

Issue Docket

Conference Committee on Senate Bill 1

2022-23 General Appropriations Bill

Article I

813 COMMISSION ON THE ARTS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-1	I-1		
A.1.3 Cultural Tourism Grants	\$ 7,340,000	\$ 11,340,000	\$ 4,000,000	Senate provides \$6,000,000 in General Revenue for Cultural District Grants. House provides \$10,000,000 in General Revenue for Cultural District Grants. Rider 4, Cultural District Grants in both bills indicates funding for the grants.
Unexpended Balances: Cultural and Performing Arts Center Grant.		I-1 Rider 5 Rider Packet, page I-1		House rider provides authority to carry forward unexpended balances for the cultural and performing arts center grant from the 2020-21 biennium to the 2022-23 biennium.

302 OFFICE OF THE ATTORNEY GENERAL

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Technical Adjustments	I-3	I-3	<p>ADOPT CONFORMING TO CAPPS FUNDING DECISIONS</p> <p>ADOPT CONFORMING TO CAPPS FUNDING DECISIONS</p>	<p>1) Adjust GR Amount in Victims Assistance Grants Table In Senate Rider 9, Victims Assistance Grants, adjust GR amount from \$6,971,120 to \$6,984,765 in FY 2022 and from \$6,971,120 to \$6,978,191 in FY 2023 to reflect CAPPS allocation to C.1.2, Victims Assistance. Note: this adjustment is dependent on the amount of funding, method of finance and the bill in which CAPPS is funded (i.e. SB 1 or HB 2).</p> <p>2) Adjust IAC Amount in Rider 19 In Senate Rider 19, State Office of Risk Management, adjust IAC amount from \$801,527 to \$845,964 in each fiscal year of the biennium.</p> <p>In House Rider 19, State Office of Risk Management, adjust IAC amount from \$801,527 to \$807,297 in each fiscal year of the biennium.</p> <p>Note: this adjustment is dependent on the amount of funding and the bill in which CAPPS is funded (i.e. SB 1 or HB 2).</p>
Cross-Article Issue			<p>SENATE</p> <p>SENATE</p>	<p>1) Fund 0469 Shortfall Senate adopts rider appropriation of \$14,891,819 in General Revenue for transfer to GR-D 469 Compensation to Victims of Crime. See Appropriations Made In Riders.</p> <p>House implements a method of finance swap at HHSC of \$13,765,175 from GR-D 469 to General Revenue for Child Advocacy Programs. No change to OAG funding levels out of GR-D 469.</p> <p>2) Fund 5010 Shortfall Senate adopts rider appropriation of \$13,077,690 in General Revenue for transfer to GR-D 5010 Sexual Assault Program. See Appropriations Made in Rider.</p>

