798,241
	<b>HB 1 as introduced includes \$10.1 million for Visiting Judges - Regions.</b>								



Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2. <b>Visiting Judges - Appellate</b> General Revenue funding to restore the 5 percent reduction for salary payments to retired and former appellate judges called to duty as visiting judges for appellate courts.  HB 1 as introduced includes \$0.7 million for this purpose.	\$ 34,218	\$ 34,218					\$ 34,218	\$ 34,218
3. <b>District Judges: Travel</b> General Revenue funding to restore the 5 percent reduction for the payment of district judge expenses while engaged in the performance of their duties when the judicial district is composed of more than one county.  HB 1 as introduced includes \$0.6 million for this purpose.	\$ 31,750	\$ 31,750						
4. <b>Judicial Salary Per Diem</b> General Revenue funding to restore the 5 percent reduction for the payment of per diem for active, retired, and former district judges and statutory county court at law judges serving on assignment; and the per diem and expenses for active and retired justices and judges of the Supreme Court, Court of Criminal Appeals, or a Court of Appeals when holding court out of their district or county when assigned.  HB 1 as introduced includes \$0.4 million for this purpose.	\$ 17,196	\$ 17,196						

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5.	<b>Prosecutors: Subchapter C</b> General Revenue funding to restore the 5 percent reduction for payment of the apportionment made payable to the County Officers Salary Fund in counties where there is a district attorney not receiving a state salary (Harris County).  HB 1 as introduced includes \$0.3 million for this purpose.	\$ 12,770	\$ 12,770					\$ 12,770	\$ 12,770
6.	<b>Felony Prosecutors: Travel</b> General Revenue funding to restore the 5 percent reduction for the payment of felony prosecutor travel expenses while engaged in the actual performance of their duties.  HB 1 as introduced includes \$0.3 million for this purpose.	\$ 16,758	\$ 16,758					\$ 16,758	\$ 16,758
7.	<b>Felony Prosecutors: Expenses</b>								
	<b>Office Expenses Based on Judicial District Population</b> General Revenue funding to provide for office expenses of professional prosecutors and the State Prosecuting Attorney above the statutory minimum of \$22,500 through on tiered amounts established through Rider 4, Felony Prosecutors Expenses, based on judicial district population and 2020-21 appropriated levels.	\$ 651,046	\$ 651,046			\$ 651,046	\$ 651,046		

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	<b>Amend Rider 4, Felony Prosecutors Expenses</b> Amend the rider to provide funding for office expenses based on the following tiers:  1. \$11,083 annually for single-county districts with populations over 50,000;  2. \$22,500 per year in districts with populations over 50,000; or  3. \$27,500 per year in districts with populations under 50,000 for criminal district and county attorneys both prohibited and not prohibited from the private practice of law.					Adopted			
	<b>5 Percent Restoration</b> General Revenue funding to restore the 5 percent reduction for office expenses for professional prosecutors and the State Prosecuting Attorney.	\$ 391,120	\$ 391,120					\$ 391,120	\$ 391,120
	<b>HB 1 as introduced includes \$7.3 million for Felony Prosecutor expenses.</b>								

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
8.	<b>National Center for State Courts</b> General Revenue funding to restore the 5 percent reduction for payment of a membership assessment with the National Center for State Courts on behalf of the Texas Judiciary.  HB 1 as introduced includes \$0.9 million for this purpose.	\$ 42,752	\$ 42,752	\$ -	\$ -			\$ 42,752	\$ 42,752
9.	<b>Special Prosecution Unit</b>								
	<b>5 Percent Restoration</b> General Revenue funding for items included in the SPU's 5 percent reduction: a Juvenile Division Sexual Assault Prosecutor, civil commitment expert witness expenses, travel, continuing education, and operational expenses with the SPU Palestine office.	\$ 366,853	\$ 366,853					\$ 366,853	\$ 366,853
	<b>Walker County Benefits Cost Increases</b> General Revenue funding to cover increases in health insurance costs and other related benefits costs by Walker County that is not included in the Judiciary Section's LAR.  Request made independent of the Judiciary Section.	\$ 112,147	\$ 112,147					\$ 112,147	\$ 112,147
	HB 1 as introduced includes \$10.5 million for this purpose.								

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
10	<b>Docket Equalization</b> General Revenue funding to restore the 5 percent reduction for travel expenses incurred by appellate justices and their staff who travel to hear cases transferred to them for disposition.  HB 1 as introduced includes \$9,530 for this purpose.	\$ 470	\$ 470			\$ 470	\$ 470		
<b>Subcommittee Revisions and Additions:</b>									
1.	<b>Transfer Judicial and State Prosecutor Positions and Salaries to Judiciary Section, Comptroller's Department</b>								
	a. Add the Chief Justice and Justice positions (9.0 FTEs) with Schedule of Exempt Positions salary amounts for the Supreme Court of Texas to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			
	b. Add the Presiding Judge and Judge positions (9.0 FTEs) with Schedule of Exempt Positions salary amounts for the Court of Criminal Appeals to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			
	c. Add the Chief Justice and Justice positions with Schedule of Exempt Positions salary amounts for each of the fourteen Courts of Appeals to the bill pattern of the Judiciary Section, Comptroller's Department. This would transfer 80.0 FTEs.					Adopted			
	d. Add the State Prosecuting Attorney position (1.0 FTE) with Schedule of Exempt Positions salary amounts for the Office fo the State Prosecuting Attorney to the bill pattern of the Judiciary Section, Comptroller's Department.					Adopted			

Article IV - The Judiciary Judiciary Section, Comptroller's Department (241) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	e. Add a new strategy in the Judiciary Section, Comptroller's Department bill pattern under Goal A: Judicial Slaries and Payments, to provide funding for Chief Justice, the Presiding Judge, Justice, and Judge salaries and related costs associated with position transfers from the Supreme Court of Texas, the Court of Criminal Appeals, and the fourteen Courts of Appeals totaling \$14,551,334 in General Revenue and \$3,106,502 in Judicial Fund 573 in fiscal year 2022 and \$14,669,057 in General Revenue and \$3,106,502 in Judicial Fund 573 in fiscal year 2023.					\$29,220,391	\$35,433,395		
	f. Add a new strategy in the Judiciary Section, Comptroller's Department bill pattern under Goal B: Posecutor Slaries and Payments, to provide funding for the State Prosecuting Attorney salary and related costs associated with the position transfer from the Office of the State Prosecuting Attorney totaling \$158,530 in General Revenue in fiscal year 2022 and \$158,710 in General Revenue in fiscal year 2023.					\$ 317,240	\$ 317,240		
Total, Outstanding Items / Tentative Decisions		\$ 9,492,835	\$ 8,952,415	\$ -	\$ -	\$ 30,189,147	\$ 36,402,151	\$ 8,251,953	\$ 8,251,953
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalent / Tentative Decisions		0.0	0.0	0.0	0.0	99.0	99.0	0.0	0.0

Article IV - The Judiciary Special Provisions - Judiciary Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>								
1. None.								
<u>Subcommittee Revisions and Additions:</u>								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

By: Rose

**Office of Court Administration, Texas Judicial Council**  
**Proposed Funding and Rider**  
**Indigent Defendants with Mental Illness Pilot Project**

Prepared by LBB Staff, 03/26/2021

**Overview**

The proposed rider would require the Texas Indigent Defense Commission to provide funding out of amounts appropriated to the Office of Court Administration for a pilot project for the early identification and specialized representation of indigent defendants with mental illness in three geographically diverse counties each with a population of more than 800,000 at the time of the 2010 decennial United States census.

**Required Action**

On page IV-32 of the Office of Court Administration bill pattern, add the following rider:

\_\_\_\_\_. **Indigent Defendants with Mental Illness Pilot Project.** Out of the amounts appropriated above in Strategy D.1.1, Texas Indigent Defense Commission, the Texas Indigent Defense Commission shall provide funding for a pilot project for the early identification and specialized representation of indigent defendants with mental illness. The Commission shall provide grants to counties to expand the capacity of existing mental health defender programs and to establish mental health defender programs in counties currently without these programs. It is the intent of the legislature that for the pilot project the Commission shall provide grants to three geographically diverse counties each with a population of more than 800,000 at the time of the 2010 decennial United States census.



By: \_\_\_\_\_

**State Law Library**  
**Proposed Rider**  
**Appropriation of Receipts: Fees and Service Charges**

Prepared by LBB Staff, March 19, 2021

**Overview**

The proposed new rider would identify Appropriated Receipts in the State Law Library bill pattern in the amount of \$7,500 each fiscal year as being from collected fees and service charges authorized pursuant to Government Code §91.011 and provide additional appropriation authority for revenues collected above \$7,500 in fiscal year 2022 with authority to carry forward any unexpended and unobligated balances into fiscal year 2023.

**Required Action**

On page IV-36 of the State Law Library bill pattern in House Bill 1, add the following new rider:

\_\_\_\_\_.      **Appropriation of Receipts: Fees and Service Charges.** Out of funds appropriated above to the State Law Library from Appropriated Receipts in Strategy A.1.1, Administration and Operations, \$7,500 each fiscal year is from collected fees and service charges authorized pursuant to Government Code §91.011. All receipts collected as fees and service charges in excess of the amounts appropriated above are appropriated to the State Law Library for the biennium beginning September 1, 2021.

By: \_\_\_\_\_

**State Law Library**  
**Proposed Rider**  
**Unexpended Balances**

Prepared by LBB Staff, March 19, 2021

**Overview**

The proposed new rider would provide appropriation authority to allow the agency to carry forward any unexpended and unobligated balances from fiscal year 2022 into 2023 for the purpose of acquiring legal reference materials and paying subscription fees.

**Required Action**

On page IV-36 of the State Law Library bill pattern in House Bill 1, add the following new rider:

- \_\_\_\_\_. **Unexpended Balances.** Any unexpended and unobligated balances remaining in Strategy A.1.1, Administration and Operations, as of August 31, 2022, are appropriated in fiscal year 2023 to the State Law Library for the purpose of acquiring legal reference materials and paying subscription fees.

# HOUSE COMMITTEE ON APPROPRIATIONS

## ARTICLE IV RIDERS



# **House Appropriations Committee Riders - Article IV**

**Adopted**

**Legislative Budget Board**

## **Office of Court Administration, Texas Judicial Council Proposed Rider**

Prepared by LBB Staff, 03/18/2021

### **Overview**

The proposed rider would direct the Office of Court Administration to use appropriated funds to create a Family Violence Homicide Reduction Task Force to make recommendations and provide guidance to courts relating to implementing policies relating to the transfer or other disposition of firearms for persons temporarily prohibited from possessing firearms pursuant to a judgment, bond condition, or order issued as a result of family violence

### **Required Action**

On page IV-32 of the bill pattern for the Office of Court Administration in House Bill 1, add the following new rider:

- \_\_\_\_\_. **Family Violence Homicide Reduction Task Force.** Out of funds appropriated above in strategy A.1.1, Court Administration, the Office of Court Administration shall, to the extent that state statute allows, establish a Family Violence Homicide Reduction Task Force, composed of representative experts, to make recommendations and provide guidance to courts related to implementing policies related to the transfer or other disposition of firearms for persons temporarily prohibited from possessing firearms pursuant to a judgment, bond condition, or order issued as a result of family violence.

**Article IV**  
**Proposed Funding and Rider**  
**Protective Order Enforcement Study**

**Overview**

Currently, protective orders are enforced unevenly and through different mechanisms across counties. The Office of Court Administration should be tasked with studying the different methods of enforcement and reporting that data with the aim of suggesting best practices for a statewide enforcement model.

**Required Action**

On page IV-28 of the Office of Court Administration, Texas Judicial Council bill pattern, add the following rider:

\_\_\_\_\_. **Protective Order Enforcement Study.** Out of funds appropriated above, the Office of Court Administration shall study different mechanisms of protective order enforcement used in a representative selection of Texas counties and identify best practices for a statewide model of effective, efficient protective order enforcement.

The Office of Court Administration shall report the findings of the study to the permanent committees in the House of Representatives and the Senate with jurisdiction over criminal justice and public safety by September 1, 2022.

Decisions as of March 24, 2021 8pm

LBB Manager: Katy Fallon-Brown

	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article V, Public Safety and Criminal Justice Total, Article V, Public Safety and Criminal Justice Items Not Included in Bill as Introduced	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Texas Alcoholic Beverage Commission (458)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 30,084,596	\$ 30,084,596	\$ -	\$ -	\$ -	\$ -	\$ 16,097,726	\$ 16,097,726
Total, Full-time Equivalents / Tentative Decisions	63.0	63.0	0.0	0.0	0.0	0.0	54.0	54.0
<b>Department of Criminal Justice (696)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 623,364,107	\$ 623,364,107	\$ -	\$ -	\$ 61,336,412	\$ 61,336,412	\$ 175,660,758	\$ 175,660,758
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Commission on Fire Protection (411)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 629,878	\$ 629,878	\$ -	\$ -	\$ -	\$ -	\$ 629,878	\$ 629,878
Total, Full-time Equivalents / Tentative Decisions	3.0	3.0	0.0	0.0	0.0	0.0	3.0	3.0
<b>Commission on Jail Standards (409)</b>								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Juvenile Justice Department (644)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 223,785,097	\$ 223,785,097	\$ -	\$ -	\$ 13,663,834	\$ 13,663,834	\$ 189,771,888	\$ 189,771,888
Total, Full-time Equivalents / Tentative Decisions	199.0	199.0	0.0	0.0	31.5	31.5	167.5	167.5
<b>Commission on Law Enforcement (407)</b>								
Total, Outstanding Items / Tentative Decisions	\$ 9,109,982	\$ 9,109,982	\$ -	\$ -	\$ 706,874	\$ 706,874	\$ 6,259,846	\$ 6,259,846
Total, Full-time Equivalents / Tentative Decisions	31.0	31.0	0.0	0.0	3.0	3.0	28.0	28.0

Article V, Public Safety and Criminal Justice Total, Article V, Public Safety and Criminal Justice Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Texas Military Department (401)								
Total, Outstanding Items / Tentative Decisions	\$ 29,140,669	\$ 34,890,172	\$ -	\$ -	\$ -	\$ -	\$ 12,180,994	\$ 13,432,322
Total, Full-time Equivalents / Tentative Decisions	45.0	45.0	0.0	0.0	0.0	0.0	45.0	45.0
Department of Public Safety (405)								
Total, Outstanding Items / Tentative Decisions	\$ 145,392,332	\$ 145,392,332	\$ -	\$ -	\$ 5,018,489	\$ 5,018,489	\$ 22,755,929	\$ 22,755,929
Total, Full-time Equivalents / Tentative Decisions	158.9	158.9	0.0	0.0	0.0	0.0	28.0	28.0
Total, Outstanding Items / Tentative Decisions	\$ 1,061,506,661	\$ 1,067,256,164	\$ -	\$ -	\$ 80,725,609	\$ 80,725,609	\$ 423,357,019	\$ 424,608,347
Total, NO COST ADJUSTMENTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total GR & GR-Ded Adopted Items less Cost-out Adjustments	\$ 1,061,506,661	\$ 1,067,256,164	\$ -	\$ -	\$ 80,725,609	\$ 80,725,609	\$ 423,357,019	\$ 424,608,347
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	499.9	499.9	0.0	0.0	34.5	34.5	325.5	325.5



Article V, Public Safety and Criminal Justice Alcoholic Beverage Commission (458) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>									
1.	Restore FTEs - 28.0 FTEs and resources allocated to the enforcement strategy to return agency FTE cap to initial request.	\$ 6,764,904	\$ 6,764,904					\$ 6,764,904	\$ 6,764,904
2.	Human Trafficking Investigations - 26.0 FTEs and resources to detect and deter human trafficking in licensed establishments.	\$ 5,286,516	\$ 5,286,516					\$ 5,286,516	\$ 5,286,516
3.	Public Safety Technology - 3.0 FTEs and resources to develop Alcohol Industry Management System (AIMS) to allow for the system to include compliance audits, self inspections, and violation identification.	\$ 3,675,382	\$ 3,675,382						
4.	Licensing & Tax Collection Technology - 5.0 FTEs and resources to develop the Alcohol Industry Management System.	\$ 4,347,730	\$ 4,347,730						
5.	Schedule C Reallocation - Salary funding to increase employee retention.	\$ 4,046,306	\$ 4,046,306					\$ 4,046,306	\$ 4,046,306
6.	Cybersecurity Program - Professional fees and services to secure confidential data and to cover the cost of cyber security software updates.	\$ 777,320	\$ 777,320						
7.	CAPPS Support - 1.0 FTE to support agency CAPPS reporting requirement.	\$ 186,438	\$ 186,438						
8.	New Rider, Unexpended Balances Within the Biennium - Add rider that would allow the agency to transfer funds between fiscal years within the biennium.	\$ -	\$ -			Adopted			
9.	New Rider, Capital Budget Expenditures from Federal Awards - Exempt grants and federal funds from the capital budget rider limitation in Article IX.	\$ -	\$ -						
10.	New Rider, Hardship Station - Add rider that would allow the executive director to use existing funds to a create financial incentive to fill excessive vacancies in hard to hire areas.	\$ -	\$ -			Adopted			
11.	Rider 13, Out-of-State Travel Ban - Remove rider 13 which bans out of state travel.	\$ -	\$ -						

Article V, Public Safety and Criminal Justice Alcoholic Beverage Commission (458) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
12.	New Rider, Information Technology Item Funding - Create a General Revenue Dedicated Account to provide consistent funding to maintain and upgrade agency IT projects across biennia. <b>This rider would cost \$5.0 million the 2022-23 biennium.</b>	\$ 5,000,000	\$ 5,000,000						
13.	TABC Commissioners request that the TABC Executive Director position be added to Article IX 3.06(c)(6), allowing the governing board to set the salary of the Executive Director within Group 6.								
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ 30,084,596	\$ 30,084,596	\$ -	\$ -	\$ -	\$ -	\$ 16,097,726	\$ 16,097,726
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		63.0	63.0	0.0	0.0	0.0	0.0	54.0	54.0

			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article V, Public Safety and Criminal Justice Department of Criminal Justice (696) Items Not Included in Bill as Introduced			Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
			GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Technical Adjustments:										
1.	Adjust capital budget authority for TDCJ and BPP to align with funding recommendations. <b>No cost.</b>		\$ -	\$ -			Adopted			
2.	Rider 42, Correctional Managed Health Care (c)(4): Reduce estimated health care fees by \$215,000. <b>No cost.</b>		\$ -	\$ -			Adopted			
Other Budget Recommendations										
1.	Basic Supervision Population Adjustment - Fund basic supervision using LBB updated population projections (Jan 2021) and FY 2021 cost per day.		\$ 21,188	\$ 21,188			\$ 21,188	\$ 21,188		
2.	Parole Supervision Population Projection Adjustment - Fund Parole Direct Supervision using LBB updated population projections (Jan 2021) and FY 2021 cost per day.		\$ 1,315,224	\$ 1,315,224			\$ 1,315,224	\$ 1,315,224		
Agency Requests:										
1.	Repair and Renovation of Facilities									
	a.	Safety - Projects include roof repairs, generators, electrical renovations, and fire alarms/suppression systems.	\$ 82,630,000	\$ 82,630,000						
	b.	Security - Projects include locking systems and controls, perimeter fencing and lighting repair.	\$ 29,360,000	\$ 29,360,000						
	c.	Infrastructure - Projects include water and waste water systems, utility connections, roads, bridges, and parking lots.	\$ 28,630,000	\$ 28,630,000						
	d.	Facility Repairs - Projects include repairs to walls, mechanical systems, and plumbing.	\$ 13,200,000	\$ 13,200,000						
2.	Maximum Security Correctional Unit Differential Pay - Funding to provide a 10 percent differential pay increase for correctional officers working in maximum security units.		\$ 113,806,882	\$ 113,806,882					\$ 56,903,441	\$ 56,903,441
									Five percent pay increase in Article XI.	

			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article V, Public Safety and Criminal Justice Department of Criminal Justice (696) Items Not Included in Bill as Introduced			Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
			GR & GR-Dedicated		GR & GR-Dedicated		GR & GR-Dedicated		GR & GR-Dedicated	
			All Funds		All Funds		All Funds		All Funds	
3. Offender Health Care - Correctional Managed Health Care (CMHC)										
	a.	Fund CMHC at 2022-23 projected levels of expense for the delivery of services currently provided. <b>HB1, As Introduced, includes \$1,274.6 million for CMHC funding.</b>	\$ 262,419,302	\$ 262,419,302			\$ 60,000,000	\$ 60,000,000	\$118,757,317	\$118,757,317
			Updated request is \$178.8M.							
	b.	Technological improvements and upgrades for critical IT systems, including electronic health management systems.	\$ 21,475,950	\$ 21,475,950						
	c.	Additional Pharmacy Staff to maintain manageable pharmacist workload and meet service demands.	\$ 4,149,042	\$ 4,149,042						
	d.	Market level salary adjustments to recruit and maintain medical staff.	\$ 39,249,040	\$ 39,249,040						
	e.	Critical capital equipment needs including x-rays units, dental chairs, and other equipment.	\$ 2,943,479	\$ 2,943,479						
4. Corrections Information Technology System Project (CITS) - Funding to update TDCJ's aging mainframe and offender management system. TDCJ was appropriated funding for this project in the 2020-21 biennium but chose to include it as part of the five percent reduction.			\$ 24,164,000	\$ 24,164,000						
5. New Rider, Unexpended Balance Authority for Postsecondary Education Programs - Addition of a rider that would allow TDCJ to transfer unexpended balances between fiscal years within the biennium.			\$ -	\$ -			Adopted			
<b>Subcommittee Revisions and Additions:</b>										
1. None.										
<b>Total, Outstanding Items / Tentative Decisions</b>			<b>\$ 623,364,107</b>	<b>\$ 623,364,107</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 61,336,412</b>	<b>\$ 61,336,412</b>	<b>\$175,660,758</b>	<b>\$175,660,758</b>
			<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>			0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article V, Public Safety and Criminal Justice Commission on Fire Protection (411) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:									
1.	Restoration of 5% reduction - restores \$188,578 to the budget that was reduced in 2020-21 biennium.	\$ 188,578	\$ 188,578					\$ 188,578	\$ 188,578
2.	Compliance Officers - 2.0 FTEs to staff two proposed additional compliance regions.	\$ 315,400	\$ 315,400					\$ 315,400	\$ 315,400
3.	Agency General Counsel - 1.0 FTE for a General Counsel to assist the agency with rule reviews, compliance violation resolutions, and employee matters.	\$ 125,900	\$ 125,900					\$ 125,900	\$ 125,900
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ 629,878	\$ 629,878	\$ -	\$ -	\$ -	\$ -	\$ 629,878	\$ 629,878
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		3.0	3.0	0.0	0.0	0.0	0.0	3.0	3.0

Article V, Public Safety and Criminal Justice Commission on Jail Standards (409) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<u>Agency Requests:</u>								
1. None.								
<u>Subcommittee Revisions and Additions:</u>								
1. None.								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article V, Public Safety and Criminal Justice Juvenile Justice Department (644) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>									
1.	Delete Rider 36, Study on Confinement of Children with Mental Illness or Intellectual Disabilities, due to agency completion.	\$ -	\$ -			Adopted			
<b>Other Budget Recommendations:</b>									
1.	Fund Basic Probation Supervision using LBB updated population projections (Jan 2021) and agency's requested cost per day.	\$ (5,724,484)	\$ (5,724,484)			\$ (5,724,484)	\$ (5,724,484)		
2.	Fund Institutional Supervision and Food Service using LBB updated population projections (Jan 2021) and a cost per day of \$171.64 in FY 2022 and \$174.26 in FY 2023.	\$ 12,508,962	\$ 12,508,962			\$ 12,508,962	\$ 12,508,962		
3.	Fund Parole Direct Supervision using LBB updated population projections (Jan 2021) and agency's requested cost per day.	\$ (968,933)	\$ (968,933)			\$ (968,933)	\$ (968,933)		
<b>Agency Requests:</b>									
1.	Sustain the juvenile justice system by maintaining core services and operations:								
	a. Restore capabilities for prevention, intervention, and commitment diversion.	\$ 7,388,904	\$ 7,388,904	Items 1 a, 1 b, and 1 c: half adopted, half in Article XI		\$ 3,694,452	\$ 3,694,452	\$ 3,694,452	\$ 3,694,452
	b. Maintain basic state services (63.0 FTEs).	\$ 5,107,672	\$ 5,107,672			\$ 2,553,836	\$ 2,553,836	\$ 2,553,836	\$ 2,553,836
	c. Continuation of body worn cameras.	\$ 3,200,001	\$ 3,200,001			\$ 1,600,001	\$ 1,600,001	\$ 1,600,001	\$ 1,600,001
	d. Restore contract placement funding.	\$ 3,013,838	\$ 3,013,838					\$ 3,013,838	\$ 3,013,838
	e. Secure capability to provide required risk and needs assessments for youth.	\$ 3,000,000	\$ 3,000,000					\$ 3,000,000	\$ 3,000,000
	f. Modernize IT system.	\$ 7,500,000	\$ 7,500,000						
2.	Enhance the juvenile justice system by providing new services focused on needs and risks:								
	a. Juvenile probation funding.	\$ 66,774,108	\$ 66,774,108					\$ 66,774,108	\$ 66,774,108
	b. Maintain staffing with salary adjustments.	\$ 17,038,368	\$ 17,038,368					\$ 17,038,368	\$ 17,038,368

Article V, Public Safety and Criminal Justice Juvenile Justice Department (644) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	Innovate the juvenile justice system through modern strategy to meet emerging need and risks:								
	a. Meet needs of specialized populations in smaller settings.	\$ 62,700,753	\$ 62,700,753					\$ 62,700,753	\$ 62,700,753
	b. Provide added reentry, aftercare, and family support at the state and county levels (3.0 FTEs).	\$ 7,796,751	\$ 7,796,751					\$ 7,796,751	\$ 7,796,751
	c. Enhance staffing ratios for specialized populations (116.0 FTEs).	\$ 11,937,858	\$ 11,937,858					\$ 11,937,858	\$ 11,937,858
	d. Crisis mental health stabilization services.	\$ 6,000,000	\$ 6,000,000					\$ 6,000,000	\$ 6,000,000
4.	Deferred operational expenses to fund COVID-19:								
	a. Delayed deferred maintenance projects.	\$ 1,655,400	\$ 1,655,400						
	b. Delayed vehicle purchases for the Office of the Inspector General (OIG).	\$ 179,526	\$ 179,526						
5.	Address repair and rehabilitation needs at state facilities:								
	a. Health and safety	\$ 2,500,000	\$ 2,500,000						
	b. Deferred maintenance	\$ 2,500,000	\$ 2,500,000						
6.	OIG: Restoration of baseline funding (6.0 FTEs).	\$ 552,388	\$ 552,388					\$ 552,388	\$ 552,388
7.	OIG: Human Trafficking Investigators (3.0 FTEs).	\$ 451,452	\$ 451,452					\$ 451,452	\$ 451,452
8.	OIG: Incident Reporting Center improvements (7.0 FTEs).	\$ 753,046	\$ 753,046					\$ 753,046	\$ 753,046
9.	OIG: Schedule C parity.	\$ 1,678,544	\$ 1,678,544					\$ 1,678,544	\$ 1,678,544
10.	OIG: Fleet replacement (24 vehicles).	\$ 814,450	\$ 814,450						
11.	Office of Independent Ombudsman: Restoration of baseline funding and salary adjustments, including 1.0 FTE.	\$ 226,493	\$ 226,493					\$ 226,493	\$ 226,493



Article V, Public Safety and Criminal Justice Juvenile Justice Department (644) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
12.	Rider 13, Juvenile Justice Alternative Education Programs: - Change Texas Education Agency transfer amount at the beginning of each fiscal year from \$1.5 million to 15% of total. - Remove language that says counties that choose to participate in requirements of Chapter 37 of the Texas Education Code be included in this distribution. - Alter the cap that can be spent on summer school from \$3 million to 10% of appropriation. - Add language to the rider that would require TEA to increase appropriated funds to provide a minimum reimbursement of \$86 per attendance day if the reimbursement rate falls below \$86 per day due to increased days of attendance. <b>Depending upon attendance, rider would cost an estimated \$5.2M in the 2022-23 biennium.</b>	\$ 5,200,000	\$ 5,200,000			Rider language adopted.			
13.	Rider 12, Charges to Employees and Visitors. Amend Rider 12 by adding Juvenile Correctional Officers to the list of personnel who may be provided meals, housing, and laundry service in exchange for services rendered.	\$ -	\$ -			Adopted			
Subcommittee Revisions and Additions:									
1.	None.								
Total, Outstanding Items / Tentative Decisions		\$ 223,785,097	\$ 223,785,097	\$ -	\$ -	\$ 13,663,834	\$ 13,663,834	\$189,771,888	\$189,771,888
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		199.0	199.0	0.0	0.0	31.5	31.5	167.5	167.5

			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article V, Public Safety and Criminal Justice Commission on Law Enforcement (407) Items Not Included in Bill as Introduced			Items Not Included in HB 1		Pended Items		Adopted		Article XI	
			<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
			GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Agency Requests:</b>										
1.	Modernizing IT Infrastructure:									
	a.	5.0 FTEs to help maintain and develop the agency's system and update the IT infrastructure.	\$ 1,041,130	\$ 1,041,130					\$ 1,041,130	\$ 1,041,130
	b.	Establishing or refreshing systems integration, secure document submission and payment system, a secure, user-friendly website, and upgrading the end-of-life hardware components of the virtual network and corresponding software.	\$ 2,143,262	\$ 2,143,262						
2.	Addressing Misconduct - 15.0 FTEs to address licensee misconduct by including front end investigative and legal resources to alleviate a queue of open cases, and help eliminate reliance on OAG resources for SOAH hearings.		\$ 3,388,086	\$ 3,388,086					\$ 3,388,086	\$ 3,388,086
3.	Training Development and Oversight - 6.0 FTEs for the curriculum staff to oversee law enforcement training, and funding to reimburse volunteer curriculum committee participants for travel and per diem expenses.		\$ 1,313,748	\$ 1,313,748			\$ 656,874	\$ 656,874	\$ 656,874	\$ 656,874
							Half adopted, half in Article XI			
4.	Customer Service:									
	a.	1.0 FTE in the IT Division for internal and external technical support.	\$ 112,368	\$ 112,368					\$ 112,368	\$ 112,368
	b.	Fill two Customer Service Representative vacancies in the Credentialing Division that were subject to the 5 percent reduction.	\$ 198,300	\$ 198,300					\$ 198,300	\$ 198,300
5.	Agency Operations:									
	a.	Human Resources Manager.	\$ 212,542	\$ 212,542					\$ 212,542	\$ 212,542
	b.	Contract Manager.	\$ 176,474	\$ 176,474					\$ 176,474	\$ 176,474
	c.	Travel Coordinator/Fleet Management.	\$ 147,032	\$ 147,032					\$ 147,032	\$ 147,032
6.	Agency Creation Support - Fill a Special Services Division vacancy that assists with the creation of new law enforcement agencies.		\$ 153,032	\$ 153,032					\$ 153,032	\$ 153,032

