

Rider Comparison Packet

Conference Committee on House Bill 1

2016-17 General Appropriations Bill

Article V - (Public Safety and Criminal Justice)

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
458 Alcoholic Beverage Commission
DIFFERENCES ONLY

House

Senate

13. Contingent Revenue. Out of the amounts appropriated above to the Texas Alcoholic Beverage Commission (TABC) in Strategy C.1.1, Compliance Monitoring, contingent upon letters of support from the alcoholic beverage industry, the amount of \$301,297 in fiscal year 2016 and \$288,967 in fiscal year 2017, in General Revenue is contingent upon TABC assessing or increasing surcharges sufficient to generate, during the 2016-17 biennium, \$611,536 in excess of \$50,455,000 (Object Code 3257), contained in the Comptroller of Public Accounts' Biennial Revenue Estimate for fiscal years 2016 and 2017. Also, the "Number of Full-Time-Equivalents (FTE)" figure above includes 6.0 FTEs in each fiscal year contingent upon the Comptroller's certification of increased revenue indicated above. TABC, upon completion of necessary actions to assess or increase such additional surcharges, shall furnish copies of TABC's minutes and other information supporting the estimated revenues to be generated for the 2016-17 biennium under the revised fee structure to the Comptroller of Public Accounts. If the Comptroller finds the information sufficient to support the projection of increased revenues, a finding of fact to that effect shall be issued and the contingent appropriation shall be made available for the intended purposes. For informational purposes, the amount of increased revenue identified above reflects amounts sufficient to cover direct appropriations of \$590,264 and other direct and indirect costs (estimated to be \$21,272 for the 2016-17 biennium).

13. Mobile Radios. Out of amounts appropriated above to the Texas Alcoholic Beverage Commission (TABC), TABC shall enter into an interagency contract with the Department of Public Safety for the purpose of leasing mobile radios. In addition to the authority provided in TABC's Capital Budget rider, TABC's capital budget authority is increased as necessary to accommodate leasing expenditures for mobile radios.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
696 Department of Criminal Justice
DIFFERENCES ONLY

House

- 55. 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 voting rights and 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.

Senate

- 55. 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.

- 57. Contingency for Behavioral Health Funds.** Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related behavioral health funds for the Department of Criminal Justice in Strategies A.1.2, Diversion Programs, A.1.3, Community Corrections, A.1.4, Treatment Alternatives To Incarceration Program, B.1.1, Special Needs Programs and Services, C.1.8, Managed Health Care - Unit and Psychiatric Care, C.1.10, Managed Health Care - Pharmacy, C.2.3, Treatment Services, C.2.4, Substance Abuse Treatment - Substance Abuse Felony Punishment Facilities, and C.2.5, Substance Abuse Treatment - In-Prison Treatment and Coordination, in fiscal year 2017, as identified in Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2017 does not satisfy the requirements of Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
696 Department of Criminal Justice
DIFFERENCES ONLY
(Continued)

House

Senate

58. 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.

59. Harris County Community Corrections Facility. Out of funds appropriated above in Strategy A.1.2, Diversion Programs, \$6,000,000 in fiscal year 2016 and \$6,000,000 in fiscal year 2017 in discretionary grants shall be made to the Harris County Community Supervision and Corrections Department for the continued operations of the Harris County Community Corrections Facility.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
696 Department of Criminal Justice
DIFFERENCES ONLY
(Continued)

House

Senate

- 60. Friends For Life Grant.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, \$200,000 per fiscal year shall be awarded to the Friends for Life adoption and rescue organization to provide training and community service for probationers.
- 61. Funding Increases for the 2016-17 Biennium.** Included within the amounts above, are funding increases related to the following:
- a. Strategies C.1.1, Correctional Security Operations, and F.2.1, Parole Supervision - \$29,375,057 in fiscal year 2016 and \$59,484,522 in fiscal year 2017 for a 2.5 percent pay increase in fiscal year 2016 and an additional 2.5 percent pay increase in fiscal year 2017 for Texas Department of Criminal Justice correctional and parole officers.
 - b. Strategies C.1.8, Unit and Psychiatric Care, C.1.9, Hospital and Clinical Care, and C.1.10, Pharmacy - \$26,928,892 in fiscal year 2016 and \$23,550,350 in fiscal year 2017 for correctional managed health care delivery of services, increased unit health care coverage, and critical capital equipment needs.
 - c. Strategy C.2.5, In-Prison Substance Abuse Treatment and Coordination - \$1,464,000 in fiscal year 2016 and \$1,460,000 in fiscal year 2017 for 500 additional DWI treatment slots.
 - d. Strategy A.1.2, Diversion Programs - \$4,062,941 per fiscal year for additional substance abuse counseling services for offenders on community supervision.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
411 Commission on Fire Protection
DIFFERENCES ONLY

House

Senate

2. Appropriations Limited to Revenue Collections. Revenues collected pursuant to Texas Government Code §§419.025 and 419.026 and deposited to Revenue Object Code 3175 in the General Revenue Fund shall cover, at a minimum, the cost of appropriations made above as well as an amount equal to the amount identified above in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act" . "Other direct and indirect costs" are estimated to be \$823,624 in fiscal year 2016 and \$862,650 in fiscal year 2017. In the event that actual and/or projected revenue collections for amounts identified above from fees collected pursuant to Texas Government Code, §§ 419.025 and 419.026, are insufficient to offset the amounts identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority by the amounts that collections are below the sum of amounts identified in this rider.

2. Appropriations Limited to Revenue Collections. Revenues collected pursuant to Texas Government Code §§419.025 and 419.026 and deposited to Revenue Object Code 3175 in the General Revenue Fund shall cover, at a minimum, the cost of appropriations made above as well as an amount equal to the amount identified above in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act" in addition to \$3,000,000 over the biennium. "Other direct and indirect costs" are estimated to be \$823,624 in fiscal year 2016 and \$862,650 in fiscal year 2017. In the event that actual and/or projected revenue collections for amounts identified above from fees collected pursuant to Texas Government Code, §§ 419.025 and 419.026, are insufficient to offset the amounts identified by this provision, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority by the amounts that collections are below the sum of amounts identified in this rider provided above to be within the amount of revenue expected to be available above \$3,000,000.

