

**Rider Comparison Packet**  
**Conference Committee on House Bill 1**  
**2016-17 General Appropriations Bill**  
**Article IV - The Judiciary**

ARTICLE IV - THE JUDICIARY  
201 Supreme Court of Texas  
DIFFERENCES ONLY

House

Senate

9. **Basic Civil Legal Services for Veterans.** Out of amounts appropriated above to Strategy B.1.1, Basic Civil Legal Services, the court shall transfer \$750,000 in General Revenue each year through an interagency contract to the Texas Veterans Commission. The Texas Veterans Commission shall match this amount with \$750,000 from appropriations to the Texas Veterans Commission from the Fund for Veterans' Assistance Account No. 0368 in the same fiscal year. Of this \$1,500,000 amount each fiscal year, \$1,000,000 will be used as grants to legal aid organizations to provide basic civil legal services to veterans and their families and \$500,000 will be used for Veterans Treatment Court Programs each fiscal year. The Texas Veterans Commission will grant and administer these legal services funds in consultation with the Texas Access to Justice Foundation.

9. **Interagency Contract with Texas Veterans' Commission.** Out of amounts appropriated above in Strategy B.1.1, Basic Civil Legal Services, the court shall transfer \$750,000 in General Revenue each year through an interagency contract to the Texas Veterans Commission. The Texas Veterans Commission shall match this amount with \$750,000 from appropriations to the Texas Veterans Commission from the Fund for Veterans' Assistance Account No. 0368 in the same fiscal year. The combined \$1,500,000 each fiscal year shall be used by the Texas Veterans Commission for Veterans Treatment Court Programs.

**ARTICLE IV - THE JUDICIARY**  
**211 Court of Criminal Appeals**  
**DIFFERENCES ONLY**

**House**

**Senate**

**2. Judicial Education.**

- a. The Court of Criminal Appeals may assign to the Office of Court Administration or to any other agency of the Judicial Branch the necessary administrative and accounting functions for the General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540 appropriation included in this Act to be performed under the direction of the Court of Criminal Appeals in compliance with Government Code, Chapter 56. To implement this provision, the Comptroller is authorized to transfer the appropriation from the Court of Criminal Appeals to the Office of Court Administration, or to any other agency of the Judicial Branch, as directed by order of the Court of Criminal Appeals.
  
- b. Funds appropriated above in Strategy B.1.1, Judicial Education, include a 3 percent administrative allocation estimated to be \$257,200 in fiscal year 2016 and \$263,162 in fiscal year 2017 out of General Revenue-Dedicated Judicial and Court Personnel Training Fund No. 540. All unobligated and unexpended balances in an amount not to exceed \$150,000 that are remaining from funds appropriated in Strategy B.1.1, Judicial Education, and allocated for administrative purposes as of August 31, 2016, are appropriated for the same purpose as of September 1, 2016. In addition to these amounts, \$200,000 in fiscal year 2016 and \$200,000 in fiscal year 2017 of the amounts appropriated above in Strategy B.1.1, Judicial Education, are allocated for administrative or training purposes or other purposes at the discretion of the Court of Criminal Appeals which further the objectives of Strategy B.1.1, Judicial Education. All unobligated and unexpended balances of funds appropriated to Strategy B.1.1, Judicial Education and allocated for administrative purposes at the end of fiscal year 2015 are appropriated to Strategy B.1.1, Judicial Education in fiscal year 2016 (not to exceed \$200,000 in General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540, and included in amounts appropriated above). Any unobligated and unexpended amounts remaining from unexpended balances carried forward into fiscal year 2016 are appropriated for fiscal year 2017 for the same purpose. For the purposes of this provision, the term administration shall include administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated

**2. Judicial Education.**

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- b. Funds appropriated above in Strategy B.1.1, Judicial Education include, a 3 percent administrative allocation estimated to be \$257,200 in fiscal year 2016 and \$263,162 in fiscal year 2017 out of General Revenue-Dedicated Judicial and Court Personnel Training Fund No. 540. All unobligated and unexpended balances in an amount not to exceed \$150,000 that are remaining from funds appropriated in Strategy B.1.1, Judicial Education, and allocated for administrative purposes as of August 31, 2016, are appropriated for the same purpose as of September 1, 2016. In addition to these amounts, \$200,000 in fiscal year 2016 and \$200,000 in fiscal year 2017 of the amounts appropriated above in Strategy B.1.1, Judicial Education, are allocated for administrative or training purposes or other purposes at the discretion of the Court of Criminal Appeals which further the objectives of Strategy B.1.1, Judicial Education. For the purposes of this provision, the term administration shall include administrative oversight functions, accounting and auditing functions, management studies, performance audits, and other studies initiated by the Court of Criminal Appeals or the Office of Court Administration.
  
- c. Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.

**ARTICLE IV - THE JUDICIARY**  
**211 Court of Criminal Appeals**  
**DIFFERENCES ONLY**  
(Continued)

**House**

**Senate**

by the Court of Criminal Appeals or the Office of Court Administration.

