

Rider Comparison Packet

Conference Committee on House Bill 1

2012-13 General Appropriations Bill

Article 1 - General Government

**ARTICLE I - GENERAL GOVERNMENT
302 Office of the Attorney General
DIFFERENCES ONLY**

House

Senate

12. Victims Assistance Grants.

Funds appropriated above in C.1.2, Victims Assistance, shall be spent as follows:

<u>Program:</u>	<u>FY2012</u>	<u>FY2013</u>
(1) Victims Assistance Coordinators and Victims Liaisons	\$2,443,518	\$2,443,518
(2) Court Appointed Special Advocates	6,518,000	6,518,500
(3) Sexual Assault Prevention and Crisis Services Program	10,285,541	10,285,541
(4) Sexual Assault Services Program Grants	375,000	375,000
(5) Children's Advocacy Centers	7,999,003	7,999,003
(6) Legal Services Grants	2,500,000	2,500,000
(7) Other Victims Assistance Grants	10,564,445	10,564,445
(8) Statewide Victim Notification System	3,502,263	3,502,263
(9) Address Confidentiality	258,531	258,531
 Total	 <u>44,446,301</u>	 <u>44,446,801</u>
 <u>Method of Financing:</u>		
General Revenue	\$2,000,000	\$2,000,000
 <u>General Revenue - Dedicated</u>		
Compensation to Victims of Crime Fund No. 469	38,799,105	38,799,105
Victims of Crime Auxiliary Fund No. 494	258,531	258,531
Sexual Assault Program Account No. 5010	209,449	209,449
Attorney General Volunteer Advocate Program Plates Account No. 5036	18,000	18,500
 Subtotal, General Revenue - Dedicated	 \$39,285,085	 \$39,285,585

12. Victims Assistance Grants. Funds appropriated above in C.1.2, Victims Assistance, shall be spent as follows:

<u>Program:</u>	<u>FY2012</u>	<u>FY2013</u>
(1) Victims Assistance Coordinators and Victims Liaisons	\$2,443,518	\$2,443,518
(2) Court Appointed Special Advocates	8,518,000	8,518,500
(3) Sexual Assault Prevention and Crisis Services Program	10,285,541	10,285,541
(4) Sexual Assault Services Program Grants	375,000	375,000
(5) Children's Advocacy Centers	7,999,003	7,999,003
(6) Legal Services Grants	2,500,000	2,500,000
(7) Other Victims Assistance Grants	10,564,445	10,564,445
(8) Statewide Victim Notification System	3,502,263	3,502,263
(9) Address Confidentiality	258,531	258,531
 Total	 46,446,301	 46,446,801
 <u>Method of Financing:</u>		
 <u>General Revenue - Dedicated</u>		
Compensation to Victims of Crime Fund No. 469	42,799,105	42,799,105
Victims of Crime Auxiliary Fund No. 494	258,531	258,531
Sexual Assault Program Account No. 5010	209,449	209,449
Attorney General Volunteer Advocate Program Plates Account No. 5036	18,000	18,500
 Subtotal, General Revenue - Dedicated	 \$43,285,085	 \$43,285,585

ARTICLE I - GENERAL GOVERNMENT
302 Office of the Attorney General
DIFFERENCES ONLY
(Continued)

	House			Senate	
Federal Funds	3,161,216	3,161,216	Federal Funds	3,161,216	3,161,216
Total, Method of Financing	<u>44,446,301</u>	<u>44,446,801</u>	Total, Method of Financing	46,446,301	46,446,801

The Office of the Attorney General shall adopt rules for the competitive allocation of funds under item number (7) Other Victims Assistance Grants. None of the funds appropriated in Strategy C.1.2, Victims Assistance, may be expended on grants to organizations that make contributions to campaigns for elective office or that endorse candidates.

The Office of the Attorney General shall adopt rules for the competitive allocation of funds under item number (7) Other Victims Assistance Grants. None of the funds appropriated in Strategy C.1.2, Victims Assistance, may be expended on grants to organizations that make contributions to campaigns for elective office or that endorse candidates.

Within 100 days after the close of each fiscal year, the Office of the Attorney General shall submit a report detailing the expenditure of funds appropriated in Strategy C.1.2, Victims Assistance. The report shall include information on the guidelines used to select programs that receive grants, on the amount of grants awarded in each of the categories listed above, on the amount of expenditures for administration, and on audit and oversight activities conducted relating to the victims assistance grants and the programs receiving such grants. The report shall be submitted to the Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

Within 100 days after the close of each fiscal year, the Office of the Attorney General shall submit a report detailing the expenditure of funds appropriated in Strategy C.1.2, Victims Assistance. The report shall include information on the guidelines used to select programs that receive grants, on the amount of grants awarded in each of the categories listed above, on the amount of expenditures for administration, and on audit and oversight activities conducted relating to the victims assistance grants and the programs receiving such grants. The report shall be submitted to the Legislative Budget Board, the Governor, the Senate Finance Committee, and the House Appropriations Committee.

- 32. Report on Ongoing Legal Action.** The Office of the Attorney General shall use funds appropriated above in Strategy A.1.1, Legal Services, to produce quarterly reports on the cost of ongoing legal action the Office of the Attorney General has taken regarding action by the federal government, including but not limited to any new federal law or any rule, decision, or policy adopted by a federal agency. The quarterly report shall include the following details on each legal action:
- 1) A summary of expenditures utilized as a result of the legal action;
 - 2) Summaries of the FTE hours utilized as a result of the legal action; and,
 - 3) Life-to-date costs of the legal action.

The initial quarterly report shall be submitted to the Legislative Budget Board, Governor, Comptroller of Public Accounts, and all Members of the Legislature on October 1, 2011.

ARTICLE I - GENERAL GOVERNMENT
302 Office of the Attorney General
DIFFERENCES ONLY
(Continued)

House

Senate

- 32. Contingency Appropriation for Outside Legal Counsel.** Contingent upon the final resolution of State of Texas vs. Sandoz Inc. f/k/a Geneva Pharmaceuticals, Inc., Cause No. D-1-GV-07-001259, and State of Texas vs. Eon Labs, Inc. and Lek Pharmaceuticals, Inc., Cause No. D-1-GV-09-001839, and contingent upon the Comptroller of Public Accounts certifying that \$12,500,000 in additional revenue is generated from the aforementioned lawsuits, there is hereby appropriated to the Office of the Attorney General from the revenues derived from the settlement of the lawsuits, an amount not to exceed \$12,500,000 in General Revenue for the 2012-13 biennium for payment of the outside counsel representing the State of Texas in the lawsuits, pursuant to Outside Counsel Contract: OCC No. 2007-302-0012.

ARTICLE I - GENERAL GOVERNMENT
542 Cancer Prevention and Research Institute
DIFFERENCES ONLY

House

Senate

5. **Reimbursement of Advisory Committees.** Out of funds appropriated above, reimbursement of travel costs shall be in accordance with provisions of this Act related to the per diem of Advisory Committee Members. Additionally, the honorarium for members of the Scientific Research and Prevention Programs Committees as authorized in Health and Safety Code, Chapter 102 and in accordance with Government Code 2110 shall not exceed \$200 per day, per member.

To the maximum extent possible, the Cancer Prevention and Research Institute shall encourage the use of videoconferencing and teleconferencing.

7. **Contingency Appropriation Requiring Statutory Change: Cancer Registry.** Contingent on the enactment of legislation authorizing the Cancer Prevention and Research Institute of Texas to issue bonds on an as needed basis and out of amounts appropriated in Article IX, Sec. 18.06, Contingency Appropriation Requiring Statutory Change: General Obligation Bond Proceeds for Cancer Prevention and Research Grants, of this Act, to the Cancer Prevention and Research Institute of Texas is \$2,969,554 out of General Obligation Bond Proceeds each fiscal year of the 2012-13 biennium which shall be transferred to the Department of State Health Services in Strategy A.1.2, Health Registries, Information, and Vital Records for administration of the Cancer Registry in accordance with the Texas Constitution, Article III, Section 67 and Health and Safety Code, Chapter 102.

5. **Reimbursement of Advisory Committees.** Out of funds appropriated above, reimbursement of travel costs shall be in accordance with provisions of this Act related to the per diem of Advisory Committee Members. Additionally, the Cancer Prevention and Research Institute of Texas may provide an honorarium to members of the Scientific Research and Prevention Programs Committees as authorized in Health and Safety Code, Chapter 102 and in accordance with Government Code 2110.

To the maximum extent possible, the Cancer Prevention and Research Institute shall encourage the use of videoconferencing and teleconferencing.

7. **Contingency Appropriation Requiring Statutory Change: General Obligation Bond Proceeds for Cancer Prevention and Research Grants.** Contingent on the enactment of legislation authorizing the Cancer Prevention and Research Institute of Texas to issue bonds on an as needed basis as recommended by the Sunset Advisory Commission, an amount not to exceed \$300,000,000 out of general obligation bond proceeds is included in amounts appropriated above for each year of the 2012-13 biennium, as authorized in Article III of the Texas Constitution.

ARTICLE I - GENERAL GOVERNMENT
304 Comptroller of Public Accounts
DIFFERENCES ONLY

House

Senate

- 14. Plan for Consolidation of Filing Requirements.** Out of funds appropriated above, the Comptroller of Public Accounts and Secretary of State shall work in cooperation to produce a plan for the consolidation of filing requirements placed upon businesses for franchise tax and certificate of good standing. The plan shall be provided to the Legislature by December 1, 2012.

- 14. Contingency Appropriation Requiring Statutory Change: Transfer of the Small Contractor Participation Assistance Program.** Contingent upon the enactment of legislation by the Eighty-second Legislature, Regular Session, transferring the Small Contractor Participation Assistance Program to the Comptroller of Public Accounts from the Texas Facilities Commission, there is hereby appropriated \$550,000 in fiscal year 2012 and \$750,000 in fiscal year 2013 out of the General Revenue Fund, including 2.0 full-time equivalent (FTE) positions each fiscal year, for administration of the program.

- 15. Monthly Revenue Report.** To improve transparency and ensure that essential state revenue information is available to each member of the Legislature in a timely manner, the Comptroller shall prepare and transmit to each member of the Legislature for each fiscal year of the 2012-2013 biennium a monthly report identifying the amount of collections of general revenue-related funds by source. The monthly report shall also include the cumulative amount of general revenue-related funds by source to date and the total amount estimated to be available for the fiscal year in the Comptroller's January 2011 Biennial Revenue Estimate for 2012-2013. If, at any time, the Comptroller shall change or update an estimate of general revenue-related funds as itemized in the January 2011 Biennial Revenue Estimate, the monthly report must include the amount and source of the adjustment.

ARTICLE I - GENERAL GOVERNMENT
304 Comptroller of Public Accounts
DIFFERENCES ONLY

House

Senate

- 16. Study of Tax Exemptions, Tax Incidence and Tax Preferences.** It is the intent of the Legislature that the Comptroller of Public Accounts, using funds appropriated by this Act:
- (1) shall expand the existing Tax Exemptions and Tax Incidence report;
 - (2) conduct during the state fiscal year beginning September 1, 2011, a study of provisions that reduce the taxes owed by any taxpayer by state law that relates to a state or local education property tax imposed and:
 - (A) determine the intended purpose of each tax preference described by this subdivision; and
 - (B) evaluate:
 - (i) whether the tax preference accomplishes its intended purpose;
 - (ii) whether the tax preference is inefficient, ineffective, or unnecessary; and
 - (iii) the effect of the tax preference on economic development, the number of high wage jobs, funding for public services, the distribution of the tax burden by income class and industry or business class, and total income by income class by this state;
 - (3) prioritize tax preferences and complete as many evaluations described by item (1) of this rider as feasible; and
 - (4) schedule evaluations of the remaining tax preferences to be completed over the following four years.