Article V, Public Safety and Criminal Justice Commission on Law Enforcement (407) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
7.	School Marshal Program Oversight - 1.0 FTE for a dedicated school marshal coordinator.	\$ 154,008	\$ 154,008					\$ 154,008	\$ 154,008
8.	Rent Adjustment - Offset projected rent increases for upcoming biennium.	\$ 50,000	\$ 50,000			\$ 50,000	\$ 50,000		
9.	Peace Officer Flag Program - Continue the availability of Texas flags for families of active or retired peace officers.	\$ 20,000	\$ 20,000					\$ 20,000	\$ 20,000
Subcommittee Revisions and Additions:									
1.	General Revenue-Dedicated Fund Account No. 116 decreasing fund balance will be depleted no later than fiscal year 2023. Option is to provide General Revenue to TCOLE or CPA to continue funding upon the depletion of the fund's balance. Exact cost to be determined.					MOF swap \$2M GR for GR-D Fund 116			
Total, Outstanding Items / Tentative Decisions		\$ 9,109,982	\$ 9,109,982	\$ -	\$ -	\$ 706,874	\$ 706,874	\$ 6,259,846	\$ 6,259,846
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		31.0	31.0	0.0	0.0	3.0	3.0	28.0	28.0

Article V, Public Safety and Criminal Justice Texas Military Department (401) Items Not Included in Bill as Introduced			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
			Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
			GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:										
1.	Additional FTEs - 45.0									
	a.	13.0 FTEs for Texas State Guard for administration, training, logistics, and readiness.	\$ 2,026,606	\$ 2,026,606					\$ 2,026,606	\$ 2,026,606
	b.	19.0 FTEs for facilities maintenance, contract and project management. <b>50/50 Federal and State Contribution.</b>	\$ 1,251,366	\$ 2,502,694					\$ 1,251,366	\$ 2,502,694
	c.	1.0 FTE for the Military Funeral and Honors program.	\$ 220,000	\$ 220,000					\$ 220,000	\$ 220,000
	d.	8.0 FTEs for cybersecurity operations including 6.0 FTEs for TXSG Cybersecurity team and 2.0 FTEs to support cybersecurity response at the Joint Force Headquarters (JFHQ).	\$ 2,267,892	\$ 2,267,892					\$ 2,267,892	\$ 2,267,892
	e.	4.0 FTEs for disaster and emergency support - 1.0 FTE for Texas Air National Guard operations, 1.0 FTE for state logistics and emergency management, and 2.0 FTEs for Real-time Open Source Analysis (ROSA) Project counter-terrorism efforts.	\$ 600,000	\$ 600,000					\$ 600,000	\$ 600,000
2	Texas State Guard									
	a.	TXSG Uniforms for new recruits	\$ 287,798	\$ 287,798					\$ 287,798	\$ 287,798
	b.	Search and rescue boats and dive equipment.	\$ 338,700	\$ 338,700					\$ 338,700	\$ 338,700
3.	Facilities and Maintenance									
	a.	State of Texas Armory revitalization Project (STAR).	\$ 2,279,956	\$ 3,257,080						
	b.	Capital Budget/Deferred Maintenance.	\$ 871,560	\$ 1,187,920						
	c.	Facilities maintenance and sustainment.	\$ 6,993,659	\$ 10,198,350						
4.	Support Equipment and Supplies									
	a.	Work Flow Tool and Information Technology Service Desk to track and manage internal processes and IT issues of the Office of State Administration.	\$ 604,500	\$ 604,500						
	b.	Public Affairs Office - Funding for studio equipment, portable cameras, high-speed internet, and online newspaper subscriptions.	\$ 60,000	\$ 60,000						

Article V, Public Safety and Criminal Justice Texas Military Department (401) Items Not Included in Bill as Introduced			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
			Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
			GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	c.	Riot Gear - Funding for 1,200 sets of riot gear for civil disturbance missions.	\$ 1,064,040	\$ 1,064,040					\$ 1,064,040	\$ 1,064,040
	d.	Weapons and Training Ammunition.	\$ 30,000	\$ 30,000					\$ 30,000	\$ 30,000
	e.	Fleet Vehicles - Funding for vehicle replacements.	\$ 450,000	\$ 450,000						
5.	State Training and Missions									
	a.	Aviation Office Training Events - Funding for operational costs of the TXARNG State Aviation Office.	\$ 426,790	\$ 426,790					\$ 426,790	\$ 426,790
	b.	Annual TXSG State Training Mission - Funding to offset increased pay rate for meals and travel stipends.	\$ 1,701,296	\$ 1,701,296					\$ 1,701,296	\$ 1,701,296
	c.	Funding for additional medals due to increased missions and training.	\$ 92,000	\$ 92,000					\$ 92,000	\$ 92,000
	d.	Parachute Demonstration Team Training and Events - Funding to promote the TXARNG Parachute Demonstration Team. The team currently has no consistent source of funding.	\$ 200,000	\$ 200,000						
6.	State Tuition Assistance - Reinstate funding as a result of the 5 percent baseline reduction for the tuition assistance program.		\$ 1,874,506	\$ 1,874,506					\$ 1,874,506	\$ 1,874,506
7.	State Active Duty - Disaster Base Increase - the request (FY 2022 only) would provide immediate availability of funds at the onset of a declared disaster or emergency. This would reduce the transfers of funds required to initially fund state active duty response pending the receipt of other state or federal funds.		\$ 5,500,000	\$ 5,500,000						
8.	Rider 9, Appropriation – Billet Receipts - Amend to provide unexpended balance authority between biennia for billet receipts to be utilized in support of continued billet operation and maintenance.		\$ -	\$ -						
9.	Rider 10, Unexpended Balances, Payments to National Guard for State Active Duty: Allow for unexpended funds to roll to the next biennium for the same purpose.		\$ -	\$ -						

Article V, Public Safety and Criminal Justice Texas Military Department (401) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
10.	Rider 11, Cash Flow Contingency: Modify requirement that the temporary utilization of General Revenue Funds be repaid by November 30 of the following fiscal year.	\$ -	\$ -			Adopted			
11.	Rider 15, Disposition and Use of Funds from State-owned Property Sales: Authorize any unexpended and unobligated balances to be appropriated for the same purpose for the next fiscal year. Also removes the \$5.0 million cap related to the sale of state-owned property.	\$ -	\$ -						
12.	Rider 24, Governor Grant for Payroll Processing and Other Expenses in Event of Disaster: Expand the use of disaster grants from the Office of the Governor to include expenses other than payroll processing.	\$ -	\$ -						
13.	Rider 27, Capital Budget Expenditure from Federal and Other Funding Sources: Exempt TMD from certain Article IX Capital Budget rider provisions and clarifies that TMD's capital budget authority is not impacted by funds received by the Federal government, donations, or other sources.	\$ -	\$ -						
14.	New Rider, Texas State Guard Clothing Provision: Add a rider to authorize TMD to purchase uniforms for members of the TXSG with appropriated funds.	\$ -	\$ -			Adopted			
15.	New Rider, Appropriation: Contingency Asset Forfeiture Program: Add a rider appropriating forfeited money, including earned interest, related to TMD's participation in counterdrug or other law enforcement activities. Allows for unexpended balances to move within and between biennia for the same purpose.	\$ -	\$ -						
Subcommittee Revisions and Additions:									
1.	None.								

Article V, Public Safety and Criminal Justice Texas Military Department (401) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions	\$ 29,140,669	\$ 34,890,172	\$ -	\$ -	\$ -	\$ -	\$ 12,180,994	\$ 13,432,322
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	45.0	45.0	0.0	0.0	0.0	0.0	45.0	45.0

Article V, Public Safety and Criminal Justice Department of Public Safety (405) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>									
1.	Reallocate \$1,717,815 in the DCS capital budget from Strategy E.1.2, Information Technology, to Strategy D.1.1, Driver License Services. <b>No cost.</b>	\$ -	\$ -			Adopted			
2.	Remove \$1,035,151 from Fund 501, Motorcycle Education Account, in FY 2022. Program was transferred to the Texas Department of Licensing and Regulation in FY 2021.	(\$1,035,151)	(\$1,035,151)			(\$1,035,151)	(\$1,035,151)		
<b>Agency Requests:</b>									
1.	Prevent Mass Casualty Attacks in Public Places:								
a.	Crime Records Submission (Grants to Locals) - fund local law enforcement to upgrade their reporting systems.	\$ 10,000,000	\$ 10,000,000					\$ 10,000,000	\$ 10,000,000
b.	Protective Threat Monitoring and Analysis - fund 22.5 FTEs to identify potential threats.	\$ 6,073,684	\$ 6,073,684						
c.	Texas Suspicious Activity Reporting Network - fund the anonymous suspicious reporting tool.	\$ 2,600,000	\$ 2,600,000						
d.	Live Threat Engagement Training House (12.1 FTEs) - train law enforcement on mass casualty events.	\$ 9,359,431	\$ 9,359,431						
e.	Major Crime Scene Vehicle Response System (2.7 FTEs) - expand the collection of evidence of violent crimes.	\$ 4,108,970	\$ 4,108,970						
f.	Crime Scene Technician (2.3 FTEs)- fund FTEs to process evidence.	\$ 787,234	\$ 787,234						
2.	Enhance Capitol Security								
a.	Equipment: panic button notification, x-ray technology, videos cameras, and gunshot detection capability.	\$ 1,769,000	\$ 1,769,000						
b.	72.0 additional staff: 65.0 troopers, 5.0 agents, and 2.0 analysts.	\$ 36,345,291	\$ 36,345,291						
c.	Equipment and 2.0 additional staff to enhance bomb dog capabilities.	\$ 1,023,690	\$ 1,023,690						



Article V, Public Safety and Criminal Justice Department of Public Safety (405) Items Not Included in Bill as Introduced			Outstanding Items for Consideration				Tentative Subcommittee Decisions			
			Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
			GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3. Enhance Cyber Security:										
	a.	28.0 FTEs for additional IT personnel.	\$ 6,702,289	\$ 6,702,289					\$ 6,702,289	\$ 6,702,289
	b.	Replacement of outdated hardware and software.	\$ 10,483,872	\$ 10,483,872						
4. Maintain and Replace Outdated IT Systems:										
	a.	Replace unsupported and outdated LTC systems.	\$ 8,915,510	\$ 8,915,510						
	b.	Business continuity and disaster response operational capabilities and 8.0 FTEs.	\$ 6,939,010	\$ 6,939,010						
	c.	Legacy and end-of-life replacement and 3.0 FTEs.	\$ 1,011,037	\$ 1,011,037						
	d.	Disaster recovery for critical crime records systems and 2.3 FTEs.	\$ 7,020,940	\$ 7,020,940						
	e.	Agency bandwidth increase and 4.0 FTEs.	\$ 6,180,245	\$ 6,180,245						
5. Maintain Staffing Level - Funding for additional two Recruit Schools.			\$ 12,107,280	\$ 12,107,280			\$ 6,053,640	\$ 6,053,640	\$ 6,053,640	\$ 6,053,640
								Half adopted, half in Article XI		
6. Maintain State-Owned Buildings - Critical deferred maintenance projects for repairs on over 360 buildings that DPS occupies.			\$ 15,000,000	\$ 15,000,000						
7. Rider 3, Requirements for Vehicles Used in Traffic Enforcement - Amend Rider 3 to allow DPS to use unmarked vehicles and/or subdued markings to provide traffic enforcement assistance.			\$ -	\$ -						
8. Rider 28, Cash Flow Contingency for Federal Funds. Amend Rider 28 to require one week's prior notification to the LBB and Governor's Office as a condition of the General Revenue Fund contingency appropriation instead of gaining approval. Additionally, DPS requests to amend the requirement of repayment to be within 30 business days of receipt of the federal funds rather than by November 30 of the following fiscal year.			\$ -	\$ -						

Article V, Public Safety and Criminal Justice Department of Public Safety (405) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
9.	Rider 30, Estimated Appropriation for Handgun Licensing Program. Amend current Rider 30 to allow DPS to collect all additional revenues from handgun licensing application fees that are collected and deposited to the credit of the General Revenue Fund in excess of the amounts reflected in the CPA's Biennial Revenue Estimate.	\$ -	\$ -			Adopted			
10.	New Rider, Sale of State-owned Land, Facilities, or Properties. Addition of a rider that would provide DPS the authority to obtain prior approval from the LBB before the expenditure of funds to sell land, facilities, or property. The request would also appropriate the sale proceeds from the Capital Trust Fund into DPS Strategy D.1.5, Facilities Management.	\$ -	\$ -						
11.	New Rider, Essential Supplies for Agency Staff Engaged in Disaster Response. Addition of a rider that would provide DPS the authority to pre-purchase a limited cache of basic food and water supplies for agency staff that would be available for immediate deployment in the event of a disaster. Additionally, DPS requests the authority to purchase food and water for agency staff during disaster events.	\$ -	\$ -						
12.	New Rider, Transfer Exemption for Critical Public Safety Capital Projects. Addition of a rider that would, upon approval by the Public Safety Commission, provide DPS the authority to transfer funds in excess of the capital budget transfer limitation specified in Art IX, Sec. 14.03(h)(2)(A) for capital outlay items or projects made in response to critical public safety needs. The request would require the agency to provide at least 30 days prior notice in writing of any such transfer to the Governor's Office and the Legislative Budget Board.	\$ -	\$ -						
<b>Subcommittee Revisions and Additions:</b>									
1.	None.								

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article V, Public Safety and Criminal Justice Department of Public Safety (405) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Total, Outstanding Items / Tentative Decisions		\$ 145,392,332	\$ 145,392,332	\$ -	\$ -	\$ 5,018,489	\$ 5,018,489	\$ 22,755,929	\$ 22,755,929
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		158.9	158.9	0.0	0.0	0.0	0.0	28.0	28.0

**Texas Alcoholic Beverage Commission, Article V**  
**Proposed Funding and Rider**  
**Authority to Transfer Unexpended Balances within the Biennium**

Prepared by LBB Staff, 3/26/2021

**Overview**

This rider would grant the Texas Alcoholic Beverage Commission the authority to transfer unexpended balances between fiscal years within the biennium for the same purpose.

**Required Action**

On page V-5 of the Texas Alcoholic Beverage Commission bill pattern, add the following rider:

\_\_\_\_\_. **Unexpended Balances within Biennium.** Any unexpended balances as of August 31, 2022, in appropriations made to the Texas Alcoholic Beverage Commission are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

**Texas Alcoholic Beverage Commission, Article V**  
**Proposed Funding and Rider**  
**Creation of Hardship Stations for the Texas Alcoholic Beverage Commission**

Prepared by LBB Staff, 03/18/2021

**Overview**

This rider would give the Texas Alcoholic Beverage Commission the authority to create hardship stations across the state to reduce certified peace officer vacancies and turnover.

**Required Action**

On page V-5 of the Texas Alcoholic Beverage Commission bill pattern, add the following rider:

\_\_\_\_\_. **Hardship Station.** Out of funds appropriated above, the Texas Alcoholic Beverage Commission is authorized to designate hardship stations across the state based on excessive vacancies and/or a high cost of living. The Texas Alcoholic Beverage Commission may provide financial incentives, not to exceed \$5,000 per fiscal year, to commissioned peace officers accepting these positions. The incentives will be based on available funds as determined by the Executive Director.

By: \_\_\_\_\_

**Texas Department of Criminal Justice, Article V**  
**Proposed Rider**  
**Unexpended Balance Authority for Postsecondary Education Programs**

**Overview**

Amend House Bill 1 by adding a new rider that appropriates unexpended balances within the biennium to Strategy C.2.2., Academic and Vocational Training of the Department of Criminal Justice bill pattern.

**Required Action**

On page V-23 of the Department of Criminal Justice bill pattern, add the following rider:

\_\_\_\_\_. **Unexpended Balance Authority for Postsecondary Education Programs.** Any unexpended balances as of August 31, 2022, for the Texas Department of Criminal Justice in appropriations made above in Strategy C.2.2., Academic and Vocational Training, are appropriated to the Department for the fiscal year beginning September 1, 2022 for the same purpose.

**Texas Juvenile Justice Department, Article V**  
**Rider Amendment**  
**Juvenile Justice Alternative Education Program (JJAEF)**

Prepared by LBB Staff, 3/26/2021

**Overview**

Amend Rider 13, Juvenile Justice Alternative Education Program, to change TEA transfer amounts, remove language that states counties that choose to participate in requirements of Chapter 37 of the Texas Education Code be included in the distribution, alter the summer school cap, and add language that would require TEA to increase appropriated funds to provide minimum reimbursement of \$86 per attendance day.

**Required Action**

On page V-33 of the Texas Juvenile Justice Department bill pattern, amend the following rider:

13. **Juvenile Justice Alternative Education Program (JJAEF).** Funds transferred to the Juvenile Justice Department (JJD) pursuant to Texas Education Agency (TEA) Rider 27 and appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, shall be allocated as follows: \$1,500,000 15 percent at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

The remaining funds shall be allocated for distribution to the counties mandated by §37.011(a) Education Code, at the rate of \$96 per student per day of attendance in the JJAEF for students who are required to be expelled as provided under §37.007, Education Code. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$96 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEF and are eligible for state reimbursement at the rate of \$96 per student per day.

JJD may expend any remaining funds for summer school programs. Funds may be used for any student assigned to a JJAEF. Summer school expenditures may not exceed ~~\$3-0 million~~ 10 percent of appropriation in any fiscal year.

Unexpended balances in fiscal year 2022 shall be appropriated to fiscal year 2023 for the same purposes in Strategy A.1.6.

The amount of \$96 per student per day for the JJAEF is an estimated amount and not intended to be an entitlement. Appropriations for JJAEF are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 27. The amount of \$96 per student per day may vary depending on the total number of students actually attending the JJAEFs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2023 to the Foundation School Fund No. 193.

JJD may reduce, suspend, or withhold JJAEF funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37. If the daily mandatory attendance reimbursement rate falls below \$86 per day due to increased days of attendance (the rate established for the 2014-15 school year), TEA will increase appropriated funds to JJD to provide a minimum reimbursement of \$86 per attendance day.

# **Texas Juvenile Justice Department, Article V** **Rider Amendment** **Charges to Employees and Visitors**

Prepared by LBB Staff, 3/26/2021

## **Overview**

Amend Rider 12, Charges to Employees and Visitors, by adding language to include Juvenile Correctional Officers to the list of personnel who may be provided meals, housing, and laundry services in exchange for services rendered.

## **Required Action**

On page V-33 of the Texas Juvenile Justice Department bill pattern, amend the following rider:

### **12. Charges to Employees and Visitors.**

- a. Collections for services rendered to Juvenile Justice Department (JJD) employees and visitors shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and other receipts for these services from employees and visitors are appropriated to the facility. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.
- b. As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of JJD may provide free meals for food service personnel and volunteer workers and may furnish housing facilities, meals, and laundry service in exchange for services rendered by interns, chaplains in training, ~~and~~ student nurses, and juvenile correctional officers.



By: \_\_\_\_\_

**Military Department**  
**Proposed Rider**  
**Cash Flow Contingency**

Prepared by LBB Staff, 3/18/2021

**Overview**

Amend House Bill 1 to include a rider that modifies the Military Department’s cash flow contingency reimbursement and reporting requirements

**Required Action**

On page V-46 of the Military Department bill pattern, amend the following rider:

\_\_\_\_\_. **Cash Flow Contingency.** Contingent upon the expected receipt of federal funds and the approval of the Legislative Budget Board and the Governor’s Office, the Texas Military Department (TMD) may temporarily utilize additional general revenue funds, pending receipt of federal reimbursement, in an amount not to exceed \$15,000,000 in each fiscal year of the biennium. The request to access the additional funds by TMD shall include justification for the additional funds. The general revenue amounts utilized above TMD’s general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. At the end of each fiscal year, the \$15,000,000 must be repaid by November 30 of the following fiscal year if federal reimbursement for the expenditure has been received. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

TMD will submit a report to the Legislative Budget Board and the Office of the Governor, not later than November 30 of each fiscal year, detailing for the prior fiscal year the receipt of federal reimbursements, the amount of each reimbursement, the purpose of each reimbursement, and the General Revenue Fund expenditures associated with each reimbursement, and the status of any outstanding contingency fund federal reimbursements for the prior fiscal year.

By: \_\_\_\_\_

**Military Department**  
**Proposed Rider**  
**Texas State Guard Clothing Provision**

Prepared by LBB Staff, 3/18/2021

**Overview**

Amend House Bill 1 to include a rider that allows the Military Department to purchase uniforms for Texas State Guard members out of appropriated funds.

**Required Action**

On page V-48 of the Military Department bill pattern, add the following rider:

\_\_\_\_\_. **Texas State Guard Clothing Provision.** The Texas Military Department may use appropriated funds to purchase uniforms for full-time employees employed by the Texas State Guard.

By: \_\_\_\_\_

**Department of Public Safety, Article V**  
**Rider Amendment**  
**Estimated Appropriation for Handgun Licensing Program**

Prepared by LBB Staff, 03/18/2021

**Overview**

Amend Rider 27, Estimated Appropriation for Handgun Licensing Program, to allow DPS the authority to collect additional revenues from handgun licensing application fees that are collected and deposited to the credit of the General Revenue Fund in excess of the amounts reflected in the CPA's Biennial Revenue Estimates.

**Required Action**

1. On page V-57 of the Department of Public Safety bill pattern in House Bill 1, amend Rider 27:

\_\_\_\_\_. **Estimated Appropriation for Handgun Licensing Program.** The Department of Public Safety (DPS) shall deposit all revenue collected from handgun licensing application fees to Revenue Object Code 3126 in the General Revenue Fund. Included in the amounts appropriated above out of the General Revenue Fund in Strategy C.1.2, Crime Records Service, is an estimated appropriation of \$6,106,882 in fiscal year 2022 and an estimated appropriation of \$6,106,882 in fiscal year 2023, representing a portion of revenue from each application fee, to fund costs of all required background checks.

For the 2022-23 biennium, DPS is appropriated ~~70.6 percent of any~~all additional revenues from handgun licensing application fees that are collected by the agency and deposited to the credit of the General Revenue Fund in excess of the amounts reflected in the Comptroller's Biennial Revenue Estimate for the 2022-23 biennium, for the purpose of conducting all required background checks. By August 31 of fiscal year 2023, and in a manner prescribed by the Comptroller, DPS and the Comptroller shall establish a process to ensure these additional revenues do not exceed the cost of conducting required background checks in both years of the fiscal year in the 2022-23 biennium.

# HOUSE COMMITTEE ON APPROPRIATIONS

## ARTICLE V RIDERS



# **House Appropriations Committee Riders - Article V**

**Adopted**

**Legislative Budget Board**

By: Bell

**Texas Military Department**  
**Proposed Rider**  
**Texas State Guard Uniform Provision**

Prepared by LBB Staff, 3/16/2021

**Overview**

Amend House Bill 1 to include a rider that authorizes the Military Department to purchase uniforms for service members from funds appropriated in A.1.3, Texas State Guard.

**Required Action**

On page V-48 of the Military Department bill pattern, add the following rider:

\_\_\_\_\_. **Texas State Guard Uniform Provision.** Out of funds appropriated in Strategy A.1.3, Texas State Guard, the Texas Military Department may purchase uniforms for Texas State Guard service members.

**Texas Alcoholic Beverage Commission**  
**Proposed Rider**  
**Study of and Discretion Over Frozen Food Products Containing Alcohol**

**Overview**

Add a rider directing the agency to determine if former, current, and new permits and regulations are providing safe and fair regulation of frozen, pre-formed food that contains alcohol.

**Required Action**

On page V-5 of the Texas Alcoholic Beverage Commission bill pattern, add the following rider:

\_\_\_\_\_. **Study of and Discretion Over Frozen Food Products Containing Alcohol.** Out of funds appropriated above, the Texas Alcoholic Beverage Commission shall conduct a study of the classification and regulation of frozen, pre-formed food products containing alcohol to determine if former, existing, or newly created permits are appropriate for the safe and fair regulation of such products. The Texas Alcoholic Beverage Commission shall submit the study and any related recommendations to each member of the Legislature no later than September 1, 2022.

It is the intent of the Legislature that until the completion of the research, the agency is to use administrative discretion in agency actions involving such products to the extent that a particular product does not present a public health or safety concern.

**Texas Department of Criminal Justice, Article V**  
**Proposed Rider**  
**Appropriation: Refunds of Unexpended Balances from CSCDs**

Prepared by LBB Staff, 3/18/2021

**Overview**

Amend the Department of Criminal Justice Rider 32 related to community supervision and corrections department's refunds of unexpended balances.

**Required Action**

On page V-15 of the Department of Criminal Justice bill pattern, amend the following rider:

32. **Appropriation: Refunds of Unexpended Balances from CSCDs.** The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by local community supervision and corrections departments (CSCDs). All estimated fiscal years 2020-21 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and A.1.4, Treatment Alternatives to Incarceration. ~~All refunds received by TDCJ shall be redistributed by TDCJ for the benefit of the community supervision and corrections system and to implement one or more commitment reduction plans authorized by Senate Bill 1055 enacted during the Eighty-second Legislature, Regular Session, 2011 (estimated to be \$0).~~ This provision may not be construed as reducing appropriated funds in each of these strategies if the estimated unexpended balances and unencumbered balances of state funds to TDCJ from the previous biennium from these strategies are less than the amounts estimated by TDCJ. TDCJ shall review, at least quarterly, CSCDs' use of state funding from Strategies A.1.2, Diversion Programs, and A.1.4, Treatment Alternatives to Incarceration Program, and deobligate and reallocate CSCDs' unexpended and unencumbered state funds within the biennium in a timely manner.



By: Wu

**Texas Department of Criminal Justice**  
**Proposed Rider**  
**Facility Acquisition Report**

Prepared by LBB Staff, 3/18/2021

**Overview**

Amend House Bill 1 to include a rider that directs TDCJ to produce a plan to acquire facilities to which would allow for the treatment of certain incarcerated persons by using Medicare funding.

**Required Action**

On page V-23 of the Department of Criminal Justice bill pattern, add the following rider:

\_\_\_\_\_. **Facility Acquisition Report.** Out of funds appropriated above, the Texas Department of Criminal Justice shall produce a report to the Legislature no later than December 1, 2022 outlining a plan to acquire facilities which would allow for the treatment of certain incarcerated persons by using Medicare funding.

**Article V**  
**Proposed Funding and Rider**  
**Monitoring of Temperature and Temperature Related Deaths**

**Overview**

Currently, the Texas Department of Criminal Justice is tasked with reporting certain data related to temperature and cases of environmental hyperthermia. That data does not include measurements of the temperature in TDCJ facilities, which are necessary to accurately determine risks and needs related to temperature.

**Required Action**

On page V-22 of the Department of Criminal Justice bill pattern, amend rider 58 as follows:

~~5856.~~     **Monitoring of Temperature and Temperature Related Deaths.** Out of funds appropriated above, TDCJ shall annually produce a report to the Legislature no later than December 31 of each year on offender complaints related to temperature, cases of environmental hyperthermia or death caused by temperature or exacerbated by temperature, and agency procedures used to manage temperature and mitigate excessive heat in TDCJ facilities. TDCJ shall also measure and log the temperature inside a cell or other offender housing area in each TDCJ-operated prison or jail that is not air conditioned every day at 3:00 p.m. during the months of April through September and include the data from those logs in its annual report.

**Department of Criminal Justice  
Proposed Rider  
Substance Abuse Felony Punishment Facilities  
3/12/2021**

**Overview**

Amend House Bill 1 to include a rider that requires the Texas Department of Criminal Justice to provide an annual report to track outcome measures related to the Substance Abuse and Felony Punishment (SAFP) Program.

**Required Action**

On page V-22 of the bill pattern for the Department of Criminal Justice, add the following new rider:

**Substance Abuse Felony Punishment Facilities.** Out of funds appropriated above in Strategy C.2.4, Substance Abuse Felony Punishment, the Texas Department of Criminal Justice (TDCJ) shall report annually on the outputs and outcomes achieved by Substance Abuse Felony Punishment Facility (SAFP) program, including the outcomes for aftercare participants. TDCJ's report must provide the following:

- (a) Annual recidivism rates for all inmates placed in SAFP program compared to the previous fiscal year;
- (b) Number of motions to revoke, including reason for motion to revoke;
- (c) Number of probation revocations;
- (d) Number of parole revocations;
- (e) Number of new arrests;
- (f) Number of reincarceration for new charges;
- (g) Number of clients placed in the SAFP program;
- (h) Number of clients that successfully completed SAFP program;
- (i) Number of inmates that completed the in-prison portion of the SAFP program by provider; and
- (j) Number of clients that completed the aftercare portion of the SAFP program by vendor.

TDCJ shall submit the report to the Governor, Legislative Budget Board, all Members of the Texas Legislature, and shall post the report on TDCJ's website no later than December 1 of each fiscal year.

**Juvenile Justice Department, Article V**  
**Proposed Rider**  
**Harris County Admissions**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add rider that would require the Juvenile Justice Department to collaborate with Harris County regarding the possibility of housing some or all of its own JJD admissions, including provision of funds, treatment, services, and monitoring.

**Required Action**

1. On page V-38 of the Juvenile Justice Department bill pattern in House Bill 1, add the following rider:

\_\_\_\_. **Harris County Admissions.** The Juvenile Justice Department (JJD) shall collaborate with Harris County regarding the possibility of housing some or all of its own JJD admissions, including provision of funds, treatment, services, and monitoring. The agency may use funds appropriated above to contract with Harris County to provide these services.

**Texas Department of Criminal Justice, Article V**  
**Proposed Funding and Rider**  
**Reentry Services Pilot Programs**

Prepared by LBB Staff, 3/25/2021

**Overview**

Amend House Bill 1 to increase appropriations for TDCJ in Strategy C.2.3, Treatment Services by \$1,000,000 per fiscal year and amend Rider 57 Reentry Services Pilot Program to increase the amounts from \$250,000 to \$500,000 per fiscal year for certain reentry pilot programs.

