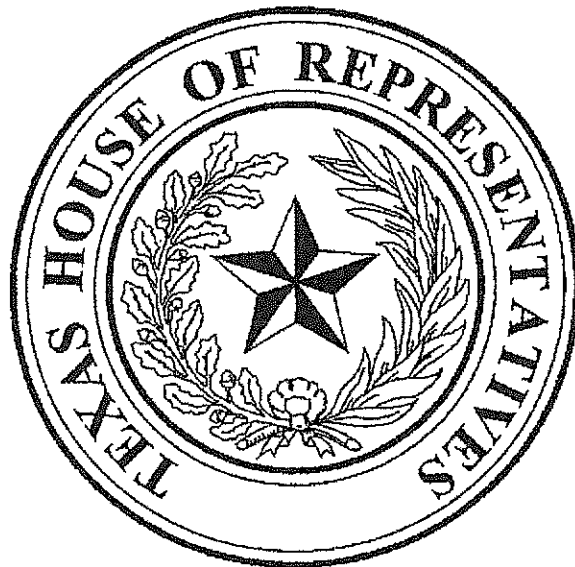


HOUSE COMMITTEE ON APPROPRIATIONS



Rider Packet

Article IX

Adopted

March 16, 2017

**Article IX**  
**Information Resources Provisions**  
**Cloud Computing**  
Prepared by LBB Staff, 03/15/2017

**Overview**

Amend Section 9.01, Article IX to direct state agencies to investigate the cost savings to the state by adopting a cloud computing service.

**Required Action**

On page IX-47 in Article IX, amend Section 9.01 by adding Subsections (a)(3) and (b-1) to read as follows:

**Sec. 9.01. Purchases of Information Resources Technologies.**

- (a) In this section:
- (1) "Information resources," "Information resources technologies," and "Major information resources project" have the meanings provided by §2054.003, Government Code.
  - (2) "Quality Assurance Team" and "QAT" means the quality assurance team established under §2054.158, Government Code.
  - (3) "Cloud computing service" has the meaning provided by §2157.007(a), Government Code.
- (b) A state agency may not request appropriations for information resources technologies unless the information resources technologies are in a plan approved by the Legislative Budget Board.
- (b-1) A state agency may not request appropriations for information resources technologies unless the state agency investigates the cost savings to the state by adopting a cloud computing service. The state agency shall include these cost savings data in a report to the Legislative Budget Board required by Subsection (b) of this section.
- (c) A state agency shall provide to QAT within 10 business days of receipt any verification and validation report, or quality assurance report required to be produced for a major information technology project pursuant to a federal or state statute, rule, policy and/or procedure. Other verification and validation reports, or quality assurance reports shall be provided to QAT upon request.
- (d) A contract for development of a major information technology project with a value expected to exceed \$10 million shall not be valid unless the contracting state agency:
- (1) provides a copy of the final version of the contract including all appendices and attachments, signed by the vendor but not the state agency, to QAT; and
  - (2) obtains prior written approval of the contract from QAT.
- (e) Prior to amending a contract for development of a major information resources project, when the expected total value of the contract subsequent to the amendment exceeds the total value of the initial contract awarded by 10 percent or more, the agency shall notify the Governor, Lieutenant Governor, Speaker of the House, Senate Finance Committee, House Appropriations Committee, and QAT.

- (f) An amendment to a contract for development of a major information technology project with a total value that exceeds \$1 million shall not be valid without prior written approval from QAT when:
  - (1) the expected total value of the contract subsequent to the amendment exceeds the total value of the initial contract awarded by 10 percent or more; or
  - (2) the expected total value of an element in the contract subsequent to the amendment exceeds the total value of the same element in the initial contract awarded by 10 percent or more.
- (g) In order to obtain approval under Subsection (f) a state agency shall provide to QAT a copy of the final version of the amendment, including all appendices and attachments, signed by the vendor but not the state agency.
- (h) If a state agency cancels a contract for development of a major information technology project, which if amended would be subject to the requirements of Subsection (f), and issues a solicitation for identical or similar goods and/or services for development of the same project, then the contract being procured shall not be valid unless the state agency:
  - (1) provides a copy of the final version of the contract, including all appendices and attachments, signed by the vendor but not the state agency, to QAT; and
  - (2) obtains prior written approval of the contract from QAT.
- (i) In lieu of formally approving an amendment pursuant to Subsection (f) or a contract pursuant to Subsection (h), QAT may waive the requirements of the respective subsection by providing written notice to the state agency seeking approval of the amendment or contract.

## RIDER REQUEST

**Member Name:** Representative Drew Darby

**Affected Agency:** N/A

**Purpose:** The House Select Committee on State and Federal Power and Responsibility monitors actions of the federal government, including federal legislation and regulations that require or advise that states take certain actions or pass legislation or the actions of the federal government in providing or failing to provide services to this state. The Committee will assess the economic impact on the state of the federal government actions or inactions. The Committee will also consider issues related to the federal budget and its impact on Texas. The Committee shall examine unfunded federal mandates and their impact on the state. This rider requires state agencies, when notifying necessary officeholders, to notify the chairman of the House Select Committee on State and Federal Power and Responsibility.

**Amount Requested:** N/A

**Method of Finance:** N/A

**Rider Language:**

- 1.) On page IX-64, amend the following rider to read:

Sec. 13.02. Report of Additional Funding.

- (a) Prior to the expenditure of any funds appropriated under §13.01 of this Article IX in an amount in excess of \$10 million greater than the amount for which an agency was appropriated federal funds for the same purpose in this Act, each agency shall report to the Legislative Budget Board, the Governor, and the Comptroller, and the Chair of the House Select Committee on State and Federal Power and Responsibility the amount of federal funds and the proposed use of the funds.
- (b) If after the thirtieth business day after notification from the agency neither the Legislative Budget Board nor the Governor issues a written disapproval, the Comptroller of Public Accounts shall release the funds.