5. Reimbursement of Advisory Committees. Pursuant to Government Code Chapter 419, out of funds appropriated above, \$2,500 in each fiscal year of the 2016-17 biennium is allocated for the Commission to provide reimbursement to members of its advisory committees for travel expenses

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY

House

Senate

1. Appropriation: Juvenile Justice Functions.

- a) In lieu of providing an appropriation for the Texas Juvenile Justice Department (TJJD) across goals, strategies, and objectives, \$312,291,073 in All Funds and 2,855.1 full-time equivalent positions (FTEs) in fiscal year 2016 and \$307,111,867 in All Funds and 2,855.1 FTEs in fiscal year 2017 is appropriated to TJJD for the purpose of administering juvenile justice functions in the following manner:
 - 1) General Revenue Funds. \$288,837,601 in fiscal year 2016 and \$283,968,666 in fiscal year 2017 in General Revenue Funds;
 - 2) Federal Funds. \$10,774,006 in fiscal year 2016 and \$10,728,134 in fiscal year 2017 in Federal Funds;
 - 3) Other Funds. \$1,460,413 in fiscal year 2016 and \$1,460,413 in fiscal year 2017 in Appropriated Receipts;
 - 4) Other Funds. \$691,000 in fiscal year 2016 and \$691,000 in fiscal year 2017 in Interagency Contracts; and,
 - 5) Other Funds. \$10,528,053 in fiscal year 2016 and \$10,263,654 in fiscal year 2017 in Interagency Contracts from Foundation School Fund No. 193.
- b) The final allocation of funds and FTEs for the state's juvenile justice functions is contingent upon actions taken by the Eighty-fourth Legislature, 2015, in statute or this Act, to address fundamental issues regarding the state's juvenile justice policies and operations, including, but not limited to, the following:
 - 1) **Number, size, and geographic locations of state-operated facilities.** TJJD currently operates five secure facilities and eight halfway house facilities. An additional secure facility is not operational, but is maintained by TJJD. Current and projected populations do not support the existing capacity and the excess capacity creates operational inefficiencies, including fixed costs. The rapidly declining served population presents challenges to state policy which seeks efficiencies and cost effectiveness while also maintaining statutory goals of juvenile justice facilities that are of a size that support effective youth rehabilitation and are geographically close to services and families.

1. Appropriation: Juvenile Justice Functions.

- a) In lieu of providing an appropriation for the Texas Juvenile Justice Department (TJJD) across goals, strategies, and objectives, \$316,201,425 in All Funds and 2,866.1 full-time equivalent positions (FTEs) in fiscal year 2016 and \$312,215,870 in All Funds and 2,866.1 FTEs in fiscal year 2017 is appropriated to TJJD for the purpose of administering juvenile justice functions in the following manner:
 - 1) General Revenue Funds. \$292,747,953 in fiscal year 2016 and \$289,072,669 in fiscal year 2017 in General Revenue Funds;
 - 2) Federal Funds. \$10,774,006 in fiscal year 2016 and \$10,728,134 in fiscal year 2017 in Federal Funds;
 - 3) Other Funds. \$1,460,413 in fiscal year 2016 and \$1,460,413 in fiscal year 2017 in Appropriated Receipts;
 - 4) Other Funds. \$691,000 in fiscal year 2016 and \$691,000 in fiscal year 2017 in Interagency Contracts; and,
 - 5) Other Funds. \$10,528,053 in fiscal year 2016 and \$10,263,654 in fiscal year 2017 in Interagency Contracts from Foundation School Fund No. 193.
- b) The final allocation of funds and FTEs for the state's juvenile justice functions is contingent upon actions taken by the Eighty-fourth Legislature, 2015, in statute or this Act, to address fundamental issues regarding the state's juvenile justice policies and operations, including, but not limited to, the following:
 - 1) **Number, size, and geographic locations of state-operated facilities.** TJJD currently operates five secure facilities and eight halfway house facilities. An additional secure facility is not operational, but is maintained by TJJD. Current and projected populations do not support the existing capacity and the excess capacity creates operational inefficiencies, including fixed costs. The rapidly declining served population presents challenges to state policy which seeks efficiencies and cost effectiveness while also maintaining statutory goals of juvenile justice facilities that are of a size that support effective youth rehabilitation and are geographically close to services and families.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY
(Continued)

House

- 2) **Use of contractor-operated facilities.** TJJD's current vision includes increasing the use of contract beds in the 2016-17 biennium to provide specialized services for youth. The Eighty-fourth Legislature may address whether and to what extent it wants to use contractor-operated facilities to address the state's current juvenile justice needs.
- 3) **Agency authority to transfer appropriations between residential settings.** The Eighty-fourth Legislature may choose to address the degree to which the agency is granted authority to deviate, in terms of the utilization of different types of facilities, including contracted facilities, from the legislative allocations contained in the General Appropriations Act. In fiscal year 2014, TJJD transferred appropriations between items of appropriation in excess of the limitations provided in Article IX, Section 14.01.
- 4) **Safety and security of youth and staff.** The agency has a need for a clear, stabilized vision of practices and policies related to the safety and security of youth and staff. The fiscal year 2014 juvenile correctional officer (JCO) turnover rate as reported by TJJD was 36 percent. Administration has cited high turnover as the result of staff feeling unsafe in the workplace. Currently, JCOs must receive 300 training hours before consideration for service and the agency administration's current vision is to reduce the number of training hours required.
- 5) **Ensuring an agency administration that is transparent, responsive, and adaptable.** Agency administration has changed since the Eighty-third Legislature. The agency has suffered significant administrative turnover in recent years, creating a lack of historical and administrative knowledge. The agency has a need for stabilization in its administration and a vision that meets the needs of the agency's service population and the public. Agency administration must be adaptable to changes in population and the operations those populations serve, and must be responsive to, and communicate effectively with the legislature.

Senate

- 2) **Use of contractor-operated facilities.** TJJD's current vision includes increasing the use of contract beds in the 2016-17 biennium to provide specialized services for youth. The Eighty-fourth Legislature may address whether and to what extent it wants to use contractor-operated facilities to address the state's current juvenile justice needs.
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- 5) **Ensuring an agency administration that is transparent, responsive, and adaptable.** Agency administration has changed since the Eighty-third Legislature. The agency has suffered significant administrative turnover in recent years, creating a lack of historical and administrative knowledge. The agency has a need for stabilization in its administration and a vision that meets the needs of the agency's service population and the public. Agency administration must be adaptable to changes in population and the operations that serve those populations, and must be responsive to, and communicate effectively with the legislature.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY
(Continued)

House

Senate

2.