ARTICLE I - GENERAL GOVERNMENT
30R Fiscal Programs - Comptroller of Public Accounts
DIFFERENCES ONLY

House

Senate

- 15. Unexpended Balances: Major Events Trust Fund.** In addition to amounts appropriated above, any unexpended and unobligated balances of General Revenue remaining as of August 31, 2011 (estimated to be \$0) for the Major Events Trust Fund are hereby appropriated for the 2012-13 biennium to be transferred out of the General Revenue Fund to the Major Events Trust Fund, a fund held outside the state Treasury, for the purpose of attracting and securing eligible events. The appropriation is contingent on:
- (a) a written statement confirming the state's interest in the event that is signed by both the Governor and the Comptroller of Public Accounts;
 - (b) certification by the Comptroller of Public Accounts that sufficient revenues will be generated by eligible events to offset the amounts appropriated;
 - (c) an agreement with one or more endorsing municipalities or counties entered into pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes; and
 - (d) the receipt of local funds from the endorsing entity(s) pursuant to Article 5190.14, Section 5A(r), Vernon's Texas Civil Statutes.
- 18. Contingency Appropriation for House Bill 2022.** Contingent on enactment of House Bill 2022, or similar legislation, relating to creation of an obesity prevention and intervention program, by the Eighty-second Legislature, Regular Session, 2011 and contingent upon the Comptroller's certification of available General Revenue of \$10 million for the biennium above the Comptroller's January 2011 Biennial Revenue Estimate, the Fiscal Programs - Comptroller of Public Accounts is hereby appropriated \$10 million in General Revenue for fiscal year 2012 to influence and control the total economic cost of obesity. This appropriation shall be used as follows:

ARTICLE I - GENERAL GOVERNMENT
30R Fiscal Programs - Comptroller of Public Accounts
DIFFERENCES ONLY
(Continued)

House

Senate

- (a) The Comptroller shall establish and administer a competitive grant program to provide funding for proven obesity intervention and prevention programs at public schools in geographic areas identified at risk for student obesity. All providers receiving grants shall collect and provide data measuring the results of their programs. The Comptroller shall consider requiring matching private funds in the competitive grant program.
- (b) The Comptroller shall create a GIS-driven obesity data system for the State of Texas to map and identify areas in which children are at risk for obesity. Obesity intervention programs targeting areas identified by this GIS system as having high rates of obesity and overweight students shall be given preference in the awarding of grants. The GIS tool may be used further for other purposes of the agency.
- (c) The Texas Education Agency shall provide to the Comptroller of Public Accounts all data necessary to create GIS maps showing FitnessGram results and to identify areas in which children are at risk for obesity.
- (d) The Comptroller shall create and maintain an obesity web portal reporting and linking to the economic impacts of obesity, focusing such information on schools, businesses, state agencies and the general public.
- (e) The Comptroller shall submit a report to the Legislature no later than January 1, 2013. The report shall include the results of this rider and other state and federal obesity initiatives in Texas.

Any unexpended balances remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning on September 1, 2012 for the same purpose.

ARTICLE I - GENERAL GOVERNMENT
S22 Informational List of Funds Appropriated to CPA for SS and BRP
DIFFERENCES ONLY

	House	
	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
1. Informational Listing of Appropriated Funds. The appropriations made in this and other articles of this Act to the Comptroller of Public Accounts - Social Security/Benefit Replacement Pay are subject to the following provisions. The following amounts shall be used for the purposes indicated.		
Method of Financing:		
General Revenue, estimated	\$ 526,516,254	\$ 532,872,914
General Revenue-Dedicated, estimated	77,441,368	78,377,664
Federal Funds, estimated	95,115,171	94,180,273
<u>Other Funds</u>		
Other Special State Funds, estimated	15,974,990	16,201,913
State Highway Fund No. 006, estimated	<u>80,354,874</u>	<u>80,280,989</u>
Subtotal, Other Funds	96,329,864	96,482,902
Total, Method of Financing	<u>\$ 795,402,657</u>	<u>\$ 801,913,753</u>
A. Goal: Social Security/Benefit Replacement Comptroller - Social Security		
A.1.1. Strategy: State Match - Employer State Match - Employer. Estimated.	\$ 759,531,893	\$ 768,388,137
A.1.2. Strategy: Benefit Replacement Pay Benefit Replacement Pay. Estimated.	<u>35,870,764</u>	<u>33,525,616</u>
Total, Goal A: Social Security/Benefit Replacement	<u>\$ 795,402,657</u>	<u>\$ 801,913,753</u>

	Senate	
	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
1. Informational Listing of Appropriated Funds. The appropriations made in this and other articles of this Act to the Comptroller of Public Accounts - Social Security/Benefit Replacement Pay are subject to the following provisions. The following amounts shall be used for the purposes indicated.		
Method of Financing:		
General Revenue, estimated	\$ 517,208,009	\$ 523,293,922
General Revenue-Dedicated, estimated	75,820,497	76,704,751
Federal Funds, estimated	94,649,363	93,698,930
<u>Other Funds</u>		
Other Special State Funds, estimated	15,728,028	15,947,575
State Highway Fund No. 006, estimated	<u>79,987,732</u>	<u>79,911,701</u>
Subtotal, Other Funds	95,715,760	95,859,276
Total, Method of Financing	<u>\$ 783,393,629</u>	<u>\$ 789,556,879</u>
A. Goal: Social Security/Benefit Replacement Comptroller - Social Security		
A.1.1. Strategy: State Match - Employer State Match - Employer. Estimated.	\$ 747,522,865	\$ 756,031,263
A.1.2. Strategy: Benefit Replacement Pay Benefit Replacement Pay. Estimated.	<u>35,870,764</u>	<u>33,525,616</u>
Total, Goal A: Social Security/Benefit Replacement	<u>\$ 783,393,629</u>	<u>\$ 789,556,879</u>

ARTICLE I - GENERAL GOVERNMENT
477 Commission on State Emergency Communications
DIFFERENCES ONLY

House

Senate

- 10. Contingent Revenue: General Revenue-Dedicated 9-1-1 Service Fees Account No. 5050.** Contingent on the collection of fees in the General Revenue-Dedicated 9-1-1 Services Fees Account No. 5050 in excess of \$112,968,000 contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for the 2012-13 biennium, the Commission on State Emergency Communications is hereby appropriated the excess revenue in Strategy A.1.1, 9-1-1 Network Operations and Equipment Replacement for 9-1-1 network operations and equipment maintenance and replacement.

If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

- 11. Certain Regional Planning Commission.** Out of amounts appropriated above in Strategy A.1.1, 9-1-1 Network Operation and Equipment Replacement, the Commission on State Emergency Communications shall allocate to the regional planning commission that contains the seat of government for the state \$407,181 for the state fiscal year ending August 31, 2012, and \$407,181 for the state fiscal year ending August 31, 2013, for the purpose of continuing to operate each public service answering point in the regional planning commission that would otherwise cease to operate due to a reduction in the regional planning commission's budget.

- 10. Contingent Revenue: General Revenue-Dedicated 9-1-1 Service Fees Account No. 5050.** Contingent on the collection of fees in the General Revenue-Dedicated 9-1-1 Services Fees Account No. 5050 in excess of \$112,968,000 contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for the 2012-13 biennium, the Commission on State Emergency Communications is hereby appropriated the excess revenue, not to exceed \$11,722,424 for the 2012-2013 biennium, in Strategy A.1.1, 9-1-1 Network Operations and Equipment Replacement for 9-1-1 equipment replacement per the established 10 year equipment replacement schedule.

If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes.

**ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY**

House

Senate

1. Information Listing of Appropriated Funds. The appropriations made in this and other articles of this Act to the Employees Retirement System are subject to the following provisions. The following amounts shall be used for the purposes indicated.

1. Information Listing of Appropriated Funds. The appropriations made in this and other articles of this Act to the Employees Retirement System are subject to the following provisions. The following amounts shall be used for the purposes indicated.

	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
Method of Financing:		
General Revenue Fund, estimated	\$ 991,260,725	\$ 997,175,545
General Revenue-Dedicated Accounts, estimated	66,331,517	65,851,797
Federal Funds, estimated	295,932,677	297,992,745
Other Funds		
Other Special State Funds, estimated	12,478,314	12,600,630
State Highway Fund No. 006, estimated	<u>269,943,919</u>	<u>274,627,455</u>
Subtotal, Other Funds	282,422,233	287,228,085
Total, Method of Financing	<u>\$ 1,635,947,152</u>	<u>\$1,648,248,172</u>
Number of Full-Time-Equivalents (FTE):	332.0	332.0
Schedule of Exempt Positions:		
Executive Director	\$ 300,000	\$ 300,000

	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
Method of Financing:		
General Revenue Fund, estimated	\$ 1,058,248,861	\$ 1,145,080,689
General Revenue-Dedicated Accounts, estimated	70,932,374	75,599,263
Federal Funds, estimated	318,762,870	343,856,049
Other Funds		
Other Special State Funds, estimated	13,173,957	14,285,501
State Highway Fund No. 006, estimated	289,878,814	316,785,956
Subtotal, Other Funds	<u>303,052,771</u>	<u>331,071,457</u>
Total, Method of Financing	<u>\$ 1,750,996,876</u>	<u>\$ 1,895,607,458</u>
Number of Full-Time-Equivalents (FTE):	332.0	332.0
Schedule of Exempt Positions:		
Executive Director	\$ 300,000	\$ 300,000

ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY
(Continued)

House													
A. Goal: ADMINISTER RETIREMENT PROGRAM													
To Administer Comprehensive and Actuarially Sound Retirement Programs.													
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS													
Retirement Contributions. Estimated.	\$	350,252,339	\$	349,514,377									
A.1.2. Strategy: LAW ENFORCEMENT AND CUSTODIAL OFFICER SUPPLEMENTAL RETIREMENT FUND (LECOS)													
Law Enforcement and Custodial Officer Supplemental Retirement Fund.	\$	0	\$	0									
A.1.3. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 2													
Judicial Retirement System - Plan 2. Estimated.	\$	4,052,070	\$	4,052,071									
A.1.4. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 1													
Judicial Retirement System - Plan 1. Estimated.	\$	27,245,110	\$	27,245,110									
A.1.5. Strategy: PUBLIC SAFETY BENEFITS													
Public Safety Benefits. Estimated.	\$	6,048,207	\$	6,048,207									
A.1.6. Strategy: RETIREE DEATH BENEFITS													
Retiree Death Benefits. Estimated.	\$	8,088,040	\$	8,088,040									
Total, Goal A: ADMINISTER RETIREMENT PROGRAM													
	\$	395,685,766	\$	394,947,805									
B. Goal: PROVIDE HEALTH PROGRAM													
Provide Employees and Retirees with a Quality Health Program.													
B.1.1. Strategy: GROUP INSURANCE													
Group Insurance Contributions	\$	1,240,261,386	\$	1,253,300,367									
				& UB									
A. Goal: ADMINISTER RETIREMENT PROGRAM													
To Administer Comprehensive and Actuarially Sound Retirement Programs.													
A.1.1. Strategy: RETIREMENT CONTRIBUTIONS													
Retirement Contributions. Estimated.	\$	346,453,634	\$	372,815,803									
A.1.2. Strategy: LAW ENFORCEMENT AND CUSTODIAL OFFICER SUPPLEMENTAL RETIREMENT FUND (LECOS)													
Law Enforcement and Custodial Officer Supplemental Retirement Fund. Estimated.	\$	0	\$	7,520,372									
A.1.3. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 2													
Judicial Retirement System - Plan 2. Estimated.	\$	4,052,070	\$	4,389,743									
A.1.4. Strategy: JUDICIAL RETIREMENT SYSTEM - PLAN 1													
Judicial Retirement System - Plan 1. Estimated.	\$	27,245,110	\$	27,245,110									
A.1.5. Strategy: PUBLIC SAFETY BENEFITS													
Public Safety Benefits. Estimated.	\$	6,048,207	\$	6,048,207									
A.1.6. Strategy: RETIREE DEATH BENEFITS													
Retiree Death Benefits. Estimated.	\$	<u>8,088,040</u>	\$	<u>8,088,040</u>									
Total, Goal A: ADMINISTER RETIREMENT PROGRAM													
	\$	<u>391,887,061</u>	\$	<u>426,107,275</u>									
B. Goal: PROVIDE HEALTH PROGRAM													
Provide Employees and Retirees with a Quality Health Program.													
B.1.1. Strategy: GROUP INSURANCE													
Group Insurance Contributions	\$	1,359,109,815	\$	1,469,500,183									

ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY
(Continued)

	House				Senate
B.1.2. Strategy: STATE KIDS INSURANCE PROGRAM					B.1.2. Strategy: STATE KIDS INSURANCE PROGRAM
State Kids Insurance Program (SKIP).	\$	0	\$	0	State Kids Insurance Program (SKIP). \$ <u>0</u> \$ <u>0</u>
Total, Goal B: PROVIDE HEALTH PROGRAM	\$	1,240,261,386	\$	1,253,300,367	Total, Goal B: PROVIDE HEALTH PROGRAM \$ <u>1,359,109,815</u> \$ <u>1,469,500,183</u>
Grand Total, EMPLOYEES RETIREMENT SYSTEM	\$	<u>1,635,947,152</u>	\$	<u>1,648,248,172</u>	Grand Total, EMPLOYEES RETIREMENT SYSTEM \$ <u>1,750,996,876</u> \$ <u>1,895,607,458</u>

4. **State Contribution to Employees Retirement Program.** The amount specified above in A.1.1, Retirement Contributions, is based on a state contribution of 6.0 percent of payroll, including annual membership fees of \$3 for contributing members for each fiscal year.

5. **State Contribution to Judicial Retirement Program (JRS-2).** The amount specified above in A.1.3, Judicial Retirement System - Plan 2, is based on a state contribution of 6.0 percent of payroll for contributing members for each fiscal year.

6. **State Contribution to Group Insurance for General State Employees.**
 - a. The appropriation for group insurance is intended to fund the total cost of basic life coverage for all active and retired employees enrolled in the Group Benefits Plan.
 - b. Active and retired employees enrolled in the Group Benefits Plan shall pay ten percent of the total cost of the member only premium for health coverage.

4. **State Contribution to Employees Retirement Program.** The amount specified above in A.1.1, Retirement Contributions, is based on a state contribution of 6.0 percent of payroll in fiscal year 2012 and 6.5 percent of payroll in fiscal year 2013, including annual membership fees of \$3 for contributing members for each fiscal year.

5. **State Contribution to Judicial Retirement Program (JRS-2).** The amount specified above in A.1.3, Judicial Retirement System - Plan 2, is based on a state contribution of 6.0 percent of payroll in fiscal year 2012 and 6.5 percent of payroll in fiscal year 2013 for contributing members.

6. **State Contribution to Group Insurance for General State Employees.** Funds identified above for group insurance are intended to fund:
 - a. the total cost of the basic life and health coverage for all active and retired employees;
 - b. fifty percent of the total cost of health coverage for the spouses and dependent children of all active and retired employees who enroll in coverage categories which include a spouse and/or dependent children; and

ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY
(Continued)

House

- c. Active and retired employees enrolled in the Group Benefits Plan shall pay fifty percent of the total cost of health coverage for the spouses and dependent children enrolled in coverage categories which include a spouse and/or dependent children.
- d. The appropriation for group insurance is intended to fund the incentive program to waive participation in the Group Benefits Plan (Opt-Out).

In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

During each fiscal year, the state's monthly contribution shall be determined by multiplying (1) the per capita monthly contribution as certified herein by (2) the total number of full-time active and retired employees enrolled for coverage during that month.

For each employee or retiree that waives participation in the Group Benefit Plan and enrolls in allowable optional coverage, the Employees Retirement System shall receive \$60 per month in lieu of the "employee-only" state contribution amount, and such amounts are included above in Strategy B.1.1, Group Insurance Contributions. The waived participant may apply up to \$60 per month towards the cost of the optional coverage.

Each year, upon adoption of group insurance rates by the Board of Trustees, Employees Retirement System must notify the Comptroller, the Legislative Budget Board, and the Governor of the per capita monthly contribution required in accordance with this rider for each full-time active and retired employee enrolled for coverage during the fiscal year.

Included in amounts appropriated above in B.1.1, Group Insurance Contributions, are amounts not to exceed \$739,236,097 in General Revenue and \$48,652,787 in General Revenue-Dedicated funds in fiscal year 2012, and \$745,493,502 in General Revenue and \$48,521,040 in General Revenue-Dedicated funds in fiscal year 2013. Any unexpended balances in General Revenue-related funds for group insurance contributions remaining as of August 31, 2012, are

Senate

- c. the incentive program to waive participation in the Group Benefits Plan (Opt-Out).

In no event shall the total amount of state contributions allocated to fund coverage in an optional health plan exceed the actuarially determined total amount of state contributions that would be required to fund basic health coverage for those active employees and retirees who have elected to participate in that optional health plan.

During each fiscal year, the state's monthly contribution shall be determined by multiplying (1) the per capita monthly contribution as certified herein by (2) the total number of full-time active and retired employees enrolled for coverage during that month.

For each employee or retiree that waives participation in the Group Benefit Plan and enrolls in allowable optional coverage, the Employees Retirement System shall receive \$60 per month in lieu of the "employee-only" state contribution amount, and such amounts are included above in Strategy B.1.1, Group Insurance Contributions. The waived participant may apply up to \$60 per month towards the cost of the optional coverage.

Each year, upon adoption of group insurance rates by the Board of Trustees, Employees Retirement System must notify the Comptroller, the Legislative Budget Board, and the Governor of the per capita monthly contribution required in accordance with this rider for each full-time active and retired employee enrolled for coverage during the fiscal year.

Included in amounts appropriated above in B.1.1, Group Insurance Contributions, are amounts not to exceed \$808,213,510 in General Revenue and \$53,380,539 in General Revenue-Dedicated funds in fiscal year 2012, and \$872,227,034 in General Revenue and \$57,068,441 in General Revenue-Dedicated funds in fiscal year 2013. Any unexpended balances in General

ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY
(Continued)

House

hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

In order to provide for unanticipated cost increases in the group insurance program during fiscal year 2012, the Employees Retirement System may transfer appropriations as may be necessary to cover such increases from appropriations made in fiscal year 2013 in B.1.1, Group Insurance Contributions, to amounts appropriated in fiscal year 2012 for health insurance contributions. Prior to transferring appropriations from fiscal year 2013 into fiscal year 2012, the Employees Retirement System must receive written authorization from the Legislative Budget Board and Governor.

It is the intent of the Legislature that the Employees Retirement System control the cost of the group insurance program by not providing rate increases to health care providers participating in HealthSelect during the 2012-13 biennium.

- 12. Tiered Coinsurance.** It is the intent of the Legislature that to extent that such action is consistent with state and federal law the Employees Retirement System shall implement a tiered coinsurance plan design change in the HealthSelect group insurance plan as described in the 2010 Government Effectiveness and Efficiency Report, *Implement a Tiered Coinsurance Plan for State Employees*. This would add additional tiers of coinsurance at a 5 percent rate and a 2 percent rate on higher cost medical claims in order to share costs of and reduce utilization of higher cost medical procedures. Accordingly, funds identified above for group insurance reflect reductions of \$25,574,712 in All Funds, which consists of \$14,664,691 in General Revenue funds, \$920,522 in General Revenue-Dedicated funds, \$5,070,747 in Federal Funds, and \$4,918,752 in Other Funds during the 2012-13 biennium.

Senate

Revenue-related funds for group insurance contributions remaining as of August 31, 2012, are hereby appropriated for the same purposes for the fiscal year beginning September 1, 2012.

In order to provide for unanticipated cost increases in the group insurance program during fiscal year 2012, the Employees Retirement System may transfer appropriations as may be necessary to cover such increases from appropriations made in fiscal year 2013 in B.1.1, Group Insurance Contributions, to amounts appropriated in fiscal year 2012 for health insurance contributions. Prior to transferring appropriations from fiscal year 2013 into fiscal year 2012, the Employees Retirement System must receive written authorization from the Legislative Budget Board and Governor.

It is the intent of the Legislature that the Employees Retirement System control the cost of the group insurance program by not providing rate increases to health care providers participating in HealthSelect during the 2012-13 biennium.

- 13. State Contribution to the Law Enforcement and Custodial Officer Supplemental Retirement Fund (LECOS).** The amounts specified above in A.1.2, Law Enforcement and Custodial Officer Supplemental (LECOS) Retirement Fund, is based on a 0.0 percent state contribution in fiscal year 2012 and a 0.5 percent state contribution in fiscal year 2013 for LECOS members.

ARTICLE I - GENERAL GOVERNMENT
327 Employees Retirement System
DIFFERENCES ONLY
(Continued)

House

Senate

- 14. Implement Change to Coordination of Benefits with Medicare.** It is the intent of the Legislature that the Employees Retirement System shall change their policy for coordination of benefits with Medicare for Medicare-eligible retirees in the HealthSelect group insurance plan as described in the 2010 Government Effectiveness and Efficiency Report, *Implement a Tiered Coinsurance Plan for State Employees*. In order to share costs of and reduce utilization of medical procedures, this would have Medicare-eligible retirees pay 30 percent of the remaining costs after Medicare determines and makes payment for covered medical services. Accordingly, funds identified above for group insurance reflect reductions of \$34,043,401 in All Funds, which consists of \$19,520,687 in General Revenue funds, \$1,225,339 in General Revenue-Dedicated funds, \$6,749,850 in Federal Funds, and \$6,547,525 in Other Funds during the 2012-13 biennium.
- 15. Group Insurance Program Study.** Out of amounts appropriated elsewhere in this Act for the Group Insurance Program, the Employees Retirement System shall conduct a study of the current group insurance program that includes, but is not limited to, the current plan design and funding of the group insurance program. The study shall include potential plan design and other changes that would improve the long-term sustainability of the group insurance program. A report of the study shall be submitted by the Employees Retirement System to the Legislative Budget Board and the Governor no later than September 1, 2012.
- 16. Contingency for House Bill 3100.** Contingency upon the enactment of House Bill 3100, or similar legislation eliminating the alignment of member contributions with state contributions to the Employees Retirement System (ERS) and the Law Enforcement and Custodial Officer Supplemental (LECOS) Retirement System by the Eighty-second Legislature, Regular Session, the ERS member contribution shall be 6.5 percent of payroll, and the LECOS member contribution shall be an additional 0.5 percent of payroll during the 2012-13 biennium.