**Required Action**

1. On page V-7 of the Department of Criminal Justice bill pattern, add \$1,000,000 in General Revenue for fiscal year 2022 and \$1,000,000 in General Revenue for fiscal year 2023 to Strategy C.2.3, Treatment Services.

2. On page V-22 of the Department of Criminal Justice bill pattern, amend the following rider:

56 . **Reentry Services Pilot Programs.** Included in the amounts appropriated above is ~~\$250,000~~\$500,000 in fiscal year 2022 and ~~\$250,000~~\$500,000 in fiscal year 2023 in General Revenue in Strategy C.2.3, Treatment Services, for the Department of Criminal Justice (TDCJ) to enter into an agreement with the City of Houston to establish and operate a pilot program for reentry services to offenders released from TDCJ facilities who are returning to the Houston area. Also included in the amounts appropriated above is ~~\$250,000~~\$500,000 in fiscal year 2022 and ~~\$250,000~~\$500,000 in fiscal year 2023 in General Revenue in Strategy C.2.3, Treatment Services, for TDCJ to enter into an agreement with the City of Dallas to establish and operate a pilot program for reentry services to offenders released from TDCJ facilities who are returning to the Dallas area. The pilot programs shall implement reentry services in the City of Houston and the City of Dallas, which may enter into agreements with non-profit entities, faith-based organizations, community groups, and the private sector for the provision of reentry services. TDCJ shall report on the recidivism rate and effectiveness of each program to the Legislative Budget Board and the Office of the Governor no later than January 1 of each fiscal year.

House Appropriations Committee Decision Document  
Representative Capriglione, Subcommittee Chair on Article II  
Members: Representatives Dean, Gates, Howard, A. Johnson of Harris, J. Johnson of Dallas, Raney, Rose

Decisions as of March 25 @ 7:00 p.m.

LBB Manager: Julie Lindsey

	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Total, Article II, Health and Human Services Items Not Included in Bill as Introduced	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Department of Family and Protective Services (530)								
Total, Outstanding Items / Tentative Decisions	\$ 315,775,412	\$ 298,755,645	\$ -	\$ -	\$ 87,627,449	\$ 127,465,534	\$ 219,909,836	\$ 196,202,918
Total, Full-time Equivalents / Tentative Decisions	534.0	605.0	0.0	0.0	475.0	534.0	59.0	71.0
Department of State Health Services (537)								
Total, Outstanding Items / Tentative Decisions	\$ 146,040,052	\$ 157,864,562	\$ -	\$ -	\$ 915,676	\$ 915,676	\$ 129,868,831	\$ 129,868,831
Total, Full-time Equivalents / Tentative Decisions	111.4	110.4	0.0	0.0	20.0	20.0	86.0	86.0
Health and Human Services Commission (529)								
Total, Outstanding Items / Tentative Decisions	\$ 2,408,048,051	\$ 4,308,618,425	\$ -	\$ -	\$ (1,893,362,837)	\$ (4,878,724,087)	\$ 1,738,722,017	\$ 3,176,656,897
Total, Full-time Equivalents / Tentative Decisions	544.8	592.1	0.0	0.0	141.9	169.0	367.3	387.4
Special Provisions Relating to All Health and Human Services Agencies								
Total, Outstanding Items / Tentative Decisions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
Total, Outstanding Items / Tentative Decisions	\$ 2,869,863,515	\$ 4,765,238,632	\$ -	\$ -	\$ (1,804,819,712)	\$ (4,750,342,877)	\$ 2,088,500,684	\$ 3,502,728,646
Total GR & GR-Ded Adopted Items less Cost-out	\$ 2,869,863,515	\$ 4,765,238,632	\$ -	\$ -	\$ (1,804,819,712)	\$ (4,750,342,877)	\$ 2,088,500,684	\$ 3,502,728,646
	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions	1190.2	1307.5	0.0	0.0	636.9	723.0	512.3	544.4

Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Cost-Out Adjustments:</b>									
1.	Align GR-D Account 5084, Child Abuse and Neglect Prevention Operating, with the Biennial Revenue Estimate.  This would result in a savings to the bill.	\$ (2,801,403)	\$ (2,801,403)			\$ (2,801,403)	\$ (2,801,403)		
<b>Technical Adjustments:</b>									
1.	Reflect transfer of Adult Protective Services - Provider Investigations and Child Care Licensing Full-time Equivalent (FTE) positions from the Department of Family and Protective Services (DFPS) to the Health and Human Services Commission (HHSC).  See HHSC Technical Adjustment #2.	\$ (1,441,960)	\$ (1,575,182)			\$ (1,441,960)	\$ (1,575,182)		
2.	Reallocate General Revenue from HHSC to DFPS for Centralized Accountings and Payroll/Personnel (CAPPS) Compliance Updates and increase interagency contracts at HHSC by a like amount.  See HHSC Technical Adjustment #3	\$ 3,478,724	\$ 3,478,724			\$ 3,478,724	\$ 3,478,724		
<b>Agency Requests:</b>									
1.	Sustain Child Protective Services (CPS).								

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
a.	Maintain Purchased Client Services at Current Levels.	\$ 35,081,852	\$ 35,084,832					\$ 35,081,852	\$ 35,084,832
	Funding would maintain the higher fiscal year 2020 base amounts which included transfers to purchased client services strategies B.1.4, Adoption Purchased Services, B.1.7, Substance Abuse Purchased Services and B.1.8, Other CPS Purchased Services.  House Bill (HB) 1 includes a total of \$127.5 million in All Funds for these strategies.							*Sub-committee Priority	
b.	Foster Care Payments.	\$ 84,152,509	\$ 55,290,117					\$ 84,152,509	\$ 55,290,117
	Funding would align to the agency's forecasted need.  HB 1 includes \$1,088.8 million in All Funds to align to the LBB forecast.							*Sub-committee Priority	
c.	Partially Restore Travel Funding for CPS Staff.	\$ 8,413,547	\$ 9,305,374			\$ 8,413,547	\$ 9,305,374		
	The request would restore travel funding for CPS staff that was included agency's five percent reduction plan. DFPS will continue a reduction to the mileage reimbursement.  HB 1 includes a total reduction of \$10.1 million in General Revenue for travel and mileage reimbursement across all programs.								



Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
2.	Comply with Federal Court Order in Foster Care Lawsuit.  HB 1 does not include any funding for the requested items.								
a.	Staff to Remain within Court Mandated Caseload Guidelines (253.0/312.0 FTEs).  Funding would provide staff and funding to meet the fiscal year 2021 CVS target of 16.2 children per worker. FTE request totals 253.0 in fiscal year 2022 and 312.0 in fiscal year 2023  192.0 Conservatorship (CVS) Staff 27.0 CVS Supervisors 27.0 CVS Case Aids 27.0 CVS Administrative Assistants 5.0 CVS Program Directors 5.0 CVS Program Director Clerks 1.0 CVS Program Administrator 1.0 CVS Program Administrator Assistant 27.0 Non-Direct Delivery Staff (Administrative Support)	\$ 36,404,104	\$ 40,194,026			\$ 36,404,104	\$ 40,194,026		

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
b.	Heightened Monitoring of Residential Facilities (103.0/103.0 FTEs).  Funding would provide 103.0 additional staff which DFPS has identified as necessary to comply with the heightened monitoring requirements included in the lawsuit. These include Facility Intervention Team Staffing (FITS), staff to respond to FITS team findings, and a Child Safety Response Team.	\$ 15,266,058	\$ 16,489,280			\$ 15,266,058	\$ 16,489,280		
c.	Residential Child Care Investigations Staff (58.0/58.0 FTEs).  Funding would support the increased number of Investigations staff required after the DFPS implemented policy changes that eliminated the majority of reclassifications of intakes to Priority None.	\$ 7,951,931	\$ 8,073,096			\$ 7,951,931	\$ 8,073,096		
d.	Permanent Management Conservatorship Case Reads (5.0/5.0 FTEs).  Funding would provide staff to meet the lawsuit requirement to maintain documentation involving all children in PMC who were alleged victims or aggressors/perpetrators of child sexual aggression and/or sexual abuse.	\$ 676,448	\$ 747,752			\$ 676,448	\$ 747,752		

Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
e.	IT Projects to Meet Case Orders.  Funding would update Information Management Protecting Adults and Children in Texas (IMPACT) and the DFPS Case Management System.	\$ 3,122,001	\$ 3,557,213						
f.	Court Monitor Fees.  Represents only the DFPS portion of costs. See also HHSC agency request #2a which totals \$6,239,798 in All Funds.	\$ 19,680,000	\$ 19,680,000			\$ 19,680,000	\$ 19,680,000		
g.	FTE Authority for Current Compliance Related Staff (67.0/67.0 FTEs).  This item maintains existing FTE authority created within the agency for lawsuit compliance.  This item has no cost.	\$ -	\$ -			Adopt			
3.	Expand Community-based Care.  HB 1 includes a total of \$450.6 million in All Funds for Community-based Care in Stages I and II in Regions 3B and 2 and Stage I in Regions 8A and 1.								
a.	Region 8A, Stage II (25.0/25.0 FTEs).  Funding includes costs to implement Stage II and related case oversight staff.	\$ 40,565,152	\$ 43,288,796					\$ 40,565,152	\$ 43,288,796

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
b.	Region 8B, Stage I.  Funding includes costs to implement Stage I.	\$ 4,525,590	\$ 4,581,351					\$ 4,525,590	\$ 4,581,351
c.	Region 1, Stage II (18.0/18.0 FTEs).  Funding includes costs to implement Stage II and related case oversight staff.	\$ 22,368,219	\$ 23,988,535					\$ 22,368,219	\$ 23,988,535
d.	Region 8B, Stage II (0.0/12.0 FTEs).  Funding includes costs to implement Stage II and related case oversight staff.	\$ 6,996,094	\$ 7,404,496					\$ 6,996,094	\$ 7,404,496
e.	Region 3E, Stage I (6.0/6.0 FTEs).  Funding includes costs to implement Stage I and for staff for administration, contract management, implementation support and finance.	\$ 6,822,043	\$ 7,011,726					\$ 6,822,043	\$ 7,011,726
f.	Region 9, Stage I (2.0/2.0 FTEs).  Funding includes costs to implement Stage I and for staff for administration and contract management.	\$ 1,996,667	\$ 2,044,634					\$ 1,996,667	\$ 2,044,634
g.	Region 4, Stage I (2.0/2.0 FTEs).  Funding includes costs to implement Stage I and for staff for administration and contract management.	\$ 2,109,505	\$ 2,159,089					\$ 2,109,505	\$ 2,159,089

Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-		GR & GR-		GR & GR-		GR & GR-	
		Dedicated	All Funds	Dedicated	All Funds	Dedicated	All Funds	Dedicated	All Funds
	h. Region 5, Stage I (2.0/2.0 FTEs).  Funding includes costs to implement Stage I and for staff for administration and contract management.	\$ 1,504,614	\$ 1,543,141					\$ 1,504,614	\$ 1,543,141
	i. Random Moment in Time Study for CBC Stage II.  Funding to establish a cost allocation methodology in alignment with the agency's approved DFPS Public Assistance Cost Allocation plan for any Region entering stage II of CBC.	\$ 350,000	\$ 350,000					\$ 350,000	\$ 350,000
4.	Expand Prevention Services.								
	a. STAR (Family and Youth Success Program).  Funding would provide services for an additional 4,133 families.  HB 1 includes \$48.8 million in All Funds.	\$ 3,886,304	\$ 3,886,304					\$ 3,886,304	\$ 3,886,304
								*Sub-committee Priority	
	b. Healthy Outcomes through Prevention and Early Support (HOPES).  Funding would provide services for an additional 1,429 families.  HB 1 includes \$47.8 million in All Funds to serve 7,948 families.	\$ 4,286,312	\$ 4,286,312					\$ 4,286,312	\$ 4,286,312
								*Sub-committee Priority	

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
c.	Prevention Services for Military and Veteran Families.  Funding would provide services for an additional 1,101 families.  HB 1 includes \$3.2 million in General Revenue to serve 1,762 families.	\$ 1,000,000	\$ 1,000,000					\$ 1,000,000	\$ 1,000,000
								*Sub-committee Priority	
d.	Staffing Support for Prevention Services (4.0/4.0 FTEs).  Funding would provide contract management support.  HB 1 includes \$15.1 million in All Funds for Strategy 3.1.6, Provide Program Support for At-Risk Prevention Services.	\$ 827,384	\$ 827,384					\$ 827,384	\$ 827,384
5.	Family First Prevention Services Act (FFPSA).  This item serves as a placeholder to discuss implementation of the federal bill.  HB 1 does not include federal funding or assumed General Revenue losses for FFPSA.	\$ -	\$ -			\$ -	\$ 33,873,867		
6.	Data Center Services Consolidation.  Funding would maintain ongoing and cost increases due to transition to a new Microsoft Office 365 Enterprise Licensing model.  HB 1 includes \$18.0 million in All Funds.	\$ 3,146,126	\$ 3,433,847						

Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR- Dedicated		GR & GR- Dedicated		GR & GR- Dedicated		GR & GR- Dedicated	
		All Funds		All Funds		All Funds		All Funds	
7.	Realign Screener Staff from CPS to Statewide Intake.  This item would transfer the screener function, including FTEs and funding, to Statewide Intake to focus on screening cases of abuse and neglect earlier in the process.  <b>This item has no cost.</b>	\$ -	\$ -			Adopt			
8.	Funding for Adult Protective Services Program Support.  Funding would maintain fiscal year 2021 base funding level.  <b>HB 1 includes \$8.4 million in All Funds.</b>	\$ 636,188	\$ 654,798					\$ 636,188	\$ 654,798
9.	General Revenue for Projected Children's Trust Fund Revenue Loss.  Due to long-term declining marriage license revenue, requested funding would replace the related dedicated revenue with General Revenue.  <b>HB 1 includes \$11.4 million in GR-D Account 5084, Child Abuse and Neglect Prevention Operating.</b>	\$ 4,771,403	\$ 4,771,403					\$ 2,801,403	\$ 2,801,403
10.	Revise Rider 5, Limitation on Transfers: Foster Care, Adoption Subsidy, Permanency Care Assistance, and Relative Caregiver Payments, to require notification instead of written approval for transfers into or out of the foster care, adoption subsidy, permanency care assistance and relative caregiver strategies.	\$ -	\$ -					Adopt	

\*Sub-committee Priority

Article II, Health and Human Services Department of Family and Protective Services (530) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR- Dedicated		GR & GR- Dedicated		GR & GR- Dedicated		GR & GR- Dedicated	
		All Funds		All Funds		All Funds		All Funds	
11.	Revise Rider 6, Other Reporting Requirements, to submit quarterly reports within 60 days of the end of the fiscal quarter instead of 30 days.	\$	-	\$	-				Adopt
12.	Revise Rider 7, Limitation on Expenditures for Texas Workforce Commission (TWC) Contracted Day Care, to require written notification instead of written approval for transfers into or out of the day care strategy.	\$	-	\$	-				Adopt
13.	Revise Rider 10, Limitation on Transfers: CPS and APS Direct Delivery Staff, to require written notification instead of written approval for transfers into or out of direct delivery strategies.	\$	-	\$	-				Adopt
14.	Revise Rider 11, Medicaid and Title IV-E Federal Funds, to require written notification instead of written approval to expend General Revenue and TANF federal funds freed up by increased federal entitlement funds.	\$	-	\$	-				Adopt
15.	Revise Rider 27, Limitations: Community-based Care Payments, to require written notification instead of written approval for transfers into the direct delivery staff strategy and request to report actual expenditures within 60 days of the end of the fiscal quarter instead of 30 days.	\$	-	\$	-				Adopt
16.	Revise Rider 31, Purchased Client Services Reporting and Limitations, to change the report due date from November 1 to January 1 and request to require written notification instead of written approval for transfers into or out of the purchased client services strategies.	\$	-	\$	-				Adopt
17.	Revise Rider 36, Community-based Care Oversight Staff, to update strategy reference.	\$	-	\$	-			Adopt	



		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
Department of Family and Protective Services (530)		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
Items Not Included in Bill as Introduced		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
18.	Add Rider 38, Community-based Care Stage III Incentives and Penalties, to authorize DFPS to award incentives and issue financial remedies related to provider performance.	\$ -	\$ -			Adopt			
<b>Subcommittee Revisions and Additions:</b>									
1.	Add a new rider directing the agency in the use of Family First Transition Act (FFTA) funds.							Adopt	
<b>Total, Outstanding Items / Tentative Decisions</b>		<b>\$ 315,775,412</b>	<b>\$ 298,755,645</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 87,627,449</b>	<b>\$127,465,534</b>	<b>\$219,909,836</b>	<b>\$196,202,918</b>
		<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>		534.0	605.0	0.0	0.0	475.0	534.0	59.0	71.0

Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Cost-Out Adjustments:</b>								
1. Increase General Revenue-Dedicated Account No. 5048, Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease, appropriations by \$13,271 in fiscal year 2022 and \$27,706 in fiscal year 2023 to align with the Comptroller's Biennial Revenue Estimate and reduce General Revenue by a like amount.  Also, revise Rider 20, Permanent Hospital Fund.  <b>This would result in a savings to the bill.</b>	\$ -	\$ -			Adopt			
2. Reduce General Revenue-Dedicated Account No. 524, Public Health Services Fee, by \$5,843,372 to align with the Comptroller's Biennial Revenue Estimate and increase General Revenue by a like amount.  See Department of State Health Services (DSHS) Technical Adjustment #3.	\$ -	\$ -			Adopt			
<b>Technical Adjustments:</b>								
1. Reflect transfer of 10.0 Full-time Equivalent (FTE) positions from the Health and Human Services Commission (HHSC) to the Department of State Health Services (DSHS) for Texas Center for Infectious Disease security positions.  See HHSC Technical Adjustment #1.	\$ -	\$ -			Adopt			
2. Reallocate General Revenue from HHSC to DSHS for Centralized Accountings and Payroll/Personnel (CAPPS) Compliance Updates and increase interagency contracts at HHSC by a like amount.  See HHSC Technical Adjustment #3.	\$ 915,676	\$ 915,676			\$ 915,676	\$ 915,676		

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
3.	Revise DSHS Rider 7, Appropriation: Contingent Revenue, to have additional revenue received by DSHS above the Biennial Revenue Estimate from General Revenue-Dedicated Account No. 524, Public Health Services Fee, result in an equivalent reduction in General Revenue up to \$5,843,372.  See DSHS Cost-Out Adjustment #2.	\$ -	\$ -			Adopt			
<b>Agency Requests:</b>									
1.	HIV/STD Medication Funding.  Agency-identified funding need due to higher than expected costs for HIV medications.  <b>HB 1 includes \$247.9 million in All Funds for HIV/STD Medications.</b>	\$ 103,358,765	\$ 103,358,765					\$103,358,765	\$103,358,765
								*Sub-committee Priority	
2.	Rural and Frontier Public Health (36.0/36.0 FTEs).  Funding would provide for 14 additional rural and frontier public health field offices and 30.0 FTEs to provide essential public health services including surveillance, treatment, and prevention of infectious disease. Funding would also provide for 3 mobile clinic vehicles and 6.0 FTEs to serve harder-to-reach areas.	\$ 13,058,537	\$ 13,058,537					\$ 13,058,537	\$ 13,058,537
								*Sub-committee Priority	
3.	Consumer Protection and Safety								

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
a.	Food Safety FTEs (25.0/25.0).  Funding would provide \$3,881,181 for 25.0 additional Food Safety FTEs to address deficiencies identified in an audit related to providing an adequate level of licensure, inspection, and enforcement activities; funding would also provide \$2,012,070 to increase salaries to prevent turnover in public health sanitarian positions.	\$ 5,893,251	\$ 5,893,251					\$ 5,893,251	\$ 5,893,251
b.	Hemp Program (3.4/3.4 FTEs).  Funding would provide for additional FTEs for the hemp program to align with anticipated license and registrations, product testing, and enforcement activities.  House Bill 1 (HB 1) includes \$1.2 million in General Revenue and 4.2 FTEs for hemp regulation.	\$ 590,470	\$ 590,470						
c.	Customer Service Efficiency (1.0/0.0 FTEs).  Funding would improve the functionality of the online licensure and registration system to address delays in processing times for inspecting, licensing, and relicensing businesses regulated by DSHS.  Also, revise Rider 2, Capital Budget.	\$ 1,181,028	\$ 1,181,028						
4.	Effective Business Operations								

Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		2022-23 Biennial Total		2022-23 Biennial Total		2022-23 Biennial Total		2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
a.	Fiscal Management FTEs (25.0/25.0 FTEs).  Funding would provide \$4,593,714 for additional Fiscal Management FTEs and \$2,964,464 to increase salaries to reduce turnover to ensure sufficient monitoring of awarded and appropriated funds including timely billing, payment, and cost recoupment.	\$ 7,558,278	\$ 7,558,278					\$ 7,558,278	\$ 7,558,278
b.	Data Center Services.  Funding would provide for ongoing and increased costs for Data Center Services following significant upgrades to infectious disease surveillance systems.  Also, revise Rider 2, Capital Budget.  <b>HB 1 includes \$27.4 million in All Funds for Data Center Services.</b>	\$ 8,121,908	\$ 19,946,418						
c.	Health Registries (1.0/1.0 FTE).  Funding would provide for a system viability assessment for the information technology platform used for DSHS health registries including the Texas Birth Defects Registry, Blood Lead Registry, Tuberculosis/Human Immunodeficiency Virus/Sexually Transmitted Diseases Integrated System, and the Emergency Medical Services and Trauma Registry.	\$ 5,362,139	\$ 5,362,139						

Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
d.	Vital Statistics FTEs (10.0/10.0 FTEs).  This item would provide FTE authority only for Vital Statistics to support DSHS in maintaining a low backlog of vital records requests.  This item has no cost.  HB 1 includes 180.5 FTEs in Vital Statistics.	\$ -	\$ -			Adopt			
e.	Texas Center for Infectious Disease (TCID) Repair and Renovation.  This item would provide \$888,000 in capital budget authority for TCID Repair and Renovation to replace and repair the chiller, hospital room equipment, and kitchen equipment.  Also, revise Rider 2, Capital Budget.  HB 1 includes funding for TCID, agency is requesting capital budget authority only.  This item has no cost.	\$ -	\$ -						
5.	Revise Rider 3, Appropriations Limited to Revenue Collections, to remove accounts in which recommendations exceed projected revenue collections.	\$ -	\$ -			Adopt as Amended			
6.	Revise Rider 7, Appropriation: Contingent Revenue, to add revenue object 3554 in the General Revenue Fund for consumable hemp products and to add a contingency that allows the agency to increase FTEs if additional revenue from hemp is available.	\$ -	\$ -						

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Department of State Health Services (537) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
7.	Revise Rider 22, Maternal Mortality and Morbidity, to update method-of-finance from Federal Funds to All Funds to allow flexibility in funds used for the programs.	\$ -	\$ -			Adopt			
8.	Revise Rider 27, HIV Care Formula Grants, to have rider require notification if DSHS expends HIV Care Formula Grants in excess of the appropriated amount instead of if DSHS expends the upcoming year's award in the current year.	\$ -	\$ -			Adopt as Amended			
Subcommittee Revisions and Additions:									
1.	Add new rider to appropriate Consumable Hemp revenue received by DSHS above amounts included in their appropriations up to \$598,992 in each fiscal year (see exceptional item #3(b) and 6 above).					Adopt			
Total, Outstanding Items / Tentative Decisions		\$ 146,040,052	\$ 157,864,562	\$ -	\$ -	\$ 915,676	\$ 915,676	\$129,868,831	\$129,868,831
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		111.4	110.4	0.0	0.0	20.0	20.0	86.0	86.0

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Cost-Out Adjustments:</b>								
1. Reduce General Revenue Account No. 8046, Vendor Drug Rebates - Public Health to align with the Comptroller's Biennial Revenue Estimate.  This would result in a savings to the bill.	\$ (6,623,946)	\$ (6,623,946)			\$ (6,623,946)	\$ (6,623,946)		
<b>Technical Adjustments:</b>								
1. Reflect transfer of 10.0 Full-time Equivalent (FTE) positions from the Health and Human Services Commission (HHSC) to the Department of State Health Services (DSHS) for Texas Center for Infectious Disease security positions.  See DSHS Technical Adjustment #1.	\$ -	\$ -			Adopt			
2. Reflect transfer of Adult Protective Services - Provider Investigations and Child Care Licensing FTEs from the Department of Family and Protective Services (DFPS) to HHSC.  See DFPS Technical Adjustment #1.	\$ 1,441,960	\$ 1,575,182			\$ 1,441,960	\$ 1,575,182		
3. Reallocate General Revenue to DSHS and DFPS for Centralized Accountings and Payroll/Personnel (CAPPS) Compliance Updates and increase interagency contracts at HHSC by a like amount.  See DFPS Technical Adjustment #2 and DSHS Technical Adjustment #2.	\$ (4,394,400)	\$ (4,394,400)			\$ (4,394,400)	\$ (4,394,400)		
4. Reallocate \$10.0 million in General Revenue from Strategy D.2.1, Community Mental Health Services - Adults, to Strategy D.2.3, Community Mental Health Crisis Services, to restore a transfer associated with the Harris County Jail Diversion program that had been assumed in House Bill 1 (HB 1).	\$ -	\$ -			Adopt			



		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5.	Update method-of-finance listing in Rider 24, Use of Additional CHIP Revenue.	\$ -	\$ -			Adopt			
6.	Update amounts in Rider 38, Funding for Healthy Texas Women Plus.	\$ -	\$ -			Adopt			
Other Budget Recommendations									
1.	GR-D Compensation to Victims of Crime Account 469 Balance Deficiency. Amounts in the introduced General Appropriations Bill is projected to result in a negative fund balance at the end of FY 2023. Beginning FY 2022 balances are estimated by OAG to be \$11.2 million with revenues of \$133.7 million over the biennium (total available \$145 million). Funding in the introduced bill, including End of Article benefits includes \$158.8 million, detailed below, resulting in a negative ending balance of \$13.8 million. In addition, the OAG maintains a \$10 million emergency reserve in case crime victim claims exceed projections and an additional 5 percent excess revenue for certification (\$6.2.million) required by statute (Code of Criminal Procedure, Article 56B.460). If those amounts are factored in, the resulting negative balance is \$30.3 million.					Adopted \$13,765,175 in GR at Health and Human Services Commission and corresponding reduction in GR-D 469 for Child Advocacy Programs.			
	Funding in the introduced bill includes a total of \$158,755,404: - Attorney General: \$125,245,380 - Health and Human Services Commission: \$20,459,688 - End of Article: \$13,050,336								
2.	GR-D Sexual Assault Program Account 5010 Balance Deficiency. Amounts in the introduced General Appropriations Bill is projected to result in a negative fund balance at the end of FY 2023. Beginning FY 2022 balances are estimated by OAG to be \$3.7 million with revenues of \$37.8 million over the biennium (total available \$41.5 million). Funding in the introduced bill, including End of Article benefits includes \$52.7 million, detailed below, resulting in a negative ending balance of \$11.2 million.					Adopted \$10,000,000 in GR for Health and Human Services Commission and corresponding reductions of GR-D 5010 for Child Advocacy Centers.			

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Funding in the introduced bill includes a total of \$52,677,297: - Attorney General: \$19,208,611 - Governor Trusteed Programs: \$2,000,000 - Health and Human Services Commission: \$10,000,000 - Supreme Court: \$10,000,000 - Department of Public Safety: \$9,900,022 - End of Article (benefits for DPS staff): \$1,558,664									
<b>Agency Requests:</b>									
1. Provide for Client Services Cost Growth in the 2022-23 biennium.									
a. Medicaid Entitlement.  HB 1 includes \$66,008.4 million in All Funds for Medicaid entitlement services.		\$ 1,440,969,855	\$ 2,654,236,205					\$1,440,969,855	\$2,654,236,205
b. Medicaid Non-entitlement.  HB 1 includes \$3,572.4 million in All Funds for Medicaid non-entitlement client services.		\$ 9,930,076	\$ (27,101,944)					\$ 9,930,076	\$ (27,101,944)
c. Children's Health Insurance Program (CHIP).  HB 1 includes \$1,791.3 million in All Funds for CHIP client services.		\$ 45,919,309	\$ 138,720,061					\$ 45,919,309	\$ 138,720,061
d. Temporary Assistance for Needy Families (TANF) Cash Assistance.  HB 1 includes \$93.4 million in All Funds for TANF Cash Assistance.		\$ 8,552,054	\$ 8,552,054					\$ 8,552,054	\$ 8,552,054
2. Residential Child Care Regulation (RCCR).									

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	a. Respond to Foster Care Litigation. (140.9/144.0 FTEs)	\$ 30,952,789	\$ 30,952,789			\$ 30,952,789	\$ 30,952,789		
	Funding would support activities to comply with court order in the foster care lawsuit, including implementing caseload guidelines, performing heightened monitoring of certain residential child care facilities, reimbursing court monitors, and necessary technology changes to the Childcare Licensing Automated Support System (CLASS). Funding would also support a Compliance/Quality Assurance team and support staff.								
	Also, revise Rider 2, Capital Budget.								
	b. Migrate RCCR IT Systems from DFPS to HHSC and Perform Upgrades to WebLogic. (9.0/9.0 FTEs)	\$ 7,280,267	\$ 7,280,267						
	Funding would provide for the migration of CLASS, CLASSMate, and Public and Provide systems from DFPS to HHSC. Funding would also upgrade WebLogic.								
	Also, revise Rider 2, Capital Budget.								
	3. Provide Direct Acting Antiviral (DAA) Treatment for Hepatitis C Virus (HCV).								
	a. Medicaid.	\$ 44,404,579	\$ 112,902,565			\$ 44,404,579	\$ 112,902,565		
	Funding would provide DAA treatment for an estimated 6,656 Medicaid clients with HCV.								
	b. State Hospitals.	\$ 2,853,914	\$ 2,853,914					\$ 2,853,914	\$ 2,853,914
	Funding would provide DAA treatment for an estimated 280 state hospital residents with HCV.								

