

Rider Comparison Packet

Conference Committee on Senate Bill 1

2014-15 General Appropriations Bill

Article V - (Public Safety and Criminal Justice)

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
401 Adjutant General's Department
DIFFERENCES ONLY

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27. **Interagency Contract with the Texas A&M Forest Service.** Funds appropriated above shall not be used for the purchase of fire suppression equipment. The Adjutant General's Department shall enter into an Interagency Contract with the Texas A&M Forest Service if the Adjutant General's Department determines that fire suppression training is necessary.
28. **Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy B.1.1, Facilities Maintenance, in fiscal year 2014 is \$2,500,000 in General Obligation Bond Proceeds for projects for the Adjutant General's Department as described in Article IX, Sec. 17.02, Appropriation For Proposition 4 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, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

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13. Capital Budget Expenditures from Federal and Other Funding Sources. Notwithstanding other provisions of this Act, the Alcoholic Beverage Commission is hereby exempted from capital budget rider limitations subject to Legislative Budget Board approval when gifts, grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items, limited to projects related to law enforcement or the regulation of the Alcoholic Beverage Code. The request to exceed capital budget authority shall be considered approved unless the Legislative Budget Board issues a written disapproval within forty-five calendar days of notification.

13. Capital Budget Expenditures from Federal and Other Funding Sources. The Alcoholic Beverage Commission is hereby exempted from the capital budget rider provisions contained in Article IX, Section 14.03 of this Act, when grants, inter-local funds, and federal funds are received in excess of the amounts identified in the agency's capital budget rider and such funds are designated by the donor, grantor, or federal agency for the purchase of specific capital items, limited to projects related to law enforcement or the regulation of the Alcoholic Beverage Code.

Amounts expended from these funding sources shall not count against the limitation imposed by capital budget provisions elsewhere in this Act. The Alcoholic Beverage Commission shall notify the Legislative Budget Board and the Office of the Governor of the amount received and the planned expenditures upon receipt of such funds.

14. Informational and Educational Purposes. Pursuant to Section 5.31 of the Alcoholic Beverage Code and out of funds appropriated in Strategy C.1.1, Compliance Monitoring, the Alcoholic Beverage Commission shall develop, create, or purchase public service announcements or advertisements for informational and educational purposes via written, audio, audio-visual, digital, or other electronic median to communicate to the alcoholic beverage industry and the public, the legal responsibilities of the Commission's code and rules to ensure voluntary compliance.

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32. Postsecondary Education Programs. Out of funds appropriated above in Strategy C.2.2, Academic and Vocational Training, the Department of Criminal Justice may provide postsecondary education courses only to inmates who have:

- a. demonstrated a clear and convincing record of rehabilitation while incarcerated, and
- b. demonstrated an interest in a field of study that lends itself to performing specific and beneficial tasks while incarcerated, and
- c. demonstrated the aptitude and capabilities to do college-level study.

The costs of such postsecondary education programs shall be reimbursed by the inmate as a condition of parole. One hundred percent of the reimbursements are appropriated to Strategy C.2.2, Academic and Vocational Training.

The Department of Criminal Justice shall not provide in-cell tutoring for inmates who are in administrative segregation.

The Department of Criminal Justice may not transfer appropriations out of Strategy C.2.2, Academic and Vocational Training. All of the funds appropriated above in Strategy C.2.2, Academic and Vocational Training, are to be distributed to the community colleges that provide the postsecondary education programs and services. No funds appropriated above in Strategy C.2.2, Academic and Vocational Training, may be retained by TDCJ or the Windham School District for administration. Programs under Strategy C.2.2, Academic and Vocational Training, are to be administered by TDCJ's Rehabilitation Programs Division.

40. Appropriation: Refunds of Unexpended Balances from CSCDs. The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by

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The costs of such postsecondary education programs shall be reimbursed by the inmate as a condition of parole.

The Department of Criminal Justice shall not provide in-cell tutoring for inmates who are in administrative segregation.

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40. Appropriation: Refunds of Unexpended Balances from CSCDs. The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by

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local community supervision and corrections departments (CSCDs). All estimated fiscal years 2012-13 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and A.1.4, Treatment Alternatives to Incarceration. All refunds received by TDCJ in excess of \$13,000,000 shall be redistributed by TDCJ for the benefit of the community supervision and corrections system (estimated to be \$0). TDCJ shall review, at least quarterly, CSCDs' use of state funding from Strategies A.1.2, Diversion Programs, and A.1.4, Treatment Alternatives to Incarceration Program, and deobligate and reallocate CSCDs' unexpended and unencumbered state funds within the biennium in a timely manner.

50. Correctional Managed Health Care. The use of appropriated funds to the Department of Criminal Justice for managed health care (CMHC) for offenders in custody shall be governed by the specific limitations included in this rider.

a. Managed Health Care Staff Loan Repayment

1. None of the funds appropriated above shall be used for loan repayment assistance for medical and mental health care staff without prior approval of the Legislative Budget Board.

b. Correctional Managed Health Care Committee

1. None of the funds appropriated above shall be used for payment of salaries, operating expenses, or travel expenses for staff of the Correctional Managed Health Care Committee.

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local community supervision and corrections departments (CSCDs). All estimated fiscal years 2012-13 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and A.1.4, Treatment Alternatives to Incarceration. All refunds received by TDCJ in excess of \$13,000,000 shall be redistributed by TDCJ for the benefit of the community supervision and corrections system and to implement one or more commitment reduction plans authorized by Senate Bill 1055 enacted during the Eighty-second Legislature, Regular Session, 2011 (estimated to be \$0). TDCJ shall review, at least quarterly, CSCDs' use of state funding from Strategies A.1.2, Diversion Programs, and A.1.4, Treatment Alternatives to Incarceration Program, and deobligate and reallocate CSCDs' unexpended and unencumbered state funds within the biennium in a timely manner.

50. Correctional Managed Health Care. The use of appropriated funds to the Department of Criminal Justice for managed health care (CMHC) for offenders in custody shall be governed by the specific limitations included in this rider.

a. Managed Health Care Staff Loan Repayment

1. None of the funds appropriated above shall be used for loan repayment assistance for medical and mental health care staff without prior approval of the Legislative Budget Board.

b. Correctional Managed Health Care Committee

1. From funds appropriated above in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, the Department of Criminal Justice shall pay salaries, operating expenses, and travel expenses for staff of the Correctional Managed Health Care Committee.