ARTICLE I - GENERAL GOVERNMENT
356 Texas Ethics Commission
DIFFERENCES ONLY

House

Senate

- 3. Contingent Revenue.** In addition to amounts appropriated above to the Texas Ethics Commission, the amounts of \$187,500 in fiscal year 2012 and \$187,500 in fiscal year 2013 in General Revenue are contingent upon the Eighty-second Legislature increasing fees provided in Government Code, Section 305.005, sufficient to generate, during the 2012-13 biennium, \$375,000 in excess of the amount contained in Object Code 3175 in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2012 and 2013.

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.

**ARTICLE I - GENERAL GOVERNMENT
303 Facilities Commission
DIFFERENCES ONLY**

	<u>House</u>	<u>Senate</u>
3. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.		
	<u>2012</u>	<u>2013</u>
a. Construction of Buildings and Facilities		
(1) Construction of Buildings	\$ 2,000,000	\$ 2,000,000
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Deferred Maintenance for Facilities	UB	UB
c. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	289,718	289,718
d. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Recycling Collection Vehicle	<u>27,000</u>	<u>27,000</u>
Total, Capital Budget	<u>\$ 2,316,718</u>	<u>\$ 2,316,718</u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 186,213	\$ 185,526
<u>Other Funds</u>		
Appropriated Receipts	59,406	60,355
Interagency Contracts	2,071,099	2,070,837
Subtotal, Other Funds	<u>\$ 2,130,505</u>	<u>\$ 2,131,192</u>
Total, Method of Financing	<u>\$ 2,316,718</u>	<u>\$ 2,316,718</u>

	<u>House</u>	<u>Senate</u>
3. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.		
	<u>2012</u>	<u>2013</u>
a. Construction of Buildings and Facilities		
(1) Construction of Buildings	\$ 2,000,000	\$ 2,000,000
Total, Construction of Buildings and Facilities	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Deferred Maintenance for Facilities	UB	UB
(2) Health and Safety Deferred Maintenance Projects	60,000,000	UB
Total, Repair or Rehabilitation of Buildings and Facilities	<u>\$ 60,000,000</u>	<u>\$ UB</u>
c. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	289,718	289,718
(2) Network Security Upgrade and On-Going Maintenance	140,000	26,000
(3) Maintenance of Accounting System Software and Server	55,000	55,000
Total, Acquisition of Information Resource Technologies	<u>\$ 484,718</u>	<u>\$ 370,718</u>
d. Other Lease Payments to the Master Lease Purchase Program (MLPP)		
(1) Recycling Collection Vehicle	27,000	27,000

ARTICLE I - GENERAL GOVERNMENT
303 Facilities Commission
DIFFERENCES ONLY
(Continued)

House

Senate

Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	\$	<u>27,000</u>	\$	<u>27,000</u>
Total, Capital Budget	\$	<u>62,511,718</u>	\$	<u>2,397,718</u>
Method of Financing (Capital Budget):				
General Revenue Fund	\$	381,213	\$	266,526
<u>Other Funds</u>				
Appropriated Receipts		59,406		60,355
Interagency Contracts		2,071,099		2,070,837
Bond Proceeds - General Obligation Bonds		60,000,000		UB
Subtotal, Other Funds	\$	<u>62,130,505</u>	\$	<u>2,131,192</u>
Total, Method of Financing	\$	<u>62,511,718</u>	\$	<u>2,397,718</u>

11. Contingency Appropriation Requiring Statutory Changes. Appropriations made above to Texas Facilities Commission are contingent on the enactment of legislation by the Eighty-second Legislature, Regular Session, relating to the modification of Government Code, Chapter 2175, with respect to the operations of the Federal and State Surplus Property programs.

13. Contingency Appropriation and FTE Increase for Leased Parking Operations. Contingent on enactment of Senate Bill 1068, House Bill 1607, or similar legislation by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated above in Strategy A.1.2, Facilities Planning, the Texas Facilities Commission is appropriated from money received from a lease under Section 2165.203 or Section 2165.2035, Government Code, an amount not to exceed \$51,163 for fiscal year 2012 and \$46,011 for fiscal year 2013 to

12. Contingency Appropriation and FTE Increase for Leased Parking Operations. Contingent on enactment of Senate Bill 1068 or House Bill 1607, or similar legislation relating to the use of state parking facilities, by the Eighty-second Legislature, Regular Session, 2011, in addition to amounts appropriated above, the Texas Facilities Commission is appropriated from money received from a lease under Section 2165.204 or Section 2165.2045, Government Code, the following amounts:

ARTICLE I - GENERAL GOVERNMENT
303 Facilities Commission
DIFFERENCES ONLY
(Continued)

House

implement the provisions of the legislation. To meet the administrative needs of a parking facility leasing program, the Full-Time Equivalent (FTE) cap for the Texas Facilities Commission is hereby increased by 1.0 in fiscal year 2012 and 1.0 in fiscal year 2013 to administer the legislated duties of the referenced programs.

Senate

- a. an amount not to exceed \$51,163 for fiscal year 2012 and \$46,011 for fiscal year 2013 in Strategy A.1.2, Facilities Planning, to implement the provisions of the legislation. To meet the administrative needs of a parking facility leasing program, the Full-Time Equivalent (FTE) cap for the Texas Facilities Commission is hereby increased by 1.0 in fiscal year 2012 and 1.0 in fiscal year 2013 to administer the legislated duties of the referenced programs.
- b. \$140,000 in fiscal year 2012 and \$26,000 in fiscal year 2013 in Strategy D.1.2, Information Resources, for a network security upgrade and on-going maintenance of the network.
- c. \$55,000 each fiscal year in D.1.1, Central Administration, for on-going maintenance of accounting system software and server.

- 13. Appropriation Authority for General Obligation Bond Proceeds for Health and Safety Deferred Maintenance Projects.** Appropriated above in Strategy B.2.1, Facilities Operation, in fiscal year 2012 is \$60,000,000 in general obligation bond proceeds for health and safety deferred maintenance projects for the Texas Facilities Commission as described in Article IX, Section 18.01, Informational Listing General Obligation Bond Proceeds.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

ARTICLE I - GENERAL GOVERNMENT
347 Public Finance Authority
DIFFERENCES ONLY

House

Senate

2. Information Listing of Appropriated Funds. The appropriations made in this and other Articles of this Act to the Texas Public Finance Authority for General Obligation Bond Debt Service are subject to the following provision. The following amounts shall be used for the purpose indicated.

2. Information Listing of Appropriated Funds. The appropriations made in this and other Articles of this Act to the Texas Public Finance Authority for General Obligation Bond Debt Service are subject to the following provision. The following amounts shall be used for the purpose indicated.

	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
Method of Financing:		
<u>General Revenue Fund</u>		
General Revenue	\$ 330,869,364	\$ 331,137,382
GR - Sporting Goods Sales Tax - Transfer to State Parks Acct. No. 64	4,962,575	6,556,365
 Subtotal, General Revenue Fund	 \$ <u>335,831,939</u>	 \$ <u>337,693,747</u>
 General Revenue-Dedicated	 2,941,763	 3,718,473
Federal Funds	6,019,980	6,019,980
<u>Other Funds</u>		
Current Fund Balance No. 766	731,625	738,000
MH Collections for Patient Support and Maintenance No. 8031	112,122	112,122
MH Appropriated Receipts No. 8033	15,828	15,828

	For the Years Ending	
	August 31, <u>2012</u>	August 31, <u>2013</u>
Method of Financing:		
<u>General Revenue Fund</u>		
General Revenue	\$ 304,625,538	\$ 285,039,708
GR - Sporting Goods Sales Tax - Transfer to State Parks Acct. No. 64	4,962,575	6,556,365
 GR - Tobacco Settlement Receipts Acct. No. 5040	 40,243,388	 59,492,174
 Subtotal, General Revenue Fund	 \$ <u>349,831,501</u>	 \$ <u>351,088,247</u>
 General Revenue-Dedicated	 2,941,763	 3,718,473
Federal Funds	6,019,980	6,019,980
<u>Other Funds</u>		
Current Fund Balance No. 766	731,625	738,000
MH Collections for Patient Support and Maintenance No. 8031	112,122	112,122
MH Appropriated Receipts No. 8033	15,828	15,828

ARTICLE I - GENERAL GOVERNMENT
347 Public Finance Authority
DIFFERENCES ONLY
(Continued)

	House				Senate	
MR Collections for Patient Support and Maintenance No. 8095	120,063	120,063			120,063	120,063
MR Appropriated Receipts No. 8096	16,949	16,949			16,949	16,949
Subtotal, Other Funds	<u>\$ 996,587</u>	<u>\$ 1,002,962</u>			<u>\$ 996,587</u>	<u>\$ 1,002,962</u>
Total, Method of Financing						
Bond Debt Service	<u>\$ 345,790,269</u>	<u>\$ 348,435,162</u>			<u>\$ 359,789,831</u>	<u>\$ 361,829,662</u>
		& UB			& UB	
Strategy A.2.2, Bond Debt Service	\$ 345,790,269	\$ 348,435,162			\$ 359,789,831	\$ 361,829,662
		& UB			& UB	

- 13. Contingency for Senate Bill ____.** Contingent on passage of Senate Bill ____, or similar legislation relating to the use of Tobacco Settlement Funds, by the Eighty-Second Legislature, Regular Session, the Texas Public Finance Authority is appropriated \$40,243,388 for fiscal year 2012 and \$59,492,174 for fiscal year 2013 out of General Revenue Account 5040, Tobacco Settlement Receipts for debt service for general obligation bond proceeds issued in the 2010-11 biennium related to the Cancer Prevention Research Institute of Texas (CPRIT), and for \$600 million in General Obligation Bond Proceeds appropriated to CPRIT, contingent on passage of legislation.

**ARTICLE I - GENERAL GOVERNMENT
325 Fire Fighters' Pension Commissioner
DIFFERENCES ONLY**

House

Senate

- 2. Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purpose shown and are not available for expenditure for other purposes.

	2012	2013
a. Acquisition of Information Resource Technologies		
(1) Web Accessibility Project	\$ 87,500	\$ 87,500
Total, Capital Budget	<u>\$ 87,500</u>	<u>\$ 87,500</u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 87,500	\$ 87,500
Total, Method of Financing	<u>\$ 87,500</u>	<u>\$ 87,500</u>

ARTICLE I - GENERAL GOVERNMENT
301 Office of the Governor
DIFFERENCES ONLY

7. **Transfer of Appropriations and Full-Time Equivalents (FTEs) Between Agencies.** Notwithstanding limitations on appropriation and FTE transfers contained in the General Provisions of this Act, the Office of the Governor is hereby authorized to direct agency resources, and transfer such amounts appropriated above between appropriation items. The Governor may transfer appropriations and FTEs within the Office of the Governor and for Trusteed Programs, and may assign appropriations and the corresponding FTEs for Trusteed Programs to other agencies.

7. **Transfer of Full-Time Equivalents (FTEs) Between Agencies.** Notwithstanding other provisions of this Act, the Office of the Governor may transfer FTEs to the Trusteed Programs within the Office of the Governor.