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
4.	Community Care Waiver Slots. (56.5/64.5 FTEs)  Funding would provide for additional community care waiver slots, including:  - 224 Community Living Assistance and Support Services (CLASS) slots - 13 Deaf-blind Multiple Disabilities (DBMD) slots - 2,057 Home and Community-based Services (HCS) slots, including 919 slot for Promoting Independence diversion and transition and 1,138 slots for interest list reduction - 185 Texas Home Living (TxHmL) slots - 220 Medically Dependent Children Program (MDCP) slots - 812 STAR+PLUS Home and Community-based Services (HCBS) slots  Funding would also provide additional FTEs to support the new waiver slots by performing eligibility determination and enrollment, utilization review, contract management, and regulatory support.	\$ 74,446,481	\$ 191,097,390					\$ 74,446,481	\$ 191,097,390
5.	Medicaid Management Information System (MMIS) Modernization.								
a.	Procurement and Transition.  Funding would support modernization of MMIS, including initial procurements and transition to new vendors.  Also, revise Rider 2, Capital Budget.	\$ 31,644,412	\$ 266,406,192						

\*Sub-committee Priority

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	b. Vendor Drug Program Pharmacy Benefits Services Modernization.  Funding would support transition of the current Vendor Drug Program (VDP) to the VDP Pharmacy Benefits Services Modernization solution.  Also, revise Rider 2, Capital Budget.	\$ 2,928,372	\$ 25,213,488						
6.	Expand Electronic Visit Verification (EVV) to Home Health Services to Comply with 21st Century Cures Act.								
	a. Transaction Costs.  Funding would support transaction costs associated with expanding EVV to home health services.	\$ 753,750	\$ 3,015,000			\$ 753,750	\$ 3,015,000		
	b. Update Claims Administrator Systems.  Funding would provide for updates to systems managed by the Texas Claims Administrator which are necessary in order to process claims and EVV data for home health services.	\$ 150,000	\$ 1,500,000			\$ 150,000	\$ 1,500,000		
	c. Update Contracted Vendor Systems.  Funding would provide for update to EVV vendor systems which are necessary to expand EVV to home health services.	\$ 350,000	\$ 3,500,000			\$ 350,000	\$ 3,500,000		
7.	Information Technology (IT) Threat and System Stabilization and Restoration.								

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
a.	System-wide Business Enablement Platform (SWBEP). (15.2/15.2 FTEs)  Funding would support continuation of the SWBEP and migration of the Health and Human Services Enterprise Administrative Reporting and Tracking System (HEART), Chief Financial Officer Financial Support System (CFO-FSS) Automated Services and Reports System, and applications built using the WebSphere platform to the SWBEP.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 8,444,183	\$ 13,418,742						
b.	Modernize End-of-Life/End-of-Support Network Equipment. (2.0/2.0 FTEs)  Funding would provide for replacement of end-of-life/end-of-support network infrastructure, including: routers; switches; perimeter security protection equipment; firewalls; wireless local area networks; and uninterruptible power supplies.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 35,263,355	\$ 48,983,686						

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 <u>2022-23 Biennial Total</u>		Pended Items <u>2022-23 Biennial Total</u>		Adopted <u>2022-23 Biennial Total</u>		Article XI <u>2022-23 Biennial Total</u>	
		GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
c.	Cybersecurity Advancement.  Funding would support protection of computers, networks, programs, and data from unintended or unauthorized access, change, or destruction.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 2,876,122	\$ 4,426,130						
d.	Stabilization of Enterprise Server and Storage.  Funding would support consolidation of at least 170 local servers to a Department of Information Resources (DIR) data center services storage solution.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 3,104,482	\$ 5,406,153						

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
e. Winters Data Center Environment Protection Services.		\$ 755,896	\$ 1,500,000						
Funding would support a contract with a professional facility service company or expansion of the current contract with the Texas Facilities Commission (TFC) to provide core facility-related services for the Winters Data Center. Services would include: fire protection; power; cooling and heating ventilation and air conditioning; preventative maintenance; and 24x7 monitoring and onsite repair.									
Also, revise Special Provisions Section 9, System Support Services.									
Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.									
8. Intellectual and Developmental Disability (IDD) System Redesign.									
a. Provide Resources and Technology Changes Necessary to Implement STAR+PLUS Pilot Program (2.0/14.0 FTEs)		\$ 5,041,340	\$ 19,556,541					\$ 5,041,340	\$ 19,556,541
Funding would provide infrastructure and resources necessary to implement the STAR+PLUS Pilot Program to test the delivery of long-term services and supports (LTSS) for individuals with intellectual and developmental disabilities (IDD) in managed care.									
Also, revise Special Provisions Section 9, System Support Services.									
Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.									



Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	b. IDD Systems Migration. (15.2/15.2 FTEs)  Funding would support technology enhancements for IDD providers, Local IDD Authorities (LIDDAs), and service coordinators.  Also, revise Special Provisions Section 9, System Support Services.	\$ 3,404,293	\$ 32,142,130					\$ 3,404,293	\$ 32,142,130
	9. Transition Day Habilitation Services to Individualized Skills and Socialization (ISS).								
	a. Provide ISS Client Services. (0.0/6.0 FTEs)  Funding would support client services costs associated with transitioning day habilitation services in the HCS, TxHmL, and DBMD waivers to ISS in order to comply with federal requirements related to engagement in community life, integrated work environments, and control of personal resources.	\$ 35,252,954	\$ 90,484,201			\$ 35,252,954	\$ 90,484,201		
	b. Create ISS Registry and Provide Monitoring and Oversight. (0.0/18.0 FTEs)  Funding would provide for creation of a registry of ISS providers. Funding would also support additional FTEs to provide monitoring and oversight of ISS providers and services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 873,227	\$ 1,696,683			\$ 873,227	\$ 1,696,683		

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
10.	Restore Reductions for Certain IT Projects. (4.1/4.1 FTEs)  Funding would restore reductions for the Performance Management and Analytics System and replace lost Federal Funds for Medicaid Enterprise Data Governance.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 9,710,742	\$ 12,548,116						
11.	State Hospital Construction and Expanded Operations.								
	a. Staff and Operations (260.0/260.0 FTEs).  Provide \$29.3 million in General Revenue and 260.0 FTEs to staff 70 new maximum security beds at Kerrville State Hospital, and \$52.1 million in General Revenue to contract with UT Health Science Center - Houston for a portion of the beds at the new inpatient facility in Harris County.	\$ 81,360,250	\$ 81,360,250					\$ 81,360,250	\$ 81,360,250
	b. Complete Construction Projects.  Funding would provide \$124.1 million in General Revenue to finish construction of a replacement campus at Austin State Hospital and \$152.4 million in General Revenue to finish construction of a replacement campus at San Antonio State Hospital.  Also, revise Rider 2, Capital Budget.	\$ 276,500,000	\$ 276,500,000						

\*Sub-committee Priority

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	c. Begin New Construction Projects.  Provide funding to begin pre-planning and planning efforts to build new inpatient hospitals in the Dallas area (\$44.8 million in General Revenue) and Panhandle region (\$19.8 million in General Revenue), and to begin pre-planning and planning efforts for the replacement of North Texas - Wichita Falls State Hospital (\$21.0 million in General Revenue) and Terrell State Hospital (\$21.0 million in General Revenue).  If funded, HHSC would also need additional FTEs. Estimate TBD.	\$ 106,500,000	\$ 106,500,000						
12.	Facility Repairs and Equipment Replacement at State Supported Living Centers (SSLCs) and State Hospitals.								
	a. Deferred Maintenance. (4.1 / 4.1 FTEs)  Funding would address deferred maintenance needs at the state-owned facilities, including: repairs and renovations for fire, electrical and plumbing systems; anti-ligature remediation; and roofing. Funding would provide the following FTEs: Project Manager (4.0) and Program Specialist (0.1).  Also, revise Rider 2, Capital Budget.  <i>Note: Includes \$46.9 million in MLPP Revenue Bond Proceeds. HHSC would need additional General Revenue to pay for associated debt service if this method-of-finance is adopted.</i>	\$ 47,839,632	\$ 94,756,641						

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	b. Laundry Equipment Replacement.  Funding would provide for replacement of one continuous batch washing system, two dryers, and additional commercial laundry equipment and transport trailers.  Also, revise Rider 2, Capital Budget.	\$ 1,973,500	\$ 1,973,500						
	c. Vehicle Replacement.  Funding would replace 197 vehicles.  Also, revise Rider 2, Capital Budget.	\$ 7,850,000	\$ 7,850,000						
	d. IT Infrastructure.  Funding would provide for fiber and cabling projects.  Also, revise Rider 2, Capital Budget.	\$ 3,106,672	\$ 3,106,672						
13.	Stabilize E-Discovery.  Funding would provide for a digital management system to address litigation, public information requests, investigations, and E-Discovery.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 4,853,581	\$ 7,150,000						
14.	Address Long-term Care Regulatory Backlog.								

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
	a. Additional Staff. (31.7/31.7)  Funding would provide for additional staff to address a backlog of surveys and intakes in long-term care facilities.	\$ 5,280,363	\$ 5,280,363					\$ -	\$ 5,280,363
								*Sub-committee Priority	
	b. Automate Survey Scheduling. (1.0/1.0 FTEs)  Funding would provide for automation of the survey scheduling function within a workload management system.  Also, revise Rider 2, Capital Budget.	\$ 933,750	\$ 1,029,946						
	c. Restore Five Percent Reduction - Enforcement and Surveyor Staffing and Travel.  Funding would restore certain five percent reductions related to long-term care regulation.	\$ 1,725,086	\$ 2,093,722					\$ 1,725,086	\$ 2,093,722
	d. Restore Five Percent Reduction - Data, Complaint and Incident Intake, and Trust Fund Monitoring.  Funding would restore certain five percent reductions related to long-term care regulation and child care licensing.	\$ 2,865,356	\$ 3,283,024					\$ 2,865,356	\$ 3,283,024
	e. Position Reclassification and Salary Increases.  Funding would provide for reclassification of 13.0 FTE positions to Investigator VII. Funding would also provide salary increases for 264.0 nurses.	\$ 12,340,423	\$ 12,340,423					\$ 12,340,423	\$ 12,340,423
	f. Contracted Staff.  Funding would provide for contracted staff to address a backlog of long-term care surveys and intakes.	\$ 5,000,000	\$ 5,000,000					\$ 5,000,000	\$ 5,000,000

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
15.	Migrate the Accounts Receivable Tracking System (ARTS) to CAPPS Financials. (0.2/0.3 FTEs)  Funding would support the migration of ARTS to CAPPS Financials.  Also, revise Rider 2, Capital Budget, and Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 5,843,542	\$ 9,579,401						
16.	Facility Support Services.  Funding would restore facility program support services to the agency's requested All Funds levels.  <b>HB 1 includes \$21.9 million in All Funds to maintain fiscal year 2021 appropriated levels in each fiscal year of the 2022-23 biennium.</b>	\$ 6,087,150	\$ 6,087,150					\$ 6,087,150	\$ 6,087,150
17.	Article II Assessment Costs.  Funding would support provision of administrative and support services to DFPS and DSHS.  Also, revise Special Provisions Section 9, System Support Services.  <i>Note: System Exceptional Item. Includes General Revenue requested on behalf of DFPS and DSHS, which will be reallocated to the agencies as appropriate if adopted.</i>	\$ 35,294,673	\$ 35,294,673					\$ 35,294,673	\$ 35,294,673
<b>Office of Inspector General (OIG) Exceptional Items</b>									

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
		Items Not Included in HB 1		Pended Items		Adopted		Article XI	
		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>		<u>2022-23 Biennial Total</u>	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
18.	<i>OIG Priority 1:</i> Replace Lost Federal Funds for Clinical Staff.  Funding would replace Federal Funds previously received for clinical staff.	\$ 1,952,790	\$ 4,881,974					\$ 1,952,790	\$ 4,881,974
19.	<i>OIG Priority 2:</i> Access to The Work Number (TWN).  Funding would provide the Beneficiary Program Integrity team access to Equifax's The Work Number for employment verification and income information.	\$ 251,730	\$ 500,000			\$ 251,730	\$ 500,000		
<b><u>Texas Civil Commitment Office (TCCO) Exceptional Items</u></b>									
20.	<i>TCCO Priority 1:</i> Caseload Growth and Housing Rate Increase.  Funding would support projected caseload growth from 439 in fiscal year 2021 to 475 in fiscal year 2022 and 507 in fiscal year 2023. Funding would also provide for a 2.0 percent increase in the per diem rate each fiscal year.	\$ 3,155,832	\$ 3,155,832			\$ 3,155,832	\$ 3,155,832		
21.	<i>TCCO Priority 2:</i> Offsite Healthcare.  Funding would support offsite medical care for sexually violence predators above the \$25,000 offsite costs covered under the current contract for the Texas Civil Commitment Center.  <b>HB 1 includes \$0.8 million in General Revenue for this purpose.</b>	\$ 713,424	\$ 713,424					\$ 713,424	\$ 713,424
22.	<i>TCCO Priority 3:</i> Case Manager Career Ladder.  Funding would support continuation of the career ladder for Case Managers based on classification and years of services with TCCO as required by Government Code, Sec. 420A.009.	\$ 68,688	\$ 68,688			\$ 68,688	\$ 68,688		

Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
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		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
23.	TCCO Priority 4: Contracted Professional Audit Services.  Funding would provide for a contract with an audit firm to perform the duties of an internal auditor.	\$ 50,000	\$ 50,000					\$ 50,000	\$ 50,000
24.	TCCO Priority 5: Additional Case Managers. (2.0/2.0 FTEs)  Funding would provide for additional case managers and expand case manager coverage to other areas of the state.	\$ 215,543	\$ 215,543					\$ 215,543	\$ 215,543
<b>Agency Rider Requests:</b>									
	<b>MEDICAID</b>								
1.	Reinstate former Rider 6, Hospital Reimbursement.					Adopt			
2.	Delete Rider 4, Hospital Uncompensated Care.					Adopt			
3.	Amend Rider 11, Medicaid Therapy Services Reporting, to require report to be submitted biannually instead of quarterly.					Adopt			
4.	Amend Rider 16, Supplemental Payment Programs Reporting and Appropriation Authority for Intergovernmental Transfers, to: - update the list of programs included in the report, - add or update other reporting requirements, - provide additional FTE authority at HHSC to implement the extension of the Healthcare Transformation and Quality Improvement 1115 Waiver, and - permit HHSC to create a new capital budget item out of existing appropriations to support monitoring of local funds used in the Medicaid program.					Adopt			
5.	Delete Rider 17, Rural Labor and Delivery Medicaid Add-on Payment.					Adopt			
6.	Delete Rider 23, Improving Access to Pediatric Services.								
	<b>WOMEN'S HEALTH</b>								
7.	Amend Rider 40, Women's Health Programs: Savings and Performance Reporting, to change certain reporting requirements.					Adopt			
	<b>OTHER CLIENT SERVICES</b>								



		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
8.	Amend Rider 45, Education Funding, to require HHSC to enter into an interagency contract with the Texas Education Agency instead of a Memorandum of Understanding.					Adopt			
9.	Amend Rider 47, Reporting on Early Childhood Intervention, to change report due date to March 1.								
10.	Amend Rider 53, Funding for Child Advocacy Centers Programs and Court Appointed Special Advocate Programs, to change report due date to December 1.					Adopt			
11.	Amend Rider 56, Reporting on Population Served, to remove certain reporting requirements for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) program.					Adopt			
12.	Add new Rider X, Independent Living Services Review, to require an annual report and one-time study on independent living services.					Adopt			
FACILITIES									
13.	Amend Rider 67, State-Owned Housing, to update the listing of positions.					Adopt			
OFFICE OF INSPECTOR GENERAL									
14.	Add new Rider X, Unexpended Balances: Office of Inspector General, to allow for transfer of unexpended balances within the biennium in Strategies K.1.1, Office of Inspector General, and K.1.2, OIG Administrative Support.								
TRANSFERS									
15.	Add new Rider X, Unexpended Balances: Intellectual and Developmental Disabilities Crisis Funding, to allow for transfer of unexpended balances within the biennium for Intellectual and Developmental Disabilities crisis funding.								
ADMINISTRATION									
16.	Amend Rider 100, Reimbursement of Advisory Committee Members, to add the Chronic Kidney Disease Task Force.					Adopt			

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Health and Human Services Commission (529) Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
17.	Add new Rider X, Staffing in Lieu of Contracted Responsibilities, to provide HHSC with certain FTE authority.					Adopt			
Subcommittee Revisions and Additions:									
1.	Delete Rider 22, Managed Care Organization Performance Requirement to Ensure Best Value.					Adopt			
2.	Reduce Medicaid funding.					\$ (2,000,000,000)	\$ (5,117,056,681)		
Total, Outstanding Items / Tentative Decisions		\$ 2,408,048,051	\$ 4,308,618,425	\$ -	\$ -	\$ (1,893,362,837)	\$ (4,878,724,087)	\$1,738,722,017	\$3,176,656,897
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		544.8	592.1	0.0	0.0	141.9	169.0	367.3	387.4

Article II, Health and Human Services Special Provision Related to All Health and Human Services Agencies Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
Agency Requests:								
1. Section 6, Limitation on Transfer Authority:  HHSC request to allow transfers between all health and human services agencies.	\$ -	\$ -						
2. Section 9, System Support Services:  DSHS request to change the method-of-finance to All Funds to allow flexibility in funds used to pay for system support services.  DFPS request to reflect an amended appropriated All Funds for system support services instead of the assessed amount.  HHSC request to change method-of-finance to All Funds and to remove authority to request to transfer certain appropriations.	\$ -	\$ -			Adopt as Amended			
3. Section 11, Appropriation of Receipts: Damages and Penalties:  HHSC request to expand the sources of revenue which count towards the Office of Inspector General's (OIG) contingent appropriation and to remove authority for OIG to retain collection in excess of appropriations.	\$ -	\$ -			Adopt as Amended			
4. Section 12, Rate Limitations and Reporting Requirements:  HHSC request to change the scope of the information the agency is required to provide to the Legislative Budget Board regarding managed care rates.	\$ -	\$ -						

		Outstanding Items for Consideration				Tentative Subcommittee Decisions			
Article II, Health and Human Services Special Provision Related to All Health and Human Services Agencies Items Not Included in Bill as Introduced		Items Not Included in HB 1 2022-23 Biennial Total		Pended Items 2022-23 Biennial Total		Adopted 2022-23 Biennial Total		Article XI 2022-23 Biennial Total	
		GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
5.	Section 14, Limitation: Expenditure and Transfer of Public Health Medicaid Reimbursements:  DSHS request to decrease the amount of Public Health Medicaid Reimbursements appropriated to HHSC and to prioritize distribution of funds to the DSHS Laboratory.	\$ -	\$ -			Adopt			
6.	New Section, Unexpended Balance Authority for Certain Funds Supporting Capital Projects:  HHSC request to provide DFPS and DSHS unexpended balance authority for funds related to system capital budget projects.	\$ -	\$ -					Adopt	
Total, Outstanding Items / Tentative Decisions		\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
		FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023	FY 2022	FY 2023
Total, Full-time Equivalents / Tentative Decisions		0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Limitation on Transfers: Foster Care, Adoption Subsidy, Permanency Care Assistance,**  
**and Relative Caregiver Payments.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to amend rider to require notification instead of written approval for transfers into or out of the foster care, adoption subsidy, permanency care assistance and relative caregiver strategies.

**Required Action**

On page II-6 of the Department of Family and Protective Services bill pattern, amend the following rider:

5.       **Limitation on Transfers: Foster Care, Adoption Subsidy, Permanency Care Assistance, and Relative Caregiver Payments.** Notwithstanding Article IX, Sec. 14.0 Appropriation Transfers and Article IX, Sec. 14.03, Transfers - Capital Budget in this Act, the Department of Family and Protective Services may only transfer funds into or out of Strategies B.1.9, Foster Care Payments; B.1.10, Adoption/PCA Payments; or B.1.11, Relative Caregiver Payments, with ~~the prior written approval of~~ notification to the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Other Reporting Requirements.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to submit quarterly reports within 60 days of the end of the fiscal quarter instead of 30 days.

**Required Action**

On page II-6 of the Department of Family and Protective Services bill pattern, amend the following rider:

**6. Other Reporting Requirements.**

- a. **Monthly Financial Reports.** DFPS shall submit the following information to the Legislative Budget Board and the Governor no later than 30 calendar days after the close of each month:
  - (1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.
  - (2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.
  - (3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.
  - (4) A report providing a breakdown of the budgeted versus actual Child Protective Services Direct Delivery Full-time Equivalents (FTE) by case stage and by region.
  - (5) Select Child Protective Services performance measures continued from the fiscal year 2017 critical needs reports, as determined by the Legislative Budget Board.
  - (6) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

- b. **Quarterly Updates.** DFPS shall submit the following information to the Legislative Budget Board and the Governor on a quarterly basis for each month in fiscal years 2019 through 2023: program expenditures and projected expenditures by method of finance and performance measure targets for Strategies A.1.1, Statewide Intake Services; B.1.1, CPS Direct Delivery Staff; B.1.3, TWC Contracted Day Care; B.1.9, Foster Care Payments; B.1.10, Adoption Subsidy/PCA Payments; B.1.11, Relative Caregiver Payments; and D.1.1, APS Direct Delivery Staff. DFPS shall also submit data used to calculate the performance measure actuals for Strategies A.1.1, Statewide Intake Services; B.1.1, CPS Direct Delivery Staff; and D.1.1, APS Direct Delivery Staff, as well as other statewide intake data related to call abandonment. The reports shall be submitted within ~~39~~60 days of the end of each fiscal quarter in a format specified by the Legislative Budget Board.

- c. **Litigation Involving Child Welfare Services Providers.** DFPS shall notify the Legislative Budget Board and the Governor in a timely manner about any pending litigation against DFPS or against any entity providing child welfare services under contract with DFPS, and

the subject matter of the litigation.

- d. **Monthly Data and Forecasts.** DFPS shall submit actual and projected caseloads and related expenditure amounts to the Legislative Budget Board and the Governor, for foster care, adoption assistance, permanency care assistance, relative caregiver, community-based care, and day care. Data for other programs shall be submitted upon request of the Legislative Budget Board or the Governor. The data shall be submitted the Legislative Budget Board. At the request of the Legislative Budget Board or the Governor supporting documentation detailing the sources and methodologies utilized to develop any caseload or expenditure projections and any other supporting material must be provided.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Limitation on Expenditures for Texas Workforce Commission (TWC) Contracted Day Care.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to require written notification instead of written approval for transfers into or out of the day care strategy.

**Required Action**

On page II-8 of the Department of Family and Protective Services bill pattern, amend the following rider:

**7. Limitation on Expenditures for Texas Workforce Commission (TWC) Contracted Day Care.**

(a) Notwithstanding Article IX, Sec. 14.01, Appropriation Transfers and Article IX, Sec. 14.03, Transfers - Capital Budget in this Act, the Department of Family and Protective Services (DFPS) may not transfer funds into or out of Strategy B.1.3, TWC Contracted Day Care, without the prior ~~written approval of~~ notification to the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

~~To request approval~~, DFPS shall submit a written ~~request~~ notification to the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period. A request notification to transfer funds into Strategy B.1.3, TWC Contracted Day Care, must be submitted within 30 days of the date upon which DFPS produces a forecast indicating a need for additional funds and determines they are unable to operate within available appropriations. ~~A request~~ notification to transfer funds into Strategy B.1.3, TWC Contracted Day Care, must also be submitted at least 90 days prior to when expenditures are expected to exceed available appropriations. ~~A request~~ notification must include the following information:

- (1) a detailed explanation of the need for day care services and the steps that have been taken to address the need without exceeding the amounts appropriated above;
- (2) the sub-strategies affected by the increase in expenditures; and
- (3) the method of financing and impact on performance levels by fiscal year, including a comparison to performance targets included in this Act.

No expenditure in excess of appropriations made above in Strategy B.1.3, TWC Contracted Day Care, may be made until ~~approved~~ the notification has been made to. ~~A request shall be considered disapproved unless the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period~~ issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 30 business days.



(b) Funds appropriated above in Strategy B.1.3, TWC Contracted Day Care, may be used only to acquire child day care services through TWC.

Expenditures for administrative overhead payments to TWC and local workforce boards in connection with any agreement to provide child day care services shall not exceed 5.0 percent of all amounts paid for child day care services out of funds appropriated above in Strategy B.1.3, TWC Contracted Day Care.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Limitation on Transfers: CPS and APS Direct Delivery Staff.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to require written notification instead of written approval for transfers into or out of direct delivery strategies.

**Required Action**

On page II-9 of the Department of Family and Protective Services bill pattern, amend the following rider:

**10. Limitation on Transfers: CPS and APS Direct Delivery Staff.**

a. **Funding.** Notwithstanding Article IX, Sec. 14.01, Appropriation Transfers, and Article IX, Sec. 14.03, Transfers - Capital Budget, in this Act, the Department of Family and Protective Services (DFPS) shall not transfer funds into or out of Strategy B.1.1, CPS Direct Delivery Staff, or Strategy D.1.1, APS Direct Delivery Staff, without the prior written ~~approval of~~ notification to the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

b. **Full-time-equivalent (FTE) Positions.** Out of the FTE positions identified above for DFPS, 10,105 positions for each fiscal year are allocated to Strategy B.1.1, CPS Direct Delivery Staff, and 802.8 positions for each fiscal year are allocated to the Strategy D.1.1, APS Direct Delivery Staff.

None of the FTEs allocated by this rider to ~~DFPS~~, may be transferred to any other item of appropriation or utilized for any purpose other than the specific purpose for which the FTEs are allocated without the prior written ~~approval of~~ notification to the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

c. ~~Limitations~~ **Notification on Transfers: Request for Approval.** ~~To request approval for~~ For the transfer of funds and/or FTEs, DFPS shall submit at least 60 days prior to when the funds or FTEs are intended to be expended or reallocated for a different purpose a written request notification to the Legislative Budget Board and the Governor 60 days prior to the transfer that includes the following information:

- (1) a detailed explanation of the purpose(s) of the transfer and whether the expenditure will be one-time or ongoing;
- (2) the name of the strategy or strategies affected by the transfer, and the method of finance and FTEs for each program by fiscal year;
- (3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act for both the originating and the receiving programs; and

(4) the capital budget impact.

The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period. Additional information requested by the Legislative Budget Board or the Governor should be provided in a timely manner.

~~The transfer request shall be considered to be disapproved unless the Legislative Budget Board and the Governor issue written approvals within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 30 business days.~~

~~The Comptroller of Public Accounts shall not allow the transfer of funds if the Legislative Budget Board provides notification to the Comptroller that the requirements of this provision have not been satisfied.~~

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Medicaid and Title IV-E Federal Funds.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to require written notification instead of written approval to expend General Revenue and TANF federal funds freed up by increased federal entitlement funds.

**Required Action**

On page II-10 of the Department of Family and Protective Services bill pattern, amend the following rider:

11. **Medicaid and Title IV-E Federal Funds.** The Department of Family and Protective Services (DFPS) shall maximize the use of federal entitlement funds from Medicaid and Title IV-E for child and adult protective services direct delivery staff and program support.

In the event that federal entitlement funds exceed the amounts appropriated above in Strategies B.1.1, CPS Direct Delivery Staff; B.1.2, CPS Program Support; D.1.1, APS Direct Delivery Staff; and D.1.2, APS Program Support, DFPS may expend General Revenue Funds and TANF Federal Funds thereby made available only with the prior written ~~approval~~ notification of the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove during the 60-day period.

The Comptroller of Public Accounts shall not allow the expenditure of funds if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Limitations: Community-based Care Payments.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency’s request to require written notification instead of written approval for transfers into the direct delivery staff strategy and request to report actual expenditures within 60 days of the end of the fiscal quarter instead of 30 days.

**Required Action**

On page II-16 of the Department of Family and Protective Services bill pattern, amend the following rider:

27. **Limitations: Community-based Care Payments.** (a) Included in amounts appropriated above is \$225,410,587 in All Funds (\$163,525,823 in General Revenue Funds) in fiscal year 2022 and \$225,193,752 in All Funds (\$163,330,945 in General Revenue Funds) in fiscal year 2023 in Strategy B.1.1, CPS Direct Delivery Staff, for resource transfers, Stage II network support payments, and Child and Adolescent Needs and Strengths (CANS) assessments and Strategy B.1.9, Foster Care Payments, for Stage I network support payments and foster care payments for Community-based Care (CBC) in Stages I and II in Regions 3B and, 2, and Stage I in Regions 8A and, 1 as authorized by Family Code, Chapter 264.

(b) Included in amounts identified in subsection (a) is \$57,538,932 in All Funds (\$53,299,009 in General Revenue Funds) in fiscal year 2022 and \$57,538,932 in All Funds (\$53,299,009 in General Revenue Funds) in fiscal year 2023 in Strategy B.1.1, CPS Direct Delivery Staff, which DFPS may not exceed or expend for any purpose ~~not~~ identified in subsections

(a) without the prior written ~~approval~~ notification of the Legislative Budget Board and the Governor 60 days prior to the expenditure. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

(c) DFPS shall continue the use of an independent evaluation to complete process and outcome evaluations throughout the entire rollout and implementation of CBC in each established catchment area. All evaluations shall be provided to the Legislative Budget Board, the Governor, the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Human Services, and the Senate Committee on Health and Human Services.

DFPS shall report actual expenditures for each region by strategy, stage, purpose, and method of finance within ~~30-60~~ 60 days after the end of each fiscal quarter to the Legislative Budget Board and the Governor.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Purchased Client Services Reporting and Limitations.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request to change the report due date from November 1 to January 1 and request to require written notification instead of written approval for transfers into or out of the purchased client services strategies.

**Required Action**

On page II-20 of the Department of Family and Protective Services bill pattern, amend the following rider:

**31. Purchased Client Services Reporting and Limitations.**

(a) The Department of Family and Protective Services (DFPS) shall report to the Legislative Budget Board and the Governor on purchased client services provided to children and families in Strategies B.1.4, Adoption Purchased Services; B.1.5, Post-Adoption/Post- Permanency; B.1.6, PAL Purchased Services; B.1.7, Substance Abuse Purchased Services; and B.1.8, Other CPS Purchased Services, for the prior fiscal year by ~~November~~ January 1 of each year. The report shall include the following:

- (1) The number of children and/or adults receiving services in each strategy by month;
- (2) A distribution of expenditures and number served by type of service; and
- (3) The total number and cost of services that were court-ordered by strategy.

(b) Notwithstanding Article IX, Section 14.01, Appropriation Transfers, DFPS may not transfer funds into or out of Strategies B.1.4, Adoption Purchased Services; B.1.5, Post- Adoption/Post-Permanency; B.1.6, PAL Purchased Services; B.1.7, Substance Abuse Purchased Services; and B.1.8, Other CPS Purchased Services, without the prior written ~~approval~~ notification of the Legislative Budget Board and the Governor 60 days prior to the transfer. The Legislative Budget Board and the Governor may disapprove the transfer during the 60-day period.

~~To request approval, DFPS shall submit a written request~~ request notification to the Legislative Budget Board and Governor. ~~A request~~ The notification to transfer funds pursuant to this subsection must be submitted (1) within 30 days of the date upon which DFPS determines they are unable to operate within available appropriations and (2) at least 90 days prior to when expenditures are expected to exceed available appropriations. The ~~request~~ notification must include a detailed explanation of the need for services and the steps that have been taken to address the need without exceeding appropriations.