Safety. In instances in which regular employees of facilities operated by the Juvenile Justice Department are assigned extra duties on special tactics and response teams, supplementary payments, not to exceed \$200 per month for team leaders and \$150 per month for team members, are authorized in addition to the salary rates stipulated by the provisions of Article IX of this Act relating to the position classifications and assigned salary ranges.
3.

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 \$96 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
2.

Contingency for Behavioral Health Funds. Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related behavioral health funds for the Texas Juvenile Justice Department in fiscal year 2017, as identified in Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2017 does not satisfy the requirements of Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY
(Continued)

House

Senate

beginning of each fiscal year have been expended at the rate of \$96 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of \$96 per student per day.

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

Unspent balances in fiscal year 2016 shall be appropriated to fiscal year 2017 for the same purposes in Strategy A.1.6.

The amount of \$96 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 \$96 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 2017 to the Foundation School Fund No. 193.

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.

- 3. Transfer from State-operated Facilities to Probation.** Notwithstanding transfer limitations provided in Article IX, Section 14.01 of this Act, the Juvenile Justice Department may transfer funds from State-operated Facilities appropriation items to Regional Planning and Diversion strategies to support regional placement of youth at high risk of commitment to JJD, if JJD determines that state-operated facilities populations have declined and do not require the entire appropriation for a fiscal year. The department shall report the amount of funds transferred under this provision to the Legislative Budget Board following the end of each fiscal quarter

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY
(Continued)

House

Senate

beginning September 1, 2016. If no transfer is made in a quarter, the department shall report the factors related to the decision not to transfer funds.

4.

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 \$96 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.
4.

Harris County Leadership Academy. Out of funds appropriated above in Strategy A.1.4, Pre and Post Adjudication Facilities, \$1,000,000 in General Revenue Funds in each fiscal year shall be expended for the Harris County Leadership Academy.
5.

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.

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

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
644 Juvenile Justice Department
DIFFERENCES ONLY
(Continued)

House

Senate

authority recommends that the employee be terminated or the employee is terminated.

5. Study on Disparities in Sentencing. Out of the funds appropriated above, the Juvenile Justice Department shall conduct a disparity study to determine the effects that race, socioeconomic characteristics, and geographical location have on the sentencing of a child. Not later than December 31, 2016, the department shall report the results of the study to the governor, the Legislative Budget Board, and any appropriate oversight committees of the legislature.

6. General Obligation Bond Proceeds: Repurposing Authority. For unexpended and unobligated balances of General Obligation Bond Proceeds for projects that have been approved under the provisions of Article IX, Section 17.02 of Senate Bill 1, Eighty-third Legislature, Regular Session, 2013, remaining as of August 31, 2015 (estimated to be \$1,714,301) for deferred maintenance, in the 2016-17 biennium the Texas Juvenile Justice Department may repurpose funds from previously cancelled projects.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
401 Military Department
DIFFERENCES ONLY

House

Senate

- 9. Appropriation - Billet Receipts.** Any billet receipts in excess of \$258,000 in fiscal year 2016 and \$258,000 in fiscal year 2017 (included in Appropriated Receipts above) are hereby appropriated for use in Strategy B.1.1, Facilities Maintenance (estimated to be \$0). Any unexpended balances of billet receipts as of August 31, 2016 are appropriated for the fiscal year beginning September 1, 2016 in Strategy B.1.1, Facilities Maintenance, for the same purpose.
- 26. Seaborne/ChalleNGe Youth Education Program.** In addition to funds appropriated above in Strategy C.1.1, Youth Education Programs, funds are appropriated from the Foundation School Fund No. 193 for each fiscal year of the biennium. In the event the available amount from the Foundation School Fund No. 193 is greater than \$350,000 in either fiscal year, General Revenue funds equal to the difference between the Foundation School Funds No. 193 and \$350,000 shall lapse to the unobligated portion of the General Revenue Fund.
- 27. Purchase of the National Guard Armory Facility in Huntsville.** Out of funds appropriated above in Strategy B.1.1, Facilities Maintenance, \$400,000 in General Revenue Funds in fiscal year 2016 shall be expended only for the land acquisition of the Texas National Guard armory in Huntsville. Any unexpended balances from this amount remaining as of August 31, 2016 are appropriated for the same purposes for the fiscal year beginning September 1, 2016.

- 9. Appropriation - Billet Receipts.** Any billet receipts in excess of \$258,000 in fiscal year 2016 and \$258,000 in fiscal year 2017 (included in Appropriated Receipts above) are hereby appropriated for use in Strategy B.1.1, Facilities Maintenance (estimated to be \$0).
- 26. ChalleNGe Youth Education Program.** In addition to funds appropriated above in Strategy C.1.1, Youth Education Programs, funds are appropriated from the Foundation School Fund No. 193 for each fiscal year of the biennium. In the event the available amount from the Foundation School Fund No. 193 is greater than \$175,000 in either fiscal year, General Revenue funds equal to the difference between the Foundation School Funds No. 193 and \$175,000 shall lapse to the unobligated portion of the General Revenue Fund.
- 27. Contingency for Behavioral Health Funds.** Notwithstanding appropriation authority granted above, the Comptroller of Public Accounts shall not allow the expenditure of General Revenue-Related behavioral health funds for the Texas Military Department in Strategy C.1.3, Mental Health Initiative, in fiscal year 2017, as identified in Art. IX, Sec. 10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures, if the Legislative Budget Board provides notification to the Comptroller of Public Accounts that the agency's planned expenditure of those funds in fiscal year 2017 does not satisfy the requirements of Art. IX, Sec.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
401 Military Department
DIFFERENCES ONLY
(Continued)

House

Senate

10.04, Statewide Behavioral Health Strategic Plan and Coordinated Expenditures.