Rep. Turner

## Article IX Proposed New Rider

Prepared by LBB Staff, 03/07/2017

### Overview

The proposal would amend a rider in Article IX, House Bill 1.

### Required Action

On page IX-36 in House Bill 1, amend Section 7.04 by adding Subsections (g), (h), and (i) to read as follow:

(g) A state agency or institution of higher education shall provide notice of a contract for services for which the expected total value of the contract subsequent to amendment exceeds the total value of the initial contract awarded by \$1 million or more, in accordance with procedures established by the Legislative Budget Board, to:

- (1) the governor;
- (2) the lieutenant governor; and
- (3) the speaker of the house of representatives.

(h) A state agency or institution of higher education must provide the notice required under subsection (g) not later than the 30<sup>th</sup> day after the date of the disclosure or discovery that the expected total value of the contract subsequent to amendment exceeds the total value of the initial contract awarded by \$1 million. The notice must include:

- (1) the amount of the cost increase;
- (2) the reason for the cost increase;
- (3) any opportunity the state agency had to lessen the cost or to purchase the service from another vendor after the first dollar of the increased cost was discovered or disclosed to the agency or institution; and
- (4) any other information the Legislative Budget Board determines relevant.

(i) The Legislative Budget Board shall establish the procedures for the notice required by subsections (g) or (h).

By: Representative Howard

**Health and Human Services Commission, Article II**  
**Proposed Rider**  
**Therapy Reimbursement Rate Restoration**

Prepared by LBB Staff, 3/15/17

**Overview**

Add a rider to ensure that, if the Legislature chooses to appropriate any amount of funds for restoration of reimbursement rates of therapy providers, the funds are fully passed through to the providers who are affected that deliver therapy services.

**Required Action**

On page IX-85 of the Miscellaneous Provisions section of House Bill 1—Introduced, amend the following rider:

**Sec. 17.10. Adjustment of Therapy Rate Reductions.** In addition to amounts appropriated elsewhere in this Act, \$1,800,000 in General Revenue Funds and \$4,900,000 in Federal Funds (\$6,700,000 in All Funds) for fiscal year 2018 and \$2,000,000 in General Revenue Funds and \$5,300,000 in Federal Funds (\$7,300,000 in All Funds) for fiscal year 2019 is appropriated to the Health and Human Services Commission. These amounts are in addition to \$21,900,000 in General Revenue Funds and \$28,800,000 in Federal Funds (\$50,700,000 in All Funds) for fiscal year 2018 and \$23,100,000 in General Revenue Funds and \$31,000,000 in Federal Funds (\$54,100,000 in All Funds) for fiscal year 2019 included in appropriations to the Health and Human Services Commission. In total \$118,900,000 in All Funds for the 2018-19 biennium is provided to restore approximately half of the reductions made to reimbursement rates for acute care therapy services during the 2016-17 biennium. The Health and Human Services Commission is directed to allocate the restorations among provider types and procedure codes to preserve access to care for clients served under Medicaid fee-for-service and managed care models. It is the intent of the Legislature that HHSC shall ensure any funds restored through this rider are fully reflected in reimbursement rates paid to providers of acute care therapy services in both fee-for-service and managed care models.

**RIDER REQUEST**

**Member Name:** Rep. VanDeaver

**Affected Agency:** All institutions of higher education

**Purpose:** **Article IX Rider 17.09** This rider would clarify that the reporting requirements would only be applicable to state agencies. Institutions of higher education currently report very similar information in their annual financial reports, operating budgets, and also submit reports to the Coordinating Board with similar data. Combining this data into a new report would be duplicative and labor-intensive.

**Amount Requested (if applicable):** none

**Method of Finance (if applicable):** none

**Rider Language:** See attached.

**Sec. 17.09. Reporting Requirement for Funds Held Outside the Treasury.**

(a) The Comptroller of Public Accounts and the Legislative Budget Board shall jointly prepare a report on funds held outside the Treasury on a biennial basis. The report should contain the following information for operating funds and any other funds held outside the Treasury selected by the Comptroller of Public Accounts and the Legislative Budget Board:

- (1) the legal/statutory basis for the fund or revenue held outside the treasury;
- (2) the allowable uses of the fund or revenue held outside the treasury;
- (3) a listing of programs for which the fund or revenue held outside the treasury is currently expended or could be expended;
- (4) the estimated or actual revenues and expended or budgeted amounts by fiscal year for the most recently completed and current fiscal biennia; and
- (5) the estimated or actual balance as of August 31<sup>st</sup> of each fiscal year in the most recently completed and current fiscal biennia.

(b) Any state agency ~~or institution of higher education~~ that receives, expends, or administers funds or revenues held outside the Treasury, either by the Comptroller of Public Accounts, the Texas Treasury Safekeeping Trust Company, or a private financial institution shall assist the Comptroller of Public Accounts and the Legislative Budget Board in preparing g this report and shall submit all data and information as prescribed by the Comptroller of Public Accounts or the Legislative Budget Board.

(c) In prescribing data to be reported and reporting deadlines, the Comptroller of Public Accounts and the Legislative Budget Board shall collaborate with state agencies ~~and institutions of higher education~~ to maximize the use of existing data sources and minimize work required to compile and submit information.

(d) The report shall be available to the Governor, members of the Legislative Budget Board, the Senate Finance Committee and the House Appropriations Committee, no later than the last day in February of each year in which a regular session of the Texas Legislature convenes.