~~No expenditure in excess of appropriations may be made unless approved. A request shall be considered disapproved unless the Legislative Budget Board and the Governor issue a written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional info made by the Legislative Budget Board shall interrupt the counting of the 30 days.~~

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Community-based Care Oversight Staff.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency’s request to update strategy reference.

**Required Action**

On page II-22 of the Department of Family and Protective Services bill pattern, amend the following rider:

- 36. **Community-based Care Oversight Staff.** Included in amounts appropriated above for the Department of Family and Protective Services in Strategies B.1.1, CPS Direct Delivery Staff, E.1.2, Other Support Services, and E.1.3, Regional Administration, is \$2,713,877 in All Funds (\$2,447,433 in General Revenue) in each fiscal year and included in the "Number of Full-time Equivalents" (FTEs) is 31.0 FTEs in each fiscal year for case management oversight staff in Regions 2 and 3B, a background check unit, and information technology technical support staff to assist in the oversight of Community-based Care.

By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider**  
**Community-based Care Stage III Incentives and Payments.**

Prepared by LBB Staff, 03/11/2021

**Overview**

Agency request for new rider to authorize DFPS to award incentives and issue financial remedies related to provider performance.

**Required Action**

On page II-23 of the Department of Family and Protective Services bill pattern, add the following rider:

**38. Community-based Care Stage III Incentives and Payments.**

(a) Out of the funds appropriated above in Strategy B.1.9, Foster Care Payments, and in accordance with Texas Family Code §264.155(6)(B), DFPS is authorized in Stage III of the Community-Based Care (CBC) model to expend general revenue funds to make financial incentive payments to Single Source Continuum Contractors (SSCCs) exceeding performance measures established in the SSCC contract. Any incentives will be limited to the General Revenue portion of savings in foster care payments achieved by the SSCCs.

(b) DFPS is appropriated in Strategy B.1.9, Foster Care Payments, any revenue from financial penalties collected from SSCC in accordance with Texas Family Code §264.155(6)(A) for failure to meet specified performance outcomes. Penalties collected are limited to use in Strategy B.1.9, Foster Care Payments.



By: \_\_\_\_\_

**Department of Family and Protective Services**  
**Proposed Rider and Funding**  
**Family First Prevention Services Act**

Prepared by LBB Staff, 03/22/2021

**Overview**

Provide direction to the Department of Family and Protective Service on how the Family First Transition Act federal funds shall be used to help come into compliance with the Family First Prevention Services Act.

**Required Action**

- 1) On page II-XX of the Department of Family and Protective Services bill pattern, add the following rider.

\_\_\_\_\_. **Family First Preventions Services Act.** It is the intent of the legislature that the Department of Family and Protective Services (DHPS) shall use the Family First Transition Act federal funds to implement the following programs in an effort to come into compliance with the federal Family First Prevention Services Act (FFPSA):

- (1) Build Family-based Safety Services (FBSS) capacity for FFPSA approved prevention services;
- (2) Study the coordination of FBSS services in Community-based Care;
- (3) Pilot FFPSA prevention service coordination through Prevention and Early Intervention community grants;
- (4) Expand the Helping through Intervention and Prevention (HIP) services for pregnant and parenting foster youth;
- (5) Expand capacity for FFPSA prevention in-home parenting programs; and
- (6) Purchase evidence-based prevention services model for families in FBSS in rural regions of the state.

By: \_\_\_\_\_

**Department of State Health Services**  
**Proposed Rider**  
**Permanent Hospital Fund**

Prepared by LBB Staff, 3/22/2021

**Overview**

Amend Rider 20, Permanent Hospital Fund, to align with BRE revenue projections.

**Required Action**

On page II-35 of the Department of State Health Services bill pattern, amend the following rider:

20. **Permanent Hospital Fund.** Included in amounts appropriated above, in Strategy A.2.5, TX Center for Infectious Disease, is an estimated ~~\$859,729~~ \$873,000 in fiscal year 2022 and ~~\$865,294~~ \$893,000 in fiscal year 2023 in General Revenue - Dedicated Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease from the available earnings of the fund for the purpose of implementing Government Code §403.1066.

In no event may administrative costs exceed 3 percent of the appropriations from General Revenue - Dedicated Permanent Hospital Fund for Capital Improvements and the Texas Center for Infectious Disease Account No. 5048.

Available earnings in excess of the amounts estimated above are appropriated to the Department of State Health Services (DSHS). In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference.

Any unexpended balances remaining as of August 31, 2022, from the appropriations made by this Rider are appropriated for the fiscal year beginning September 1, 2022, for the same purpose, subject to DSHS notifying the Legislative Budget Board and the Governor in writing at least 30 days prior to budgeting and expending these balances.

**Department of State Health Services, Article II**  
**Proposed Rider**  
**Appropriation: Contingent Revenue**

Prepared by LBB Staff, 3/22/2021

**Overview**

Add language to Rider 7, Appropriation: Contingent Revenue, to reduce General Revenue if revenue from General Revenue-Dedicated Account No. 524, Public Health Services Fees, exceeds the Biennial Revenue Estimate.

**Required Action**

On page II-31 of the DSHS bill pattern, amend the following rider:

**7. Appropriation: Contingent Revenue.** The Department of State Health Services (DSHS) is appropriated for the purposes identified below any additional revenue generated by DSHS above the amounts identified in fiscal year 2022 or fiscal year 2023 in the Comptroller of Public Account's Biennial Revenue Estimate (BRE) for each of the accounts or revenue object identified below. An appropriation from an account or revenue object shall be made available to DSHS once certified by a Comptroller's finding of fact that the amount in the BRE for the account or revenue object for the given fiscal year has been exceeded. An appropriation is limited to revenue generated in fiscal year 2022 or fiscal year 2023 and does not include any balances that have accrued in the account or revenue object code.

By March 1st of each year, DSHS may notify the Comptroller of Public Accounts, the Legislative Budget Board, and the Governor of the amount that DSHS projects will be received in excess of the amounts contained in the BRE for each of the accounts listed below, along with sufficient information to reflect how the estimate was determined. If the Comptroller finds the information sufficient to support the projection of additional revenue, a finding of fact to that effect shall be issued to reflect the additional revenue available for each account.

- a. Account No. 341, Food and Drug Retail Fees, for restaurant inspections.
- b. Revenue Object 3175, Account No. 5017, Asbestos Removal Licensure, for asbestos inspections and regulatory activities.
- c. Account No. 5021, Certification of Mammography Systems, for the purpose of certification of mammography facilities.
- d. Account No. 5024, Food and Drug Registration Fees, for food and drug inspections.
- e. Account No. 5022, Oyster Sales, for oyster plant inspections.
- f. Revenue Object 3589 in the General Revenue Fund for Radiation Control regulatory activities.
- g. Revenue Objects 3123, 3555, and 3573 in the General Revenue Fund for environmental regulation.
- h. Account No. 19, Vital Statistics, for processing birth and death certificates and other vital records.
- i. Account No. 512, Bureau of Emergency Management, for licensing Emergency Medical Services personnel and providers.

- j. Account No. 524, Public Health Services Fee, for Laboratory activities.  
If an additional appropriation from Account No. 524, Public Health Services Fee, is made available to DSHS through this rider, the amount of General Revenue Funds in Strategy A.4.1, Laboratory Services, shall be reduced by an equivalent amount up to \$2,921,686 for each fiscal year.

By: \_\_\_\_\_

**Department of State Health Services**  
**Proposed Rider**  
**Appropriations Limited to Revenue Collections**

Prepared by LBB Staff, 3/22/2021

**Overview**

Accept the Department of State Health Services’ request to revise Rider 3, Appropriations Limited to Revenue Collections, to remove accounts in which recommendations exceed projected revenue collections.

**Required Action**

On page II-29 of the Department of State Health Services bill pattern, amend the following rider:

3. **Appropriations Limited to Revenue Collections.** Fees, fines, and other miscellaneous revenues as authorized and generated by the Department of State Health Services (DSHS) shall cover, at a minimum, the cost of the appropriations made for the programs listed in the table below, as well as the "other direct and indirect costs" associated with these programs, appropriated elsewhere in this Act. "Other direct and indirect costs" for these programs are estimated to be \$11,141,293 for fiscal year 2022 and \$11,220,324 for fiscal year 2023.

- a. This requirement shall apply to revenues generated in the following strategies and deposited under the following revenue codes or account numbers.

Strategy	Revenue Code or Account
<del>A.1.2. Vital Statistics</del>	<del>019 Vital Statistics</del>
C.1.1. Food (Meat) & Drug Safety	
<del>341 Food &amp; Drug Retail Fee</del>	
<del>5022 Oyster Sales</del>	
<del>5024 Food &amp; Drug Registration</del>	
Fees deposited into General Revenue to support C.1.1, Food (Meat) and Drug Safety, including fees deposited under the following Revenue Codes: 3142 (Food Service Worker Training); 3180 (Health Regulation Fees, for Tattoo/Body Piercing Studios); 3400 (Business Fees-Agriculture, for Milk Products); 3414 (Agriculture Inspection Fees, for Meat or Meat Products); 3554 (Food and Drug Fees, for Frozen Dessert Manufacture).	
C.1.2. Environmental Health	
<del>5017 Asbestos Removal License</del>	
Fees deposited into General Revenue to support C.1.2, Environmental Health, including fees deposited under the following Revenue Codes: 3123 (Volatile Chemical Sales Permit); 3180 (Health Regulation Fees, for Lead-Based	

Paint Certification Program); 3555 (Hazardous Substance Manufacture); and 3573 (Health Licenses for Camps, for Youth).

C.1.3. Radiation Control

~~5024 Certification of Mammography Systems~~

Fees deposited into General Revenue to support C.1.3, Radiation Control, including fees deposited under the following Revenue Codes: 3589 (Radioactive Materials and Devices for Equipment Regulation).

- b. Appropriations made to DSHS in this Act are contingent upon DSHS assessing fees sufficient to generate revenue to cover the General Revenue appropriations for these programs listed under Subsection a above as well as the related "other direct and indirect costs." In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

By: \_\_\_\_\_

**Department of State Health Services**  
**Proposed Rider**  
**Maternal Mortality and Morbidity**

Prepared by LBB Staff, 3/10/2021

**Overview**

Accept the Department of State Health Services’ request to revise Rider 22, Maternal Mortality and Morbidity, to update method-of-finance from Federal Funds to All Funds to allow flexibility in funds used for the programs.

**Required Action**

On page II-36 of the Department of State Health Services bill pattern, amend the following rider:

- 22. Maternal Mortality and Morbidity.** Amounts appropriated above to the Department of State Health Services (DSHS) in Strategy B.1.1, Maternal and Child Health, include ~~the following: \$3,500,000 in All Funds and 8.0 FTEs in each fiscal year for the following items:~~
- (a) ~~\$1,330,000 in Federal Funds and 6.0 FTEs to implement and operate maternal safety initiatives statewide;~~
  - (b) ~~\$1,170,000 in Federal Funds and 2.0 FTEs to develop and establish a high-risk maternal care coordination services pilot for women of childbearing age, which may include the following:~~
    - (1) Conducting a statewide assessment of training courses;
    - (2) Studying existing models of high-risk maternal care coordination services;
    - (3) Identifying, adapting, or creating a risk assessment tool to identify pregnant women who are at a higher risk for poor pregnancy, birth, or postpartum outcomes and train providers on use of the risk assessment tools; and
    - (4) Creating educational materials for promotoras or community health workers; and
  - (c) ~~\$1,000,000 in Federal Funds to increase public awareness and prevention activities related to maternal mortality and morbidity.~~

Additionally, out of funds appropriated above, DSHS in coordination with the Maternal Mortality and Morbidity Review Committee shall annually collect information relating to postpartum depression screening and treatment under state health programs administered by the Health and Human Services Commission, including Medicaid and Healthy Texas Women.

By: \_\_\_\_\_

**Department of State Health Services**  
**Proposed Rider**  
**HIV Care Formula Grants**

Prepared by LBB Staff, 3/22/2021

**Overview**

Accept the Department of State Health Services' request to revise Rider 27, HIV Care Formula Grants, to have rider require notification if DSHS expends HIV Care Formula Grants in excess of the appropriated amount instead of if DSHS expends the upcoming year's award in the current year.

**Required Action**

On page II-37 of the Department of State Health Services bill pattern, amend the following rider:

- 27. HIV Care Formula Grants.** If the projected expenses for the HIV Care Formula Grants as included in the Monthly Financial Report required by Rider 11, Other Reporting Requirements, require the Department of State Health Services to either expend HIV Care Formula Grants in excess of the appropriated amounts or expend a portion of the upcoming year's award in the current fiscal year, DSHS shall provide the following information with their Monthly Financial Report:
- (a) the amount of the future award to be expended in the current fiscal year;
  - (b) the reason for spending the funds early; and
  - (c) the effect of spending the funds early on funding availability in the following fiscal year.



By: \_\_\_\_\_

**Department of State Health Services**  
**Proposed Rider**  
**Hemp Regulation**

Prepared by LBB Staff, 3/22/2021

**Overview**

Add a new rider to allow DSHS to access hemp revenue and up to 3.4 FTEs per fiscal year if revenue for object code 3554 for hemp is above appropriations.

**Required Action**

On page II-X of the Department of State Health Services bill pattern, add the following rider:

\_\_\_\_\_. **Hemp Regulation.** Included in amounts appropriated above, in Strategy C.1.1, Food (Meat) and Drug Safety, is an estimated \$598,992 in each fiscal year from Revenue Object 3554 in the General Revenue Fund for Consumable Hemp Products for the purposes of implementing Chapter 443 of the Health and Safety Code.

Additional revenue from Revenue Object 3554 in the General Revenue Fund for Consumable Hemp Products in excess of the amounts appropriated above (estimated to be \$0) is appropriated to the Department of State Health Services (DSHS) for the same purpose up to an additional \$295,235 each fiscal year. For each additional \$73,809 in revenue above appropriations, the DSHS Full Time Equivalents (FTE) cap may be increased by 1.0 FTEs in the fiscal year in which the additional revenue is collected, up to an additional 3.4 FTEs.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Hospital Reimbursement**

Prepared by LBB Staff, 02/25/2021

**Overview**

Accept the Health and Human Services Commission’s request to reinstate former Rider 6, Hospital Reimbursement, 2020-21 General Appropriations Act.

**Required Action**

On page II-XX of the Health and Human Services Commission’s bill pattern, add the following rider:

- XX. Hospital Reimbursement.** Contingent upon federal approval, and to the extent allowed by law, no funds appropriated above for the payment of inpatient hospital fees and charges under the medical assistance program may be expended, except under a prospective payment methodology for all Medicaid inpatient claims, excluding state-owned teaching hospital Medicaid inpatient claims, that employs sound cost reimbursement principles and:
- (a) enhances the Health and Human Services Commission’s ability to be a prudent purchaser of health care;
  - (b) reflects costs that are allowable, reasonable and medically necessary to deliver health care services to the state’s Medicaid population;
  - (c) reduces the variability in the Medicaid reimbursement rates paid to hospitals for treating patients with the same diagnoses;
  - (d) promotes and rewards increased efficiency in the operation of hospitals;
  - (e) emphasizes and rewards quality of outcomes and improves the treatment of Medicaid patients through pay-for-performance principles; and
  - (f) recognizes, through add-on payments or other methods, the unique needs of individual hospitals, including rural hospitals.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider Deletion**  
**Hospital Uncompensated Care**

Prepared by LBB Staff, 02/25/2021

**Overview**

Accept the Health and Human Services Commission’s request to delete Rider 4, Hospital Uncompensated Care.

**Required Action**

On page II-55 of the Health and Human Services Commission’s bill pattern, delete the following rider:

4. ~~**Hospital Uncompensated Care.** The Health and Human Services Commission (HHSC) shall ensure that the reporting of uncompensated care by Texas hospitals is consistent for all hospitals and subjected to a standard set of adjustments that account for payments to hospitals that are intended to reimburse uncompensated care. These adjustments are to be made in such a way that a reliable determination of the actual cost of uncompensated care in Texas is produced.~~

~~The commission shall conduct an appropriate number of audits to assure the accurate reporting of uncompensated hospital care costs.~~

~~HHSC shall submit a biennial report on uncompensated care costs to the Governor and Legislative Budget Board no later than December 1, 20220, which details the impact of patient specific and lump sum supplemental payments funding as offsets to uncompensated costs, impact of health care reform efforts on the funding streams that reimburse uncompensated care, and assess the need for those funding streams in future biennia. HHSC may report by hospital type. Although HHSC must report on all Texas hospitals, HHSC may use the most accurate data available for each hospital.~~

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Medicaid Therapy Services Reporting**

Prepared by LBB Staff, 02/25/2021

**Overview**

Accept the Health and Human Services Commission’s request to change reporting frequency on pediatric acute care therapy services from a quarterly basis to a biannual basis.

**Required Action**

On page II-59 of the Health and Human Services Commission’s bill pattern, amend the following rider:

11. **Medicaid Therapy Services Reporting.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall submit, on a ~~quarterly~~biannual basis, the following information related to pediatric acute care therapy services (including physical, occupational, and speech therapies) by service delivery area and information regarding whether the items below negatively affect access to care:
- (a) Provider and member complaints by disposition received by the Office of the Ombudsman and HHSC Health Plan Management;
  - (b) Provider and member complaints by disposition reported by Medicaid Managed Care Organizations using a standard definition of complaint as defined by HHSC;
  - (c) Provider and member appeals by disposition received by HHSC Health Plan Management, and resolution of the appeals;
  - (d) The number of pediatric acute care therapy provider terminations and the reason for identified terminations;
  - (e) The utilization of pediatric acute care therapy services by therapy type and provider type;
  - (f) The number of members on a waiting list, defined as 1) those who have been referred to a provider or Medicaid Managed Care Organization, but there is not a treating therapist to perform an initial assessment, and 2) those who have been assessed, but are unable to access pediatric acute care therapy services due to insufficient network capacity; and
  - (g) The number of pediatric acute care therapy providers no longer accepting new clients and the reason for identified panel closures.

HHSC shall submit the ~~quarterly~~biannual reports to the Legislative Budget Board and the Governor in a format specified by the Legislative Budget Board ~~no later than 30 days after the end of each fiscal quarter~~. HHSC shall ensure standardized collection of data to obtain all data used in the report. HHSC shall develop a process for pediatric therapy providers to submit data directly to HHSC for items (f) and (g), using feedback obtained from relevant stakeholders.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Supplemental Payment Programs**

Prepared by LBB Staff, 02/25/2021

**Overview**

Accept the Health and Human Services Commission’s (HHSC) request to amend Rider 16, Supplemental Payment Programs Reporting and Appropriation Authority for Intergovernmental Transfers, to 1) update the list of programs included in the report, 2) add or update other reporting requirements, 3) provide additional full-time equivalent authority at HHSC to implement the extension of the Healthcare Transformation and Quality Improvement 1115 Waiver, and 4) permit HHSC to create a new capital budget item out of existing appropriations for electronic data collection to support monitoring of local funds used in the Medicaid program.

**Required Action**

On page II-61 of the Health and Human Services Commission’s bill pattern, amend the following rider:

16. **Supplemental Payment Programs Reporting and Appropriation Authority for Intergovernmental Transfers.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts & Administration, the Health and Human Services Commission (HHSC) shall report certain financial and expenditure information regarding supplemental payment programs, including, but not limited to, the Disproportionate Share Hospital (DSH) program, the Uncompensated Care (UC) Pool, the Public Health Provider Charity Care Program (PHP-CCP), the Delivery System Reform Incentive Payment (DSRIP) Pool, the Network Access Improvement Program (NAIP), and other state directed payment programs, supplemental or other payments where the source of the non-federal share is Local Provider Participation Funds (LPPF)intergovernmental transfers (IGTs) or certified public expenditures (CPEs), and other programs operated under the Healthcare Transformation and Quality Improvement Program 1115 Waiver, and any successor programs. In addition, HHSC shall gather information on all mandatory payments to a Local Provider Participation Fund (LPPF) and all uses for such payments, including the amount of funds from an LPPF for each particular use.

(a) HHSC shall report quarterly:

- (1) Prospective payment estimates, aligning estimated payments reporting with the CMS-37. The report will include a prospective certification that the requisite matching state and local funds are, or will be, available for the certified quarter. The quarterly financial report provides a statement of the state’s Medicaid funding requirements for a certified quarter through summary data by each program; and
- (2) Expenditures made in the previous quarter, aligning expenditure reporting with the CMS-64. The report will include actual expenditures allowable under state and federal requirements. HHSC will report the recipients of all funds distributed by the commission for all supplemental payment programs. The report shall include:
  - (A) the recipients of funds by program;
  - (B) the amount distributed to each recipient; and
  - (C) the date such payments were made; and,
  - ~~(D) all mandatory payments to an LPPF, including the amounts for each particular use.~~

(b) HHSC shall report annually:

- (1) Information on all mandatory payments to a Local Provider Participation Fund (LPPF) and all uses for such payments, including the amount of funds from an LPPF for each particular use;
- (2) The total amount of IGT used to support Medicaid;
- (3) The total amount of CPEs used to support Medicaid;
- (4) A summary of any survey data collected by HHSC to provide oversight and monitoring of the use of local funds in the Medicaid program; and
- (5) All financial reports submitted to the Centers for Medicare and Medicaid Services related to programs that use local funds in the Medicaid program.

~~(b)~~ Intergovernmental transfers (IGTs) of funds from institutions of higher education are appropriated to HHSC for the non-federal share of uncompensated care or delivery system reform incentive payments or monitoring costs under the Healthcare Transformation and Quality Improvement Program 1115 Waiver.

(e) In an effort to maximize the receipt of federal Medicaid funding, HHSC is appropriated and may expend IGT received as Appropriated Receipts-March for Medicaid No. 8062 for the purpose of matching Medicaid Federal Funds for payments to Medicaid providers and to offset administrative costs for programs HHSC administers for other entities.

~~(d)~~ From funds appropriated elsewhere in the act, HHSC shall provide a copy of the annual independent audit conducted of DSH and UC in compliance with federal requirements. HHSC shall provide a report of the audit's findings annually by June 30 to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Senate Finance Committee members, the House Appropriations Committee members, and the Legislative Budget Board.

(f) HHSC will use the sums transferred from state owned hospitals as provided elsewhere in the Act as necessary to apply for appropriate matching Federal Funds and to provide the state's share of disproportionate share payments and uncompensated care payments authorized under the federal Healthcare Transformation and Quality Improvement Waiver, excluding payments for physicians, pharmacies, and clinics, due to state-owned hospitals. Any amounts of such transferred funds not required for these payments shall be deposited by HHSC to the General Revenue Fund as unappropriated revenue. Payments for physicians, pharmacies, and clinics are governed by Special Provisions Relating Only to Agencies of Higher Education, §54.

~~(g)~~ By October 1 of each fiscal year, HHSC shall present a schedule of projected transfers and payments to the Comptroller of Public Accounts, the Governor, and the Legislative Budget Board.

(h) In addition to the "Number of Full Time Equivalents (FTE)" appropriated above, an additional 60.0 FTEs are authorized for each year of the 2022-23 biennium if HHSC determines the additional staff are necessary implement the extension of the Healthcare Transformation and Quality Improvement 1115 waiver, including for increased monitoring and oversight of the use of local funds, and administration of new directed-payment programs and new supplemental payment programs. Of the additional FTEs authorized by this subsection, HHSC shall designate no less than 23.0 FTEs for the oversight and monitoring of the use of local funds in the Medicaid program.

(i) Notwithstanding the limitations in Article IX, Section 14.03, Transfers – Capital Budget, and Rider 88, Limitations on Transfer Authority, HHSC is authorized to transfer from an existing capital budget item or non-capital budget item to a new capital budget item not present in the agency's bill pattern to implement an electronic data collection and storage tool for the collection of information to support monitoring of local funds used in the Medicaid program, provided that HHSC determines that the project is necessary to meet the state's responsibilities under the

Special Terms and Conditions for the Healthcare Transformation and Quality Improvement Program 1115 waiver.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider Deletion**  
**Rural Labor and Delivery Medicaid Add-on Payment**

Prepared by LBB Staff, 03/02/2021

**Overview**

Accept the Health and Human Services Commission’s request to delete Rider 17, Rural Labor and Delivery Medicaid Add-on Payment.

**Required Action**

On page II-62 of the Health and Human Services Commission’s bill pattern, delete the following rider:

17. ~~**Rural Labor and Delivery Medicaid Add-on Payment.** Included in amounts appropriated above to the Health and Human Services Commission (HHSC) in Strategy A.1-3, Pregnant Women, is \$3,146,400 in General Revenue and \$4,853,600 in Federal Funds in fiscal year 2022 and \$3,050,400 in General Revenue and \$4,949,600 in Federal Funds in fiscal year 2023 for HHSC to provide a \$500 Medicaid add-on payment for labor and delivery services provided by rural hospitals. For purposes of this rider, rural hospitals are defined as (1) hospitals located in a county with 60,000 or fewer persons according to the 2010 U.S. Census; or (2) a hospital designated by Medicare as a Critical Access Hospital (CAH), a Sole Community Hospital (SCH), or a Rural Referral Center (RRC) that is not located in a Metropolitan Statistical Area (MSA); or (3) a hospital that has 100 or fewer beds, is designated by Medicare as a CAH, a SCH, or a RRC, and is located in an MSA.~~



By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Women’s Health Programs: Savings and Performance Reporting**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to amend Rider 40, Women’s Health Programs: Savings and Performance Reporting, to update certain reporting requirements.

**Required Action**

On page II-75 of the Health and Human Services Commission’s bill pattern, amend the following rider:

40. **Women’s Health Programs: Savings and Performance Reporting.** The Health and Human Services Commission shall submit an annual report on the Healthy Texas Women (HTW), Family Planning Program (FPP), and Breast and Cervical Cancer Services Program, due August 1 of each year, to the Legislative Budget Board and the Governor’s Office that includes the following information:
- (a) Enrollment levels of targeted low-income women and service utilization by geographic region, including total number of unduplicated patients served, delivery system, and age from the prior two fiscal years;
  - (b) Savings or expenditures in the Medicaid program that are attributable to enrollment levels as reported in section (a);
  - (c) Descriptions of all outreach activities undertaken for the reporting period;
  - (d) The total number of providers, by geographic region, enrolled in HTW and FPP networks, and providers from legacy Women’s Health Programs (including Texas Women’s Health Program) not to include duplications of providers or ancillary providers;
  - (e) The average and median numbers of program clients, and the total number of unduplicated patients served, detailed by provider;
  - (f) The count of women in HTW and FPP receiving a long-acting reversible contraceptive;
  - (g) The service utilization by procedure code. The annual report submitted as required above must satisfy federal reporting requirements that mandate the most specific, accurate, and complete coding and reporting for the highest level of specificity;
  - (h) Total expenditures, by method of finance and program; and
  - (i) ~~Number of unduplicated women auto-enrolled into HTW from Medicaid for Pregnant women.~~ Number of unduplicated women who are determined eligible and enrolled into HTW after their Medicaid for Pregnant Women ends.

It is the intent of the Legislature that if the findings of the report show a reduction in women enrolled or of service utilization of greater than ten percent relative to the prior two fiscal years, the agency shall, within existing resources, undertake corrective measures to expand provider capacity and/or client outreach and enrollment efforts.



By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Education Funding**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to amend Rider 45, Education Funding, to reflect actual practice.

**Required Action**

On page II-79 of the Health and Human Services Commission’s bill pattern, amend the following rider:

- 45. **Education Funding.** Included in the Method of Financing in Other Funds above is \$16,498,102 in each fiscal year set aside from the Special Education Allotment and transferred to the Health and Human Services Commission (HHSC).

HHSC shall enter into an ~~Memorandum of Understanding (MOU)~~Interagency Contract (IAC) with the Texas Education Agency for the purpose of providing funds to Early Childhood Intervention contractors for eligibility determination and comprehensive and transition services. The ~~MOU~~IAC shall include a listing of the specific services that the funding will support and other provisions the agencies deem necessary. HHSC shall provide a signed copy of the ~~MOU~~IAC to the Legislative Budget Board and the Governor, no later than October 1, 2022.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Report on Child Advocacy Centers and Court Appointed Special Advocates**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to amend Rider 53, Funding for Child Advocacy Center Programs and Court Appointed Special Advocate Programs, to change report due date.

**Required Action**

On page II-82 of the Health and Human Services Commission’s bill pattern, amend the following rider:

**53. Funding for Child Advocacy Center Programs and Court Appointed Special Advocate Programs.**

(a) Included in appropriations above in Strategy F.3.2, Child Advocacy Programs, is \$13,484,082 in General Revenue, \$5,114,922 in General Revenue - Dedicated Compensation to Victims of Crime Account No. 0469, and \$5,000,000 in General Revenue - Dedicated Sexual Assault Program Account No. 5010 in each fiscal year for the purpose of entering into a contract with a statewide organization that shall provide training, technical assistance, evaluation services, and funds administration to support contractual requirements for local children’s advocacy center programs. The statewide organization must be exempt from federal income taxation and be composed of individuals or groups of individuals who have expertise in the establishment and operation of children’s advocacy center programs.

(b) Included in appropriations above in Strategy F.3.2, Child Advocacy Programs, is \$9,835,578 in General Revenue, \$5,114,922 in General Revenue - Dedicated Compensation to Victims of Crime Account No. 0469, and \$13,500 in License Plate Trust Fund Account No. 0802 in each fiscal year for the purpose of entering into a contract with a statewide organization that shall provide training, technical assistance, and evaluation services for the benefit of local volunteer advocate programs. The statewide organization must be exempt from federal income taxation and be composed of individuals or groups of individuals who have expertise in the dynamics of child abuse and neglect and experience in operating volunteer advocate programs.

(c) Unexpended balances in Strategy F.3.2, Child Advocacy Programs, remaining as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.

(d) No later than December ~~15~~<sup>1</sup> of each fiscal year, the Health and Human Services Commission shall submit a report detailing the expenditures of funds appropriated in Strategy F.3.2, Child Advocacy Programs. The report shall include information demonstrating continuity of service from the previous fiscal year, services provided and the number of children for whom the services were provided, the amount of grants awarded in each of the categories listed above, the amount of expenditures for administration, the amount of expenditures from General Revenue - Dedicated Compensation to Victims of Crime Fund Account No. 0469, and General Revenue - Dedicated Sexual Assault Program Account No. 5010, oversight activities conducted relating to the child advocacy programs, and an analysis of the effectiveness of the contracts awarded in subsections (a) and (b). The report shall be submitted to the

Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Reporting on Population Served**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to amend Rider 56, Reporting on Population Served, to remove reporting requirements.