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2. From funds appropriated above, the Department of Criminal Justice may provide reimbursement of travel expenses incurred by the members of the Correctional Managed Health Care Committee with prior approval of the Legislative Budget Board.

c. Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care

1. Together with the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, the Department of Criminal Justice shall approve a staffing model and services by unit that conforms to the available annual appropriation in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, before the beginning of each fiscal year.
2. The Texas Tech University Health Sciences Center and the University of Texas Medical Branch, shall provide unit medical and psychiatric care based on the jointly developed staffing model and services approved by the Department of Criminal Justice.
3. To the extent possible, the Department of Criminal Justice shall maintain at least one Correctional Officer or other staff that is a licensed health care professional on duty per unit at all times.
4. Receipts from inmate health care fees collected from offenders in accordance with Government Code, Section 501.063, are appropriated above in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, estimated to be \$2,500,000 in General Revenue Funds in fiscal year 2014 and estimated to be \$2,500,000 in General Revenue Funds in fiscal year 2015. Any receipts collected in excess of \$2,500,000 in fiscal year 2014 and \$2,500,000 in fiscal year 2015 are hereby appropriated to the department to pay the cost of correctional health care.

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2. From funds appropriated above, the Department of Criminal Justice may provide reimbursement of travel expenses incurred by the members of the Correctional Managed Health Care Committee with prior approval of the Legislative Budget Board.

c. Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care

1. Together with the Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers, the Department of Criminal Justice shall approve a staffing model and services by unit that conforms to the available annual appropriation in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, before the beginning of each fiscal year.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide unit medical and psychiatric care based on the jointly developed staffing model and services approved by the Department of Criminal Justice.
3. To the extent possible, the Department of Criminal Justice shall maintain at least one Correctional Officer or other staff that is a licensed health care professional on duty per unit at all times.
4. Receipts from inmate health care fees collected from offenders in accordance with Government Code, Section 501.063, are appropriated above in Strategy C.1.7, Managed Health Care - Unit and Psychiatric Care, estimated to be \$2,500,000 in General Revenue Funds in fiscal year 2014 and estimated to be \$2,500,000 in General Revenue Funds in fiscal year 2015. Any receipts collected in excess of \$2,500,000 in fiscal year 2014 and \$2,500,000 in fiscal year 2015 are hereby appropriated to the department to pay the cost of correctional health care.

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d. Strategy C.1.8, Managed Health Care - Hospital and Clinical Care

1. The University of Texas Medical Branch shall provide inpatient and outpatient hospital services and physician services at the University of Texas Medical Branch Hospital Galveston for offenders in the custody of the Department of Criminal Justice. Inpatient and applicable hospital outpatient services shall be reimbursed at an amount no greater than the University of Texas Medical Branch's Medicaid Tax Equity and Fiscal Responsibility Act (TEFRA) rates. Hospital outpatient services not subject to Medicaid TEFRA reimbursements shall be reimbursed at an amount not to exceed the published Medicaid fee schedules for such services. Physician services shall be reimbursed at a rate not to exceed cost.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide inpatient and outpatient hospital services through contract hospital providers for offenders in the custody of the Department of Criminal Justice at a rate not to exceed 100% of what would be paid for similar services according to the Medicare reimbursement methodology. The Department of Criminal Justice may pay a rate in excess of Medicare reimbursement rates only after receiving prior written approval from the Legislative Budget Board.
3. The Department of Criminal Justice may provide for a medical review of the appropriateness of non-emergency medical procedures provided by the University of Texas Medical Branch Hospital Galveston.

e. Transferability

1. The Department of Criminal Justice shall not transfer any funds between Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care; C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, without prior approval of the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written

d. Strategy C.1.8, Managed Health Care - Hospital and Clinical Care

1. The University of Texas Medical Branch shall provide inpatient and outpatient hospital services and physician services at the University of Texas Medical Branch Hospital Galveston for offenders in the custody of the Department of Criminal Justice. Inpatient and applicable hospital outpatient services shall be reimbursed at an amount no greater than the University of Texas Medical Branch's Medicaid Tax Equity and Fiscal Responsibility Act (TEFRA) rates. Hospital outpatient services not subject to Medicaid TEFRA reimbursements shall be reimbursed at an amount not to exceed the published Medicaid fee schedules for such services. Physician services shall be reimbursed at a rate not to exceed cost.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide inpatient and outpatient hospital services through contract hospital providers for offenders in the custody of the Department of Criminal Justice at a rate not to exceed 100% of what would be paid for similar services according to the Medicare reimbursement methodology. The Department of Criminal Justice may pay a rate in excess of Medicare reimbursement rates only after receiving prior written approval from the Legislative Budget Board.
3. The Department of Criminal Justice may provide for a medical review of the appropriateness of non-emergency medical procedures provided by the University of Texas Medical Branch Hospital Galveston.

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disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. This transferability limitation extends to the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, upon receipt of funding from the Department of Criminal Justice.

f. Reimbursement to Contracted Health Care Providers

1. At the beginning of each quarter, the Department of Criminal Justice shall prepay the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, one quarter of the annual appropriation for services to be rendered under contract.
2. The Department of Criminal Justice shall reimburse the Texas Tech University Health Sciences Center and the University of Texas Medical Branch, for actual costs, including indirect administrative services based on generally accepted accounting principles. The total reimbursements shall not exceed amounts appropriated above in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, unless prior approval is provided by the Legislative Budget Board.
3. Informational Item - In addition to the CMHC appropriations made above in TDCJ, other CMHC-related appropriations are made elsewhere in the General Appropriations Act. Certain University of Texas Medical Branch (UTMB) and Texas Tech University Health Sciences Center (TTUHSC) employees deliver TDCJ-contracted CMHC services. UTMB and TTUHSC receive General Revenue

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unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. This transferability limitation extends to the Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers upon receipt of funding from the Department of Criminal Justice.

f. Reimbursement to Contracted Health Care Providers

1. At the beginning of each quarter, the Department of Criminal Justice shall prepay the Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers one quarter of the annual appropriation for services to be rendered under contract.
2. The Department of Criminal Justice shall reimburse the Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers for actual costs, including indirect administrative services based on generally accepted accounting principles. The total reimbursements shall not exceed amounts appropriated above in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, unless prior approval is provided by the Legislative Budget Board.
3. The Department of Criminal Justice may enter into a contract with the Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and/or other entities to provide CMHC services, including public medical schools, governmental entities, and any other health care provider as appropriate.
4. Informational Item - In addition to the CMHC appropriations made above in TDCJ, other CMHC-related appropriations are made elsewhere in the General Appropriations Act. Certain University of Texas Medical Branch (UTMB) and Texas Tech University