ARTICLE I - GENERAL GOVERNMENT
300 Trusteed Programs Within the Office of the Governor
DIFFERENCES ONLY

House

Senate

2. Emergency and Deficiency and Disaster Grants. Contingent on transfer of appropriations for payments of claims arising prior to the convening of the next legislature by the Governor in accordance with § 403.075, Government Code, for emergency use in accordance with § 401.061-401.065, Government Code, grants-in-aid in case of disasters, and for other purposes needed in the operations of state departments and agencies, including legal defense of officials and employees. Upon certification by the Governor that an emergency exists within the scope of the above-cited provisions in an agency funded out of special funds, there are hereby appropriated amounts necessary from special funds to meet the deficiency, emergency or disaster. The Comptroller of Public Accounts shall transfer from the special fund to the necessary appropriation account the amount certified as necessary to meet the deficiency, emergency, or disaster. Transfers made under this provision shall be made only when sufficient balances over appropriated amounts exist in the special fund. The Governor may, according to the terms of the deficiency, emergency, or disaster 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.

2. Emergency and Deficiency and Disaster Grants. Contingent on transfer of appropriations for payments of claims arising prior to the convening of the next legislature by the Governor in accordance with § 403.075, Government Code, for emergency use in accordance with § 401.061-401.065, Government Code, grants-in-aid in case of disasters, and for other purposes needed in the operations of state departments and agencies, including legal defense of officials and employees. Upon certification by the Governor that an emergency exists within the scope of the above-cited provisions in an agency funded out of special funds, there are hereby appropriated amounts necessary from special funds to meet the deficiency, emergency or disaster. The Comptroller of Public Accounts shall transfer from the special fund to the necessary appropriation account the amount certified as necessary to meet the deficiency, emergency, or disaster. Transfers made under this provision shall be made only when sufficient balances over appropriated amounts exist in the special fund. The Governor may, according to the terms of the deficiency, emergency, or disaster 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.

Included in amounts appropriated above is \$12,500,000 out of the General Revenue Fund each fiscal year of the biennium in Strategy A.1.2, Disaster Funds, for disaster contingency grants to state and local entities.

11. Appropriation of Unexpended Balances, Revenue, and Interest Earnings.

11. Appropriation of Unexpended Balances, Revenue, and Interest Earnings. Part I, Unexpended Balances

Part I, Unexpended Balances

Included in amounts appropriated above in fiscal year 2012, are all estimated unexpended and unobligated account balances remaining as of August 31,2011 out of the following accounts:

- a. Texas Enterprise Fund Account No. 5107 (estimated to be \$146,448,000) in Strategy A.1.8, Texas Enterprise Fund.
- b. Texas Emerging Technology Fund Account No. 5124 (estimated to be \$138,260,000) in Strategy A.1.12, Texas Emerging Technology Fund.

Included in amounts appropriated above in fiscal year 2012, are all estimated unexpended and unobligated account balances remaining as of August 31,2011 out of the following accounts:

- a. Small Business Incubator Fund Account No. 588 (estimated to be \$7,493,000) in Strategy A.1.9, Economic Development and Tourism.
- b. Texas Product Development Fund Account No. 589 (estimated to be \$12,793,000) in Strategy A.1.9, Economic Development and Tourism.

ARTICLE I - GENERAL GOVERNMENT
300 Trusteed Programs Within the Office of the Governor
DIFFERENCES ONLY
(Continued)

House

- c. Small Business Incubator Fund Account No. 588 (estimated to be \$7,493,000) in Strategy A.1.9, Economic Development and Tourism.
- d. Texas Product Development Fund Account No. 589 (estimated to be \$12,793,000) in Strategy A.1.9, Economic Development and Tourism.
- e. Appropriated Receipts (estimated to be \$0) in Strategies A.1.2, Disaster Fund; A.1.4, Film and Music Marketing; A.1.9, Economic Development and Tourism; and A.1.10, Military Preparedness.

Part II, Revenue and Interest Earnings

Included in amounts appropriated above for the biennium beginning September 1, 2011 are all estimated revenue and interest earnings accruing during the 2012-13 biennium, to the Trusteed Programs Within the Office of the Governor out of the following accounts:

- a. General Revenue-Dedicated Texas Enterprise Fund Account No. 5107 in Strategy A.1.8, Texas Enterprise Fund, \$2,050,000 in fiscal year 2012 and \$1,500,000 in fiscal year 2013;
- b. General Revenue-Dedicated Texas Emerging Technology Fund Account No. 5124 in Strategy A.1.12, Texas Emerging Technology Fund, \$1,250,000 in fiscal year 2012 and \$1,000,000 in fiscal year 2013;
- c. Small Business Incubator Fund Account No. 588 in Strategy A.1.9, Economic Development and Tourism, \$320,000 in fiscal year 2012 and \$320,000 in fiscal year 2013;
- d. Texas Product Development Fund Account No. 589 in Strategy A.1.9, Economic Development and Tourism, \$435,000 in fiscal year 2012 and \$435,000 in fiscal year 2013.

Senate

- c. Appropriated Receipts (estimated to be \$0) in Strategies A.1.2, Disaster Fund; A.1.4, Film and Music Marketing; A.1.9, Economic Development and Tourism; and A.1.10, Military Preparedness.

Part II, Revenue and Interest Earnings

Included in amounts appropriated above for the biennium beginning September 1, 2011 are all estimated revenue and interest earnings accruing during the 2012-2013 biennium, to the Trusteed Programs Within the Office of the Governor out of the following accounts:

- a. Small Business Incubator Fund Account No. 588 in Strategy A.1.9, Economic Development and Tourism, \$320,000 in fiscal year 2012 and \$320,000 in fiscal year 2013;
- b. Texas Product Development Fund Account No. 589 in Strategy A.1.9, Economic Development and Tourism, \$435,000 in fiscal year 2012 and \$435,000 in fiscal year 2013.

ARTICLE I - GENERAL GOVERNMENT
300 Trusteed Programs Within the Office of the Governor
DIFFERENCES ONLY
(Continued)

House

Senate

- 15. Texas Economic Development Bank.** Included in amounts appropriated above in Strategy A.1.9, Economic Development and Tourism to the Trusteed Programs within the Office of the Governor are fees, and investment earnings (not to exceed \$722,500 each fiscal year) that the Texas Economic Development Bank is authorized to collect for the implementation and administration of the Texas Economic Development Bank to be spent in accordance with Government Code, Chapter 489.
- 20. Border Security Operations.** Included in amounts appropriated above out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in Strategy A.1.11, Homeland Security, is \$6,508,637 in fiscal year 2012 and \$6,508,638 in fiscal year 2013, for border security operations. Out of these amounts, \$2,000,000 in fiscal year 2012 and \$2,000,000 in fiscal year 2013 shall be used for border prosecutions.
- 21. Contingency Appropriation for the Moving Image Industry Grant Program.** Included in amounts appropriated above to Strategy A.1.4, Film and Music Marketing, is an amount not to exceed \$11,000,000 each fiscal year of the biennium out of the General Revenue Fund to the Office of the Governor, Trusteed Programs for purposes of funding the moving image industry grant program authorized under Chapter 485, Government Code. Appropriations are contingent upon the following factor:
- a. Sufficient revenue - Certification by the Comptroller of Public Accounts that sufficient revenue is generated from the moving image industry in Texas to offset the cost of the appropriation, including but not limited to tax revenues generated from wages paid to industry employees, new jobs created in the state, and other non-tax exempt taxes paid by the industry to the state's general revenue fund and other funds, as appropriate;

- 20. Texas Economic Development Bank.** Included in amounts appropriated above in Strategy A.1.9, Economic Development and Tourism to the Trusteed Programs within the Office of the Governor are fees, and investment earnings totaling an amount not to exceed \$1,156,265 in Fiscal year 2012 and \$1,314,265 in fiscal year 2013 that the Texas Economic Development Bank is authorized to collect for the implementation and administration of the Texas Economic Development Bank to be spent in accordance with Government Code, Chapter 489 and shall be used only for debt service payments on existing loans to local communities.
- 19. Border Security Operations.** Included in amounts appropriated above out of the General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in Strategy A.1.11, Homeland Security, is \$2,000,000 in fiscal year 2012 and \$2,000,000 in fiscal year 2013, and shall be used for border prosecutions.
- 21. Contingency Appropriation for the Moving Image Industry Grant Program.** Included in amounts appropriated above to Strategy A.1.4, Film and Music Marketing, is \$5,000,000 each fiscal year of the biennium out of the General Revenue Fund to the Office of the Governor, Trusteed Programs for purposes of funding the moving image industry grant program authorized under Chapter 485, Government Code. Appropriations are contingent upon the following factor:
- a. Sufficient revenue - Certification by the Comptroller of Public Accounts that sufficient revenue is generated from the moving image industry in Texas to offset the cost of the appropriation, including but not limited to tax revenues generated from wages paid to industry employees, new jobs created in the state, and other non-tax exempt taxes paid by the industry to the state's general revenue fund and other funds, as appropriate.

ARTICLE I - GENERAL GOVERNMENT
300 Trusteed Programs Within the Office of the Governor
DIFFERENCES ONLY
(Continued)

House

Senate

By November 15, 2012, the Texas Film Commission shall report to the Legislative Budget Board and the Governor on a 10 year strategic plan for how the moving image industry can grow beyond its traditional incentive funding. Information provided shall include but not be limited to: 1) how to leverage local financial participation in the state incentive program; 2) development phase funding; 3) how and which institutions of higher education might engage in long-term curricular development or workforce training to stimulate the moving image economy in Texas; and 4) how to bolster the viability of Texas-based film and commercial crews.

Administration, Archives and Training - It is the intent of the Legislature that an amount not to exceed \$1 million in fiscal year 2012 and \$1 million in fiscal year 2013 from funds appropriated above be expended on costs associated with administration of the moving image incentive program, moving image archives, and film crew training as authorized by Government Code Sections 485.027 and 485.028.

Amounts expended in each segment of the moving image industry grant program which includes 1) television; 2) motion picture; 3) video games; and 4) commercial, industrial and other non-broadcast media, shall exceed 40 percent of the biennial amount appropriated for the moving image incentive program.

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2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	<u>2012</u>	<u>2013</u>
a. Construction of Buildings and Facilities		
(1) Debt Service - National Museum of the Pacific War	\$ 825,710	\$ 801,790
 Total, Construction of Buildings and Facilities	 <u>\$ 825,710</u>	 <u>\$ 801,790</u>
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Debt Service for Historic Sites (HB12, 80th Legis.)	54,854	53,723
(2) Courthouse Grants - Unexpended Balances (Proposition 4 G.O. Bond Proceeds, 81st Legis.)	UB	UB
(3) Courthouse Grants - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.)	UB	UB
(4) Historic Sites - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.)	UB	UB
 Total, Repair or Rehabilitation of Buildings and Facilities	 <u>\$ 54,854</u>	 <u>\$ 53,723</u>
c. Acquisition of Capital Equipment and Items		
(1) La Belle Conservation Equipment and Items	250,000	UB

	<u>2012</u>	<u>2013</u>
a. Construction of Buildings and Facilities		
(1) Debt Service - National Museum of the Pacific War	\$ 825,710	\$ 801,790
 Total, Construction of Buildings and Facilities	 <u>\$ 825,710</u>	 <u>\$ 801,790</u>
b. Repair or Rehabilitation of Buildings and Facilities		
(1) Debt Service for Historic Sites (HB12, 80th Legis.)	54,854	53,723
(2) Courthouse Grants - Unexpended Balances (Proposition 4 G.O. Bond Proceeds, 81st Legis.)	UB	UB
(3) Courthouse Grants - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.)	UB	UB
(4) Historic Sites - Unexpended Balances (Proposition 4 and Proposition 8 G.O. Bond Proceeds, 80th Legis.)	UB	UB
(5) Courthouse Grants (Proposition 4 G.O. Bond Proceeds, 82nd Legis.)	20,000,000	UB
 Total, Repair or Rehabilitation of Buildings and Facilities	 <u>\$ 20,054,854</u>	 <u>\$ 53,723</u>
c. Acquisition of Capital Equipment and Items		
(1) La Belle Conservation Equipment and Items	250,000	UB