**Required Action**

On page II-83 of the Health and Human Services Commission’s bill pattern, amend the following rider:

56. **Reporting on Population Served.** Out of funds appropriated above in Strategy L.1.1, HHS System Supports, the Health and Human Services Commission shall report the following information for the prior fiscal year:
- (a) percentage of Texas Health Steps Early and Periodic, Screening, Diagnosis, and Treatment (EPSDT) clients who received at least one medical check-up;
  - (b) percentage of children estimated to be eligible for the Children’s Health Insurance Program (CHIP) who were enrolled in the program;
  - (c) percentage of children under the age of three who received comprehensive intervention services through the Early Childhood Intervention (ECI) program; and
  - (d) percentage of children living in poverty who received Temporary Assistance for Needy Families (TANF) or State Two-Parent Cash Assistance program benefits; and,
  - ~~(e) percentage of people estimated to be eligible for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) who were provided WIC services.~~

HHSC shall submit the report by February 1 of each year. The report shall be submitted to the Governor, Legislative Budget Board, and permanent committees in the House of Representatives and the Senate with jurisdiction over health and human services.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Independent Living Services**

Prepared by LBB Staff, 03/02/2021

**Overview**

Accept the Health and Human Services Commission’s request to add new rider concerning independent living services, requiring a report.

**Required Action**

On page II-XX of the Health and Human Services Commission’s bill pattern, add the following rider:

**XX. Independent Living Services Review.**

(a) All funds provided for the provision of independent living services are to be distributed in accordance with the Rehabilitation Act of 1973 as amended. 2015. by the Designated State Entity, who is responsible for the accounting and distribution of these funds.

(b) The Health and Human Services Commission shall provide an annual report by December 31 of each year to the Texas Workforce Commission on the services Centers for Independent Living are providing with the SSA-VR/IAC funds provided to Centers for Independent Living for the administration of the Independent Living Services Program, including number of consumers served, breakdown of services provided, performance targets, and any other information the agencies deem necessary to ensure accounting of the funding.

(c) By January 1, 2023, the Health and Human Services Commission shall conduct an independent study of the Independent Living Services program to evaluate the ILS grants and outsource model, to assess if the ILS model of service provision is meeting the needs of Texans with disabilities, consider alternate methods to reduce administrative costs, explore utilization of funds and progress of Centers for Independent Living to obtain alternative or additional funding for operational expenses, maximize funds for the provision of services to consumers, increase collaboration with partners, ensure the provision of No Wrong Door and Wrap-around services, and whether numbers of consumers served increased as intended in the outsourcing of the program from the state. Additionally, the study will evaluate the roles and responsibilities of the Designated State Entity to identify strengths, weaknesses, risks and opportunities for improvement, expanding the provider base for the services to provide improved support, budgetary flexibility and added benefits to the provider base.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**State-Owned Housing**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to update the listing of positions in Rider 67, State-Owned Housing.

**Required Action**

On page II-87 of the Health and Human Services Commission’s bill pattern, amend the following rider:

67. **State-Owned Housing.** The Superintendent, Medical Director, Assistant Superintendent ~~for Programs~~, and Director of Plant Maintenance at each state hospital and the Director, Medical Director, Assistant Director for Programs, and Director of Plant Maintenance at each state supported living center are authorized to live in state-owned housing at a rate determined by the Health and Human Services Commission (HHSC). Other HHSC employees may live in state-owned housing as set forth in Article IX, §11.02, Reporting Related to State Owned Housing, of this Act. Fees for employee housing are appropriated above to be used for maintaining employee housing.



By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Reimbursement of Advisory Committee Members**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to amend Rider 100, Reimbursement of Advisory Committee Members, to add the Chronic Kidney Disease Task Force.

**Required Action**

On page II-108 of the Health and Human Services Commission’s bill pattern, amend the following rider:

100. **Reimbursement of Advisory Committee Members.** Pursuant to Government Code §2110.004, reimbursement of expenses for advisory committee members, out of funds appropriated above - not to exceed a total of \$242,532 each fiscal year, is limited to the following advisory committees: Hospital Payment Advisory Committee, Medical Care Advisory Committee, State Medicaid Managed Care Advisory Committee, Intellectual and Developmental Disability System Redesign Advisory Committee, Drug Utilization Review, Behavioral Health Advisory Committee, Perinatal Advisory Council, Policy Council for Children and Families, Texas Council on Consumer Direction, Nursing Facility Administrators Advisory Committee, Early Childhood Intervention Advisory Council, Board for Evaluation of Interpreters, Joint Committee on Access and Forensic Services, Palliative Care Interdisciplinary Advisory Council, Texas Medical Disclosure Panel, Aging and Disability Resource Center Advisory Committee, Aging Texas Well Advisory Committee, STAR Kids Managed Care Advisory Committee, Texas Brain Injury Advisory Council, Chronic Kidney Disease Task Force, and Texas Respite Advisory Committee.

To the maximum extent possible, the Health and Human Services Commission shall encourage the use of videoconferencing and teleconferencing and shall schedule meetings and locations to facilitate the travel of participants so that they may return the same day and reduce the need to reimburse members for overnight stays.

By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Staffing in Lieu of Contracted Responsibilities**

Prepared by LBB Staff, 02/26/2021

**Overview**

Accept the Health and Human Services Commission’s request to add new rider concerning full-time equivalent authority and limitations.

**Required Action**

On page II-XX of the Health and Human Services Commission’s bill pattern, add the following rider:

XX. **Staffing in Lieu of Contracted Responsibilities.** Notwithstanding the provisions in Article IX, §6.10, Limitation on State Employment Levels, if the executive commissioner of the Health and Human Services Commission (HHSC) determines that a service performed under a contract as of the effective date of this Act would be more effectively performed by state personnel, the executive commissioner may adjust the agency's full-time equivalent (FTE) limitation to the extent necessary to ensure the successful assumption of such contracted duties and to comply with federal performance standards.

Authority granted by this provision is contingent upon a written notification from HHSC to the Legislative Budget Board and the Governor at least 30 days prior to adjusting budgeted FTE levels that includes the following information:

- a. a detailed explanation of the adjustments to the affected contract and the reason(s) for the adjustment;
- b. the estimated reduction in spending in All Funds on the contract by fiscal year;
- c. the increase in both the annual average and end-of-year FTEs by fiscal year; and
- d. the estimated increase in expenditures by object of expense and method of financing for each fiscal year.

By: \_\_\_\_\_

Health and Human Services Commission, Article II  
Proposed Rider  
Managed Care Organization Performance Requirement to Ensure Best Value

Prepared by LBB Staff, 03/23/2021

Overview

Delete Health and Human Services Commission Rider 22, Managed Care Organization Performance Requirement to Ensure Best Value.

Required Action

On page II-65 of the Health and Human Services Commission bill pattern, delete the following rider:

22. ~~Managed Care Organization Performance Requirement to Ensure Best Value.~~

~~a. Pursuant to Government Code, Sec. 533.013(a)(5), Sec. 533.0025, Sec. 536.052(b) and (d), Sec. 2155.144, Sec. 533.004(b), 42 CFR § 438.66 and this provision, it is the intent of the Legislature that for both procurement and routine performance assessment, funds appropriated above for services provided through managed care in Goal A, Medicaid Client Services, and Goal C, CHIP Client Services, be expended only for: 1) high performing managed care organizations (MCOs) that provide the best value to the state, and 2) a rate payment system that incentivizes high performing MCOs.~~

~~b. Funds appropriated above in Strategy B-1.1, Medicaid Contracts and Administration, in fiscal year 2022 include funding for the following items:~~

~~(1) Procurement-related performance benchmarks for MCOs. No later than December 31, 2021, Health and Human Services Commission (HHSC) shall develop and publish performance benchmarks for the procurement of MCOs. In developing performance benchmarks, HHSC shall 1) use new and existing cost efficiency, Medicaid quality of care, and customer satisfaction metrics; and 2) organize new indices that would serve to evaluate past vendor performance and probable future performance in accordance with Government Code, Section 2155.144. The development of the performance indices shall be conducted in a transparent and objective manner through an appropriate public input and review process.~~

~~(2) Post-procurement related performance assessment. No later than December 31, 2021, HHSC shall develop and publish annual accountability requirements and consequences for MCOs whose: 1) expenditures exceed revenue from actuarially sound premiums and, 2) performance against cost, quality, and customer satisfaction indices is unsatisfactory relative to other MCOs. The accountability requirements and consequences should use the indices described in subsection (b)(1).~~

~~(3) HHSC Plan. No later than December 31, 2021 HHSC shall submit a plan to the Legislative Budget Board identifying 1) the milestones and timeline to implement the benchmarks required to be developed in subsection (b)(1) by September 1, 2022, and 2) the milestones and timeline to implement the accountability measures and consequences required to be developed in subsection (b)(2) by September 1, 2022.~~

~~e. Pursuant to Government Code, Chapter 533, it is the intent of the Legislature:~~

- (1) ~~HHS~~C may, at any time, eliminate low performing MCOs retained with appropriated funds that fail to achieve best value for the state and administrative savings for the agency; and
  - (2) ~~HHS~~C may reduce, suspend or withhold appropriated funds from MCOs who do not comply with this provision.
- d. ~~It is the intent of the Legislature that HHS~~C consider the following actions when implementing performance requirements in the Medicaid and CHIP managed care programs: reduction of risk margin, limiting or ceasing enrollment, and cancellation of contracts in one or more Service Delivery Area or product line.
- e. ~~It is the intent of the Legislature to ensure that future managed care contract award decisions are determined based upon best value criteria and that managed care procurements incorporate the elements listed in subsection (b) above.~~ Notwithstanding Article IX, Section 17.10 Contract Management and Oversight, managed care contracts may be extended until this rider is implemented.
- f. ~~Beginning on September 1, 2021 and then quarterly thereafter, HHS~~C shall submit a written report to the Health & Human Services Transition Legislative Oversight Committee describing progress towards implementing the provisions of this section.

By: \_\_\_\_\_

**Article II, Special Provisions Related to All Health and Human Services Agencies**  
**Services Agencies**  
**Proposed Rider**  
**System Support Services**

Prepared by LBB Staff, 03/22/2021

**Overview**

Amend Special Provisions Related to All Health and Human Services Agencies, Sec. 9, System Support Services, to only identify All Funds appropriations for system support services.

**Required Action**

On page II-125 of Special Provisions Relating to All Health and Human Services Agencies, amend the following rider:

**Sec. 9. System Support Services.**

(a) **Appropriations for System Support Services.** Included in amounts appropriated in Article II of this Act are the following amounts for Article II system support services assessments:

- (1) ~~\$65,769,268 in General Revenue and \$118,037,459~~\$107,757,442 in All Funds in each fiscal year at the Department of Family and Protective Services (DFPS);
- (2) ~~\$33,112,692 in General Revenue, \$5,587,891 in General Revenue Dedicated, and \$39,968,314 in All Funds in each fiscal year at the Department of State Health Services (DSHS); and~~
- (3) ~~\$196,396,933 in General Revenue, \$38,840 in General Revenue Dedicated, and \$366,824,820 in All Funds in each fiscal year at the Health and Human Services Commission (HHSC).~~

Amounts in this subsection do not include benefits, which are appropriated elsewhere in this Act.

(b) None of the funds appropriated to an agency listed in Article II of this Act shall be expended for system support services unless the following requirements are met:

(1) **Reporting Requirements.** HHSC shall submit the following information at the agency and system level to the Legislative Budget Board and the Governor:

- (A) Annual Assessments. By September 1 of each year:
  - (i) amounts assessed for system support services, by service category and fund type, for the new fiscal year; and
  - (ii) copies of any agreements between the agencies regarding system support services for the new fiscal year.
- (B) Annual Expenditures. By October 1 of each year:
  - (i) expenditures for system support services, by service category and fund type, for the three prior fiscal years; and

- (ii) amount each agency's actual expenditures for system support services have changed since submission of the prior year's report.

DFPS and DSHS shall provide all necessary information to HHSC to complete the reports required by this subsection.

- (2) **Notification of Anticipated Increases.** HHSC shall notify the Legislative Budget Board and the Governor if total expenditures for system support services are expected to exceed the amounts reported in subsection (a) by more than \$1,000,000 in combined General Revenue and General Revenue-Dedicated during the fiscal year or if HHSC implements any new projects or services not presented to the Legislature that will result in an increase in the amounts assessed to DFPS or DSHS. The notification shall include:

- (A) the reason(s) for the increase;
- (B) the estimated allocation of the increased cost between agencies by method-of-financing; and
- (C) how each agency will fulfill their estimated contribution.

- (c) **Transfer of Appropriations for System Support Services.** Notwithstanding the limitations of Special Provisions Relating to All Health and Human Services Agencies, §6, Limitations on Transfer Authority, and Article IX, §14.01, Appropriation Transfers, HHSC may transfer funds appropriated to the agency for system support services to DFPS and DSHS. Transferred appropriations shall only be expended by the receiving agency for system support services.

- (1) **Transfers Requiring Notification.** If the appropriations to be transferred are appropriated in HHSC Goal I, System Oversight and Program Support, and the transfer will not create or increase a supplemental need, this authority is contingent upon HHSC submitting prior written notification to the Legislative Budget Board and Governor. The notification shall include:

- (A) the reason for the transfer;
- (B) amounts to be transferred by agency, strategy, method-of-financing, and fiscal year; and
- (C) the capital budget impact.

- (2) **Transfers Requiring Approval.** All transfers not subject to subsection (c)(1) require prior written approval from the Legislative Budget Board and the Governor. To request approval, the agency shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

- (A) the reason for the transfer;
- (B) amounts to be transferred by agency, strategy, method-of-financing, and fiscal year;
- (C) the estimated impact to the agency's supplemental need, by method-of-financing;
- (D) an estimate of performance levels and, where relevant, a comparison to targets included in this Act; and
- (E) the capital budget impact.

The request shall be considered disapproved unless the Legislative Budget Board and the Governor issue written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request to transfer funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any

requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 30 business days.

(d) **Limitations on Expenditures.** Amounts identified in subsection (a) and any amounts transferred pursuant to subsection (c) of this rider shall not be expended for a purpose other than system support services without prior written approval from the Legislative Budget Board and the Governor. To request approval, the agency shall submit a written request to the Legislative Budget Board and the Governor that includes the following information:

- (1) a detailed explanation of the proposed use(s) of the appropriations and whether the expenditure(s) will be one-time or ongoing;
- (2) the amount by strategy and method-of-financing;
- (3) an estimate of performance levels and, where relevant, a comparison to targets included in this Act; and
- (4) the capital budget impact.

The request shall be considered disapproved unless the Legislative Budget Board and the Governor issue written approval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request to expend funds and forwards its review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 30 business days.

(e) **Requests and Notifications.** Any requests or notifications submitted by an agency listed in Article II of this Act, pursuant to any rider or other provision of this Act, shall include the anticipated impact the request or notification will have on system support service assessments by agency and method-of-financing.

The Comptroller of Public Accounts shall not allow the expenditure of funds for system support services, including assessments if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the requirements of this provision have not been satisfied.

By: \_\_\_\_\_

Article II, Special Provisions Relating to All Health and Human  
Services Agencies  
Proposed Rider  
Appropriation of Receipts: Damages and Penalties

Prepared by LBB Staff, 03/22/2021

Overview

Amend Special Provisions Sec. 11, Appropriation of Receipts: Damages and Penalties, to remove references to the Office of Inspector General.

Required Action

On page II-128 of Special Provisions Relating to All Health and Human Services Agencies, amend the following rider:

**Sec. 11. Appropriation of Receipts: Damages and Penalties.** Included in amounts appropriated by this Act are the following:

- (a) \$585,363 in Other Funds (Appropriated Receipts) in each fiscal year in Health and Human Services Commission (HHSC) Strategy H.1.2, Long-term Care Quality Outreach, collected pursuant to Human Resources Code §32.021. Any amount collected above this amount is to be applied to the protection of health and property of residents in nursing facilities in accordance with 42 U.S. Code §1396r(h)(2)(a)(ii) and Human Resources Code §32.021(g) subject to the approval of the Centers for Medicare and Medicaid Services;
- (b) ~~\$707,435 in General Revenue Match for Medicaid in each fiscal year in HHSC Strategy K.1.1, Office of Inspector General, contingent upon the collection of damages and penalties under Human Resources Code §32.039; and~~
- ~~(c)~~ \$390,000 in General Revenue in each fiscal year in Department of State Health Services (DSHS) Strategy C.1.1, Food (Meat) and Drug Safety, contingent upon the collection of civil penalties under Health and Safety Code §431.0585. Any amounts collected above ~~the~~this amounts ~~identified in subsections (b) and (c) by the respective agency are~~is appropriated to the ~~respective agency~~DSHS in amounts equal to the costs of the investigation and collection proceedings conducted under ~~Human Resources Code §32.039 or~~ Health and Safety Code §431.0585, and any amounts collected as reimbursement for claims paid by the agency. In the event that actual and/or projected revenue collections are insufficient to offset the appropriations identified in this subsections ~~(b) or (c) of this provision~~, the Comptroller of Public Accounts is directed to reduce the appropriation authority provided above to be within the amount of revenue expected to be available.



By: \_\_\_\_\_

Article II, Special Provisions Related to All Health and Human Services Agencies

Proposed Rider

Limitation: Expenditure and Transfer of Public Health Medicaid Reimbursements

Prepared by LBB Staff, 03/05/2021

Overview

Accept the Department of State Health Services’ request to amend Special Provisions Related to All Health and Human Services Agencies, Sec. 14, Limitation: Expenditure and Transfer of Public Health Medicaid Reimbursements, to decrease the amount of Public Health Medicaid Reimbursements appropriated to HHSC and to prioritize distribution of funds to the DSHS Laboratory.

Required Action

On page II-131 of Special Provisions Relating to All Health and Human Services Agencies, amend the following rider:

Sec. 14. Limitation: Expenditure and Transfer of Public Health Medicaid Reimbursements.

(a) **Appropriations.** Included in the amounts appropriated to the Department of State Health Services (DSHS) and the Health and Human Services Commission (HHSC) are the following amounts of Public Health Medicaid Reimbursements (Account No. 709):

- (1) Department of State Health Services:
  - (A) Strategy A.4.1, Laboratory Services: \$37,105,294 in fiscal year 2022 and \$37,197,270 in fiscal year 2023;
  - (B) Strategy B.2.2, Texas Primary Care Office: \$225,576 in each fiscal year; and
  - (C) Strategy E.1.1, Central Administration: \$366,935 in each fiscal year.
- (2) Health and Human Services Commission:

(A) Strategy A.4.1, Non-Full Benefit Payments: ~~\$17,998,199~~ \$10,911,889 in fiscal year 2022 and ~~\$44,906,223~~ \$37,401,897 in fiscal year 2023; and

(B) Strategy G.2.1, Mental Health State Hospitals: \$47,303,996 in each fiscal year.

Revenue from Account No. 709 shall be distributed first to the item in subsection (a)(1) and then to the item in proportionally based on the distribution between all items in subsection (a)(1) and subsection (a)(2)(B) until the full amount of those appropriations is satisfied. Revenue from Account No. 709 shall be distributed to the appropriate agency within ten business days of receipt.

Appropriations from Account No. 709 shall be expended prior to utilization of General Revenue or General Revenue-Dedicated Funds in strategies identified in this subsection. In the event General Revenue or General Revenue-Dedicated Funds have been expended prior to the receipt of appropriations from Account No. 709, DSHS or HHSC shall reimburse General Revenue or General Revenue-Dedicated on a monthly basis.

HHSC may temporarily utilize funds identified in subsection (a)(2)(B) in Strategy A.4.1, Non-Full Benefit Payments, in August of 2023 if amounts identified in subsection (a)(2)(A) are expected to be available but have not yet been distributed.

(b) **Limitation on Use of Public Health Medicaid Reimbursements (Account 709).**

(1) In the event that Public Health Medicaid Reimbursement revenues exceed the amounts noted above, DSHS or HHSC may expend the Public Health Medicaid Reimbursement funds thereby made available only upon prior written approval from the Legislative Budget Board and the Governor. Notwithstanding Article IX, §14.01, Appropriation Transfers, and Special Provisions Relating to All Health and Human Services Agencies, §6, Limitations on Transfer Authority, transfers of Public Health Medicaid Reimbursement revenues may be made only upon prior written approval from the Legislative Budget Board and the Governor. A request to expend additional Public Health Medicaid Reimbursement funds or transfer Public Health Medicaid Reimbursement funds shall include the following information:

- (A) the reason for and the amount of Public Health Medicaid Reimbursement revenue that exceeds the amounts in subsection (a) above, and whether this additional revenue will continue in future years;
- (B) the reason for and the amount of any transfer of Public Health Medicaid Reimbursement revenue;
- (C) a detailed explanation of the purpose(s) of the expenditure and whether the expenditure will be one-time or ongoing;
- (D) the name of the strategy or strategies affected by the expenditure and the FTEs for each strategy by fiscal year;
- (E) the impact of the expenditure on performance levels, and, where relevant, a comparison to targets included in this Act for the affected strategy or strategies; and
- (F) the impact of the expenditure on the capital budget.

The request shall be considered to be approved unless the Legislative Budget Board or the Governor issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the proposal to expend the funds and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board shall interrupt the counting of the 30 business days.

(2) In the event that Public Health Medicaid Reimbursement revenues and balances are insufficient to support the appropriations amounts identified in subsection (a), a reduction shall be made in HHSC Strategy A.4.1, Non-Full Benefit Payments.

By: \_\_\_\_\_

**Article II, Special Provisions Relating to All Health and Human  
Services Agencies**

**Unexpended Balance Authority for Certain Funds Supporting Capital Projects**

Prepared by LBB Staff, 03/02/2021

**Overview**

Add a rider providing the Department of State Health Services and the Department of Family and Protective Services authority to transfer unexpended balances of appropriations for enterprise assessments billing for Health and Human Services Commission capital budget projects from fiscal year 2022 to fiscal year 2023.

**Required Action**

On page II-XX of Special Provisions Relating to All Health and Human Services Agencies, add the following rider:

**XX. Unexpended Balance Authority for Certain Funds Supporting Capital Projects.**

(a) Notwithstanding all other limitations on unexpended balance authority in the Department of State Health Services (DSHS) or Department of Family and Protective Services (DFPS) bill patterns, any unexpended and unobligated balances from amounts appropriated as of August 31, 2022, to DSHS or DFPS are appropriated for the same purposes for the fiscal year beginning September 1, 2022, subject to the limitations in subsection (b) of this rider.

(b) Unexpended balance authority provided by this rider is limited to funds that were appropriated to DFPS or DSHS to support enterprise assessment billing for an HHSC capital budget project and for which HHSC has used other authority provided by this Act to make appropriations for capital budget purposes made by this Act for use during the first year of the biennium available for use in the second year of the biennium for the same purpose.

# HOUSE COMMITTEE ON APPROPRIATIONS

## ARTICLE II RIDERS



# **House Appropriations Committee Riders - Article II**

**Adopted**

**Legislative Budget Board**

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Reporting Requirement: COVID-19 Funding to Nursing Facilities and Hospitals**

Prepared by LBB Staff, 03/25/2021

**Overview**

Add a rider requiring the Health and Human Services Commission to report on the total value and uses of temporary rate increases provided to nursing facilities and hospitals in the 2020-21 biennium.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Reporting Requirement: COVID-19 Funding to Nursing Facilities and Hospitals.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall develop a report detailing the total value and uses of COVID-19-related Federal Funds, including Provider Relief Funds, provided directly to nursing facilities and hospitals contracting with HHSC since the beginning of the public health emergency. The report should include any temporary rate increases provided to nursing facilities related to the COVID-19 pandemic. HHSC shall submit the report to the Governor, Legislative Budget Board, and any appropriate standing committee in the Legislature on December 1<sup>st</sup> and June 1<sup>st</sup> of each fiscal year. The format and content of the report shall be specified by the Legislative Budget Board and posted on the HHSC website.

## Department of Family and Protective Services

### Proposed Rider

### Family First Transition Act Funds

Prepared by LBB Staff, 03/25/2021

#### **Overview**

Direct the use of federal funds received by the Department of Family and Protective Services under the Family First Transition Act.

#### **Required Action**

1. On page II-XX of the Department of Family and Protective Services bill pattern, add the following rider.

\_\_\_\_\_. **Family First Transition Act Funds.** Out of funds appropriated above, the Department of Family and Protective Services (DFPS) is appropriated \$33,873,867 in Family First Transition Act (FFTA) federal funds in the 2022-23 biennium to implement the following programs in an effort to come into compliance with the federal Family First Prevention Services Act (FFPSA):

- (1) \$4,450,000 in Federal Funds in each fiscal year of the biennium in order to pilot FFPSA prevention services coordinated through Child Protective Services;
- (2) \$4,900,000 in Federal Funds in each fiscal year of the biennium to purchase pilot services and interventions for children who are at imminent risk of being removed from the child's home and placed into the conservatorship of DFPS because of a continuing danger to the child's physical health or safety caused by an act or failure to act of a person entitled to possession of the child, but for whom a court of competent jurisdiction has issued an order allowing the child to remain safely in the child's home or in a kinship placement with the provision of family preservation services;
- (3) \$2,600,000 in Federal Funds in each fiscal year of the biennium for the Nurse Family Partnership to expand capacity as allowed by the FFPSA; and
- (4) \$4,986,933 in Federal Funds in fiscal year 2022 and \$4,986,934 in Federal Funds in fiscal year 2023 to add to the DFPS Qualified Residential Treatment Pilot (QRTF) pilot project.

In addition to funds allocated above, DFPS shall report on the progress of increasing the capacity of qualifying community-based prevention and family preservation services, including a full accounting of funds expended. The report shall be prepared in a format specified by the Legislative Budget Board and shall be submitted by March 31 and September 30 of each fiscal year of the biennium. The report shall be provided to the Legislative Budget Board, the Governor, the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Human Services, the Senate Committee on Health and Human Services, and any standing Joint Legislative Oversight Committees, as appropriate. The report shall also be posted on the agency's public webpage in order to ensure transparency with the public and stakeholders.

By: \_\_\_\_\_ Rep. Howard \_\_\_\_\_

**Texas Department of Family and Protective Services**  
**Proposed Rider**  
**Rider \_\_, Volunteer Mentor Coordination**

**Overview**

Add a new rider and funding to establish coordination for volunteer mentors for children in foster care.

**Required Action**

- 1) Make the following adjustments to the bill pattern for the Texas Department of Family and Protective Services:
  - a. Increase Strategy B.1.2, CPS Program Support, by \$75,000 in each fiscal year
  - b. Increase Appropriated Receipts in the Method of Finance by \$75,000 in each fiscal year
  - c. Increase the limitation on full-time-equivalent positions by 1 FTE;
  
- 2) Add the following new rider:

**XX. Volunteer Mentor Coordination and Access.** Appropriations above include an estimated \$75,000 in Appropriated Receipts and 1 FTE in each year of the 2022-23 biennium for the Volunteer Mentor Coordination and Access program. Appropriations are contingent on the Texas Department of Family and Protective Services receiving gifts, grants, and donations pursuant to Article IX section 8.01 of this Act.

To the extent allowed by federal and state law, the Department of Family and Protective Services (DFPS) shall use appropriations referenced above to maintain a coordinated and comprehensive strategy for engaging and collaborating with faith and community based partners providing mentoring and support services to youth in the foster care system. This strategy shall include a full-time equivalent position acting as a volunteer service liaison and single point of contact for public and community partners providing mentoring services, shall ensure established mentor relationships are supported and sustained regardless of the placement of a child within the foster care system (including but not limited to those in juvenile detention, psychiatric hospitals and emergency shelters), and shall liaison with agency initiatives combating human trafficking.



## **Overview**

Amend rider 6, Other Reporting Requirements, to require additional monthly reporting on certain items.

## **Required Action**

On page II-6 of the Department of Family and Protective Services bill pattern, amend the following rider.

### **6. Other Reporting Requirements.**

a. **Monthly Financial Reports.** DFPS shall submit the following information to the Legislative Budget Board and the Governor no later than 30 calendar days after the close of each month:

- (1) Information on appropriated, budgeted, expended, and projected funds, by strategy and method of finance.
- (2) A report detailing revenues, expenditures, and balances for earned federal funds as of the last day of the prior month.
- (3) Narrative explanations of significant budget adjustments, ongoing budget issues, and other items as appropriate.
- (4) A report providing a breakdown of the budgeted versus actual Child Protective Services Direct Delivery Full-time Equivalents (FTE) by case stage and by region.
- (5) Select Child Protective Services performance measures continued from the fiscal year 2017 critical needs reports, as determined by the Legislative Budget Board.
- (6) Any other information requested by the Legislative Budget Board or the Governor.

The monthly financial reports shall be prepared in a format specified by the Legislative Budget Board.

b. **Quarterly Updates.** DFPS shall submit the following information to the Legislative Budget Board and the Governor on a quarterly basis for each month in fiscal years 2019 through 2023: program expenditures and projected expenditures by method of finance and performance measure targets for Strategies A.1.1, Statewide Intake Services; B.1.1, CPS Direct Delivery Staff; B.1.3, TWC Contracted Day Care; B.1.9, Foster Care Payments; B.1.10, Adoption Subsidy/PCA Payments; B.1.11, Relative Caregiver Payments; and D.1.1, APS Direct Delivery Staff. DFPS shall also submit data used to calculate the performance measure actuals for Strategies A.1.1, Statewide Intake Services; B.1.1, CPS Direct Delivery Staff; and D.1.1, APS Direct Delivery Staff, as well as other statewide intake data related to call abandonment. The reports shall be submitted within 30 days of the end of each fiscal quarter in a format specified by the Legislative Budget Board.

c. **Litigation Involving Child Welfare Services Providers.** DFPS shall notify the Legislative Budget Board and the Governor in a timely manner about any pending litigation against DFPS or against any entity providing child welfare services under contract with DFPS, and the subject matter of the litigation.

d. **Monthly Data and Forecasts.**

- (1) DFPS shall submit actual and projected caseloads and related expenditure amounts to the Legislative Budget Board and the Governor for foster care, adoption assistance, permanency care assistance, relative caregiver, community-

based care, and day care. Data for other programs shall be submitted upon request of the Legislative Budget Board or the Governor. The data shall be submitted in a format specified by the Legislative Budget Board. At the request of the Legislative Budget Board or the Governor supporting documentation detailing the sources and methodologies utilized to develop any caseload or expenditure projections and any other supporting material must be provided.