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Funds in state reimbursements for a portion of the benefits provided to these university employees. This funding is provided through the various state agencies/systems that administer benefits for higher education employees.

g. Reporting Requirements

1. The Department of Criminal Justice is required to submit quarterly to the Legislative Budget Board and the Office of the Governor a report detailing:
 - i. correctional managed health care actual and projected expenditures for unit and psychiatric care, hospital and clinical care, and pharmacy;
 - ii. health care utilization and acuity data; and
 - iii. other health care information determined by the Office of the Governor and the Legislative Budget Board.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide the Department of Criminal Justice with necessary documentation to fulfill the reporting requirements contained in this section.

h. Managed Health Care Operational Shortfalls

1. If deemed necessary by the Department of Criminal Justice, appropriations may be transferred into Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, with prior approval of the Legislative Budget

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Health Sciences Center (TTUHSC) employees deliver TDCJ-contracted CMHC services. UTMB and TTUHSC receive General Revenue Funds in state reimbursements for a portion of the benefits provided to these university employees. This funding is provided through the various state agencies/systems that administer benefits for higher education employees.

g. Reporting Requirements

1. The Department of Criminal Justice is required to submit quarterly to the Legislative Budget Board and the Office of the Governor a report detailing:
 - i. correctional managed health care actual and projected expenditures for unit and psychiatric care, hospital and clinical care, and pharmacy;
 - ii. health care utilization and acuity data; and
 - iii. other health care information determined by the Office of the Governor and the Legislative Budget Board.
2. The Texas Tech University Health Sciences Center, the University of Texas Medical Branch, and any other contracted CMHC health care providers shall provide the Department of Criminal Justice with necessary documentation to fulfill the reporting requirements contained in this section.

h. Managed Health Care Operational Shortfalls

1. If deemed necessary by the Department of Criminal Justice, appropriations may be transferred into Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, with prior approval of the Legislative Budget Board. The request shall

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Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. In addition to transfer authority provided elsewhere in this Act, the Department of Criminal Justice may transfer appropriations made in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, for fiscal year 2015 to fiscal year 2014 with prior approval of the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

51. **Battering Intervention and Prevention Program.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice (TDCJ) shall allocate \$625,000 in fiscal year 2014 and \$625,000 in fiscal year 2015 for funding the Battering Intervention and Prevention Program (BIPP) in the manner required by Article 42.141 of the Code of Criminal Procedure. The BIPP shall be administered using a statewide allocation of direct grants from TDCJ to local non-profit organizations in the manner described in Government Code §509.011. Funds subject to this provision shall be allocated at the local level and designated for use only for these programs. Funds subject to this provision may not be utilized for administrative expenses of local community supervision and corrections departments nor may they be used to supplant local funding.

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be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

2. In addition to transfer authority provided elsewhere in this Act, the Department of Criminal Justice may transfer appropriations made in Strategies C.1.7, Managed Health Care - Unit and Psychiatric Care, C.1.8, Managed Health Care - Hospital and Clinical Care, and C.1.9, Managed Health Care - Pharmacy, for fiscal year 2015 to fiscal year 2014 with prior approval of the Legislative Budget Board. The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within thirty calendar days of receipt of the recommendation prepared by Legislative Budget Board staff.

51. **Battering Intervention and Prevention Program.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice (TDCJ) shall allocate \$1,250,000 in fiscal year 2014 and \$1,250,000 in fiscal year 2015 for funding the Battering Intervention and Prevention Program (BIPP) in the manner required by Article 42.141 of the Code of Criminal Procedure. The BIPP shall be administered using a statewide allocation of direct grants from TDCJ to local non-profit organizations in the manner described in Government Code §509.011. Funds subject to this provision shall be allocated at the local level and designated for use only for these programs. Funds subject to this provision may not be utilized for administrative expenses of local community supervision and corrections departments nor may they be used to supplant local funding.

Out of funds appropriated above in Goal G, Indirect Administration, TDCJ shall conduct an evaluation of the effectiveness of programs and services provided through BIPP grants during the 2012-13 biennium. The evaluation shall include a progress report on the programs and

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services provided through BIPP grants during fiscal year 2014. TDCJ shall report the findings of the evaluation to the Legislative Budget Board and the Governor no later than September 1, 2014.

- 56. Grievance Procedures.** From funds appropriated above, the Board of Criminal Justice shall maintain employee disciplinary and grievance procedures in compliance with this section.

The Board's disciplinary procedures shall allow an employee of the department to be represented by a designee of the employee's selection who may participate in the hearing on behalf of an employee charged with any type of disciplinary violation.

The Board's grievance procedure shall attempt to solve problems through a process which recognizes the employee's right to bring grievances pursuant to the procedures in this section. The grievance procedure shall include either independent mediation or independent, non-binding arbitration of disputes between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.

Any grievance or disciplinary hearing in which a department employee serves as a representative shall be held during normal business hours on a week day, unless the employer and employee agree otherwise. The employee subject to the hearing attends such hearing as a part of regular employment duties. An employee representative who is a department employee must obtain prior approval to be placed on unpaid leave to attend a hearing.

Nothing in this provision shall authorize expenditures of appropriated funds not authorized elsewhere in this Act.

- 56. Improve Ombudsman Reporting.** Out of funds appropriated above, the Texas Department of Criminal Justice's (TDCJ) Ombudsman shall provide annual reports to the Governor, Lieutenant Governor, Speaker of the House, and the legislative committees tasked with

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criminal justice and appropriations on the number and types of inquiries made, the resolution of each inquiry, and how each inquiry was resolved. These reports shall also be made available to the public. TDCJ's Ombudsman shall submit the annual reports no later than December 1st of each fiscal year for the preceding fiscal year's activity.

- 57. Improve Parole and Reentry Reporting.** Out of funds appropriated above, the Texas Department of Criminal Justice's (TDCJ) Reentry and Integration Division and Parole Division shall submit an annual joint report to the Governor, Lieutenant Governor, Speaker of the House, and the legislative committees tasked with criminal justice and appropriations, capturing:
- a. the number of referrals given by parole officers for specific needs, such as housing, medical care, treatment for substance abuse or mental illness, veterans services, basic needs, etc.;
 - b. the outcomes of these referrals and identified areas where referrals are not possible due to unavailable resources or providers;
 - c. the outcomes of programs and services that are available to releasees, with outcomes based on reentry coordinator follow-up inquiries evaluating offenders' progress after release;
 - d. the common reentry barriers identified during releasees' individual assessments, including in areas of housing, medical care, treatment for substance abuse or mental illness, veterans services, or other basic needs;
 - e. the common reentry benefits and services that reentry coordinators help releasees obtain or apply for;
 - f. information on available community resources; and

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g. data regarding parole officer and reentry coordinator training.