- 28. Governor Grant for Payroll Processing in Event of Disaster.** It is the intent of the Legislature that, in the event of an emergency or disaster in response to which the Governor has deployed the National Guard, the Governor may make a grant from disaster funds appropriated to the Trusteed Programs within the Office of the Governor, or any other funds available, to the Texas Military Department, in an amount determined to be appropriate by the Office of the Governor, in order to ensure timely and accurate payroll processing for the National Guard when deployed.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department o Public Safety
DIFFERENCES ONLY

House

Senate

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. The Department of Public Safety may expend funds for the lease of capital budget items with Legislative Budget Board approval if the department provides a cost-benefit analysis to the Legislative Budget Board that supports leasing instead of purchasing prior to exercising the lease option. 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>2016</u> | <u>2017</u> |
|--|-------------------|-------------|
| a. Construction of Buildings and Facilities | | |
| (1) Building Programs New Construction: Regional Offices with Crime Labs; Rio Grande City Office; Crime Lab Expansions; and Emergency Vehicle Operations Course - Project #496 | \$ 21,978,909 | \$ UB |
| (2) Hidalgo County Driver License Site | 4,600,000 | 0 |
| (3) Gessner Office Upgrade - EI Project #938 | 6,649,000 | 0 |
| Total, Construction of Buildings and Facilities | \$ 33,227,909 | \$ UB |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Deferred Maintenance - Project #601 | 2,207,468 | UB |
| (2) Deferred Maintenance - Rider 45 - Project #993 | 17,778,877 | 0 |
| (3) Deferred Maintenance - UB of 2014-15 Funding | 1,495,912 | 0 |

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. The Department of Public Safety may expend funds for the lease of capital budget items with Legislative Budget Board approval if the department provides a cost-benefit analysis to the Legislative Budget Board that supports leasing instead of purchasing prior to exercising the lease option. 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>2016</u> | <u>2017</u> |
|--|-------------------|------------------|
| a. Construction of Buildings and Facilities | | |
| (1) Building Programs New Construction: Regional Offices with Crime Labs; Rio Grande City Office; Crime Lab Expansions; and Emergency Vehicle Operations Course - Project #496 | \$ 21,978,909 | \$ UB |
| (2) Multiuse Training Facility | 2,000,000 | 0 |
| Total, Construction of Buildings and Facilities | \$ 23,978,909 | \$ UB |
| b. Repair or Rehabilitation of Buildings and Facilities | | |
| (1) Deferred Maintenance - Project #601 | 2,207,468 | UB |
| (2) Deferred Maintenance - Rider 40 - Project #993 | 28,918,442 | 9,860,435 |
| Total, Repair or Rehabilitation of Buildings and Facilities | \$ 31,125,910 | \$ 9,860,435 |

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

| | House | | | Senate | |
|--|------------------------------------|------------|----|------------|------------|
| | Total, Repair or Rehabilitation of | | | | |
| Buildings and Facilities | \$ | 21,482,257 | \$ | | 0 |
| c. Acquisition of Information Resource Technologies | | | | | |
| (1) CVE Information Technology Purchases - Project #775 | | 934,350 | | 934,350 | 934,350 |
| (2) Case Management IT Tool - Project # 808 | | 2,000,000 | | 2,000,000 | 2,000,000 |
| (3) IT Link Analysis - Project #809 | | 708,500 | | 708,500 | 708,500 |
| (4) JOICs (Operations Technology Support - IT) - Project #810 | | 1,958,500 | | 1,958,500 | 1,958,500 |
| (5) IT Modernization Initiatives and Maintenance - Project Number #987 | | 10,137,502 | | 10,137,502 | 10,126,582 |
| (6) DLIP Self Service Enhancements - Project #985 | | 5,000,000 | | 5,000,000 | 0 |
| (7) Crime Records Service Information Technology - Project #984 | | 3,279,625 | | 3,279,625 | 3,279,626 |
| (8) DL Technology Upgrades - Project #988 | | 13,494,600 | | 13,494,600 | 6,924,400 |
| (9) Cyber Security Upgrades | | 13,729,887 | | | 0 |
| (10) Texas Anti-Gang Initiative | | 5,719,901 | | | 2,547,158 |
| Total, Acquisition of Information Resource Technologies | \$ | 56,962,865 | \$ | 37,513,077 | 25,931,958 |
| d. Transportation Items | | | | | |
| (1) Vehicles Project #880 | | 25,124,372 | | 34,771,734 | 31,464,682 |
| (2) Lightbars for Patrol Vehicles | | 352,638 | | 352,638 | 352,637 |
| Total, Transportation Items | \$ | 25,477,010 | \$ | 42,624,372 | 31,817,319 |
| e. Acquisition of Capital Equipment and Items | | | | | |
| (1) Technical Unit Intercept System - Project #845 | | 450,000 | | 450,000 | 450,000 |
| (2) Radios - Project #85 | | 4,273,256 | | 4,273,256 | 4,254,949 |
| (3) DNA/CODIS Analysis Project - Project #562 | | | | 786,000 | 0 |
| (4) Crime Lab Equipment - Project #891 | | | | 2,041,000 | 0 |
| Total, Acquisition of Capital Equipment | | | | | |

| | | | | | |
|--|----|------------|----|------------|------------|
| c. Acquisition of Information Resource Technologies | | | | | |
| (1) CVE Information Technology Purchases - Project #775 | | 934,350 | | 934,350 | 934,350 |
| (2) Case Management IT Tool - Project # 808 | | 2,000,000 | | 2,000,000 | 2,000,000 |
| (3) IT Link Analysis - Project #809 | | 708,500 | | 708,500 | 708,500 |
| (4) JOICs (Operations Technology Support - IT) - Project #810 | | 1,958,500 | | 1,958,500 | 1,958,500 |
| (5) IT Modernization Initiatives and Maintenance - Project Number #987 | | 10,137,502 | | 10,137,502 | 10,126,582 |
| (6) DLIP Self Service Enhancements - Project #985 | | 5,000,000 | | 5,000,000 | 0 |
| (7) Crime Records Service Information Technology - Project #984 | | 3,279,625 | | 3,279,625 | 3,279,626 |
| (8) DL Technology Upgrades - Project #988 | | 13,494,600 | | 13,494,600 | 6,924,400 |
| Total, Acquisition of Information Resource Technologies | \$ | 37,513,077 | \$ | 25,931,958 | |
| d. Transportation Items | | | | | |
| (1) Vehicles Project #880 | | 34,771,734 | | 34,771,734 | 31,464,682 |
| (2) Lightbars for Patrol Vehicles | | 352,638 | | 352,638 | 352,637 |
| (3) Acquire Aircraft | | 7,500,000 | | 7,500,000 | 0 |
| Total, Transportation Items | \$ | 42,624,372 | \$ | 31,817,319 | |
| e. Acquisition of Capital Equipment and Items | | | | | |
| (1) Technical Unit Intercept System - Project #845 | | 450,000 | | 450,000 | 450,000 |
| (2) Radios - Project #85 | | 4,273,256 | | 4,273,256 | 4,254,949 |
| (3) DNA/CODIS Analysis Project - Project #562 | | | | 786,000 | 0 |
| (4) Crime Lab Equipment - Project #891 | | | | 2,041,000 | 0 |
| Total, Acquisition of Capital Equipment | | | | | |