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-Strategy Issue			ADOPTED IN HB 2	House implements the following a) Method of finance swap at HHSC of \$10,000,000 from GR-D 5010 to General Revenue for Child Advocacy Programs. b) Method of finance swap at Governor Trusteed Programs of \$1,186,740 from GR-D 5010 to General Revenue for the Child Sex Trafficking Unit. No change to OAG funding levels out of GR-D 5010. 1) Funding for CAPPS Finance Transition Phase II Senate provides \$3,090,666 in General Revenue and \$77,334 in Interagency Contracts (total of \$3,168,000). House provides \$4,224,001 in All Funds (\$4,120,889 in Economic Stabilization Funds and \$103,112 in Interagency Contracts) in HB 2.
Number of Full-Time-Equivalents (FTEs)	4,217.5	4,063.5		Senate adds 154.0 FTEs with the reallocation of unexpended balances of Appropriated Receipts from C.1.2 Victims Assistance to A.1.1, Legal Services.
Appropriations Made in Riders	\$ 69,216,808	\$ -	\$ 69,216,808	Rider 34, Transfer of General Revenue into Dedicated Accounts. Senate adopts rider providing a total of \$69,216,808 in General Revenue for transfer to GR-Dedicated Accounts 469 Compensation to Victims of Crime (\$43,155,529) and 5010 Sexual Assault Program Account (\$26,061,279). Amounts are for the following: a. Address revenue shortfall in GR-D 469: \$14,891,819. b. Address revenue shortfall in GR-D 5010: \$13,077,690. c. Maintain current funding levels for Victims Assistance Grants in GR-D 469: \$28,263,710. d. Maintain current funding levels for Victims Assistance Grants in GR-D 5010: \$12,983,589.
A.1.1 LEGAL SERVICES	\$ 283,981,356	\$ 205,522,872	\$ 78,458,484 SENATE	Funding differences include: a. Senate reallocates \$33,059,998 in Appropriated Receipts from C.1.2, Victims Assistance.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
			SENATE	b. Senate provides \$43,283,112 in General Revenue for the Google lawsuit.
			HOUSE	c. House removes \$121,008 in General Revenue.
				d. See Cross-Strategy Issue.
B.1.1 CHILD SUPPORT ENFORCEMENT	\$ 653,862,642	\$ 653,086,575	\$ 776,067	See Cross-Strategy Issue.
C.1.1 CRIME VICTIMS' COMPENSATION	\$ 167,130,989	\$ 167,005,506	\$ 125,483	See Cross-Strategy Issue.
C.1.2 VICTIMS ASSISTANCE	\$ 79,972,032	\$ 75,251,316	\$ 4,720,716	Funding differences include:
			SENATE	a. Senate provides \$4,700,000 in General Revenue for rape crisis centers.
			SENATE	b. Senate reallocates \$33,059,998 in Appropriated Receipts to A.1.1, Legal Services.
			ADOPTED IN HB 2	c. Senate reallocates \$8,187,301 in Appropriated Receipts to E.1.1, Agency IT Projects, for Child Support System Modernization Phase I.
			SENATE	d. Senate increases General Revenue-Dedicated Accounts 469 Compensation to Victims of Crime by \$28,263,710 and 5010 by \$12,983,589 to maintain level funding for Victims Assistance Grants.
				e. See Cross-Strategy Issue.
D.1.1 MEDICAID INVESTIGATION	\$ 38,537,600	\$ 38,363,566	\$ 174,034	See Cross-Strategy Issue.
E.1.1 AGENCY IT PROJECTS	\$ 27,221,260	\$ 3,140,962	\$ 24,080,298	Senate reallocates \$8,187,301 in Appropriated Receipts from C.1.2, Victims Assistance for Child Support System Modernization Phase I. This results in an additional \$15,892,997 in matching Federal Funds, providing a total funding of \$24,080,298 for the project.
			ADOPTED IN HB 2	House provides \$24,080,298 for the project in HB 2, including \$8,187,301 in Economic Stabilization Funds and \$15,892,997 in matching Federal Funds.
F.1.1 ADMINISTRATIVE SUPPORT FOR SORM	\$ 1,691,928	\$ 1,614,594	\$ 77,334	See Cross-Strategy Issue.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Victims Assistance Grants	I-8 Rider 9 Rider Packet, page I-2 AS AMENDED TO REMOVE FEDERAL FUNDS FOR RAPE CRISIS CENTER CONTRACTS AND GRANTS, INCLUDE SANE IN REPORTING REQUIREMENTS TO LBB AND LEADERSHIP, AND IDENTIFY METHOD OF FINANCE FOR SANE	I-8 Rider 9 Rider Packet, page I-2		<p>Senate rider provides amounts that are appropriated for rape crisis centers and sexual assault nurse examiner (SANE) programs. Senate rider additionally requires OAG to notify the LBB, Governor, and Comptroller in the event that revenue sources for rape crisis centers are insufficient to cover the appropriations for the upcoming fiscal year.</p> <p>House rider identifies minimum funding levels for rape crisis centers and sexual assault nurse examiner programs out of GR-D 5010 Sexual Assault Program Account and GR. House rider additionally restricts transfer of Appropriated Receipts out of C.1.1 Victims Assistance to other strategies and indicates legislative intent for Appropriated Receipts to be expended prior to expending GR-D 5010.</p>
Outside Legal Fees		I-12 Rider 32 Rider Packet, page I-4 AS AMENDED TO ONLY REQUIRE NOTIFICATION OF DENIAL OF REQUEST FOR AGENCY RESPRESENTATION		<p>House adopts a rider limiting the amount paid by OAG for outside legal expenses to \$500 per hour. Rider also requires the OAG to cover outside legal expenses for an agency in the event that the OAG declines the agency's request to provide representation.</p>