These annual joint reports shall also be made available to the public. TDCJ shall submit the annual joint report no later than December 1st of each fiscal year for the preceding fiscal year's activity.

57. Mineral Wells Pre-Parole Transfer Facility Contract Termination. Out of funds appropriated above in Goal C, Incarcerate Felons, the Texas Department of Criminal Justice (TDCJ) shall remove all offenders from the contracted Mineral Wells Pre-Parole Transfer Facility, located in Mineral Wells, Texas, no later than September 1, 2013. No funds appropriated by this Act to TDCJ may be used to operate the Mineral Wells Pre-Parole Transfer Facility.

58. Dawson State Jail Contract Termination. Out of funds appropriated above in Goal C, Incarcerate Felons, the Texas Department of Criminal Justice (TDCJ) shall remove all offenders from the contracted Dawson State Jail, located in Dallas, Texas, no later than September 1, 2013. No funds appropriated by this Act to TDCJ may be used to operate the Dawson State Jail.

58. Payments to District Clerks. Out of funds appropriated above, the district clerks in counties with more than four Texas Department of Criminal Justice (TDCJ) operational correctional facilities are to be allocated, during each fiscal year of the biennium, an amount not to exceed \$12,000 to be allocated in equal monthly installments. The allocation must be used for the purpose of covering costs incurred in the filing of TDCJ inmate correspondence.

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- 59. Utilization of Correctional Institution Beds Above 96 Percent Capacity.** Out of funds appropriated above in Goal C, Incarcerate Felons, the Texas Department of Criminal Justice shall utilize correctional institution beds above 96 percent capacity to the fullest extent possible. The utilization of bed capacity is not to prohibit meeting inmate classification and custody level requirements or medical and mental health care responsibilities.
- 60. Contingency for SB___/HB___ : Windham School District Appropriations and Funding Oversight Transfer.** Contingent on enactment of SB___ or HB___, or similar legislation relating to the transfer of the Windham School District's (WSD) appropriations and funding oversight from the Texas Education Agency (TEA) to the Texas Department of Criminal Justice (TDCJ), by the Eighty-third Legislature, Regular Session:
- a. reduce TEA's Foundation School Fund No. 193 - General Revenue Funds by \$47,500,000 in fiscal year 2014 and \$47,500,000 in fiscal year 2015;
 - b. eliminate TEA's Strategy B.2.4, Windham School District;
 - c. move all WSD performance measures referenced in TEA's rider number 1 entitled "Performance Measures Targets" to TDCJ's rider number 1 entitled "Performance Measures Targets";
- 59. Study Visitation Procedures.** Out of funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall perform or commission a study that seeks ways to improve TDCJ's visitation policies. The study may result in policies implemented by TDCJ that strengthen family ties, including expanding areas that are child-friendly during visitation periods, while also notifying individuals who are eligible to visit incarcerated offenders that visitation has been cancelled or rescheduled if that occurs. TDCJ shall report the findings of the study to the Legislative Budget Board and the Governor no later than September 1, 2014.

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- d. delete the following TEA riders:
"6. Windham Schools."
"55. Windham School District: Pilot Programs."
- e. add a funding strategy entitled "C.2.6, Windham School District" within TDCJ's Goal C, Incarcerate Felons;
- f. appropriate Foundation School Fund No. 193 - General Revenue Funds to TDCJ in Strategy C.2.6, Windham School District in the amounts of \$47,500,000 in fiscal year 2014 and \$47,500,000 in fiscal year 2015;
- g. delete the following rider from TDCJ's bill pattern:
"29. Expenditure Limitation - Windham School District."
- h. add the following new rider to TDCJ's bill pattern:

 . **Windham School District.** The use of appropriated funds to the Texas Department of Criminal Justice (TDCJ) for the Windham School District (WSD) shall be governed by the specific limitations included in this rider.

- a. None of the funds provided to WSD through TDCJ shall be expended unless the Texas Board of Criminal Justice has approved an annual operating budget for WSD prior to the expenditure of any funds. The TDCJ shall file a copy of the WSD's operating budget with the Governor, the Legislative Budget Board, and the appropriate legislative oversight committees at the beginning of each fiscal year.
- b. The funds appropriated above in Strategy C.2.6, Windham School District, are to be expended only for academic and vocational educational programs approved by the Texas Education Agency. TDCJ shall allocate funds to WSD

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based on contact hours for the best 180 of 210 school days in each year of the biennium. The contact hour rates for the 2014-15 biennium are the following: \$4.18479 for academic education, \$3.67445 for vocational education. WSD shall use funds appropriated above to serve those students whose participation will help achieve the goals of reduced recidivism and the increased success of former inmates in obtaining and maintaining employment. To achieve these goals, younger offenders with the lowest educational levels and the earliest projected release or parole eligibility dates should receive high priority. This policy shall not preclude WSD from serving other populations according to needs and resources. For students who successfully complete WSD's program during the 2012-13 biennium, the WSD shall report to the Eighty-fourth Legislature on the following: recidivism rates, employment rates, and attainment of GEDs, high school diplomas, professional certifications, associate's degrees, and adult education literacy levels.

- c. From funds appropriated above in Strategy C.2.6, Windham School District, TDCJ shall identify amounts to be set aside by WSD and expended for a pilot in computer adaptive intensive math and reading intervention programs that address individual needs and develop skills from elementary levels through high school, and a pilot in virtual learning options that allow a student to earn a high school diploma, high school equivalent certification, certification and/or college credit. WSD shall produce a final report for the Eighty-fourth Legislature on the implementation and effectiveness of these pilot programs.

- 60. **Track Substance Abuse Felony Punishment Facilities Completion Rates.** Out of funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall track program completion rates of offenders in Substance Abuse Felony Punishment Facilities to determine where improvements can be made and where resources should be allocated. TDCJ shall report the findings to the Legislative Budget Board and the Governor no later than September 1st of each even-numbered year.

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- 61. Provide Incarcerated Offenders With Useful Information.** Out of funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall ensure information is always available to incarcerated offenders on various topics, including but not limited to innocence and wrongful convictions, inmate transfers, the health care services fee, prisoners' civil rights, filing a grievance, requesting medical care, veterans services (pre- and post-release), child support, and reentry-related issues, including information on community-based programs and services available in the areas in which an offender plans to be released. TDCJ shall utilize

available resources to accomplish these objectives, and may work with faith-based, nonprofit, and civil rights organizations, among others, to compile and provide this type of information to offenders, which should be available in TDCJ unit libraries and any other TDCJ areas that may increase offenders' knowledge of this information.