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

| | House | |
|---|-----------------------|----------------------|
| (3) DNA/CODIS Analysis Project - Project #562 | 786,000 | 0 |
| (4) Crime Lab Equipment - Project #891 | 2,041,000 | 0 |
| Total, Acquisition of Capital Equipment and Items | <u>\$ 7,550,256</u> | <u>\$ 4,704,949</u> |
| f. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) NCIC/TLETS Upgrade - Lease Payments (MLPP) 1998-99 - Project #78 | 68,433 | 18,001 |
| Total, Other Lease Payments to the Master Lease Purchase Program (MLPP) | <u>\$ 68,433</u> | <u>\$ 18,001</u> |
| g. Emergency Management: Acquisition of Information Resource Tech | | |
| (1) SOC Enhancement - Project #793 | 600,000 | 0 |
| (2) Disaster District EOC Refresh - Project #794 | 1,000,000 | 0 |
| (3) Land Mobile Satellite Units - Project #797 | 225,000 | 225,000 |
| Total, Emergency Management: Acquisition of Information Resource Tech | <u>\$ 1,825,000</u> | <u>\$ 225,000</u> |
| Total, Capital Budget | <u>\$ 146,593,730</u> | <u>\$ 56,807,022</u> |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | \$ 114,732,833 | \$ 51,518,502 |
| Federal Funds | 7,674,520 | 5,288,520 |
| Bond Proceeds - General Obligation Bonds | 24,186,377 | UB |

| | Senate | |
|---|-----------------------|----------------------|
| and Items | <u>\$ 7,550,256</u> | <u>\$ 4,704,949</u> |
| f. Other Lease Payments to the Master Lease Purchase Program (MLPP) | | |
| (1) NCIC/TLETS Upgrade - Lease Payments (MLPP) 1998-99 - Project #78 | 68,433 | 18,001 |
| Total, Other Lease Payments to the Master Lease Purchase Program (MLPP) | <u>\$ 68,433</u> | <u>\$ 18,001</u> |
| g. Emergency Management: Acquisition of Information Resource Tech | | |
| (1) SOC Enhancement - Project #793 | 600,000 | 0 |
| (2) Disaster District EOC Refresh - Project #794 | 1,000,000 | 0 |
| (3) Land Mobile Satellite Units - Project #797 | 225,000 | 225,000 |
| Total, Emergency Management: Acquisition of Information Resource Tech | <u>\$ 1,825,000</u> | <u>\$ 225,000</u> |
| Total, Capital Budget | <u>\$ 144,685,957</u> | <u>\$ 72,557,662</u> |
| Method of Financing (Capital Budget): | | |
| General Revenue Fund | \$ 112,825,060 | \$ 67,269,142 |
| Federal Funds | 7,674,520 | 5,288,520 |
| Bond Proceeds - General Obligation Bonds | 24,186,377 | UB |
| Total, Method of Financing | <u>\$ 144,685,957</u> | <u>\$ 72,557,662</u> |

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

Total, Method of Financing \$ 146,593,730 \$ 56,807,022

- 8. Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than October 30 of each year, a report disclosing information on seized/forfeited assets. The report shall contain a summary of receipts, disbursements, and fund balances for the fiscal year derived from both federal and state sources and supporting detail. The detail information shall, at a minimum, include the following:
- a) Regarding receipts: the court in which the case was adjudicated, whether the person whose property was seized was represented by counsel, whether the property was forfeited as a result of a default judgment, the nature of the assets, the value of the assets, and the specific, intended use of the assets and, if a criminal charge was brought in connection with the seizure of property, the specific offense charged and the disposition of that charge; and
 - b) Regarding disbursements: the departmental control number, the departmental category, the division making the request, the specific item and amount requested, the amount the department approved, and the actual amount expended per item.

- 20. Full-Time-Equivalents, Recruits.** Recruits and interns participating in the recruit school of the Department of Public Safety shall not be counted toward the limit on the number of full-time equivalent positions (FTEs) for the agency until their graduation. Upon graduation, the additional officers shall not cause the Department of Public Safety to exceed the department's limit on FTEs. The number of participants in the recruit schools shall be included in all required reports concerning FTEs and vacancies, but the recruits and interns shall be reported as a separate total from the agency's other FTEs.

- 8. Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than October 30 of each year, a report disclosing information on seized/forfeited assets. The report shall contain a summary of receipts, disbursements, and fund balances for the fiscal year derived from both federal and state sources and supporting detail. The detail information shall, at a minimum, include the following:
- a. Regarding receipts: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the specific, intended use of the assets; and
 - b. Regarding disbursements: the departmental control number, the departmental category, the division making the request, the specific item and amount requested, the amount the department approved, and the actual amount expended per item.

- 20. Full-Time-Equivalents, Recruits.** Recruits participating in the recruit school of the Department of Public Safety shall not be counted toward the limit on the number of full-time equivalent positions (FTEs) for the agency until their graduation. Upon graduation, the additional officers shall not cause the Department of Public Safety to exceed the department's limit on FTEs. The number of participants in the recruit schools shall be included in all required reports concerning FTEs and vacancies, but the recruits shall be reported as a separate total from the agency's other FTEs.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

31. State Disaster Resource Support and Staging Sites. From funds appropriated above in Goal D, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than \$1,008,000 in fiscal year 2016 and \$1,008,000 in fiscal year 2017 for the operation of no more than two state disaster resource support and staging sites which are currently established. The Texas Division of Emergency Management is authorized to spend funds for the daily operation of state disaster resource support and staging sites. This does not include any costs associated with disaster response. Funds used under this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

39. Funding for Deferred Maintenance. The following amounts are included in Strategy F.1.8, Facilities Management:

31. State Disaster Resource Support and Staging Sites. From funds appropriated above in Goal D, Emergency Management, the Texas Division of Emergency Management is authorized to spend no more than \$1,008,000 in fiscal year 2016 and \$1,008,000 in fiscal year 2017 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.

34. Border Auto Theft Information Center. From funds appropriated above, the Department of Public Safety's Border Security Operations Center shall: (1) apply for Federal Funds to administer the Border Auto Theft Information Center; (2) before December 31 of each fiscal year provide a report to the Legislative Budget Board regarding the current status of the federal grant application and use of funds. Federal Funds received for the purpose of administering and operating the Border Auto Theft Information Center are appropriated to the Department of Public Safety.