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Total, Acquisition of Capital Equipment and Items	\$ <u>250,000</u>	\$ <u>UB</u>
Total, Capital Budget	\$ <u>1,130,564</u>	\$ <u>855,513</u>
Method of Financing (Capital Budget):		
<u>General Revenue Fund</u>		
General Revenue Fund	\$ 1,130,564	\$ 855,513
Subtotal, General Revenue Fund	\$ <u>1,130,564</u>	\$ <u>855,513</u>
Bond Proceeds - General Obligation Bonds	UB	UB
Total, Method of Financing	\$ <u>1,130,564</u>	\$ <u>855,513</u>

18. Texas Holocaust and Genocide Commission. Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.4, Evaluate/Interpret Resources, is \$79,702 each fiscal year of the biennium for the Texas Historical Commission to provide support for the Texas Holocaust and Genocide Commission. Any unexpended balances of these funds remaining as of August 31, 2012 are appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

19. Contingency Appropriations: Texas Preservation Trust Fund Account No. 664. Contingent upon passage of legislation relating to the modification of Government Code 442.015 to transfer agency funds from outside the State Treasury to the General Revenue-

	Senate	
(2) National Museum of the Pacific War Archival Storage and Digitization of Collections	500,000	UB
Total, Acquisition of Capital Equipment and Items	\$ <u>750,000</u>	\$ <u>UB</u>
Total, Capital Budget	\$ <u>21,630,564</u>	\$ <u>855,513</u>
Method of Financing (Capital Budget):		
<u>General Revenue Fund</u>		
General Revenue Fund	\$ 1,630,564	\$ 855,513
Subtotal, General Revenue Fund	\$ <u>1,630,564</u>	\$ <u>855,513</u>
Bond Proceeds - General Obligation Bonds	20,000,000	UB
Total, Method of Financing	\$ <u>21,630,564</u>	\$ <u>855,513</u>

18. Texas Holocaust and Genocide Commission. Included in amounts appropriated above out of the General Revenue Fund in Strategy A.1.4, Evaluate/Interpret Resources, is \$154,702 each fiscal year of the biennium for the Texas Historical Commission to provide support for the Texas Holocaust and Genocide Commission. Any unexpended balances of these funds remaining as of August 31, 2012 are appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

19. Contingency Appropriations: Texas Preservation Trust Fund Account No. 664. Contingent upon passage of legislation relating to the modification of Government Code 442.015 to transfer agency funds from outside the State Treasury to the General Revenue-

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Dedicated Texas Preservation Trust Fund Account No. 664 (an amount estimated to be \$9,719,343 and in excess of the Comptroller's Biennial Revenue Estimate for the 2012-13 biennium) and to modify the purpose of the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 to fund agency operations, and in addition to the amounts appropriated above or elsewhere in this Article, there is hereby appropriated to the Texas Historical Commission from the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 the amounts below:

	<u>FY 2012</u>	<u>FY 2013</u>
Strategy A.1.1 Architectural Assistance	\$ 80,000	\$ 80,000
Strategy A.1.3 Archeological Heritage Protection	\$160,000	\$160,000
Strategy A.1.4 Evaluate/Interpret Resources	\$810,000	\$810,000
Strategy A.1.5 Courthouse Preservation	\$250,000	\$250,000
Strategy A.2.1 Development Assistance	\$365,000	\$365,000
Strategy B.1.1 Central Administration	\$490,000	\$490,000

In addition, contingent upon passage of legislation described herein, the Texas Historical Commission's Number of Full-Time Equivalents (FTEs) is hereby increased by 26.5 in each fiscal year.

Senate

Dedicated Texas Preservation Trust Fund Account No. 664 (an amount estimated to be \$9,719,343 and in excess of the Comptroller's Biennial Revenue Estimate for the 2012-13 biennium) and to modify the purpose of the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 to fund agency operations, and in addition to the amounts appropriated above, there is hereby appropriated to the Texas Historical Commission from the General Revenue-Dedicated Texas Preservation Trust Fund Account No. 664 the amounts below:

	<u>FY 2012</u>	<u>FY 2013</u>
Strategy A.1.1 Architectural Assistance	\$ 80,000	\$ 80,000
Strategy A.1.3 Archeological Heritage Protection	\$160,000	\$160,000
Strategy A.1.4 Evaluate/Interpret Resources	\$570,000	\$570,000
Strategy A.1.5 Courthouse Preservation	\$250,000	\$250,000
Strategy A.2.1 Development Assistance	\$762,832	\$762,832
Strategy B.1.1 Central Administration	\$250,000	\$250,000

In addition to amounts appropriated above and contingent upon passage of legislation described herein, the Texas Historical Commission is hereby appropriated \$1,780,000 each fiscal year of the biennium out of Interagency Contracts from federal Transportation Enhancement funds transferred from the Texas Department of Transportation for the Heritage Trails program in Strategy A.2.1, Development Assistance.

In addition, contingent upon passage of legislation described herein, the Texas Historical Commission's Number of Full-Time Equivalents (FTEs) is hereby increased by 22.5 in each fiscal year, and the following performance measure targets are adjusted by the following amounts:

	<u>FY 2012</u>	<u>FY 2013</u>
Number of Properties Designated Annually	370	370
Number of Individuals Provided Training	3,760	3,760

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(Continued)

House

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and Assistance in Historic and Archeological Preservation		
Number of Historic Properties Provided	170	170
Technical Assistance, Monitoring, and Mandated State and/or Federal Architectural Reviews in Order to Encourage Preservation		
Number of Outreach and Technical Materials Distributed Through Print or Electronic Media	12,140	12,140
Number of Sites, Properties, and Other Historical Resources Evaluated	2,400	2,400
Number of Properties and Sites Assisted	1,280	1,280

20. Military Sites Program. Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources, is \$22,500 in General Revenue funds in each fiscal year of the biennium for the purpose of continuing and further developing a military sites program and restoring Texas military monuments in and outside the state. Appropriation of these amounts is contingent upon receipt by the Historical Commission, or by the Friends of the Texas Historical Commission, of private contributions, gifts, and donations, for the same purpose, in the amount of \$45,000 over the biennium. In the event that private contributions, gifts, and donations received total less than \$45,000 over the biennium, the appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2012, for the same purpose.

21. Appropriation Authority for General Obligation Bond Proceeds for Courthouse Preservation Grants. Appropriated above in Strategy A.1.5, Courthouse Preservation, in fiscal year 2012 is \$20,000,000 in General Obligation Bond Proceeds for projects for the Texas

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Historical Commission as described in Article IX, Section 18.01, Informational Listing General Obligation Bond Proceeds.

All projects funded herein with General Obligation Bond Proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2012 are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purpose.

- 22. Vietnam Veterans Memorial Monument.** Included in amounts appropriated above in Strategy A.1.4, Evaluate/Interpret Resources, is \$500,000 in General Revenue funds in fiscal year 2012 for the purpose of construction and placement of a Vietnam veterans memorial monument on the Capitol lawn. Appropriation of this amount is contingent upon receipt by the Historical Commission of private contributions, gifts, and donations, included above in Strategy A.1.4, Evaluate/Interpret Resources, for the same purpose, in the amount of \$500,000 over the biennium. In the event that private contributions, gifts, and donations received total less than \$500,000 over the biennium, the General Revenue appropriation is reduced to an amount which equals the total contributions, gifts, and donations received. Any unexpended balances of these funds remaining as of August 31, 2012, are hereby appropriated to the Historical Commission for the fiscal year beginning September 1, 2012, for the same purpose.

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- 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 and units of local government for 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. The Department of Information Resources shall report the amount of all administrative costs allocated to each agency and unit of local government annually to the Legislative Budget Board.

The balance of the account at the end of the fiscal year shall not exceed more than 10 percent of the total revenue processed through the account in the prior fiscal year. Included in the amounts appropriated above in Strategies B.1.1, Contract Administration of IT Commodities and Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support services are all unexpended and unobligated balances as of August 31, 2011 (estimated to be \$5,476,524), and all revenues accruing during the 2012-13 biennium estimated to be \$5,095,887 in fiscal year 2012 and \$8,271,585 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from the sale of information technology commodity

- 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 and units of local government for 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. The Department of Information Resources shall report the amount of all administrative costs allocated to each agency and unit of local government annually to the Legislative Budget Board.

The balance of the account at the end of the fiscal year shall not exceed more than 10 percent of the total revenue processed through the account in the prior fiscal year. Included in the amounts appropriated above in Strategies B.1.1, Contract Administration of IT Commodities and Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support services are unexpended and unobligated balances as of August 31, 2011 (not to exceed \$3,726,524), and revenues accruing during the 2012-13 biennium not to exceed \$4,978,724 in fiscal year 2012 and \$8,151,384 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from the sale of information technology commodity

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items out of Interagency Contracts and Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2012, out of appropriations made herein are hereby appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2012.

As part of its Comprehensive 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.

- 6. TexasOnline Project.** Included in the amounts appropriated above in Strategies B.2.2, Texas Online; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services are amounts not to exceed \$177,739 for fiscal year 2012 and \$177,739 for fiscal year 2013 out of General Revenue generated by the TexasOnline Project for the 2012-13 biennium for the continued operation, expansion, and administration of the TexasOnline Project.

Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Department of Information Resources for the fiscal year beginning September 1, 2012.

The Department of Information Resources shall provide the Legislative Budget Board monthly financial reports and expenditures on the TexasOnline project within 60 days of the close of each month.

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items out of Interagency Contracts and Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2012, out of appropriations made herein are hereby appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2012.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts identified above for each fiscal year of the 2012-13 biennium.

As part of its Comprehensive 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.

- 6. TexasOnline Project.** Included in the amounts appropriated above in Strategies B.2.2, Texas Online; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services are amounts not to exceed \$677,739 for fiscal year 2012 and \$677,739 for fiscal year 2013 out of General Revenue generated by the TexasOnline Project for the 2012-13 biennium for the continued operation, expansion, and administration of the TexasOnline Project.

Any unexpended balances as of August 31, 2012, out of the appropriations made herein are hereby appropriated to the Department of Information Resources for the fiscal year beginning September 1, 2012.

The Department of Information Resources shall provide the Legislative Budget Board monthly financial reports and expenditures on the TexasOnline project within 60 days of the close of each month.

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- 8. Telecommunications Revolving Account.** Included in amounts appropriated above in Strategies C.1.1, Capitol Complex Telephone; C.2.1, Network Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all unexpended and unobligated balances as of August 31, 2011, (estimated to be \$3,217,595) and all revenues accruing during the 2012-13 biennium estimated to be \$92,101,196 in fiscal year 2012 and \$91,340,274 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from telecommunications services as provided by Government Code, Chapter 2171 out of Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account. The Telecommunications Revolving Account may maintain a two month operating reserve and may be utilized as provided by Government Code, Chapter 2170.

Any unexpended and unobligated balances remaining as of August 31, 2012 in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purposes.

- 9. Statewide Technology Account.** In accordance with Government Code, Chapter 403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the Statewide Technology Center Account for all transactions relating to the operation and management of statewide technology centers. The Statewide Technology Center Account may maintain a two month operating reserve and may also be utilized to perform operations authorized by Government Code, Chapter 2054, Subchapter L.