Additionally, out of funds appropriated above, TDCJ shall establish and provide education programs to educate employees and incarcerated offenders at TDCJ correctional facilities about hepatitis. In establishing the program for offenders, the department shall design a program that deals with issues related to hepatitis that are relevant to offenders both while confined and on release. TDCJ may consult with the Department of State Health Services in establishing the education programs.

- 61. Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy D.1.1, Facilities Construction, in fiscal year 2014 is \$38,289,105 in General Obligation Bond Proceeds for projects for the Texas Department of Criminal Justice as described in Article IX, Sec. 17.02, Appropriation For Proposition 4 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

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Authority. Any unexpended and unobligated balances in General Obligation Bond Proceeds described herein and remaining as of August 31, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

- 62. Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy D.1.1, Facilities Construction, in fiscal year 2014 is \$50,000,000 in General Obligation Bond Proceeds for projects for the Texas Department of Criminal Justice as described in Article IX, Sec. 17.02, Appropriation For Proposition 4 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, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

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- 13. Juvenile Justice Alternative Education Program (JJAEP).** Funds transferred to the Juvenile Justice Department (JJD) pursuant to Texas Education Agency (TEA) Rider 29 and appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, shall be allocated as follows: \$1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

The remaining funds shall be allocated for distribution to the counties mandated by § 37.011(a) Texas Education Code, at the rate of \$79 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under §37.007, Texas Education Code. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$79 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of \$79 per student per day.

JJD may expend any remaining funds for summer school programs. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed \$3.0 million in any fiscal year.

Unspent balances in fiscal year 2014 shall be appropriated to fiscal year 2015 for the same purposes in Strategy A.1.6.

The amount of \$79 per student day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 29. The amount of \$79 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2015 to the Foundation School Fund No. 193.

- 13. Juvenile Justice Alternative Education Program (JJAEP).** Funds transferred to the Juvenile Justice Department (JJD) pursuant to Texas Education Agency (TEA) Rider 28 and appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, shall be allocated as follows: \$1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

The remaining funds shall be allocated for distribution to the counties mandated by §37.011(a) Texas Education Code, at the rate of \$86 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of \$86 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of \$86 per student per day.

JJD may expend any remaining funds for summer school programs. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed \$3.0 million in any fiscal year.

Unspent balances in fiscal year 2014 shall be appropriated to fiscal year 2015 for the same purposes in Strategy A.1.6.

The amount of \$86 per student day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 28. The amount of \$86 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2015 to the Foundation School Fund No. 193.

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JJD may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

- 14. Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, a maximum of \$500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Justice Department at the rate of \$79 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.
- 31. Commitment Diversion Initiatives.** Out of the funds appropriated above in Strategy A.1.5, Commitment Diversion Initiatives, \$19,492,500 in General Revenue Funds in fiscal year 2014 and \$19,492,500 in General Revenue Funds in fiscal year 2015, may be expended only for the purposes of providing programs for the diversion of youth from the Juvenile Justice Department. The programs may include, but are not limited to, residential, community-based, family, and aftercare programs. The allocation of State funding for the program is not to exceed the rate of \$140 per juvenile per day. The Juvenile Justice Department shall maintain procedures to ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009.

The juvenile probation departments participating in the diversion program shall report to the Juvenile Justice Department regarding the use of funds within thirty days after the end of each quarter. The Juvenile Justice Department shall report to the Legislative Budget Board

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JJD may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

- 14. Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy A.1.6, Juvenile Justice Alternative Education Programs, a maximum of \$500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Justice Department at the rate of \$86 per day per student for students who are required to be expelled under §37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.
- 31. Commitment Diversion Initiatives.** Out of the funds appropriated above in Strategy A.1.5, Commitment Diversion Initiatives, \$19,492,500 in General Revenue Funds in fiscal year 2014 and \$19,492,500 in General Revenue Funds in fiscal year 2015, may be expended only for the purposes of providing programs for the diversion of youth from the Juvenile Justice Department. The programs may include, but are not limited to, residential, community-based, family, and aftercare programs. The allocation of State funding for the program is not to exceed the rate of \$140 per juvenile per day. The Juvenile Justice Department shall maintain procedures to ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009.

The juvenile probation departments participating in the diversion program shall report to the Juvenile Justice Department regarding the use of funds within thirty days after the end of each quarter. The Juvenile Justice Department shall report to the Legislative Budget Board

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regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth committed to the Juvenile Justice Department, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

If admissions to the Juvenile Justice Department from juvenile courts during fiscal year 2014 exceed 925 and upon approval of the Legislative Budget Board, the Comptroller of Public Accounts shall transfer appropriations equal to \$51,100 for each commitment over 925 in fiscal year 2014 from Goal A to Goal B in fiscal year 2015.

The Juvenile Justice Department shall maintain a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from state juvenile correctional incarceration and the adult criminal justice system. A report on the program's results shall be included in the report that is required under Juvenile Justice Department Rider 28 to be submitted to the Legislative Budget Board by December 1st of each year. In the report, the Juvenile Justice Department shall report the cost per day and average daily population of all programs funded by Strategy A.1.5, Commitment Diversion Initiatives, for the previous fiscal year.

The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Juvenile Justice Department in Goal E, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that the Juvenile Justice Department is not in compliance with any of the provisions of this Section.

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regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth committed to the Juvenile Justice Department, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

The Juvenile Justice Department shall maintain a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from state juvenile correctional incarceration and the adult criminal justice system. A report on the program's results shall be included in the report that is required under Juvenile Justice Department Rider 28 to be submitted to the Legislative Budget Board by December 1st of each year. In the report, the Juvenile Justice Department shall report the cost per day and average daily population of all programs funded by Strategy A.1.5, Commitment Diversion Initiatives, for the previous fiscal year.

The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Juvenile Justice Department in Goal E, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that the Juvenile Justice Department is not in compliance with any of the provisions of this Section.