40. Funding for Deferred Maintenance. Included in Strategy F.1.8, Facilities Management, is \$17,778,877 in General Revenue Funds in fiscal year 2016 for the purpose of funding priority health and safety deferred maintenance needs of the Department of Public Safety. By October

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

- a) \$17,778,877 in General Revenue Funds in fiscal year 2016 is for the purpose of funding priority health and safety deferred maintenance needs of the Department of Public Safety. By October 1 of fiscal year 2016, the Department of Public Safety shall submit to the Legislative Budget Board a written request to expend the funds for specific deferred maintenance projects. The agency shall not expend the funds identified in this rider without prior Legislative Budget Board approval.
- b) Unexpended and unobligated balances as of August 31, 2015, (estimated to be \$1,495,912) in General Revenue is to be used during the biennium beginning September 1, 2015, for the purpose of funding priority health and safety deferred maintenance needs of the Department of Public Safety previously identified in written request submitted to the Legislative Budget Board pursuant to Article V, Rider 45, Eighty-third Legislature, Regular Session.

Senate

1 of fiscal year 2016, the Department of Public Safety shall submit to the Legislative Budget Board a written request to expend the funds for specific deferred maintenance projects. The agency shall not expend the funds identified in this rider without prior Legislative Budget Board approval.

- 41. Driver License Improvement Plan Reporting.** Included in the amounts above is \$81,238,828 in fiscal year 2016 and \$71,225,573 in fiscal year 2017 in General Revenue Funds for the purpose of the driver license improvement plan. The Department of Public Safety shall provide an annual report on the effectiveness of the driver license improvement plan not later than December 1st of each fiscal year. The report shall include information related to specific expenditures, program outcomes and outputs, obstacles to improvement, and any other information that the department deems necessary in order to fully report on the progress of the driver license improvement plan.
- 43. Incident Based Reporting Grants.** Included in amounts appropriated above in Strategy E.1.2, Crime Records Services, is \$2,519,174 in fiscal year 2016 and \$2,519,174 in fiscal year 2017 from the General Revenue - Dedicated Emergency Radio Infrastructure Account No. 5153 to provide grants to local law enforcement agencies for upgrading technology infrastructure to

- 42. Driver License Improvement Plan Reporting.** Included in the amounts above is \$45,758,024 in fiscal year 2016 and \$56,095,776 in fiscal year 2017 in General Revenue Funds for the purpose of the driver license improvement plan. The Department of Public Safety shall provide an annual report on the effectiveness of the driver license improvement plan not later than December 1st of each fiscal year. The report shall include information related to specific expenditures, program outcomes and outputs, obstacles to improvement, and any other information that the department deems necessary in order to fully report on the progress of the driver license improvement plan.
- 44. Incident Based Reporting Grants.** Included in amounts appropriated above in Strategy E.1.2, Crime Records Services, is \$8,189,174 in fiscal year 2016 and \$8,189,174 in fiscal year 2017 from the General Revenue-Dedicated Emergency Radio Infrastructure Account No. 5153 to provide grants to local law enforcement agencies for upgrading technology infrastructure to

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

implement incident based reporting. Technology infrastructure purchased using grant funds shall be compatible with the National Incident Based Reporting System and the Texas Incident Based Reporting System.

- 44. Contingency Appropriation for Training on Incident Based Reporting.** Contingent upon the enactment of legislation by the Eighty-fourth Legislature relating to the modification of the Occupations Code to expand the allowable uses of the General Revenue-Dedicated Law Enforcement Officers Standards and Education Account No. 116 to include grants administered by the Department of Public Safety, the Department of Public Safety is appropriated in Strategy E.1.2, Crime Records Services, \$150,000 in fiscal year 2016 and \$150,000 in fiscal year 2017 out of the Law Enforcement Officers Standards and Education Account No. 116 to provide grants to local law enforcement agencies for training on incident based reporting.
- 46. Inter-Agency Contract with Texas Commission on Law Enforcement.** From funds appropriated above, the Department of Public Safety may enter into an inter-agency contract with the Texas Commission on Law Enforcement for border security-related services in each year of the 2016-17 biennium.
- 47. Transfer of Vehicles to Walker County. Transfer of Vehicles to Walker County.** The Department of Public Safety shall transfer five vehicles to Walker County for use by the Civil Division of the Special Prosecution Unit. None of the transferred vehicles shall have mileage in excess of 50,000 miles.

Senate

implement incident based reporting. Technology infrastructure purchased using grant funds shall be compatible with the National Incident Based Reporting System and the Texas Incident Based Reporting System.

- 45. Contingency Appropriation for Training on Incident Based Reporting.** Contingent upon the enactment of legislation by the Eighty-fourth Legislature relating to the modification of the Occupations Code to expand the allowable uses of the General Revenue-Dedicated Law Enforcement Officers Standards and Education Account No. 116 to include grants administered by the Department of Public Safety, the Department of Public Safety is appropriated in Strategy E.1.2, Crime Records Services, \$480,000 in fiscal year 2016 and \$480,000 in fiscal year 2017 out of the Law Enforcement Officers Standards and Education Account No. 116 to provide grants to local law enforcement agencies for training on incident based reporting.
- 47. Stipends to Troopers Participating in Operation Strong Safety II.** Included in the General

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

Revenue Funds appropriated above in Strategy B.1.5, Recruitment, Retention, and Support, is \$1,600,000 in fiscal year 2016 and \$1,600,000 in fiscal year 2017 to fund stipends of \$125 per week for state troopers participating in Operation Strong Safety II. The Department of Public Safety shall provide these weekly stipends to all state troopers participating in Operation Strong Safety II.

48.

Differential Pay. Out of funds appropriated above, the Department of Public Safety is authorized to pay differential pay for hard to fill or specialized service non-commissioned officer positions, so long as the resulting salary rate does not exceed the rate designated as the maximum rate for the applicable salary group. An employee is no longer eligible to receive this pay when the employee transfers to a position or locality that is not hard to fill or a specialized service.
49.

Oil and Natural Gas Analysts. Out of the funds appropriated above in Strategy A.2.3, Intelligence, \$241,600 in fiscal year 2016 and \$199,800 in fiscal year 2017 in General Revenue Funds shall be used for two dedicated Oil and Natural Gas Analysts within the Department of Public Safety's Joint Crime Information Center for the purpose of analyzing threats, criminal activity, and industry information to produce actionable intelligence to support law enforcement, emergency management, and industry operations.
48.