- 8. Telecommunications Revolving Account.** Included in amounts appropriated above in Strategies C.1.1, Capitol Complex Telephone; C.2.1, Network Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are unexpended and unobligated balances as of August 31, 2011, (not to exceed \$667,595) and revenues accruing during the 2012-13 biennium not to exceed \$91,859,841 in fiscal year 2012 and \$91,092,659 in fiscal year 2013 in revenue collected on or after September 1, 2011 appropriated from telecommunications services as provided by Government Code, Chapter 2170 out of Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account. The Telecommunications Revolving Account may maintain a two month operating reserve and may be utilized as provided by Government Code, Chapter 2170.

Any unexpended and unobligated balances remaining as of August 31, 2012 in the appropriation made herein are hereby appropriated for the fiscal year beginning September 1, 2012 for the same purposes.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts identified above for each fiscal year of the 2012-13 biennium.

- 9. Statewide Technology Account.** In accordance with Government Code, Chapter 403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the Statewide Technology Center Account for all transactions relating to the operation and management of statewide technology centers. The Statewide Technology Center Account may maintain a two month operating reserve and may also be utilized to perform operations authorized by Government Code, Chapter 2054, Subchapter L.

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(Continued)

House

Included in amounts appropriated above in Strategies B.2.1, Data Center Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are unexpended and unobligated balances as of August 31, 2011 (estimated to be \$0), and revenues accruing during the 2012-13 biennium estimated to be \$187,882,526 in fiscal year 2012 and \$172,232,651 in fiscal year 2013 in revenue collected on or after September 1, 2011 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.

In addition, amounts remaining in the account as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

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, Chapter 2054, Section 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 the statewide technology center account.

Senate

Included in amounts appropriated above in Strategies B.2.1, Data Center Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are unexpended and unobligated balances as of August 31, 2011 (estimated to be \$0), and revenues accruing during the 2012-13 biennium not to exceed \$187,964,261 in fiscal year 2012 and \$172,356,254 in fiscal year 2013 in revenue collected on or after September 1, 2011 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.

Without the written approval of the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts identified above for each fiscal year of the 2012-13 biennium.

In addition, amounts remaining in the account as of August 31, 2012 are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2012.

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, Chapter 2054, Section 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 the statewide technology center account.

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313 Department of Information Resources
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(Continued)

House

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- 11. Contingency Appropriation for Telecommunications Revolving Account: Telecommunications Services Charge.** Contingent upon passage of legislation to allow the charges for telecommunications services established by Texas Government Code Chapter 2170 to be used for promoting statewide information resources policies and planning, and providing network security services as provided in Government Code Chapter 2059, in addition to the amounts appropriated above, there is hereby appropriated to DIR revenues derived from the charges assessed and deposited to the Telecommunications Revolving Account for 2012-13 biennium, an amount not to exceed \$1,776,982 in fiscal year 2012 and \$1,728,828 in fiscal year 2013 out of Interagency Contracts and Appropriated Receipts. These funds shall be used to operate programs in strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security.

These appropriations are contingent upon the Department of Information Resources assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act estimated to be \$273,222 each fiscal year of the 2012-13 biennium. 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.

In addition, contingent upon the passage of legislation allowing the charges for telecommunications services to be used for promoting statewide information resources policies and planning, and providing network security services, DIR's Number of Full-Time Equivalent (FTEs) is hereby increased by 11.8 each fiscal year of the 2012-13 biennium, and the following performance measure targets are adjusted by the following incremental amounts:

- 11. Contingency Appropriation for Telecommunications Revolving Account: Telecommunications Services Charge.** Contingent upon passage of legislation to allow the charges for telecommunications services established by Texas Government Code Chapter 2170 to be used for promoting statewide information resources policies and planning as provided for in Government Code Chapters 2054 and 2055, and providing network security services as provided in Government Code Chapter 2059, in addition to the amounts appropriated above, there is hereby appropriated to DIR revenues derived from the charges assessed and deposited to the Telecommunications Revolving Account for 2012-13 biennium, an amount not to exceed \$1,776,982 in fiscal year 2012 and \$1,728,828 in fiscal year 2013 out of Interagency Contracts and Appropriated Receipts. These funds shall be used to operate programs in strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security.

These appropriations are contingent upon the Department of Information Resources assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, Statewide Planning; A.1.2, Rule and Guideline Development; A.1.3, Statewide Security; B.2.3, Shared Services and/or Technology Centers; and C.2.2, Network & Telecom Security, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act estimated to be \$273,222 each fiscal year of the 2012-13 biennium. 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.

In addition, contingent upon the passage of legislation allowing the charges for telecommunications services to be used for promoting statewide information resources policies and planning, and providing network security services, DIR's Number of Full-Time Equivalent (FTEs) is hereby increased by 11.8 each fiscal year of the 2012-13 biennium, and the following performance measure targets are adjusted by the following incremental amounts:

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(Continued)

	House				Senate	
	FY 2012	FY 2013			FY 2012	FY 2013
Average Cost Per Rule, Guideline, and Standard Reviewed and Produced	110.97	110.97	Average Cost Per Rule, Guideline, and Standard Reviewed and Produced		110.97	110.97

- 15. 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, Telecommunications Revolving, and the Statewide Technology accounts, 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 fees charged to state agencies and other users of DIR's cooperative contracts, telecommunications, and data center services, and the methodology DIR used to evaluate and set the respective fees.

The report shall be submitted to the Governor and the Legislative Budget Board no later than November 1 each fiscal year.

In addition, DIR shall determine and report to the Governor and the Legislative Budget Board no later than April 1 for the first six months period of the fiscal year and by October 1 for the second six month period of the fiscal year, whether the fees charged each state agency and other users of DIR services, should be adjusted, and/or excess unexpended and unobligated funds should be returned to state agencies or other users of DIR's services or contracts.

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DIFFERENCES ONLY**

House

Senate

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	<u>2012</u>	<u>2013</u>
a. Acquisition of Information Resource Technologies		
(1) Acquisition of New or Replacement Computer Resources for Desktop Workstations and Network Equipment	\$ 81,000	\$ 81,000
(2) Data Center Consolidation	<u>\$ 627,250</u>	<u>\$ 616,626</u>
Total, Acquisition of Information Resource Technologies	<u>\$ 708,250</u>	<u>\$ 697,626</u>
b. Acquisition of Capital Equipment and Items		
(1) Library Collection Materials and Public Access Information Resources	74,000	74,000
(2) TexShare Database Subscriptions	<u>\$ 4,661,000</u>	<u>\$ 4,374,523</u>
Total, Acquisition of Capital Equipment and Items	<u>\$ 4,735,000</u>	<u>\$ 4,448,523</u>
Total, Capital Budget	<u><u>\$ 5,443,250</u></u>	<u><u>\$ 5,146,149</u></u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 1,670,450	\$ 1,659,826
Federal Public Library Service Fund No. 118	1,722,000	1,435,523
<u>Other Funds</u>		
Appropriated Receipts	1,239,260	1,239,260
Interagency Contracts	811,540	811,540

	<u>2012</u>	<u>2013</u>
a. Acquisition of Information Resource Technologies		
(1) Data Center Consolidation	\$ 627,250	\$ 616,626
b. Acquisition of Capital Equipment and Items		
(1) Library Collection Materials and Public Access Information Resources	74,000	74,000
(2) TexShare Database Subscriptions	<u>\$ 5,161,000</u>	<u>\$ 5,188,211</u>
Total, Acquisition of Capital Equipment and Items	<u>\$ 5,235,000</u>	<u>\$ 5,262,211</u>
Total, Capital Budget	<u><u>\$ 5,862,250</u></u>	<u><u>\$ 5,878,837</u></u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 2,170,450	\$ 2,159,826
Federal Public Library Service Fund No. 118	1,666,000	1,693,211
<u>Other Funds</u>		
Appropriated Receipts	1,234,260	1,234,260
Interagency Contracts	791,540	791,540
Subtotal, Other Funds	<u>\$ 2,025,800</u>	<u>\$ 2,025,800</u>
Total, Method of Financing	<u><u>\$ 5,862,250</u></u>	<u><u>\$ 5,878,837</u></u>

ARTICLE I - GENERAL GOVERNMENT
306 Library & Archives Commission
DIFFERENCES ONLY
(Continued)

	House		Senate
Subtotal, Other Funds	\$ <u>2,050,800</u>	\$ <u>2,050,800</u>	
Total, Method of Financing	\$ <u>5,443,250</u>	\$ <u>5,146,149</u>	

6. Close out of Certain Agency Programs and Operations: Grants and Consulting Services Programs. Included in amounts appropriated above to the Texas State Library and Archives Commission, not more than \$119,136 out of the General Revenue Fund in Strategy A.1.2, Aid to Local Libraries, in fiscal year 2012 shall be used for the purpose of closing out Texas Reads Grants, Loan Star Libraries Grants, Texas Library System Negotiated Grants and Continuing Education and Consulting Services program not later than December 31, 2011.

7. Contingency for K-12 TexShare Database Program. Contingent on appropriations made to the Texas Education Agency (TEA) for the purpose of contracting with the Library and Archives Commission to acquire online research and information resources for libraries in public schools, and for administrative expenses related to this service, in addition to amounts appropriated above to the Library and Archives Commission there is hereby appropriated all Interagency Contract amounts transferred from TEA for the purposes stated herein. In addition, the "Number of Full-Time-Equivalents (FTE)" figure for the Library and Archives Commission is increased by 1.5 each fiscal year.

ARTICLE I - GENERAL GOVERNMENT
338 Pension Review Board
DIFFERENCES ONLY

House

Senate

3. Contingency Appropriation: Public Retirement System Fees. Contingent upon passage of legislation making mandatory the public retirement system fee established by Government Code, Section 801.113, and in addition to amounts appropriated above, there is hereby appropriated to the Pension Review Board revenues derived from the mandatory fee assessment and deposited to the Revenue Object Code 3741 in the State Pension Review Board Fund No. 662 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 biennium, an amount not to exceed \$694,002 in fiscal year 2012 and an amount not to exceed \$694,001 in fiscal year 2013. These funds shall be used to operate programs in the following strategies:

	<u>FY 2012</u>	<u>FY 2013</u>
Strategy A.1.1, Retirement System Reviews	\$347,002	\$347,001
Strategy A.2.1, Technical Assistance and Education	\$347,000	\$347,000

These appropriations are contingent upon the Pension Review Board assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, and A.1.2, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act. 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.

In addition, contingent upon the passage of legislation making mandatory the Pension Review Board fee and the appropriation of funds described herein, the Pension Review Board's number of Full Time Equivalents (FTEs) is hereby increased by 13 in fiscal year 2012 and by 13 in fiscal year 2013, and the following performance measure targets are adjusted by the following amounts:

	<u>FY 2012</u>	<u>FY2013</u>
Percent of Plan Administrators Satisfied with PRB Educational Services	98%	98%
Number of Reviews Completed	600	600
Number of Technical Assistance Reports Provided By Staff	150	150

3. Contingency Appropriation: Public Retirement System Fees. Contingent upon passage of legislation making mandatory the public retirement system fee established by Government Code, Section 801.113, and in addition to amounts appropriated above, there is hereby appropriated to the Pension Review Board revenues derived from the mandatory fee assessment and deposited to the Revenue Object Code 3741 in the State Pension Review Board Fund No. 662 in excess of the Comptroller's Biennial Revenue Estimate for 2012-13 biennium, an amount not to exceed \$835,802 in fiscal year 2012 and an amount not to exceed \$835,801 in fiscal year 2013. These funds shall be used to operate programs in the following strategies:

	<u>FY 2012</u>	<u>FY 2013</u>
Strategy A.1.1, Retirement System Reviews	\$470,402	\$470,401
Strategy A.2.1, Technical Assistance and Education	\$365,400	\$365,400

These appropriations are contingent upon the Pension Review Board assessing fees sufficient to generate, during the 2012-13 biennium, revenue to cover, at a minimum, the programs in Strategies A.1.1, and A.1.2, as well as "Other Direct and Indirect Costs" for the programs, appropriated elsewhere in this Act. 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.