- (2) DFPS shall provide a report to the legislature and shall publish the report and make the report available electronically to the public not later than the 15<sup>th</sup> day of each month containing the following information for the preceding month: 1) the regional statistics for children in DFPS care which includes age, sex, ethnic group, disabilities, and the level of services the children receive; statistics showing where children are living compared to their home region and the types of facilities and living arrangements where they were placed; 2) the key staffing and outcome measures for Statewide Intake, Adult Protective Services, Child Protective Investigations, and Child Protective Services; and 3) the total number of reports to Statewide Intake broken down by source; the total number of reports to Statewide Intake that are considered Information and Referrals; the total number of each type of allegation and the number of confirmed cases via an investigation for reports that meet the statutory definition of abuse, neglect, or exploitation; and the total number of exits from CPS custody broken down by exit type. DFPS may work with a third-party entity to help collect, analyze, and report the following data.

### **Overview**

Provide direction to the Department of Family and Protective Services and the Health and Human Services Commission to coordinate efforts regarding the kinship program.

### **Required Action**

On page II-XX of the Department of Family and Protective Services bill pattern, add the following rider:

- \_\_\_\_. **Kinship Care.** It is the intent of the legislature that the Department of Family and Protective Services and the Health and Human Services Commission shall collaborate to streamline the process for kin to become verified foster families and ensure that children and families are provided with financial assistance, including state and federal funding.

**Department of Family and Protective Services**  
**Proposed Rider**  
**Faith and Community Based Partner Coordination**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add a rider to direct the Department of Family Protective Services to maintain a coordinated and comprehensive strategy for collaborating with faith and community based partners.

**Required Action**

On page II-XX of the Department of Family and Protective Services bill pattern, add the following rider.

- \_\_\_\_\_. **Faith and Community Based Partner Coordination.** It is the intent of the legislature that to the extent allowed by federal and state regulations, and in accordance with Ch. 535 of the Government Code, the Department of Family and Protective Services shall use appropriations included in all Strategies in Goal C, Prevention Programs, to maintain a coordinated and comprehensive strategy for engaging and collaborating with faith and community based partners, including the designation of a single point of contact for public and community partners and the gathering and reporting of information on entity type of vendor as outlined in the Texas Business Organizations Code and the National Taxonomy of Exempt Entities.

**Department of Family and Protective Services**  
**Proposed Rider**  
**Capacity Study**

Prepared by LBB Staff, 03/17/2021

**Overview**

Add a rider directing the Department of Family and Protective Services to create a study to review current capacity for pregnant and parenting foster youths.

**Required Action**

On page II-XX of the Department of Family and Protective Services bill pattern, add the following rider.

- \_\_\_\_. **Capacity Study.** Out of funds appropriated above in Strategy B.1.2, CPS Program Support, the Department of Family and Protective Services shall conduct a study to review current capacity and services for pregnant and parenting foster youths. The study shall offer recommendations on how to improve capacity and offer recommendations on where capacity can be improved by geographical region. The report shall be submitted no later than November 1, 2022, to the Legislative Budget Board, the Governor, the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Human Services, the Senate Committee on Health and Human Services, and any standing Joint Legislative Oversight Committees, as appropriate.

By: Reps. M. Gonzales and Rose

## **Department of Family and Protective Services**

### **Proposed Rider**

### **Transportation Pilot Program Study**

Prepared by LBB Staff, 03/23/2021

#### **Overview**

The proposed rider would direct the Department of Family and Protective Services to create a study to determine the cost effectiveness of a pilot program for transportation for children and families in the child welfare system.

#### **Required Action**

1) On page II-XX of the bill pattern for the Department of Family and Protective Services, add the following rider:

- \_\_\_\_. **Transportation Pilot Program Study.** Out of funds appropriated above in Strategy B.1.8, Other CPS Purchased Services, the Department of Family and Protective Services (DFPS) shall determine if it is cost effective to establish a pilot program to expand transportation options available for children and parents in order to determine if reunification outcomes can be improved by supporting family visitation, and better enabling parents to participate in services required under their plan of service through assistance of Transportation Network Companies. This study shall be submitted no later than December 1, 2022, to the Legislative Budget Board, the Governor, the House Committee on Appropriations, the Senate Committee on Finance, the House Committee on Human Services, the Senate Committee on Health and Human Services, and any standing Joint Legislative Oversight Committees, as appropriate.

## **Overview**

Add a rider to direct the Department of State Health Services to use available funding to conduct a health education program to increase awareness concerning the safety and efficacy of COVID-19 vaccines.

## **Required Action**

On page II-XX of the Department of State Health Services bill pattern, add the following rider:

- \_\_\_\_\_. **COVID-19 Vaccine Awareness Campaign.** Out of funds appropriated above, the Department of State Health Services (DSHS) shall develop and implement a public awareness campaign designed to increase awareness of and educate the public concerning the safety and effectiveness of COVID-19 vaccines that are approved or authorized for emergency use by the United State Food and Drug Administration. In implementing the campaign, DSHS shall seek to disseminate scientific and evidence-based information and combat misinformation with the goal of increasing vaccination rates, particularly in communities with low rates of vaccination. To the extent possible, DSHS shall use available federal funds for this campaign.

**Department of State Health Service**  
**Proposed Rider**  
**Schedule I Drug Scheduling**

Prepared by LBB Staff, 3/23/2021

**Overview**

Add a rider that would allow any Schedule I drug that has been posted in the Federal Register as an approved and scheduled product to be immediately available in Texas unless the Executive Commissioner of the Health and Human Services Commission objects.

**Required Action**

On page II-XX of the Department of State Health Services bill pattern, add the following rider:

- \_\_\_\_\_. **Schedule I Drug Scheduling.** It is the intent of the Legislature that any prescription drug approved by the federal Food and Drug Administration under Section 505 of the federal Food, Drug and Cosmetic Act that is designated, rescheduled, or deleted as a controlled substance under federal law by the United States Drug Enforcement Administration shall be excluded from Schedule I and shall be prescribed, distributed, dispensed, or used in accordance with federal law upon the issuance of a notice, final rule or interim final rule by the United States Drug Enforcement Administration designating, rescheduling, or deleting as a controlled substance such a drug product under federal law, unless and until the Commissioner publishes an objection pursuant to Tex. Health & Safety Code §481.034 to the extent allowable in federal and state statute. If the Commissioner does not publish an objection, the drug product shall be deemed to be designated, rescheduled, or deleted as a controlled substance in accordance with federal law and in compliance with this chapter.



**Department of State Health Services**  
**Proposed Rider**  
**Report on Federal Public Health Funding to Local Health Entities**

Prepared by LBB Staff, 3/23/2021

**Overview**

Add a new rider to require the Department of State Health Services to report on federal funding provided to local health entities

**Required Action**

On page II-X of the Department of State Health Services bill pattern, add the following rider:

\_\_\_\_\_. **Report on Federal Public Health Funding to Local Health Entities.** The Department of State Health Services shall produce a report on the allocation of federal public health funding received from the Centers for Disease Control between January 1<sup>st</sup>, 2020, to July 1st, 2021, to state programs and local health entities. The report shall be provided to the Governor, Lieutenant Governor, Chair of the House and Senate Finance Committees, Chair of the House Public Health Committee, and Chair of the Senate Health and Human Services Committee by January 31st, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Opioid Treatment Program Central Registry Study**

Prepared by LBB Staff, 03/23/2021

**Overview**

Amend proposed rider to add the proposed reporting requirement to the Health and Human Services Commission's bill pattern.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Opioid Treatment Program Central Registry: Dosing Information.** Out of funds appropriated, the Health and Human Services Commission (HHSC) shall evaluate the feasibility and costs associated with including patient dosage information in the opioid treatment program central registry. In this evaluation, HHSC shall consider best practices for maintaining confidentiality while making database content available where appropriate, to ensure continuity of care in circumstances in which a patient's usual Narcotic Treatment Program is unavailable. HHSC shall report findings and recommendations to the Governor, the Legislative Budget Board, and permanent committees in the House and Senate with jurisdiction over health and human services by September 1, 2022.

## **Health and Human Services Commission, Article II**

### **Proposed Rider**

#### **Rates: Intermediate Care Facilities and Certain Waiver Providers**

Prepared by LBB Staff, 03/23/2021

#### **Overview**

Add a rider providing information regarding Medicaid rates for intermediate care facilities and certain waiver providers.

#### **Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Rates: Intermediate Care Facilities and Certain Waiver Providers.** Included in amounts appropriated above in Strategy A.2.7, Intermediate Care Facilities for Individuals with Intellectual Disabilities (ICF/IID), and Strategy A.3.1. Home and Community-based Services (HCS), is funding to maintain rate increases authorized by House Bill 1, Eighty-Sixth Legislature, Health and Human Services Commission Rider 44, Rate Increases: Intermediate Care Facilities and Certain Waiver Providers, through the 2022-2023 biennium. It is the intent of the Legislature that:
- (a) Rates for these programs not be realigned through the Biennial Rate Review process during the 2022-2023 biennium, and
  - (b) HHSC, in collaboration with stakeholders, evaluate the rate setting methodology for these programs in order to develop reimbursement methodologies that more accurately reflect the costs of services and report back to the Eighty-eighth Legislature.

**Health and Human Services Commission, Article II**  
**Proposed Funding and Rider**  
**Family Violence Services**

Prepared by LBB Staff, 03/23/2021

**Overview**

Add Temporary Assistance for Needy Families (TANF) federal funding and rider to the Health and Human Services Commission's bill pattern identifying amounts included for enhanced services in the Family Violence Program in House Bill 1 as Introduced.

**Required Action**

1) On page II-43 of the Health and Human Services Commission bill pattern, increase appropriations in Strategy F.3.1, Family Violence Services, by \$3,750,000 in TANF Federal Funds in fiscal year 2022 and by \$3,750,000 in TANF Federal Funds in fiscal year 2023.

2) On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Enhanced Capacity for Family Violence Services.** Included in the amounts appropriated above in Strategy F.3.1, Family Violence Services, is \$2,750,000 in General Revenue and \$3,750,000 in Federal Funds in each year of the 2022-23 biennium. It is the intent of the Legislature that funding shall provide enhanced capacity for shelter services and legal, mental health, housing, and economic stability services to victims of family violence.

**Health and Human Services Commission, Article II**  
**Proposed Funding and Rider**  
**Child Advocacy Centers**

Prepared by LBB Staff, 03/23/2021

**Overview**

Add Temporary Assistance for Needy Families (TANF) federal funding for Child Advocacy Centers and amend rider at the Health and Human Services Commission's bill pattern to identify funding provided.

**Required Action**

1) On page II-43 of the Health and Human Services Commission bill pattern, increase appropriations in Strategy F.3.2, Child Advocacy Centers, by \$10,948,063 in TANF Federal Funds in fiscal year 2022 and by \$10,948,063 in TANF Federal Funds in fiscal year 2023.

2) On page II-82 of the Health and Human Services Commission bill pattern, amend the following rider:

**53. Funding for Child Advocacy Center Programs and Court-Appointed Special Advocate Programs.**

- (a) Included in appropriations above in Strategy F.3.2, Child Advocacy Programs, is \$13,484,082 in General Revenue, \$5,114,922 in General Revenue - Dedicated Compensation to Victims of Crime Account No. 0469, ~~and \$5,000,000 in General Revenue - Dedicated Sexual Assault Program Account No. 5010,~~ and \$10,948,063 in Federal Funds in each fiscal year for the purpose of entering into a contract with a statewide organization that shall provide training, technical assistance, evaluation services, and funds administration to support contractual requirements for local children's advocacy center programs. The statewide organization must be exempt from federal income taxation and be composed of individuals or groups of individuals who have expertise in the establishment and operation of children's advocacy center programs.
- (b) Included in appropriations above in Strategy F.3.2, Child Advocacy Programs, is \$9,835,578 in General Revenue, \$5,114,922 in General Revenue - Dedicated Compensation to Victims of Crime Account No. 0469, and \$13,500 in License Plate Trust Fund Account No. 0802 in each fiscal year for the purpose of entering into a contract with a statewide organization that shall provide training, technical assistance, and evaluation services for the benefit of local volunteer advocate programs. The statewide organization must be exempt from federal income taxation and be composed of individuals or groups of individuals who have expertise in the dynamics of child abuse and neglect and experience in operating volunteer advocate programs.
- (c) Unexpended balances in Strategy F.3.2, Child Advocacy Programs, remaining as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.
- (d) No later than December 15 of each fiscal year, the Health and Human Services Commission shall submit a report detailing the expenditures of funds appropriated in Strategy F.3.2, Child Advocacy Programs. The report shall include information demonstrating continuity of service from the previous fiscal year, services provided and the number of children for whom the services were provided, the amount of grants awarded in each of the categories listed above, the amount of expenditures for administration, the amount of expenditures from General Revenue - Dedicated Compensation to Victims of Crime Fund Account No. 0469 and General Revenue - Dedicated Sexual Assault Program Account No. 5010, oversight activities conducted

relating to the child advocacy programs, and an analysis of the effectiveness of the contracts awarded in subsections (a) and (b). The report shall be submitted to the Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

### **Overview**

Amend Health and Human Services Commission (HHSC) Rider 16, Supplemental Payment Programs Reporting and Appropriation Authority for Intergovernmental Transfers, to require HHSC to submit a report regarding transition from the Delivery Services Reform Incentive Payment (DSRIP) program.

### **Required Action**

On page II-61 of the Health and Human Services Commission bill pattern, amend the following rider:

16. **Supplemental Payment Programs Reporting and Appropriation Authority for Intergovernmental Transfers.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts & Administration, the Health and Human Services Commission (HHSC) shall report certain financial and expenditure information regarding supplemental payment programs, including, but not limited to, the Disproportionate Share Hospital (DSH) program, the Uncompensated Care (UC) Pool, the Delivery System Reform Incentive Payment (DSRIP) Pool, the Network Access Improvement Program (NAIP), supplemental payments where the source of the non-federal share is Local Provider Participation Funds (LPPF), and other programs operated under the Healthcare Transformation and Quality Improvement Program 1115 Waiver, and any successor programs. In addition, HHSC shall gather information on all mandatory payments to a Local Provider Participation Fund (LPPF) and all uses for such payments, including the amount of funds from an LPPF for each particular use.

(a) HHSC shall report quarterly:

- (1) Prospective payment estimates, aligning estimated payments reporting with the CMS-37. The report will include a prospective certification that the requisite matching state and local funds are, or will be, available for the certified quarter. The quarterly financial report provides a statement of the state's Medicaid funding requirements for a certified quarter through summary data by each program; and
  - (2) Expenditures made in the previous quarter, aligning expenditure reporting with the CMS-64. The report will include actual expenditures allowable under state and federal requirements. HHSC will report the recipients of all funds distributed by the commission for all supplemental payment programs. The report shall include:
    - (A) the recipients of funds by program;
    - (B) the amount distributed to each recipient;
    - (C) the date such payments were made; and
    - (D) all mandatory payments to an LPPF, including the amounts for each particular use.
- (b) Intergovernmental transfers (IGTs) of funds from institutions of higher education are appropriated to HHSC for the non-federal share of uncompensated care or delivery system reform incentive payments or monitoring costs under the Healthcare Transformation and Quality Improvement Program 1115 Waiver.

- (c) In an effort to maximize the receipt of federal Medicaid funding, HHSC is appropriated and may expend IGT received as Appropriated Receipts-Match for Medicaid No. 8062 for the purpose of matching Medicaid Federal Funds for payments to Medicaid providers and to offset administrative costs for programs HHSC administers for other entities.
- (d) From funds appropriated elsewhere in the act, HHSC shall provide a copy of the annual independent audit conducted of DSH and UC in compliance with federal requirements. HHSC shall provide a report of the audit's findings annually by June 30 to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Senate Finance Committee members, the House Appropriations Committee members, and the Legislative Budget Board.
- (e) (HHSC will use the sums transferred from state owned hospitals as provided elsewhere in the Act as necessary to apply for appropriate matching Federal Funds and to provide the state's share of disproportionate share payments and uncompensated care payments authorized under the federal Healthcare Transformation and Quality Improvement Waiver, excluding payments for physicians, pharmacies, and clinics, due to state-owned hospitals. Any amounts of such transferred funds not required for these payments shall be deposited by HHSC to the General Revenue Fund as unappropriated revenue. Payments for physicians, pharmacies, and clinics are governed by Special Provisions Relating Only to Agencies of Higher Education, §54.
- (f) By October 1 of each fiscal year, HHSC shall present a schedule of projected transfers and payments to the Comptroller of Public Accounts, the Governor, and the Legislative Budget Board.
- (g) HHSC shall also evaluate the impact, by provider type and class, of transitioning Delivery System Reform Incentive Payment funding available under the federal Healthcare Transformation and Quality Improvement Waiver to successor programs and propose and implement solutions to address reductions in funding for providers including public and rural hospitals as well as any inequities across provider types and classes resulting from such. HHSC shall report on the evaluation, findings and recommendations, including an implementation plan, to the Governor, the Legislative Budget Board, the Lieutenant Governor, the Speaker of the House of Representatives, and the members of the Senate Finance Committee and House Appropriations Committee by October 1, 2021.



By Howard

**Health and Human Services Commission  
Women’s Health Programs Savings and Performance Report**

**Overview**

Update existing annual cost savings and performance report prepared by Health and Human Services Commission to include Healthy Texas Women Plus and to incorporate results of policies designed to reduce enrollment gaps between Health Texas Women and other Medicaid or CHIP programs.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, revise the following rider:

**37. Women's Health Programs: Savings and Performance Reporting.**

The Health and Human Services Commission shall submit an annual report on the Healthy Texas Women (HTW), Healthy Texas Women Plus (HTW Plus), Family Planning Program (FPP), and Breast and Cervical Cancer Services Program, due MayAugust 1 of each year, to the Legislative Budget Board and the Governor's Office that includes the following information for each program:

- (a) Enrollment levels of targeted low-income women and service utilization by geographic region, including total number of unduplicated patients served, delivery system, and age from the prior two fiscal years;
- (b) Savings or expenditures in the Medicaid program that are attributable to enrollment levels as reported in section (a);
- (c) Descriptions of all outreach activities undertaken for the reporting period, including those focused on recruiting new specialty provider types;
- (d) The total number of providers, by geographic region and by provider type, enrolled in each program ~~HTW and FPP networks~~, and providers from legacy Women's Health Programs (including Texas Women's Health Program) not to include duplications of providers or ancillary providers;
- (e) The average and median numbers of program clients, and the total number of unduplicated patients served, detailed by provider;
- (f) The number of program clients with a paid claim, detailed by provider type;

g) The number of eligible clients who received FPP services after the provider exhausted the contracted funds awarded to provide FPP services (i.e funds gone) and the amount of FPP funds that would have been reimbursed for these services if additional FPP funds had been available during the fiscal year;

(fh) The count of women in HTW and FPP receiving a long-acting reversible contraceptive;

(gi) The service utilization by procedure code. The annual report submitted as required above must satisfy federal reporting requirements that mandate the most specific, accurate, and complete coding and reporting for the highest level of specificity;

(hj) Total expenditures, by method of finance and program; and

(k) Results of policies designed to reduce enrollment gaps, including but not limited to the nNumber of unduplicated women automatically or administratively -enrolled into HTW from other Medicaid programs or the Children's Health Insurance Program, recommendations for further reducing enrollment gaps, and any impacts to funding resulting from procedural denials and enrollment gaps in HTW for Pregnant women .

It is the intent of the Legislature that if the findings of the report show a reduction in women enrolled or of service utilization of greater than ten percent relative to the prior two fiscal years, the agency shall, within existing resources, undertake corrective measures to expand provider capacity and/or client outreach and enrollment efforts.

By: Rep. Darby

## **Health and Human Services Commission, Article II**

### **Proposed Rider**

#### **Appropriation of Receipts: Certificate of Public Advantage Fees**

Prepared by LBB Staff, 03/23/2021

#### **Overview**

Add a rider to the Health and Human Services Commission bill pattern providing appropriation authority for fees related to certificates of public advantage.

#### **Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Appropriation of Receipts: Certificate of Public Advantage Fees.** In addition to the amounts appropriated above to the Health and Human Services Commission (HHSC) in Strategy H.1.1, Facility/Community-based Regulation, HHSC is appropriated any revenue (estimated to be \$0) collected pursuant to Texas Health and Safety Code, Chapter 314A and deposited to the credit of the General Revenue Fund. These funds shall only be used to review and monitor merger agreements in compliance with Health and Safety Code, Chapter 314A.

By: Rep. Capriglione

## **Health and Human Services Commission, Article II**

### **Proposed Rider**

#### **Access to Federal Data Services Hub**

Prepared by LBB Staff, 03/18/2021

#### **Overview**

Add a rider directing the Health and Human Services Commission to use data from the Federal Data Services Hub when completing Medicaid eligibility determinations and redeterminations.

#### **Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Access to Federal Data Services Hub.** To the extent allowable under state and federal law and regulations, the Health and Human Services Commission (HHSC) shall request a consumer report containing employment and income information through the Centers for Medicare and Medicaid Services Federal Data Services Hub for Medicaid eligibility determinations and redeterminations in order to achieve cost savings, improve timeliness, and minimize fraud.

**Health and Human Services Commission, Article II**  
**Proposed Funding and Rider**  
**Study on Mental Health Continuum of Care for Children and Adolescents**

**Overview**

Require the Health and Human Services Commission to contract with a medical school or other qualified partner to complete a study on ways to improve the quality and efficiency of the continuum of care for children and adolescents in Texas with serious mental illness or serious emotional disturbance, including those with intellectual and developmental disabilities and/or Autism Spectrum Disorders.

**Required Action**

On page II-70 of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Study on Mental Health Continuum of Care for Children and Adolescents.** The Health and Human Services Commission shall contract with a medical school or other qualified partner to complete a study on ways to improve the quality and efficiency of the continuum of care for children and adolescents in Texas with serious mental illness/serious emotional disturbance, and/or substance abuse disorder, including those with intellectual and developmental disabilities and/or Autism Spectrum Disorders. The study shall include services under the purview of the following areas within HHSC: Medicaid & CHIP Services, the Office of Mental Health Coordination, and Intellectual and Developmental Disability & Behavioral Health Services. The study shall include the Medicaid state option to provide services in Psychiatric Residential Treatment Facilities for children and adolescents (as defined in Section 483.354 of the Code of Federal Regulations, Title 42) as well as community-based care options such as youth crisis/respite stabilization units and multisystemic therapy. The study shall include the following: comparison of various methods of covering residential treatment in Medicaid, options regarding licensing of Psychiatric Residential Treatment Facilities, potential focus populations for any treatment options, and fiscal impact analysis. The Commission shall submit the results of the study to the Legislature by December 1, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Nursing Home Workforce and Quality**

Prepared by LBB Staff, 03/23/2021

**Overview**

Before the COVID-19 pandemic, Texas nursing homes faced a workforce shortage that threatened quality of care and patient safety. The disproportionate impact of COVID-19 in nursing homes has exacerbated staffing challenges and created an urgent need to examine the workforce shortage and direct-care staffing levels, along with reforms that promote resident well-being, health and safety.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Nursing Home Workforce & Quality Task Force.** Out of funds appropriated above, the Health and Human Services Commission (HHSC) shall study the workforce shortage in nursing homes and delivery of care in Texas nursing facilities. In conducting the study, HHSC shall:

- (a) evaluate the current workforce shortage and direct care staffing;
- (b) develop recommendations for legislation, policies, and short-term and long-term strategies for the retention and recruitment of direct care staff to ensure an adequate workforce is in place to provide high-quality, cost-effective health care including:
  - (1) workforce engagement and advancement models;
  - (2) job supports and incentives;
  - (3) training and educational initiatives;
  - (4) wages and benefits;
  - (5) licensure and certification rules.
- (c) examine and develop recommendations for nursing home reforms, including:
  - (1) implementing new care models;
  - (2) optimizing nursing home size and configurations to foster resident wellness and infection control;
  - (3) increasing clinical presence in nursing homes; and
  - (4) appropriate nursing home staffing to meet the needs of the resident population.

Not later than November 1, 2022, HHSC shall submit the study to the Governor, Legislative Budget Board, Lieutenant Governor, and Speaker of the House of Representatives.

**Overview**

Add a rider directing the Health and Human Services Commission to design a Quality Incentive Payment Program for Medicaid Community Care providers.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Community Care Quality Incentive Payment Program.** Out of funds appropriated above in all Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall design a statewide voluntary Quality Incentive Payment Program (QIPP) for Medicaid Community Care providers modeled after the Texas Nursing Facility QIPP. HHSC shall, in collaboration with Community Care providers and other stakeholders, develop the program design, including selection of performance measures; develop a funding methodology, including proposed budget, method of finance, and payment structure for awarding incentive payments; and determine the required federal approvals needed for the proposed funding methodology. HHSC shall explore all opportunities to use non-state funding sources for the program. HHSC shall submit a report on program design, including goals and performance measures, and the funding methodology to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, the Governor, and permanent standing committees in the House of Representatives and the Senate with jurisdiction over health and human services by September 1, 2022.

***Health and Human Services Commission***  
**Clear Process for Including Prescription Drugs on the Texas Drug Code Index**

**Overview**

The "clear process" rider was negotiated and included in the budget for the 85th and 86th Legislative Sessions to clarify the process and timeframe for which HHSC includes prescription drugs on the Texas Drug Code Index.

HHSC established a more transparent process and timeline which has been effective. Inclusion of the rider in the budget is intended to ensure the clear process remains.

Keeping the clear process rider in the proposed biennial budget maintains consistency and ensures the transparent process continues in its current form at HHSC, while also providing the opportunity for timely access to medication and treatments.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_. **Clear Process for Including Prescription Drugs on the Texas Drug Code Index.** The Texas Health and Human Services Commission (HHSC) shall make clear their process for the inclusion of prescription drugs in the Medicaid and Children's Health Insurance Programs. In maintaining the prescription drug inclusion process, HHSC shall ensure that the timeline for review, including initiation of drug review, clinical evaluation, rate setting, Legislative Budget Board notification, and making the product available, does not extend past the 90th day of receipt of the completed application for coverage on the Texas Drug Code Index. After the applicable Drug Utilization Review Board meeting and approval by the HHSC Executive Commissioner, HHSC will complete the public posting of medical policies associated with the product.



**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**STAR Health Psychiatric Rate Evaluation**

Prepared by LBB Staff, 03/17/2021

**Overview**

Add a rider directing the Health and Human Services Commission to conduct an evaluation of the rate methodology and payment rate for psychiatric services provided to child served by the STAR Health Program.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **STAR Health Psychiatric Rate Evaluation.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall complete an evaluation of the rate methodology and payment rate for psychiatric services provided to children enrolled in STAR Health. The evaluation shall be conducted in coordination with a work group convened by HHSC comprised of stakeholders with knowledge of the foster care population and their behavioral health needs. The evaluation shall examine whether the rate of reimbursement for psychiatric services under STAR Health:

- (a) impacts access to psychiatric and other mental health services;
- (b) impacts provider network requirements;
- (c) contributes to psychiatrists leaving the program;
- (d) contributes to the workforce shortages of psychiatrists within the program, considering rural and urban variations;
- (e) results in higher occurrence of potentially preventable events; and
- (f) other factors that are impede access to psychiatric and other mental health services.

Not later than September 1, 2022, HHSC shall report on the findings and recommendations to improve access to psychiatric and other mental health services provided by STAR Health and include any recommendations for changes to the rate methodology and payment rate. The report shall be submitted to the Governor, Lieutenant Governor, Speaker of the House, Chair of the Senate Finance Committee, Chair of the House Appropriations Committee, standing committees in the House of Representatives and the Senate with jurisdiction over health and human services, and the Legislative Budget Board.

By Howard

*Health and Human Services Commission*  
**CHIP Contract and Administration: Maximize CHIP Administration Fund for  
Outreach and Enrollment**

**Overview**

The following action adds a new rider that directs the Health and Human Services Commission to identify new ways to utilize existing CHIP administration funding to improve outreach and help enroll eligible, uninsured children in health coverage.

**Required Action**

On page II 69 of the Health and Human Services Commission bill pattern, add the following rider:

**\_\_\_\_\_ . CHIP Contract and Administration: Maximize CHIP Administration Fund for Outreach and Enrollment.** HHSC shall evaluate current total expenditures of CHIP administrative funds, provide information regarding any unexpended funds, and provide this information in a report to the Legislative Budget Board, the Office of the Governor, and the Legislature no later than December 1, 2021. HHSC shall also seek recommendations from health care providers, children's health care advocates, family members of children enrolled in the medical assistance program, and other stakeholders on three to five outreach and enrollment strategies that maximize CHIP administrative funds to make sure the state is reaching and enrolling hard-to-reach eligible children. HHSC will collect recommendations no later than September 30, 2021. Implementation plans for at least two outreach and enrollment strategies using above funds shall be included in the report due to the legislature on December 1, 2021. Implementation of the plans shall begin no later than August 31, 2022.

By Rep. Johnson, Julie

**Health and Human Services Commission**  
Access to Long-acting Reversible Contraception

**Overview**

Reinstate a rider directing HHSC increase access to LARCs and explore federal funding opportunities through the HTW Section 1115 Demonstration Waiver

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, revise the following rider:

**XX. Access to Long-acting Reversible Contraception Devices.**

- (a) Out of funds appropriated in Strategy D.1.1, Women's Health Programs, the Health and Human Services Commission (HHSC) may implement program policies to increase access to long-acting reversible contraception (LARC).
- (b) Contingent upon approval by HHSC shall work with the Centers for Medicare and Medicaid Services (CMS) to determine if of the HTW Section 1115 Demonstration Waiver, HHSC shall work with CMS to determine if LARC bulk purchasing can be added to the waiver and receive federal matching funds may be amended to include administrative funding at the 90 percent federal matching rate to maintain an inventory of LARCs for providers who furnish covered medical assistance for eligible individuals (i.e., bulk purchasing).

By: Dean

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Equity in Payments**

Prepared by LBB Staff, 03/23/2021

**Overview**

To direct the Health and Human Services Commission to maintain equity in impact between non-state government hospitals and non-government hospitals.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Equity in Payments.** In crafting and implementing fee-for service supplemental and managed care directed payment programs, the Health and Human Services Commission (HHSC) shall strive to maintain equity in impact between non-state government hospitals and non-government hospitals. Equity for these purposes is defined as the aggregate percentage of the cost of services provided by hospitals to Medicaid and uninsured patients that is covered by all Medicaid payments, including supplemental and directed payments, net of intergovernmental transfers or provider taxes paid by those providers.