Hiring Officers with Previous Experience. From funds appropriated above in Strategy B.1.5, Recruitment, Retention, and Support, the Department of Public Safety may, at the time a commissioned officer is hired, elect to credit up to four years of experience as a peace officer in the state as years of service for the purpose of calculating the officer's salary under Salary Classification Schedule C as provided in Article IX, Section 2.01 of this Act. All officers hired under this provision are subject to the one-year probationary period under Section 411.007 (g) notwithstanding the officers rank or salary classification.
56.

Differential Pay. Out of funds appropriated above, the Department of Public Safety is authorized to pay differential pay for hard to fill or specialized service non-commissioned officer positions, so long as the resulting salary rate does not exceed the rate designated as the maximum rate for the applicable salary group. An employee is no longer eligible to receive this pay when the employee transfers to a position or locality that is not hard to fill or a specialized service.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

- 49. Border Security Initiative.** The funds appropriated above in Goal B, Secure Border Region, shall be used to increase border security according to the definition of border security specified in Article IX, Section 7.11 of this Act. The following items related to the Texas Border Security Initiative are funded in Goal B, Secure Border Region:
- a. Acquire a fully equipped Pilatus aircraft;
 - b. Provide a \$125 per week stipend for the agency's commissioned officers participating in Operation Strong Safety;
 - c. Sustain Operation Strong Safety through the 2016-17 biennium;
 - d. Recruit, train and equip 250 new probationary troopers and 80 transfer troopers;
 - e. Provide overtime pay sufficient to increase the work week for all of the agency's troopers to an average of 50 hours per week;
 - f. Establish a new Texas Rangers Company with a focus on the border region;
 - g. Operate the Texas Transnational Intelligence Center;
 - h. Develop a multiuse training facility on donated land;
 - i. Support the Regional Center for Public Safety Excellence at South Texas College;
 - j. Allocate grants to law enforcement agencies to facilitate their transition to a National Incident Based Reporting System;
 - k. Reimburse operational costs, per diem, and travel expenses for Texas Military Forces supporting Operation Border Star;

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

- l. Administer the Border Operations Center and the Joint Operations and Intelligence Centers; and
- m. Conduct routine and extraordinary law enforcement operations centering on increasing border security according to the definition of border security specified in Article IX, Section 7.11 of this Act.

Out of funds appropriated above, 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 the funds for border security purposes, including but not limited to the funding items noted above, in the previous fiscal year in a format determined by the Legislative Budget Board.

- 50. Reserve Officer Corps.**
- a. From funds appropriated above in Strategy B.1.3, Routine Operations, the Public Safety Commission (Commission) may provide for the establishment of a reserve officer corps consisting of retired or previously commissioned officers of the Department of Public Safety (DPS).
 - b. The Commission shall establish qualifications and standards of training for members of the reserve officer corps.
 - c. The Commission may limit the size of the reserve officer corps.
 - d. The director shall appoint the members of the reserve officer corps. Members serve at the director's discretion.
 - e. The director may call the reserve officer corps into service at any time the director considers it necessary to have additional officers to assist DPS in conducting background

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

investigations, sex offender compliance checks, and other duties as determined necessary by the director.

50. Limitation on Appropriations: Recruit Schools.

- a) As used in this section:
 - (1) "training school" and "recruit school" include any school or other training program operated by or for the benefit of the Department of Public Safety ("department") for a purpose which may include training a trooper who has been employed by the department for fewer than 52 weeks.
 - (2) "new trooper" means a trooper employed by the department for fewer than 52 weeks.
- b) Funds appropriated by this Act may be used to pay any cost or expense that may be directly or indirectly related to the operation of an eight-week training school or recruit school only to graduate and employ a total of 250 troopers from such eight-week recruit schools.
- c) The number of additional troopers referenced above in section b is reduced by the number of troopers graduated from eight-week recruit schools from April 1, 2015 to August 31, 2015.
- d) Employees completing the 23 week or longer recruit school shall graduate and shall be compensated only as entry level troopers.

51. Funding to Add 300 New Troopers. Included in the General Revenue appropriations made above in Strategy B.1.5, Recruitment, Retention and Support, is \$41,717,187 in fiscal year 2016 and \$63,282,813 in fiscal year 2017 to fund the recruitment, training and support of 300 new troopers by the end of fiscal year 2017. Included in the 300 total troopers is a minimum of

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

250 troopers who shall be stationed in the border region. In this section, border region is defined in Article IX, Section 7.11 (b) (1), (2), and (3) of this Act. The appropriations are subject to the following provisions:

- a) The appropriations identified in this rider may be used to fund eight-week recruit schools but may only be used to graduate and employ no more than 250 troopers from such recruit schools. If the Department of Public Safety has graduated and employed 250 troopers through the use of eight-week recruit schools, the appropriations identified in this rider may only be used to fund recruit schools 23 weeks or longer in length graduating entry-level probationary troopers. Funds identified in this rider may be used to fund eight-week recruit schools and also those 23 weeks of longer concurrently.
- b) The appropriations identified in this rider are in addition to, and separate from, the appropriations made above in Strategy F.1.6, Training Academy and Development, to fund six recruit schools.
- c) The agency shall submit a report to the Legislative Budget Board by no later than December 1, 2015 detailing the agency's plan to recruit, train and support 300 new troopers by the end of fiscal year 2017. This report shall include a section on the agency's total trooper recruitment plan for the 2016-17 biennium, including the troopers expected to result from the six recruit schools noted above in (b).
- d) The agency shall submit quarterly reports to the Legislative Budget Board detailing the cumulative progress attained toward the goal of graduating 300 entry-level troopers by the end of fiscal year 2017. The report shall contain a list of the names of the law enforcement agencies from which the agency has recruited or hired officers from during the last quarter. The report shall include the number of officers recruited from each Texas law enforcement agency.
- e) \$41,717,187 in fiscal year 2016 and \$63,282,813 in fiscal year 2017 appropriated in Strategy B.1.5, Recruitment, Retention and Support, is subject to the prior approval

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

authority provided by Article 16, Section 69, Texas Constitution, and in the event the agency is not in a position to graduate 300 new troopers using the funds identified in this rider, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the agency's appropriations by an amount proportionate to the difference between the targeted number and actual number of troopers graduated.