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Senate

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- 33. Executive Salaries and Administrative Accountability.** The Juvenile Justice Department executive administration full-time equivalent positions may not be compensated at a base rate of compensation that is higher than that at which they were compensated on August 31, 2010.
- a. In each state fiscal year of the biennium, the Juvenile Justice Department, may not spend funds appropriated to the agency by this Act in Goal E, Indirect Administration, unless, not later than December 1, the agency submits to the Legislative Budget Board, the chair of the House Appropriations Committee, and the chair of the Senate Finance Committee a report that includes the total number of persons holding high-ranking administrative positions at the institution.
- b. For purposes of subsection (a), "high-ranking administrative position" includes the following positions:
- (1) Chief Information Officer;
 - (2) Director of Human Resources;
 - (3) Director of Intergovernmental Relations;
 - (4) Planning and Communications;
 - (5) Director of Youth Services;
 - (6) General Counsel;
 - (7) Chief of Staff;
 - (8) Medical Director;
 - (9) Superintendent of Education;
 - (10) Senior Director of Education Services;
 - (11) Senior Director of Probation & Community Services;
 - (12) Senior Director of State Programs & Facilities;
 - (13) Senior Director of Finance & Technology;
 - (14) Senior Director of Administration & Training;
 - (15) Director of Accounting & Construction;
 - (16) Director of Human Resources;
 - (17) Manager of Information Systems; and

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(18) any other administrative position having similar responsibilities to the other positions listed in this subsection.

c. A report submitted under subsection (a) must:

- (1) be in a form prescribed by the Legislative Budget Board;
- (2) include the name, salary, and total value of non-salary benefits for each person holding a high-ranking administrative position at the institution;
- (3) include the percentage salary increase for each person holding a high-ranking administrative position at the department who occupies the same position during the current fiscal year as during the preceding fiscal year; and,
- (4) include any position at the department that held one of the titles listed in the previous or current year and what the new title name is, if changed.

d. Not later than the seventh day after the date that the Juvenile Justice Department submits the report required by subsection (a), the Juvenile Justice Department shall make a copy of the report available for public inspection on the department's website.

e. The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Juvenile Justice Department in Goal E, Indirect Administration, if the Legislative Budget Board certifies to the Comptroller of Public Accounts that the Juvenile Justice Department is not in compliance with any of the provisions of this Section.

34. Grievance Procedures. From funds appropriated above, the Juvenile Justice Department will adopt and maintain employee disciplinary and grievance procedures substantially equivalent to the Texas Department of Criminal Justice's employee grievance procedures.

The Juvenile Justice Department Board's disciplinary procedures shall allow an employee of the department to be represented by a designee of the employee's selection who may participate in the hearing on behalf of an employee charged with any type of disciplinary violation.

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The Board's grievance procedure shall attempt to solve problems through a process which recognizes the employee's right to bring grievances pursuant to the procedures in this section. The grievance procedure shall include either independent mediation or independent, non-binding arbitration of disputes between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.

- 35. Facility Closure.** Funds appropriated by this Act shall be used for the operation of no more than five Juvenile Justice Department state-operated correctional facilities as of January 1, 2014.

- 35. Aggressive Youth Programs.** Notwithstanding other provisions of this Act and included in the amounts above, the Juvenile Justice Department shall not expend \$470,579 in General Revenue Funds in each fiscal year in Strategy B.1.2, State-Operated Secure Operations, for administrative purposes. General Revenue Funds in the amount of \$470,579 in each fiscal year in Strategy B.1.2, State-Operated Secure Operations, shall be expended only for the purpose of aggressive youth programs.

- 36. Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy B.3.1, Construct and Renovate Facilities, in fiscal year 2014 is \$5,500,000 in General Obligation Bond Proceeds for projects for the Juvenile Justice Department as described in Article IX, Sec. 17.02, Appropriation For Proposition 4 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, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

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(Continued)

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- 36. Mental Health Services.** Out of funds appropriated above in Strategy A.1.3, Community Programs, the Juvenile Justice Department shall allocate \$7,600,000 in fiscal year 2014 and \$7,600,000 in fiscal year 2015 to fund mental health services provided by local juvenile probation departments. Funds subject to this provision shall be used by local juvenile probation departments only for providing mental health services to juvenile offenders. Funds subject to this provision may not be utilized for administrative expenses of local juvenile probation departments nor may they be used to supplant local funding.

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DIFFERENCES ONLY

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- 9. Post Critical Incident Seminars at Sam Houston State University.** Appropriated above in Strategy B.1.2, Technical Assistance is \$90,000 in fiscal year 2014 and \$90,000 in fiscal year 2015 from the General Revenue-Dedicated Law Enforcement Officer Standards and Education Account 116. These funds shall be transferred to Sam Houston State University to fund three post critical incident seminars at Sam Houston State University's Law Enforcement Management Institute of Texas in each year of the 2014-15 biennium.

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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. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code §1232.103.

2. Capital Budget. The capital budget authority provided below in paragraphs a, b, c, d, e and h is specific to the Department of Public Safety and exclusive of the Texas Division of Emergency Management. The capital budget authority provided below in paragraphs f and g is specific to the Texas Division of Emergency Management and exclusive of the remainder of the Department of Public Safety. None of the funds appropriated above to the Department of Public Safety and the Texas Division of Emergency Management may be expended for capital budget items except as listed below. The transfer authority provided under Article IX, §14.03 of this Act for the Department of Public Safety shall be limited to paragraphs a, b, c, d, e and h, listed below. The transfer authority provided under Article IX, §14.03 of this Act for the Texas Division of Emergency Management shall be limited to paragraphs f and g listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code §1232.103.

	<u>2014</u>	<u>2015</u>
a. Construction of Buildings and Facilities		
(1) Regional Offices with Crime Labs; Rio Grande City Office; Crime Lab Expansions; and Emergency Vehicle Operations Course	\$ 8,780,719	\$ UB
(2) Laredo Crime Lab	649,141	UB
 Total, Construction of Buildings and Facilities	 \$ <u>9,429,860</u>	 \$ <u>UB</u>
 b. Acquisition of Information Resource Technologies		
(1) Copier Capital Lease	1,553,325	1,553,325
(2) CVE Information Technology Purchases	934,350	934,350
(3) IT & Crime Records Projects	11,768,707	11,768,708

	<u>2014</u>	<u>2015</u>
a. Construction of Buildings and Facilities		
(1) Regional Offices with Crime Labs; Rio Grande City Office; Crime Lab Expansions; and Emergency Vehicle Operations Course	\$ 8,780,719	\$ UB
(2) Laredo Crime Lab	649,141	UB
 Total, Construction of Buildings and Facilities	 \$ <u>9,429,860</u>	 \$ <u>UB</u>
 b. Acquisition of Information Resource Technologies		
(1) Copier Capital Lease	1,553,325	1,553,325
(2) CVE Information Technology Purchases	934,350	934,350
(3) IT & Crime Records Projects	11,768,707	11,768,708