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Appropriation for Outside Legal Counsel and Litigation Services	I-12 Rider 32 Rider Packet, page I-4 AS AMENDED TO REQUIRE THE SUBMISSION OF REPORTS ON BILLABLE HOURS FOR OUTSIDE LEGAL COUNSEL AND EXPERT WITNESS EXPENDITURES			Senate adopts a rider relating to appropriations for the Google lawsuit.
Transfer of General Revenue into Dedicated Accounts	I-12 Rider 34 Rider Packet, page I-5			See Appropriations Made In Riders.
Report on Election-Related Litigation		I-12 Rider 34 Rider Packet, page I-5 AS AMENDED TO APPLY TO ENFORCEMENT OF ELECTION CODE AND INCLUDE A REPORTING DEADLINE		House adopts a rider that would require the OAG to submit a quarterly report to HAC and SFC containing the money spent on election related litigation during the previous quarter.
Conference Committee Revisions and Additions				
Report on Use of Public Information Act Exceptions			ADOPT	Add a rider that would require an annual report of the Open Records Division rulings permitting the withholding of public information.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Legal Services Transferability and Reporting			ADOPT	Add a rider that would require the Office of the Attorney General to receive written approval from the Legislative Budget Board in order to transfer appropriations into or out of Strategy A.1.1, Legal Services. Also direct the agency to submit a quarterly report to the Legislative Budget Board regarding certain FTE information, including budgeted, filled and vacant FTE positions posted with the intention to fill, within the Legal Services strategy.
Child Support Enforcement			ADOPT	Increase \$8,887,520 in All Funds, including \$3,021,756 in General Revenue Funds (\$1,510,878 in General Revenue and \$1,510,878 in Child Support Retained Collection) and \$5,865,764 in Federal Funds, for child support enforcement staffing and operations.
Child Support Enforcement Salary Limitation			ADOPT	Add a rider that requires the Office of the Attorney General to request approval from the Legislative Budget Board in order to increase salaries of full-time-equivalent positions allocated under Strategy B.1.1, Child Support Enforcement above 2 percent from the previous fiscal year.

352 BOND REVIEW BOARD

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-12	I-12		
Cross-Strategy Issue			SENATE	1) Restoration of 5% Reduction Senate provides \$90,341 in General Revenue to restore 5% reductions from 2020-21 biennium.
Number of Full-Time-Equivalents (FTEs)	11.0	10.0		Senate provides 1.0 FTE for analyzing local bond debt.
A.1.1 REVIEW BOND ISSUES	\$ 313,081	\$ 296,427	\$ 16,654	See Cross-Strategy Issue.
A.1.2 STATE BOND DEBT	\$ 313,080	\$ 296,426	\$ 16,654	See Cross-Strategy Issue.
B.1.1 ANALYZE LOCAL BOND DEBT	\$ 858,581	\$ 727,202	\$ 131,379	a. Senate provides \$91,000 in General Revenue for an additional accounting tech FTE for analyzing local bond debt. b. See Cross-Strategy Issue.
C.1.1 ADMINISTER PRIVATE ACTIVITY BONDS	\$ 313,081	\$ 296,427	\$ 16,654	See Cross-Strategy Issue.

542 CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Schedule of Exempt Positions	I-14	I-14		
	890,725	835,375		Senate provides 10 percent increase in authority for the Chief Scientific Officer Position, from \$553,500 to \$608,850.
Transfer Authority	I-15 Rider 3 Rider Packet, page I-6	I-15 Rider 3 Rider Packet, page I-6		Senate removes requirements for LBB approval to transfer appropriations out of grant strategies and instead allows the agency to notify the Legislative Budget Board (LBB) and Office of the Governor for transfers allowed under Article IX, Section 14.01, Appropriation Transfers. House rider maintains requirements to request LBB approval to transfer appropriations out of grant strategies and considers such requests approved within 30 business days, if a written disapproval is not provided.