In addition, contingent upon the passage of legislation making mandatory the Pension Review Board fee and the appropriation of funds described herein, the Pension Review Board's number of Full Time Equivalents (FTEs) is hereby increased by 16 in fiscal year 2012 and by 16 in fiscal year 2013, and the following performance measure targets are adjusted by the following amounts:

	<u>FY 2012</u>	<u>FY 2013</u>
Percent of Plan Administrators Satisfied with PRB Educational Services	98%	98%
Number of Reviews Completed	600	600
Number of Technical Assistance Reports Provided By Staff	150	150

**ARTICLE I - GENERAL GOVERNMENT
809 Preservation Board
DIFFERENCES ONLY**

House

- 3. Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2012	2013
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Restoration of the Governor's Mansion	\$ 8,900,000	\$ <u>UB</u>
Total, Capital Budget	<u>\$ 8,900,000</u>	<u>\$ <u>UB</u></u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 8,900,000	\$ <u>UB</u>
Total, Method of Financing	<u>\$ 8,900,000</u>	<u>\$ <u>UB</u></u>

Senate

- 3. Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2012	2013
a. Repair or Rehabilitation of Buildings and Facilities		
(1) Restoration of the Governor's Mansion	\$ 8,900,000	\$ <u>UB</u>
(2) Infrastructure Repair and Replacement	<u>125,000</u>	<u>UB</u>
Total, Capital Budget	<u>\$ 9,025,000</u>	<u>\$ <u>UB</u></u>
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 9,025,000	\$ <u>UB</u>
Total, Method of Financing	<u>\$ 9,025,000</u>	<u>\$ <u>UB</u></u>

- 6. Unexpended Balances: Infrastructure and Replacement.** Included in amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2011, (estimated to be \$125,000 in General Revenue Funds) for the repair and replacement of infrastructure of buildings and structures managed by the State Preservation Board as authorized by Government Code, Chapters 443, 445, and 2165, for the 2012-13 biennium to Strategy A.1.2, Building Maintenance.

- 7. Unexpended Balances: Capitol Security.** Included in amounts appropriated above are unexpended and unobligated balances remaining as of August 31, 2011, (estimated to be \$80,000 in General Revenue Funds) for repair and maintenance of security equipment at the Capitol, for the 2012-13 biennium to Strategy A.1.2, Building Maintenance.

ARTICLE I - GENERAL GOVERNMENT
307 Secretary of State
DIFFERENCES ONLY

House

Senate

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes.

	2012	2013
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resource Technologies	\$ 150,000	\$ 127,500
(2) Data Center Consolidation	\$ 2,010,076	\$ 2,089,796
 Total, Acquisition of Information Resource Technologies	\$ 2,160,076	\$ 2,217,296
 Total, Capital Budget	\$ 2,160,076	\$ 2,217,296
 Method of Financing (Capital Budget):		
General Revenue Fund	\$ 2,010,076	\$ 2,089,796
Appropriated Receipts	150,000	127,500
 Total, Method of Financing	\$ 2,160,076	\$ 2,217,296

	2012	2013
a. Acquisition of Information Resource Technologies		
(1) Acquisition of Information Resource Technologies	\$ 150,000	\$ 150,000
(2) Data Center Consolidation	\$ 2,482,643	\$ 2,263,730
 Total, Acquisition of Information Resource Technologies	\$ 2,632,643	\$ 2,413,730
 Total, Capital Budget	\$ 2,632,643	\$ 2,413,730
 Method of Financing (Capital Budget):		
General Revenue Fund	\$ 2,482,643	\$ 2,286,230
Appropriated Receipts	150,000	127,500
 Total, Method of Financing	\$ 2,632,643	\$ 2,413,730

11. Contingency Appropriation for Senate Bill 14: Voter Identification. Contingent on the passage of Senate Bill 14 by the Eighty-second Legislature, Regular Session, or similar legislation relating to requiring a voter to present certain proof of identification and contingent upon the availability of Help America Vote Act (HAVA) Federal Funds and approval by the federal government that HAVA Federal Funds may be used for voter identification purposes as provided in this Act, it is the intent of the Legislature that the Secretary of State shall allocate \$2,024,000 in fiscal year 2012 out of General Revenue-Dedicated Election Improvement Fund No. 5095 in Strategy B.1.4, Elections Improvement, for allowable costs associated with implementing the legislation.

11. Contingency Appropriation for Senate Bill 14: Voter Identification. Contingent on the passage of Senate Bill 14 by the Eighty-second Legislature, Regular Session, or similar legislation relating to requiring a voter to present certain proof of identification and contingent upon the availability of Help America Vote Act (HAVA) Federal Funds and approval by the federal government that HAVA Federal Funds may be used for voter identification education purposes as provided in this Act, it is the intent of the Legislature that the Secretary of State shall allocate \$2,000,000 in fiscal year 2012 out of General Revenue-Dedicated Election Improvement Fund No. 5095 in Strategy B.1.4, Elections Improvement, for allowable voter education costs associated with implementing the legislation.

ARTICLE I - GENERAL GOVERNMENT
403 Veterans Commission
DIFFERENCES ONLY

House

Senate

- 10. Veterans Education.** Notwithstanding the appropriations by this Act of unexpended balances in General Revenue Funds appropriated for the Office of the Attorney General as of August 31, 2011, the amount of \$2,000,000 is appropriated from those unexpended balances to the Texas Veterans Commission for Strategy A.1.3, Veterans Education. The Office of the Attorney General may not encumber the unexpended balances on or after March 1, 2011, and an encumbrance made after that date is void. In the event of a conflict between this rider and any other provisions of this Act, this rider prevails.

ARTICLE I - GENERAL GOVERNMENT
S01 Special Provisions
DIFFERENCES ONLY

House

Senate

Tax Amnesty Program. It is the intent of the Legislature that the Comptroller of Public Accounts establish, for a limited duration, a tax amnesty program under the authority of Tax Code Section 111.103, designed to encourage a voluntary reporting by delinquent taxpayers who do not hold a permit, or are otherwise not registered for a tax or fee administered by the Comptroller, or those permitted taxpayers that may have underreported or owe additional taxes or fees. Such a program should provide for the waiver of penalty or interest, or both, but shall not apply to an established tax liability or taxpayers currently under audit review. The amnesty would include tax due from purchases as defined under current state tax statutes. It is the intent of the legislature that this effort increase General Revenue Funds by at least \$75,000,000 over the Comptroller's January 2011 Biennial Revenue Estimate.

Appropriated elsewhere in this Act are General Revenue amounts reflected below out of receipts generated due to implementation of the tax amnesty program described above by the Comptroller of Public Accounts, as well as related matching Federal Funds and Other Funds:

- a. \$522,152 in fiscal year 2012 and \$522,152 in fiscal year 2013 out of the General Revenue Fund and \$1,013,589 in fiscal year 2012 and \$1,013,589 in fiscal year 2013 out of Federal Funds to the Office of the Attorney General in Strategy B.1.1, Child Support Enforcement for personal computer replacement. The Capital Budget for the Office of the Attorney General is amended accordingly by this appropriation.
- b. \$350,000 in fiscal year 2012 and \$350,000 in fiscal year 2013 out of the General Revenue Fund to the Comptroller of Public Accounts in Strategy A.4.1, Tax Hearings to address critical functions.
- c. \$1,150,000 in fiscal year 2012 and \$1,150,000 in fiscal year 2013 out of the General Revenue Fund to the Comptroller of Public Accounts in Strategy B.2.1, Property Tax Program to address critical functions.

ARTICLE I - GENERAL GOVERNMENT
S01 Special Provisions
DIFFERENCES ONLY
(Continued)

House

Senate

- d. \$26,000 in fiscal year 2012 and \$26,000 in fiscal year 2013 out of the General Revenue Fund to the Texas Facilities Commission in Strategy D.1.2, Information Resources for network security maintenance.
- e. \$60,000 in fiscal year 2012 out of the General Revenue Fund to the Texas Facilities Commission in Strategy B.2.3, State Cemetery for a security system.
- f. \$172,632 in fiscal year 2012 and \$172,632 in fiscal year 2013 out of the General Revenue Fund and \$38,500 in fiscal year 2012 and \$38,500 in fiscal year 2013 out of Appropriated Receipts to the Fire Fighters' Pension Commissioner in Strategy A.2.1, Assistance and Education to assist and educate local firefighter pension fund boards, including 3.5 Full-Time-Equivalent positions.

Performance Measures included in Rider 1, in the bill pattern for the Fire Fighters' Pension Commissioner are amended accordingly by this appropriation.

- g. \$73,750 in fiscal year 2012 out of the General Revenue Fund in Strategy A.1.1, Administer Pension Fund and \$73,750 in fiscal year 2013 out of the General Revenue Fund in Strategy A.2.1, Assistance and Education to the Fire Fighters' Pension Commissioner for testing and development of the agency's web accessibility project.

\$13,750 in fiscal year 2012 out of the General Revenue Fund in Strategy A.1.1, Administer Pension Fund and \$13,750 in fiscal year 2013 out of the General Revenue Fund in Strategy A.2.1, Assistance and Education to the Fire Fighters' Pension Commissioner for hardware and software for the agency's web accessibility project.

The Capital Budget for the Fire Fighters' Pension Commissioner is amended accordingly by this appropriation.

ARTICLE I - GENERAL GOVERNMENT
S01 Special Provisions
DIFFERENCES ONLY
(Continued)

House

Senate

- h. \$482,147 in fiscal year 2012 and \$482,147 in fiscal year 2013 out of the General Revenue Fund and \$1,896,080 in fiscal year 2012 and \$1,896,080 in fiscal year 2013 out of Interagency Contracts from federal Transportation Enhancement funds transferred from the Texas Department of Transportation to the Historical Commission in Strategy A.2.1, Development Assistance, for heritage development and economic revitalization programs, including 6.6 Full-Time-Equivalent positions each fiscal year.
- i. \$215,000 for the biennium beginning September 1, 2011 out of the General Revenue Fund to the Texas State Library and Archives Commission in Strategy B.1.1, Provide Access to Information and Archives for a private storage vendor contract.
- j. \$1,250,000 in fiscal year 2012 and \$1,250,000 in fiscal year 2013 out of the General Revenue Fund and \$784,219 in fiscal year 2013 out of Federal Funds to the Texas State Library and Archives Commission in Strategy A.1.1, Library Resources Sharing Services for TexShare database program. The Capital Budget for the Texas Library and Archives Commission is amended accordingly by this appropriation.
- k. \$400,000 in fiscal year 2012 and \$400,000 in fiscal year 2013 out of the General Revenue Fund to the Veterans Commission in Strategy A.1.1, Claims Representation and Counseling to assist veterans and their families with claims representation and counseling, including 3.0 Full-Time-Equivalent positions each fiscal year.
- l. \$80,576 in fiscal year 2012 and \$78,848 in fiscal year 2013 out of the General Revenue Fund to the Veterans Commission in Strategy A.1.1, Claims Representation and Counseling to promote access of services and benefits to women veterans, including 1.0 Full-Time-Equivalent position each fiscal year.