By: Dean, Julie Johnson, and Rose

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Telemedicine, Telehealth, and Audio Only Behavioral Health Services**

**Overview**

The transmission of COVID-19 has made face-to-face interactions with health care providers problematic. For mental health, telemedicine and telehealth allow for nearly all routine and office-based specialty services to be delivered just as effectively (or in some cases more effectively) as in-person visits. Since March 20, 2020, Governor Abbott and the Health and Human Services Commission (HHSC) have issued and renewed a series of waivers authorizing [certain behavioral health services](#) to be reimbursed in Medicaid when delivered by telemedicine, telehealth, or telephone (audio only). These waivers are critical to the behavioral health safety net as some providers have reported less than 10 percent of billing occurring for face-to-face services. These flexibilities have also modernized the treatment dynamic and should be continued at least for the FY 2022-23 biennium. This rider is not expected to increase costs as there has been a shift from in-person services and, according to HHSC, “net utilization decreased.”

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

**XX. Claims for Behavioral Health Services.** Out of funds appropriated above in all Strategies in Goal A, Medicaid Client Services, the Health and Human Services Commission (HHSC) shall authorize providers to submit claims for dates of services through August 31, 2023 for reimbursement of the following behavioral health services delivered by telemedicine, telehealth, or telephone (audio only): Psychiatric Diagnostic Evaluation; Psychotherapy; Peer Specialist Services; Screening, Brief Intervention, and Referral to Treatment; Substance Use Disorder Services; Mental Health Rehabilitation; and Mental Health Targeted Case Management.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Institutions of Mental Disease Exclusion Waiver**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add a rider directing the Health and Human Services Commission to seek a Section 1115 Demonstration Waiver from the Centers for Medicare and Medicaid Services to receive federal financial participation for services furnished to Medicaid-eligible individuals during short-term stays for acute care in psychiatric hospitals or residential treatment settings that qualify as institutions of mental disease.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Institutions of Mental Disease Exclusion Waiver.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall prepare and submit an application to the Centers for Medicare and Medicaid Services (CMS) for approval of a Section 1115 Demonstration Waiver in order to receive federal financial participation for services furnished to Medicaid-eligible individuals during short-term stays for acute care in psychiatric hospitals or residential treatment settings that qualify as institutions of mental disease.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Funding for Healthy Texas Women Program**

Prepared by LBB Staff, 03/23/2021

**Overview**

Add a rider directing HHSC to request authority to transfer GR funds to Healthy Texas Women in the event that federal HHS reinstates policies that impact the continued viability of the federal Medicaid 1115 waiver, and directing HHSC to utilize any lapsed state General Revenue funds for purposes of programs in Strategy D.1.1.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Funding for Healthy Texas Women Program.** In the event the Centers for Medicare and Medicaid Services (CMS) implements changes to the HTW Section 1115 Demonstration Waiver that result in the loss of federal matching funds appropriated above in Strategy D.1.1, Women’s Health Programs, the Health and Human Services Commission (HHSC) shall seek approval to transfer funds from other sources prior to making any reductions to Healthy Texas Women service levels.

By Howard

*Health and Human Services*  
**CHIP Contract and Administration: CHIP Health Services Initiatives (HSI)**

**Overview**

The following action adds a new rider that directs the Health and Human Services Commission to maximize state dollars through the use of available federal CHIP administrative funds for CHIP Health Services Initiatives to improve children's health.

**Required Action**

On page II-69 of the Health and Human Services Commission bill pattern, add the following rider:

**\_\_\_\_\_ . CHIP Contract and Administration Funds: CHIP Health Services Initiative (HSI).** From funds appropriated above in Strategy B.1.2, CHIP Contracts and Administration, HHSC shall work with health care providers, children's advocates, family members of children enrolled in the medical assistance program, and other stakeholders to gather recommendations for CHIP Health Services Initiatives (HSI) aimed at improving child health with a focus on initiatives with proven outcomes and return on investment. The agency will work with stakeholders listed above to explore initiatives targeting newborns to improve child outcomes, develop partnerships to facilitate better coordination with schools and child care centers serving low-income children, and develop initiatives in regions of the state with high rates of mixed status families. The agency will determine the amount of funds available for CHIP HSI based on the current budget and expected expenditures. Assuming funds are available under the 10% CHIP administrative funds cap, and the initiatives will not impact direct client services funding, HHSC shall develop and submit a plan for federal approval of at least two HSIs to improve child health no later than December 1, 2021. One HSI shall seek to improve outcomes for children by support strategies that provide voluntary short term home nursing visitation for newborn caregivers.



**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Informational Listing: Women's Health Funding**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add a rider identifying appropriations for women's health programs.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Informational Listing: Women's Health Funding.** This rider is informational only and does not make any appropriations. Appropriations above in Strategy D.1.1, Women's Health Programs, include the following:

- (a) Healthy Texas Women (HTW) Program: \$37,339,148 in General Revenue Funds and \$75,949,024 in Federal Funds (\$113,288,172 in All Funds) in fiscal year 2022 and \$38,090,332 in General Revenue Funds and \$78,525,444 in Federal Funds (\$116,615,776 in All Funds) in fiscal year 2023;
- (b) Family Planning Program (FPP): \$41,760,459 in General Revenue Funds and \$1,880,728 in Federal Funds (\$43,641,187 in All Funds) in fiscal year 2022 and \$42,278,085 in General Revenue Funds and \$1,880,728 in Federal Funds (\$44,158,813 in All Funds) in fiscal year 2023;
- (c) Breast and Cervical Cancer Services (BCCS): \$2,583,599 in General Revenue Funds and \$8,132,056 in Federal Funds (\$10,895,655 in All Funds) in each fiscal year; and
- (d) Administration: \$4,537,948 in General Revenue Funds and \$2,021,937 in Federal Funds (\$6,559,885 in All Funds) in each fiscal year.

Nothing in this provision shall be construed to limit the Health and Human Service Commission's authority to transfer appropriations within Strategy D.1.1, Women's Health Programs.

### **Overview**

Add a rider indicating the Legislature's intent for the Health and Human Services Commission (HHSC) to not implement a nursing facility payment model to replace the Resource Utilization Group methodology unless HHSC ensures sufficient funds are available to ensure payments remain at the levels in place on August 31, 2021.

### **Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Nursing Facility Payment Methodology.** It is the intent of the Legislature that the Health and Human Services Commission (HHSC) not deploy a nursing facility payment model to replace the Resource Utilization Group methodology unless HHSC ensures that sufficient funds are available to ensure payments remain at or above the levels in place on August 31, 2021. This provision does not apply to those facilities that primarily serve children.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Limitations on Usual and Customary Calculations for Pharmacy Reimbursement**

**Overview**

The following language adds a new rider stating the legislature intends that HHSC modify its requirements for pharmacies seeking reimbursement from the Medicaid Vendor Drug Program (“VDP”).

A 2020 reimbursement policy change by the VDP would make Texas the first state to require pharmacies to include pharmacy discount cards prices and membership club discount prices in a pharmacy’s Usual and Customary (“U&C”) price calculations. An unintended consequence of the policy change is that pharmacies could halt the acceptance of pharmacy discount cards or membership club discounts in order to obtain a higher U&C price. As Texas consumers not on Medicaid have saved billions of dollars by relying on the use of pharmacy discount cards prices and membership club discounts, the VDP policy change could raise drug costs at the pharmacy and harm millions of Texans not on Medicaid, including the uninsured, underinsured, those on Medicare and others.

**Required Action**

On page II-XXX of the Health and Human Services Commission’s (HHSC) bill pattern, add the following new rider:

- \_\_\_\_\_. **Limitations on Usual and Customary Calculations for Pharmacy Reimbursement.** It is the intent of the legislature that HHSC shall not require pharmacies to include the price paid by consumers through third-party discount plans or pharmacy discount membership programs when determining a pharmacy's Usual and Customary (UAC) price calculation for Medicaid reimbursement.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Transforming Pediatric Care**

Prepared by LBB Staff, 03/23/2021

**Overview**

Add a new rider requiring the Health and Human Services Commission to evaluate interventions in the Medicaid program that improve the quality of care for three priority children populations.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Transforming Pediatric Care.** Out of funds appropriated above, the Health and Human Services Commission shall evaluate interventions to improve the quality of care delivered to:

- (a) children with behavioral health conditions;
- (b) children with medically complex conditions; and
- (c) children transitioning from pediatric care to adult care.

Not later than October 1, 2022, HHSC shall submit a report on the evaluation to the Governor, Legislative Budget Board, Lieutenant Governor, and Speaker of the House of Representatives.

**By: Krause**

**March 2021**

**Article II  
Health & Human Services Commission  
Proposed New Rider**

**Relative Caregiver Program – Ensuring Access to Care**

**Proposed Action**

Add the following appropriately numbered rider to the bill pattern of the Health & Human Services Commission.

**Rider Language**

**Relative Certified Nurse Aide (CNA) Program.** Out of existing funds, the Health and Human Services Commission (HHSC) shall submit a report on the of the feasibility of establishing a relative certified nurse aide program in Medicaid. The feasibility analysis shall be based on the premise that only a recipient or legally authorized representative (LAR) of a recipient shall be allowed to choose whether to receive care under PDN program and/or CNA program. The agency shall obtain input from the STAR Kids Managed Care Advisory Committee established by the executive commissioner under Section 531.012 and any other relevant provider, consumer, and state agency in conducting this analysis. The report should consider the adequacy of existing agency and individual caregiver training and licensure requirements as well as the amount, duration and scope, and reimbursement rates of a potential Relative CNA program. HHSC shall submit the report to the Governor, Chair of House Appropriations Committee, Chair of Senate Finance Committee, Speaker of the House, and Lieutenant Governor by September 1, 2022.

## **Overview**

Add a rider directing the Health and Human Services Commission to conduct an analysis of provider payments as they relate Medicaid and CHIP managed care organization rates.

## **Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Review of Provider Payments.** Out of funds appropriated above in Goal B, Medicaid and CHIP Contracts and Administration, the Health and Human Services Commission (HHSC) shall conduct an analysis of provider payments as they relate to Medicaid and Children's Health Insurance Program (CHIP) managed care organization (MCO) rates. HHSC shall be able to request any information needed from the MCOs to complete the analysis. In conducting the analysis, HHSC shall:
- (a) out of all rates paid to non-physician providers by MCOs, review rates that make up the top 25 percent of spending;
  - (b) compare rates set by HHSC to the actual rate paid by MCOs to non-physician providers;
  - (c) compare appropriations made by the Legislature for specific rates to the actual rate paid by MCOs to non-physician providers; and
  - (d) for each rate paid by an MCO to a non-physician provider that varies from rates identified in subsections (b) or (c) by more than five percent, collect an explanation from the MCO regarding the reason for the variation.
- HHSC shall submit a report of findings to the Governor, the Legislative Budget Board, the Lieutenant Governor, and the Speaker of the House of Representatives not later than September 1 each year.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Periodic Income Checks: Children's Medicaid**

**Overview**

The following action adds a new rider that directs the Health and Human Services Commission to evaluate and report on the impact and efficiency of periodic income checks in Children’s Medicaid.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following new rider:

- \_\_\_\_\_. **Report on Periodic Income Checks: Children's Medicaid.** From funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall evaluate the number of children whose Medicaid health coverage is impacted by periodic income checks, including the number of children whose Medicaid is terminated due to a procedural reasons, and the number of children who are transferred to CHIP (the child health plan program under Health and Safety Code, Chapter 62). Starting January 1, 2022, data on the impact of periodic income checks shall be made available on the HHSC website on a quarterly basis. HHSC shall submit an annual report with recommendations to improve the percentage of children enrolled in Medicaid who maintain 12 months of uninterrupted health coverage, due September 1 of each year, starting September 1, 2022, to the Commissioner of HHSC, Governor, Legislative Budget Board, Speaker of the House, Lieutenant Governor, and members of the Senate Finance Committee and House Appropriations.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Rate Setting to Improve Health Outcomes**

Prepared by LBB Staff, 03/17/2021

**Overview**

Add a rider requiring the Health and Human Services Commission to submit a report regarding rate setting strategies that support Medicaid managed care plans and their network providers in addressing barriers to good health.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Rate Setting to Improve Health Outcomes.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission shall explore rate setting strategies that support Medicaid managed care plans and their network providers in addressing barriers to good health such as lack of nutritious food and unstable housing. The strategies shall include:
- (a) how to classify certain health-related services and programs such as food access as covered benefits under the state's Medicaid plan;
  - (b) exploring financing social supports that cannot be classified as Medicaid benefits through Section 1115 Demonstration waivers;
  - (c) using value-based payments or incentives;
  - (d) defining social investments as quality improvement activities and including these costs in the non-benefit portion of Texas' Medicaid managed care rates; and
  - (e) proposing higher profit and risk margins and/or lower medical loss ratios to plans that demonstrate the positive impact of social investments on medical costs.

HHSC shall include Medicaid managed care plans, their network providers, and other relevant stakeholders in the process of developing these strategies and provide a report on their recommendations to the Governor, the Legislative Budget Board, the Lieutenant Governor, and the Speaker of the House of Representatives not later than May 1, 2022.



By: \_\_\_\_\_

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Step-down Housing Report**

Prepared by LBB Staff, 03/17/2021

**Overview**

Add new rider at the Health and Human Services Commission requiring a study on step-down housing services for individuals with a serious mental illness.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

**XX. Study on Step-Down Housing.** Out of funds appropriated above, the Health and Human Services Commission shall study the efficacy and efficiency of the step-down services in diverting individuals from the state mental health hospital inpatient system into the community. The study shall identify:

- (a) Barriers in transitioning individuals out of the state mental health hospital inpatient system;
- (b) Best practices in providing step-down housing to individuals with complex psychiatric needs;
- (c) Potential funding sources to continue and expand services; and
- (d) Strategies to establish step-down housing programs in rural or remote counties.

HHSC shall submit study findings to the Senate Committee on Finance, the House Committee on Appropriations, the Legislative Budget Board, the Governor, the Lieutenant Governor, the Speaker of the House, and permanent standing committees in the House of Representatives and the Senate with jurisdiction over health and human services by September 1, 2022.

**Overview**

Add a rider requiring the Health and Human Services Commission to conduct a study on assisted living facility residents' quality of care and quality of life.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Study of Assisted Living Facility Resident Quality of Care and Resident Satisfaction.** Out of funds appropriated above in Strategy H.1.1, Facility/Community-based Regulation, the Health and Human Services Commission (HHSC) shall conduct a study of assisted living facility (ALF) residents' quality of care and quality of life. In conducting the study, HHSC shall review at least 30.0 percent of ALFs in the state, and include facilities of various licensed capacities and license types. HHSC shall conduct onsite case reviews of the care of ALF residents and interviews with residents, facility staff, and long-term care ombudsmen.

HHSC shall prepare a report that includes an evaluation of facility policies, including policies that relate to residents' rights, and facility disclosure statements. The report will also evaluate preventable occurrences and any adverse outcomes related to issues including medication errors, inappropriate use of antipsychotic medication, falls, inappropriate placement in a locked unit, and healthcare-acquired infections. HHSC shall submit the report to the Governor, the Legislative Budget Board, the Lieutenant Governor, and the Speaker of the House of Representatives not later than December 1, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Medicaid Access to Care and Network Adequacy Study for Durable Medical Equipment**  
**Supplies and Services**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add a rider requiring the Health and Human Services Commission to submit a report regarding access to durable medical equipment supplies and services in Medicaid.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Medicaid Access to Care and Network Adequacy Study for Durable Medical Equipment Supplies and Services.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC), in consultation and collaboration with the STAR Kids Advisory Committee and the State Medicaid Managed Care Advisory Committee, shall conduct a study of barriers to timely access to durable medical equipment (DME) supplies and services, including access to providers, sub-specialty providers, providers of pediatric specialty care, providers of complex rehabilitation technology, communications technology, and other sub-specialty providers of DME supplies and services within the STAR, STAR Kids, STAR Health, and STAR+PLUS Programs. In conducting the study, HHSC shall consider:

- (a) experiences of other states in addressing network adequacy and appropriate access to medically necessary care for individuals with complex medical needs, including travel time and distance standards set by current state and federal guidelines;
- (b) factors affecting access to care, including geographic location and proximity to patients; local offices, clinical support staff, and other local resources; ability to provide clinical services on an emergency basis with a maximum of two hours response time; capability of providers to provide a broad spectrum of appropriate specialty services, supplies and equipment for medically complex patients; minimizing burden on caregivers and patients; and eliminating fragmentation of providers of subspecialty services, equipment, and supplies; provider networks must ensure recipients have a choice of at least three providers capable of providing the same specialty services within the geographic region.

HHSC shall submit a report with the results of the study to the Governor, Legislative Budget Board, Lieutenant Governor, and Speaker of the House of Representatives not later than September 1, 2022. The report shall identify issues and barriers in Texas Medicaid that delay or deny access to DME supplies and services. The report shall also include recommendations to improve timely access to DME supplies and services.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Child Care Accessibility and Affordability Study**

Prepared by LBB Staff, 03/10/2021

**Overview**

Add a rider directing the Health and Human Services Commission to conduct a study regarding child care accessibility and affordability.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

**XX. Child Care Accessibility and Affordability Study.** Out of funds appropriated above in Strategy L.1.1, HHS System Supports, the Health and Human Services Commission (HHSC) shall develop a report regarding child care accessibility and affordability.

(a) While developing the report, HHSC shall consult the following individuals:

- (1) Two child development professionals who are licensed to practice in this state, one of whom must specialize in early childhood education;
- (2) One representative of a state employee organization described in Government Code Sec. 403.0165;
- (3) One representative of an organization representing the interested of licensed child-care facilities;
- (4) One social worker licensed to practice in this state;
- (5) One community advocate for child care workers;
- (6) One representative of the business community in this state;
- (7) One representative of or director of a private child care facility;
- (8) One home-based child care provider; and
- (9) One state employee who is a parent of not less than one school-aged child.

(b) In consultation with the individuals identified in subsection (a), HHSC shall:

- (1) conduct a cost-benefit analysis of the accessibility and affordability of child care in this state;
- (2) develop recommendations to incentivize employer-supported child care;
- (3) create a cost-estimate model to project the cost of providing safe, accessible, and affordable child care to anyone in the state who needs to use child care;
- (4) identify regions of the state in which child care is less accessible than in the state at large, and recommendations for improving the availability of child care in those regions, including:

- (A) proposing policies that will address racial, ethnic, and any geographic disparity and proportionality in the delivery of child care services; and
  - (B) identifying opportunities to streamline the child care licensing requirements and to facilitate development and construction of additional child care facilities.
- (5) conduct a survey of state employees to better understand the barriers to accessing and affording child care; and
- (c) Not later than December 31, 2022, HHSC shall submit a report to the Governor, Lieutenant Governor, Speaker of the House, and members of the legislature. The report shall include:
  - (1) a summary of the accessibility and affordability of child care to state employees, as determined by the survey in subsection (b)(5); and
  - (2) a plan to provide accessible and affordable child care to all families in this state by the year 2030.

By Rep. Howard

***Health and Human Services Commission***  
**CHIP Client Services Funding**

**Overview**

The following action adds a new rider that directs the Health and Human Services Commission to evaluate expenditures within the CHIP program.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **CHIP Allotment Review.** HHSC shall evaluate current total expenditures of CHIP funds, provide information regarding any unexpended or carry over funds, and provide this information in a report to the Legislative Budget Board, the Office of the Governor, and the Legislature no later than December 1, 2021. The report shall include the number of clients served in the program, any change in the number clients served, any funding shortfalls in client services and MOF used to fund client services.

By \_\_Rep. Johnson, Julie\_\_

***Health and Human Services Commission***

**Report on Continuity of Care for Women Aging Out of CHIP and Medicaid**

**Overview**

Examine policies designed to reduce enrollment gaps between Healthy Texas Women and other Medicaid or CHIP programs and identify opportunities to improve continuity of care for this population.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, revise the following rider:

**XX. Report on continuity of care for women aging out of CHIP and Medicaid**

Out of funds appropriated above in Strategy D.1.1, Women's Health Services, the Health and Human Services Commission shall report by August 1, 2022 on the number of individuals aging out of Medicaid and CHIP coverage who are able to maintain coverage under another Medicaid program, including Healthy Texas Women (HTW), through the agency's administrative renewal process. The report will include the number of individuals determined ineligible through the administrative renewal process because documentation was not received. HHSC shall develop recommendations to improve connecting individuals aging out of Medicaid or CHIP to enrollment in Healthy Texas women. The report shall evaluate the feasibility of implementing an auto-enrollment process for individuals aging out of Medicaid and CHIP into HTW.

By: Rep. Dominguez and Julie Johnson

## **Health and Human Services Commission**

### **Medicaid Dialysis Cost Effectiveness Study**

#### **OVERVIEW**

The large prevalence in Texas of diabetes and hypertension has also caused a crisis in the number of persons needing dialysis services due to kidney failure. Generally, the best management of this condition is through routine dialysis three times per week to preserve kidney function and quality of life as much as possible, which can be done at an end stage renal disease facility or in some instances at home.

However, Texas Medicaid currently only allows persons with emergency Medicaid to receive dialysis if they show up in the emergency room. This means they come when they are acutely ill and often need costly inpatient care in addition to dialysis. In an effort to reduce costs and improve quality, some states have provided flexibility about where people with emergency Medicaid can receive dialysis. Rendering this care in the emergency room limits hospital emergency room capacity and contributes to urban trauma centers going on medical diversion, which puts the rest of the community at-risk. The COVID-19 Pandemic has also made managing this patient population highly problematic in over-run emergency rooms.

This rider directs HHSC to look at alternative models for providing dialysis services to see if it would be more cost effective and improve quality to provide care in locations other than the hospital emergency room or outpatient department, and if so, implement the findings in their analysis.

#### **Required Action**

On page XX of Health and Human Services Bill Pattern, add the following new rider

\_\_\_\_. **Medicaid Dialysis Cost Effectiveness Study.** (a) Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts & Administration, the Health and Human Services Commission (HHSC), in consultation with stakeholders, shall conduct a study regarding the most cost effective and clinically appropriate methods to deliver dialysis services under the Medicaid program.

(b) In conducting the study, HHSC must consider:



(1) the Medicare End-Stage Renal Disease (ESRD) Treatment Choices (ETC) model and whether savings could be achieved through increased utilization of home dialysis;

(2) value-based purchasing models for dialysis services;

(3) innovative models of delivering services to persons with renal disease, including those that may have been developed under the Delivery System Reform Incentive Program (DSRIP) to serve Medicaid recipients and the uninsured;

(4) alternatives to providing dialysis to persons under emergency Medicaid to improve cost effectiveness and quality and reduce hospitalizations; and

(5) the manner in which other states have been able to modify implementation of their Medicaid program to increase options in providing dialysis.

(c) HHSC shall submit a report with the results of the study to the Legislative Budget Board and Governor not later than December 1, 2022.

(d) If the study determines that it is cost effective to make changes to coverage and sites of service for dialysis, HHSC may pursue any necessary federal waivers or amendments to implement the report's findings.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Feasibility of Postpartum Medicaid Expansion**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add a rider requiring the Health and Human Services Commission to evaluate the feasibility and cost effectiveness of extending Medicaid coverage for women to 12 months postpartum through a state plan amendment.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Feasibility of Postpartum Medicaid Expansion.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC) shall evaluate the feasibility and cost effectiveness of extending Medicaid coverage for women up to 12 months postpartum through a state plan amendment as authorized by the federal American Rescue Plan Act of 2021. HHSC shall submit a report of findings to the Governor, Legislative Budget Board, Lieutenant Governor, and Speaker of the House of Representative not later than August 1, 2022. If feasible and cost effective, HHSC may work with the Centers for Medicare and Medicaid Services to identify opportunities to support extension of postpartum Medicaid coverage.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Study Private Insurance Coverage of Early Childhood Intervention Services**

Prepared by LBB Staff, 03/23/2021

**Overview**

The following action adds a new rider that directs HHSC to study the feasibility of requiring private insurers to reimburse participants for early intervention services.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Study Private Insurance Coverage of Early Childhood Intervention Services.**  
Out of funds appropriated above in Strategy D.1.4, ECI Respite and Quality Assurance, the Health and Human Services Commission shall study the feasibility of requiring private insurers to reimburse participants for early intervention services. HHSC should work with the Early Childhood Intervention (ECI) Advisory Committee, early intervention service providers, advocacy groups, the Texas Department of Insurance, and representatives of private insurance companies to conduct the study. HHSC should present its findings and recommendations to the Legislative Budget Board, the Lieutenant Governor, the Speaker of the House of Representatives, the standing legislative committees with primary jurisdiction over ECI, and the ECI Advisory Committee no later than September 1, 2022.

### **Overview**

Add a rider requiring the Health and Human Services Commission to submit a report on the health outcomes and cost-efficiency of providing Medicaid coverage to women throughout inter-conception.

### **Required Action**

On page II-67 of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Reporting Requirement: Medicaid Coverage throughout Inter-conception.** Out of funds appropriated above, the Health and Human Services Commission shall evaluate the health outcomes and cost-efficiency of providing Medicaid coverage to women throughout inter-conception. HHSC shall submit a report of findings to the Governor, Legislative Budget Board, the Lieutenant Governor, and the Speaker of the House of Representatives not later than May 1, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**9-8-8 Study**

Prepared by LBB Staff, 03/18/2021

**Overview**

Add rider at the Health and Human Services Commission to study implementation of the suicide hotline.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- XX. Study Related to 9-8-8 Implementation.** Out of funds appropriated above in Strategy L.1.1, HHS System Supports, the Health and Human Services Commission (HHSC) shall study the adequacy and efficacy of existing National Suicide Prevention Lifeline (NSPL) infrastructure in Texas to determine state preparedness to comply with federal National Suicide Hotline Designation Act of 2020 (S. 2661). The study shall identify the adequacy of existing NSPL infrastructure, strategies to improve linkages between NSPL infrastructure and crisis response services, and strategies to improve access to mental health crisis and suicide response. The study shall also make recommendations for sources of sustainable funding for NSPL infrastructure and crisis response services. HHSC shall prepare and submit findings and recommendations to the Senate Committee on Finance, the House Committee on Appropriations, the Legislative Budget Board, the Governor, the Lieutenant Governor, the Speaker of the House, and permanent standing committees in the House of Representatives and the Senate with jurisdiction over health and human services by September 1, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Rare Disease Therapy Readiness Study**

**Overview**

This rider requires the Health and Human Services Commission to conduct a study related to therapies for rare disease.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Rare Disease Therapy Readiness Study.** Out of funds appropriated above, the Agency shall study its readiness and ability to provide innovative therapies for rare disease diagnoses to the full extent allowable for eligible beneficiaries in programs offering medical or pharmaceutical benefits, including through the use of alternative payment models. After completing the study, the agency shall report its findings to the legislature, including any identified barriers to the provision of these therapies, no later than November 30, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Medicaid Managed Care Denial and Appeals Process**

Prepared by LBB Staff, 03/17/2021

**Overview**

Add a rider directing the Health and Human Services Commission to submit a report regarding the denial and appeals process in Medicaid managed care.

**Required Action**

On page II-XX of the Health and Human Services Commission bill pattern, add the following rider:

\_\_\_\_\_. **Medicaid Managed Care Denial and Appeals Process.** Out of funds appropriated above in Strategy B.1.1, Medicaid Contracts and Administration, the Health and Human Services Commission (HHSC), in consultation and collaboration with the STAR Kids Advisory Committee and the State Medicaid Managed Care Advisory Committee, shall conduct a study of the denial and appeals process, including but not limited to, the administrative hearing process within the managed care networks for the STAR Kids, STAR Health, and STAR+PLUS Programs. In conducting the study, HHSC shall consider:

- (a) outcomes for patients;
- (b) the percentage of denials that are upheld or overturned on appeal over the last seven years;
- (c) the current appeals process's impact on access to care and continuity of care for patients;
- (d) best practices, experiences and outcomes in other states;
- (e) qualifications of hearing officers;
- (f) timeliness of the review process;
- (g) the denial notification process for families, including whether the family is able to timely request an appeal;
- (h) the knowledge of families, caregivers and recipients of their right to request continuation of service, pending appeal; and
- (i) the burden of the appeals process on caregivers and patients and families.

HHSC shall submit a report of the study's findings to the Governor, Legislative Budget Board, Lieutenant Governor, and the Speaker of the House of Representatives not later than December 11, 2022. The report shall also include steps the agency has taken to implement Government Code § 531.024164, and a detailed timeline and plan for implementing the provisions of the statute by March 1, 2022.

**Health and Human Services Commission, Article II**  
**Proposed Funding and Rider**  
Home Health Personal Assistance COVID-19 Impact Study

**Overview**

The following action would require that the Health and Human Services Commission conduct a study to assess the impact of COVID-19 on the continuity of home health personal assistance services and the availability of such services for individuals in a residence or independent living environment in need of these services.

**Required Action**

On page II-142 of the Health and Human Services Commission bill pattern, add the following rider:

- \_\_\_\_\_. **Home Health Personal Assistance COVID-19 Impact Study.** The Health and Human Services Commission shall conduct a study to assess the impact of COVID-19 on the continuity of home health personal assistance services and the availability of such services for individuals in a residence or independent living environment in need of these services. This study shall assess the impact of COVID-19 on the number of available personal assistance service providers, and any resulting or existing shortage of such providers; assess the impact of COVID-19 on the turnover rate for personal assistance service providers; and identify and assess whether COVID-19 disproportionately affected the shortages or turnover rate of personal assistance service providers in any geographic region(s) in this state. Not later than September 1, 2022, the Health and Human Services Commission shall prepare and submit to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, and each standing committee of the Senate and House of Representatives having jurisdiction over public health, a written report on the results of the study and any recommendations for legislative or other action.



## **Article II, Special Provisions Related to All Health and Human Services Agencies**

### **Proposed Rider Federal Medical Assistance Percentage**

Prepared by LBB Staff, 03/19/2021

#### **Overview**

Add rider directing Article II agencies to assume the increase to the Federal Medical Assistance Percentage (FMAP) throughout the duration of the COVID-19 public health emergency.

#### **Required Action**

1) On page II-XX of Special Provisions Relating to All Health and Human Services Agencies, add the following rider:

- \_\_\_\_. **Increase to Federal Medical Assistance Percentage (FMAP).** It is the intent of the Legislature that the Health and Human Services Commission (HHSC) and the Department of Family and Protective Services (DFPS) utilize the 6.2 percentage point increase to FMAP to the extent allowable by the federal government throughout the duration of the COVID-19 public health emergency.