304 COMPTROLLER OF PUBLIC ACCOUNTS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-Strategy Issue	I-16	I-16	HOUSE	Restoration of 5% Reduction House provides \$32,298,350 in General Revenue to restore the agency's 5 percent reduction across each strategy. Funds are allocated across multiple strategies, primarily for salaries within current FTE levels and for information technology projects.
A.1.1 ONGOING AUDIT ACTIVITIES	\$ 200,432,708	\$ 207,343,413	\$ 6,910,705	See Cross-Strategy Issue.
A.2.1 TAX LAWS COMPLIANCE	\$ 83,455,756	\$ 84,647,943	\$ 1,192,187	See Cross-Strategy Issue.
A.3.1 TAXPAYER INFORMATION	\$ 35,228,198	\$ 37,042,223	\$ 1,814,025	See Cross-Strategy Issue.
A.4.1 TAX HEARINGS	\$ 22,455,750	\$ 23,171,906	\$ 716,156	See Cross-Strategy Issue.
B.1.1 ACCOUNTING/REPORTING	\$ 56,796,900	\$ 58,977,064	\$ 2,180,164	See Cross-Strategy Issue.
B.1.2 CAPPS IMPLEMENTATION	\$ 93,890,594	\$ 96,829,631	\$ 2,939,037	See Cross-Strategy Issue.
B.2.1 PROPERTY TAX PROGRAM	\$ 25,008,518	\$ 31,121,349	\$ 6,112,831	See Cross-Strategy Issue.
B.3.1 TREASURY OPERATIONS	\$ 10,816,744	\$ 11,075,136	\$ 258,392	See Cross-Strategy Issue.
B.4.1 PROCUREMENT AND SUPPORT SERVICES	\$ 12,651,954	\$ 14,346,306	\$ 1,694,352	See Cross-Strategy Issue.
C.1.1 REVENUE & TAX PROCESSING	\$ 81,438,932	\$ 89,919,433	\$ 8,480,501	See Cross-Strategy Issue.
Ensuring Workforce Supports Through Transitioning Industries.		I-21, Rider 20 Rider Packet, page I-7 AS AMENDED TO PROVIDE LEGISLATIVE INTENT FOR THE COMPTROLLER TO CONDUCT THE STUDY		House adds rider requiring the Comptroller to identify and evaluate economic development and workforce retraining opportunities with regard to the transition to clean energy sources, using data from the Workforce Commission or any other state agency to complete a review of current workforce retraining opportunities and available job positions.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Conference Committee Revisions and Additions				
Improve and Enhance Security and Services			ADOPT	Provide \$5,800,000 in General Revenue to transition the agency call centers to full contact centers (\$4,500,000) and to provide security information and event management (SIEM) software (\$1,300,000). Also add corresponding rider to identify the funding and purpose.
Method of Finance Swap for Software License Payments			ADOPT	Provide \$4,661,580 in General Revenue and decrease the same amount in Interagency Contracts to provide the Comptroller a direct appropriation for software license payments related to the Centralized Accounting and Payroll/Personnel System. Amend the capital budgets accordingly at the Comptroller and affected agencies.