51. Multiuse Training Facility.

- a. From funds appropriated above in Strategy B.1.3, Routine Operations, \$2,000,000 in General Revenue Funds in fiscal year 2016 is appropriated to the Department of Public Safety (DPS) for the construction of a multiuse training facility to be used by DPS, the Texas military forces, county and municipal law enforcement agencies, and any other military or law enforcement agencies, including agencies of the federal government for training purposes.
- b. It is the intent of the Legislature that the governing body of the County of Hidalgo or the City of Edinburg may donate 200 acres of real property to DPS for the training facility. If donated, DPS shall accept 200 acres of donated land from the governing body of the County of Hidalgo or the City of Edinburg for the purpose of constructing the training facility.
- c. Also from funds appropriated above, DPS shall design the training facility.
- d. DPS shall manage the training facility and may adopt rules necessary to implement this section. DPS shall make the training facility available for use by DPS, the Texas military forces, county and municipal law enforcement agencies, and any other military of law enforcement agency, including agencies of the federal government. DPS may receive reimbursement or cost recovery for the use of the training facility.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

52.

Transfer Prohibition - Goal B, Secure Texas. Notwithstanding Article IX, Section 14.01 of this Act, the Department of Public Safety shall not transfer funds out of Goal B, Secure Texas. Any funds remaining in Goal B, Secure Texas, on September 31, 2017, shall lapse to the General Revenue Fund.
52.

Regional Center for Public Safety Excellence at South Texas College. Out of funds appropriated above in Strategy B.1.3, Routine Operations, the Department of Public Safety shall transfer \$1,582,000 in fiscal year 2016 in General Revenue Funds to South Texas College to assist in the establishment of the Regional Center for Public Safety Excellence.
53.

Contingency for Senate Bill 3. Contingent upon passage and enactment of Senate Bill 3, or similar legislation relating to the establishment of the Texas Transnational Intelligence Center, by the Eighty-fourth Legislature, Regular Session, the Department of Public Safety shall transfer \$2,430,812 in General Revenue Fund to the Texas Transnational Intelligence Center out of Strategy B.1.2, Networked Intelligence.
53.

Study on Migrant Death and Repatriation of Migrant Corpses.

a)

It is the intent of the legislature that the Department of Public Safety, using funds appropriated to the department above, study the causes and methods of prevention of migrant death and the means of recovering and identifying the corpses of deceased migrants and repatriating their corpses and effects to their next of kin or country of origin.

b)

Not later than January 1, 2017, the department shall provide a report on the results of the study conducted under Subsection (a) to the governor, the lieutenant governor, and the speaker of the house of representatives.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

- 54. Notification of Certain Department Purchases.** It is the intent of the legislature that the Department of Public Safety notify the members of the legislature, including any oversight committee created by the 84th Legislature to oversee state law enforcement operations of the department, of a purchase to be made from funds appropriated above:
- 1) not later than the 7th day before the date of purchase for an emergency purchase of \$50,000 or more, under Section 2155.137, Government Code.

- 54. Department of Public Safety/Military Department Transitional Funding.** Included in the amounts appropriated above to the Department of Public Safety in Strategy B.1.4, Extraordinary Operations, and Strategy B.1.5, Recruitment, Retention, and Support, is \$194,348,045 in fiscal year 2016 and \$213,893,120 in fiscal year 2017 in General Revenue Funds for the following purposes:
- a. recruitment, training of and equipment for at least 250 new troopers, and training and support for approximately 80 recruits from transfer schools;
 - b. funding a 10-hour work day for all DPS law enforcement officers;
 - c. \$125 per week stipend for Operating Strong Safety participants;
 - d. the transitional deployment of the Texas National Guard to the border region for border security operations; and
 - e. sustaining a concentration of law enforcement resources to support Operation Strong Safety through the fiscal year 2016-17 biennium.

The Department of Public Safety (DPS) and the Military Department (TMD) shall enter into a

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

memorandum of understanding that provides for the transfer of funds through an Interagency Contract from DPS to TMD for the purpose of deploying the Texas National Guard to the border region for border security operations. DPS shall transfer sufficient funds to TMD to provide for the deployment of the Texas National Guard until such deployment is not necessary.

55. Study Required. The Department of Public Safety shall use the funds appropriated above in Strategy F.1.8, Facilities Management, to study the degree to which the proceeds from the sale of the agency's Austin headquarters property could offset the costs associated with purchasing the property and facilities required for a new agency headquarters.

55. Center for Identity at the University of Texas at Austin. Out of money appropriated in Strategy F.1.3, Information Technology, for the state fiscal year ending August 31, 2016, the Department of Public Safety shall transfer \$4,000,000 to The University of Texas at Austin to be used by the Center for Identity to provide research tools, educational materials, workshops, and outreach to help the public protect its identity and to combat identity theft, fraud, and abuse. Any unobligated and unexpended balance of the money transferred remaining on August 31, 2016, is appropriated to The University of Texas at Austin for the same purpose for the state fiscal year ending August 31, 2017.

56. Collection of Fingerprints. The Department of Public Safety may not use any funds appropriated under this Act to require an applicant for an original or renewal driver's license or personal identification certificate to provide a complete set of fingerprints, to collect a complete set of fingerprints from an applicant, or to establish a database of complete sets of fingerprints collected from applicants. The Department of Public Safety may use funds appropriated under this Act to collect only the thumbprints, or index fingerprints if the thumbprints cannot be taken, of an applicant for an original or renewal driver's license or personal identification certificate.

ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE
405 Department of Public Safety
DIFFERENCES ONLY
(Continued)

House

Senate

- 57. Border Security Cost Containment Efforts.** The Department of Public Safety shall submit a report each fiscal year of the state fiscal biennium beginning September 1, 2015, detailing the effectiveness of various cost containment measures the department has implemented, and proposing additional measures to reduce the department's operating costs with respect to the department's border security operations. Not later than the 45th day after the last day of the fiscal year, the department shall submit the report to the legislative and executive budget offices, in the form those offices require. Cost containment measures the department must consider include:
- 1) eliminating duplicate functions within the department;
 - 2) having the department perform functions that are being performed by a private contractor; and
 - 3) using technology to simplify department functions.

- 57. Contingency for Human Trafficking Enforcement.** Contingent on passage and enactment of legislation relating to expanding the allowable use of the General Revenue-Dedicated Sexual Assault Program Account No. 5010 to include human trafficking enforcement programs, and included in the amounts appropriated above in Strategy A.1.1, Organized Crime, is \$4,950,000 in each fiscal year of the 2016-17 biennium out of the General Revenue-Dedicated Sexual Assault Program Account No. 5010 for human trafficking enforcement.