- c. Funds expended by either the Court of Criminal Appeals or the Office of Court Administration, out of the appropriation made above out of the General Revenue-Dedicated Judicial and Court Personnel Training Account No. 540, for the purpose of conducting management studies, performance audits, or other studies, shall be expended only in accordance with a competitive bidding process.

**ARTICLE IV - THE JUDICIARY**  
**230 Tenth Court of Appeals District, Waco**  
**DIFFERENCES ONLY**

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- 2. Unexpended Balance Authority.** Funds appropriated above in Strategy A.1.1, Appellate Court Operations, include \$100,000 in unexpended balances allocated for court facilities anticipated to be unexpended at the end of fiscal year 2015. These balances are appropriated for fiscal year 2016 in an amount not to exceed \$100,000 for the same purposes. Any unexpended balances of these funds remaining as of August 31, 2015 are appropriated to the Tenth Court of Appeals for the fiscal year beginning September 1, 2016 for the same purpose.

- 2. Contingency for Court Relocation.** Contingent on the enactment of legislation by the Eighty-fourth Legislature relating to court facilities for the Tenth Court of Appeals District, Waco, the Tenth Court of Appeals District, Waco is appropriated \$100,000 in General Revenue for court relocation.

**ARTICLE IV - THE JUDICIARY**  
**212 Office of Court Administration, Texas Judicial Council**  
**DIFFERENCES ONLY**

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**17. Additional Child Protection Courts.** Amounts appropriated above in Strategy B.1.2, Child Protection Courts Program, from the General Revenue Fund include \$912,854 in fiscal year 2016 and \$902,054 in fiscal year 2017 which may only be used for the purposes of establishing four new child protection courts and to provide support and assistance to child protection courts.

**17. Contingency for SB 1970.** Contingent on the enactment of SB 1970, or similar legislation relating to amending electronic filing fees as established in Government Code §51.851, for the purposes of increasing civil filing fees and court costs by the Eighty-fourth Legislature, the Office of Court Administration is appropriated an amount estimated to be \$4,237,354 each fiscal year from the General Revenue-Dedicated Statewide Electronic Filing System Account No. 5157 to implement the provisions of the legislation. In the event the legislation is not enacted, the Office of Court Administration is appropriated \$8,474,708 from General Revenue in fiscal year 2016 for the same purpose.

**18. Performance Reporting for the Guardianship Compliance Project.** The Office of Court Administration shall report on the performance of the Guardianship Compliance Project in a study to the Legislature no later than January 1, 2017. This report shall include at least the following:

- (1) the number of courts involved in the guardianship compliance project;
- (2) the number of guardianship cases reviewed by guardianship compliance specialists;
- (3) the number of reviewed guardianship cases found to be out of compliance with statutorily-required reporting requirements;
- (4) the number of cases reported to the court for ward well-being concerns or for financial exploitation concerns; and
- (5) the status of technology developed to monitor guardianship filings.

**ARTICLE IV - THE JUDICIARY**  
**212 Office of Court Administration, Texas Judicial Council**  
**DIFFERENCES ONLY**  
(Continued)

**House**

**Senate**

**18. Regional Public Defender Office for Capital Cases.**

- a. Amounts appropriated above in Strategy D.1.1, Texas Indigent Defense Commission, include an amount not to exceed \$500,000 in fiscal year 2016 and \$500,000 in fiscal year 2017 in General Revenue that shall be used by the Commission as a grant to a county for administration and operation of the Regional Public Defender for Capital Cases. Participation in the Regional Public Defender Program is limited to a county that:
  - (1) Possesses a population as defined in Government Code §312.011(20) of fewer than 300,000; or
  - (2) (A) Possesses a population as defined in Government Code §312.011(20) of fewer than 800,000; and
  - (B) Shares a border with the Republic of Mexico.
- b. Any amounts remaining each fiscal year under subsection (a) above may be used to expand the Regional Public Defender for Capital Case program to service other eligible counties.

**ARTICLE IV - THE JUDICIARY**  
**241 Judiciary Section, Comptroller's Department**  
**DIFFERENCES ONLY**

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**10. Contingency for Public Integrity Unit Appropriations.** Contingent on legislation being enacted by the Eighty-fourth Legislature to reform the system of investigating and prosecuting crimes related to state government, including insurance and tax fraud, \$2,015,498 in fiscal year 2016 and \$2,079,282 in fiscal year 2017 from General Revenue and \$1,237,857 in fiscal year 2016 and \$1,276,293 in fiscal year 2017 from General Revenue Fund - Insurance Companies Maintenance Tax and Insurance Department Fees are appropriated for those purposes pursuant to the provisions of the legislation.

**10. Contingency for SB 746.** Contingent on passage of SB 746, or similar legislation relating to the civil commitment of sexually violent predators, by the Eighty-fourth Legislature, Regular Session, appropriations in Strategy D.1.9, Montgomery County - 435<sup>th</sup> District Court Staff are reduced by \$232,091 each fiscal year from General Revenue and appropriations in Strategy D.1.4, Special Prosecution Unit (SPU) are increased by \$66,488 each fiscal year from General Revenue for the Civil Division of the SPU to implement the provisions of the legislation.