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	Senate			House	
(4) Case Management IT Tool	2,000,000	2,000,000		2,000,000	2,000,000
(5) IT Link Analysis	708,500	708,500		708,500	708,500
(6) Joint Operations & Intelligence Centers	1,958,500	1,958,500		1,958,500	1,958,500
(7) Technical Unit Intercept System	450,000	450,000		450,000	450,000
(8) Tactical Marine Unit - Computers	10,920	0		1,600,000	3,400,000
(9) Vehicle Safety Technology - Laptops	2,289,484	2,289,484		570,200	0
(10) Vehicle Safety Technology - Tablets	1,931,720	1,931,720			
(11) TxMap Information Technology Upgrades	4,950,344	3,025,000			
(12) Driver License Improvement Plan Information Technology Upgrades	20,144,600	13,124,400			
Total, Acquisition of Information Resource Technologies	\$ 48,700,450	\$ 39,743,987		\$ 21,543,582	\$ 22,773,383
c. Transportation Items					
(1) Vehicles (approximately 880)	12,974,241	12,974,239		12,974,241	12,974,239
(2) Border Security Vehicles (approximately 326)	5,700,444	5,700,444		5,700,444	5,700,444
(3) Patrol Vehicles (estimated 182)	6,000,000	4,000,000		6,000,000	4,000,000
(4) Interoperable Comm. Vehicle (1)	20,961	0		20,961	0
(5) Crime Lab Vehicle (1)	20,961	0		20,961	0
Total, Transportation Items	\$ 24,716,607	\$ 22,674,683		\$ 24,716,607	\$ 22,674,683
d. Acquisition of Capital Equipment and Items					
(1) Light Bars	352,638	352,637		352,638	352,637
(2) Radios	1,569,474	1,569,470		1,569,474	1,569,470
(3) DNA/CODIS Analysis Project	786,000	0		786,000	0
(4) Hand-Held Radio Replacement	2,674,170	2,674,170		2,674,170	2,674,170
(5) Interoperable Mobile Radios	8,651	0		8,651	0
(6) Crime Lab Equipment	2,041,000	0		2,041,000	0
Total, Acquisition of Capital Equipment and Items	\$ 7,431,933	\$ 4,596,277		\$ 7,431,933	\$ 4,596,277

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DIFFERENCES ONLY
(Continued)

	Senate		House	
(7) Crime Laboratory Equipment	2,041,000	0		
Total, Acquisition of Capital Equipment and Items	<u>\$ 7,481,933</u>	<u>\$ 4,596,277</u>		
e. Other Lease Payments to the Master Lease Purchase Program (MLPP)				
(1) NCIC/TLETS Upgrade - Lease Payments (MLPP) 1998-99	96,349	73,200	96,349	73,200
Total, Other Lease Payments to the Master Lease Purchase Program (MLPP)	<u>\$ 96,349</u>	<u>\$ 73,200</u>	<u>\$ 96,349</u>	<u>\$ 73,200</u>
f. Emergency Management: Acquisition of Information Resource Tech				
(1) SOC Enhancement	400,000	0	400,000	0
(2) Disaster District EOC Refresh	1,050,000	1,050,000	1,050,000	1,050,000
(3) SNETS Computer Refresh	310,000	0	310,000	0
(4) SNETS Replacement Parts	300,000	0	300,000	0
(5) Land Mobile Satellite Units	155,000	0	155,000	0
Total, Emergency Management: Acquisition of Information Resource Tech	<u>\$ 2,215,000</u>	<u>\$ 1,050,000</u>	<u>\$ 2,215,000</u>	<u>\$ 1,050,000</u>
g. Emergency Management: Acquisition of Capital Equipment and Items				
(1) TDEM Warehouse Equipment	123,066	0	123,066	0
Total, Emergency Management: Acquisition of Capital Equipment and Items	<u>\$ 123,066</u>	<u>\$ 0</u>	<u>\$ 123,066</u>	<u>\$ 0</u>
h. Repair or Rehabilitation of Buildings and Facilities				
(1) Deferred Maintenance and Repair	24,266,148	8,512,729	24,266,148	8,512,729
Total, Repair or Rehabilitation of Buildings and Facilities	<u>\$ 24,266,148</u>	<u>\$ 8,512,729</u>	<u>\$ 24,266,148</u>	<u>\$ 8,512,729</u>
Total, Capital Budget	<u>\$ 99,989,651</u>	<u>\$ 71,921,981</u>	<u>\$ 89,822,545</u>	<u>\$ 59,680,272</u>

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405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

	Senate	
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 36,410,182	\$ 25,257,018
State Highway Fund No. 006	45,962,023	40,551,443
Federal Funds	8,187,586	6,113,520
Bond Proceeds - General Obligation Bonds	9,429,860	0
 Total, Method of Financing	 <u>\$ 99,989,651</u>	 <u>\$ 71,921,981</u>

	House	
Method of Financing (Capital Budget):		
General Revenue Fund	\$ 14,759,427	\$ 13,893,775
 Federal Funds	 8,187,586	 6,113,520
<u>Other Funds</u>		
State Highway Fund No. 006	42,445,672	39,672,977
Bond Proceeds - General Obligation Bonds	24,429,860	UB
Subtotal, Other Funds	<u>\$ 66,875,532</u>	<u>\$ 39,672,977</u>
 Total, Method of Financing	 <u>\$ 89,822,545</u>	 <u>\$ 59,680,272</u>

11. Academy Costs. The Department of Public Safety (DPS) may charge employees and students of the DPS Academy for tuition, lodging, and meals at such prices as to recover actual costs. Such funds as received are hereby appropriated to cover the expenses entailed in providing such students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.

35. Databases and Clearinghouses Related to Missing Persons and Children. From funds appropriated above in Strategy A.2.2, Intelligence, the Department of Public Safety shall use \$1,096,628 in fiscal year 2014 and \$1,096,628 in fiscal year 2015 for the administration and support of the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database and the Missing Children and Missing Persons Information Clearinghouse established under the Code of Criminal Procedure, Chapter 63. The "Number of Full-Time-Equivalents" indicated above includes 3 FTEs in both fiscal years for the administration and support of the programs. The Department of Public Safety shall use \$825,000 per fiscal year to make interagency contract payments to the University of North Texas Health Science Center at

34. Databases and Clearinghouses Related to Missing Persons and Children. From funds appropriated above in Strategy A.3.1, Special Investigations, the Department of Public Safety shall use \$1,096,628 in fiscal year 2014 and \$1,096,628 in fiscal year 2015 for the administration and support of the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database and the Missing Children and Missing Persons Information Clearinghouse established under the Code of Criminal Procedure, Chapter 63. The "Number of Full-Time-Equivalents" indicated above includes 3 FTEs in both fiscal years for the administration and support of the programs. The Department of Public Safety shall use \$825,000 per fiscal year to make interagency contract payments to the University of North

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Fort Worth to administer the Missing Persons DNA Database. DPS shall use \$271,628 per fiscal year to pay department expenses associated with the Missing Persons DNA Database and the administration of the Missing Children and Missing Persons Information Clearinghouse.

36. Local Border Security. From funds appropriated above in Strategy A.1.4, Local Border Security, the Texas Rangers Division within the Department of Public Safety shall use \$23,142,015 in fiscal year 2014 and \$23,177,742 in fiscal year 2015 for the following border security expenditures:

- a. fund DPS troopers along the border;
- b. fund Texas Ranger positions;
- c. overtime and operational costs for increased patrol and investigative capacity for certified peace officers (DPS, Texas Parks and Wildlife Department, and local) following the DPS overtime policy; and operational costs, per diem, and travel expenses for Texas Military Forces;
- d. the operations of the Border Operations Center and the Joint Operations and Intelligence Centers; and
- e. the operations of the Rio Grande Valley Border Security and Technology Training Center.

Out of funds appropriated, on or before December 15th of each year, the Department of Public Safety shall submit a report to the Legislative Budget Board and the Governor's Office on the expenditure of funds provided to local law enforcement agencies.

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Texas Health Science Center at Fort Worth to administer the Missing Persons DNA Database. DPS shall use \$271,628 per fiscal year to pay department expenses associated with the Missing Persons DNA Database and the administration of the Missing Children and Missing Persons Information Clearinghouse.

35. Local Border Security. From funds appropriated above in Strategy A.1.4, Local Border Security, the Texas Rangers Division within the Department of Public Safety shall use \$18,184,252 in fiscal year 2014 and \$18,219,979 in fiscal year 2015 (excluding grants of \$4,957,763 for each fiscal year which shall be administered by a division within the Department of Public Safety other than the Texas Ranger Division) for the following border security expenditures:

- a. fund DPS troopers along the border;
- b. fund Texas Ranger positions;
- c. overtime and operational costs for increased patrol and investigative capacity for certified peace officers and law enforcement support personnel (DPS, Texas Parks and Wildlife Department, and local) following the DPS overtime policy; and operational costs, per diem, and travel expenses for Texas Military Forces;
- d. the operations of the Border Operations Center and the Joint Operations and Intelligence Centers; and
- e. the operations of the Rio Grande Valley Border Security and Technology Training Center.

Out of funds appropriated, on or before December 15th of each year, the Department of Public Safety shall submit a report to the Legislative Budget Board and the Governor's Office on the expenditure of funds provided to local law enforcement agencies.

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Prior to the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall be notified. As soon as possible after the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall receive written notification on the operational plans.

Any unexpended balances from appropriations listed above that are remaining as of August 31, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

- 37. State Disaster Resource Support and Staging Sites.** From funds appropriated above in Goal C, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than \$1,008,000 in fiscal year 2014 and \$1,008,000 in fiscal year 2015 for the operation of no more than two state disaster resource support and staging sites. Funds used under this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.
- 42. Cash Flow Contingency for Federal Funds.** Contingent upon the receipt of federal funds and the approval of the Legislative Budget Board and the Governor's Office, the Department of Public Safety is appropriated on a temporary basis additional general revenue funds in an amount not to exceed \$20,000,000 in each fiscal year of the biennium. The request to access the additional funds by the Department of Public Safety shall include justification for the additional funds. The additional general revenue amounts authorized in excess of the Department of Public Safety's general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be used only for the purpose of temporary cash flow needs.

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Prior to the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall be notified. As soon as possible after the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall receive written notification on the operational plans.

Any unexpended balances from appropriations listed above that are remaining as of August 31, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s).

- 36. State Disaster Resource Support and Staging Sites.** From funds appropriated above in Goal C, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than \$1,008,000 in fiscal year 2014 and \$1,008,000 in fiscal year 2015 for the operation of no more than two state disaster resource support and staging sites which are currently established. Funds used under this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.
- 41. Cash Flow Contingency for Federal Funds.**
- a. Contingent upon the receipt of federal funds and the approval of the Legislative Budget Board and the Governor's Office, the Department of Public Safety is appropriated on a temporary basis additional General Revenue funds in an amount not to exceed \$20,000,000 in each fiscal year of the biennium. The request to access the additional funds by the Department of Public Safety shall include justification for the additional funds. The additional general revenue amounts authorized in excess of the Department's of Public Safety's general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be used only for the purpose of temporary cash flow needs. All the additional general revenue funds authorized by this rider within a fiscal year must be

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All the additional general revenue funds authorized by this rider within a fiscal year must be repaid by November 30 of the following fiscal year. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

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repaid by November 30 of the following fiscal year. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

- b. Out of funds in subsection (a) the Department of Public Safety may use General Revenue in the amount of \$519,199 in fiscal year 2014 and \$519,199 in fiscal year 2015 for costs related to the Department of Public Safety's interoperability operations contingent on federal interoperability funds being available during the 2014-15 biennium. Any general revenue funds must be drawn and administered in accordance with the specifications in subsection (a).

- 46. Transfer of Vehicles to Walker County.** The Department of Public Safety shall transfer five vehicles to Walker County for use by the Criminal Division of the Special Prosecution Unit. None of the transferred vehicles shall have mileage in excess of 50,000.
- 47. Texas Task Force II.** Included in Strategy C.1.2, Response Coordination, is \$1,000,000 in General Revenue in each year of the 2014-15 biennium to assist the City of Dallas in supporting Texas Task Force II.

- 47. Motor Vehicle Replacement, Fuel and Maintenance.** Included in the appropriations made above in Strategy E.1.7, Fleet Operations, is \$310,540 in State Highway Fund 06 and 8.0 full-time equivalents in each year of the 2014-15 biennium to provide motor vehicle maintenance support for the agency's patrol vehicle fleet. Also included in the appropriations made above is \$18,861,231 in fiscal year 2014 and \$13,104,140 in State Highway Fund 06 in fiscal year 2015 to fund costs associated with additional fuel usage and vehicle replacement.

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- 48. Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy E.1.8, Facilities Management, in fiscal year 2014 is \$15,000,000 in General Obligation Bond Proceeds for projects for the Department of Public Safety as described in Article IX, Sec. 17.02, Appropriation For Proposition 4 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, 2014 are hereby appropriated for the fiscal year beginning September 1, 2014 for the same purpose(s)