30R FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-21	I-22		
A.1.7 LAW ENFORCEMENT EDUCATION FUNDS	\$ 9,400,000	\$ 11,400,000	\$ 2,000,000	Senate reduces Law Enforcement Education Funds by \$2,000,000 in GR-D Law Enforcement Officer Standards and Education Account 116 to address fund balance depletion. (See also issue docket for Commission on Law Enforcement.)
A.1.8 ADVANCED TAX COMPLIANCE	\$ 13,943,648	\$ 13,246,465	\$ 697,183	Senate restores the 5 percent reduction of \$697,183 in General Revenue. Funds are used for tax compliance including conducting tax audits and collecting all legally due taxes.
A.1.14 TEXAS BULLION DEPOSITORY	\$ 332,500	\$ 500,000	\$ 167,500	House provides an additional \$167,500 in General Revenue for the Texas Bullion Depository. Amount includes \$17,500 to restore the 5 percent reduction and provide an additional \$150,000.
	\$ 350,000		SENATE PLUS \$17,500 IN GR	
Report on Cost of Ad Valorem Tax Exemption for 100 Percent Disabled Veterans.	I-27 Rider 21 Rider Packet, page I-8			Senate maintains rider requiring the Comptroller to conduct a study to determine amount of ad valorem tax revenue that certain counties lost for the 2021 tax year as the result of granting this exemption for 100 percent disabled veterans, and to submit a report to the legislature by December 1, 2022.
Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan.	I-28 Rider 22 Rider Packet, page I-8	I-28 Rider 21 Rider Packet, page I-8	NOT ADOPTED	House modifies rider language to authorize funds appropriated by Strategy A.1.12, Texas Guaranteed Tuition Plan, to be used to pay operational costs and refunds in addition to payment of tuition and required fees.
Report on Equal Pay at State Agencies.		I-28 Rider 23 Rider Packet, page I-9		House adds rider requiring the Comptroller to submit a report by August 31, 2022, to each member of the legislature comparing the salaries received by men and women under the same job classification at state agencies.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Conference Committee Revisions and Additions				
Contingency for Senate Bill 1827: Opioid Abatement Account			ADOPT	Add an appropriating rider to provide authority, contingent on enactment of Senate Bill 1827 or similar legislation, for the Comptroller to expend funds deposited to the Opioid Abatement Account, as created by legislation, to disburse in accordance with the legislation, provide for the agency's administrative expenses and reimburse members of the Opioid Abatement Fund Council for meeting and travel expenses.
Contingency for Senate Bill 2230: Texas Bullion Depository Building			ADOPT	Add a rider to Article IX to appropriate, contingent on enactment of SB 2230 or similar legislation relating to the acquisition of real property or construction of buildings for the Texas Bullion Depository, \$20,000,000 in revenue bond proceeds to the Texas Public Finance Authority (TPFA) and Fiscal Programs for the acquisition, construction and equipping of buildings for the Bullion Depository. Rider would also appropriate lease payments from tenants occupying the Bullion Depository building for the purpose of making debt service payments to TPFA.
Texas Guaranteed Tuition Plan			ADOPT	Reduce General Revenue by \$271,176,575 in Strategy A.1.12, Texas Guaranteed Tuition Plan, and adopt the funding in House Bill 2.

477 COMMISSION ON STATE EMERGENCY COMMUNICATIONS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-29	I-29		
Number of Full-Time-Equivalents (FTEs)	26.0	25.0		Senate provides 1.0 FTE for an Information Security position.
C.1.1 INDIRECT ADMINISTRATION	\$ 2,562,682	\$ 2,187,036	\$ 375,646	Funding differences include:
	\$ 2,570,182			
			SENATE	a. Senate provides \$297,646 from General Revenue-Dedicated Commission on State Emergency Communications Account 5007 and 1.0 FTE for an Information Security position.
			ADOPT \$85,500 IN GR-D FUNDS	b. Senate Funds \$78,000 in General Revenue-Dedicated funds (\$68,000 in 911 Service Fees Account 5050 and \$10,000 in Commission on State Emergency Communications Account 5007) for furniture and other costs to be incurred in move from Hobby Building to new offices in the Capitol Complex.
				House provides \$85,500 in Economic Stabilization Funds for this purpose in HB 2.
Conference Committee Revisions and Additions				
Executive Director Salary			ADOPT	Adopt increase in salary authority for Executive Director from \$132,835 to \$140,698 within current Group 3. No additional funding.

327 EMPLOYEES RETIREMENT SYSTEM

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-33	I-33		
State Contribution to Employees Retirement Program.	I-35 Rider 4 Rider Packet, page I-10	I-35 Rider 4 Rider Packet, page I-10		Senate adds sentence stating the estimated appropriation for the ERS Retirement Program.
Conference Committee Revisions and Additions				
Alternative Delivery Methods for Group Benefits Program			ADOPT	Add a rider directing ERS to engage a third party vendor to examine alternative methods to deliver the current benefits supplied under the Group Benefits Program and directing ERS to provide a report to the chairs of the Senate Finance and Health and Human Services committees, the chairs of the House Appropriations and Insurance committees, and the Governor on the findings of the third party vendor no later than August 31, 2022.

356 TEXAS ETHICS COMMISSION

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-37	I-37		
B.1.2 INFORMATION RESOURCES	\$ 2,069,164	\$ 2,644,164	\$ 575,000	Funding differences include:
			SENATE	a. House provides \$300,000 in General Revenue to transition Electronic Filing system to Cloud hosting.
			ADOPTED IN HB 2	b. House provides \$275,000 in General Revenue to extend capacity of Electronic Filing System.
Judgments and Settlements	I-39 Rider 3 Rider Packet, page I-11	I-39 Rider 3 Rider Packet, page I-11		Senate rider maintains current rider language which directs certain federal settlements and judgments against the agency be paid out of the appropriations to the Comptroller's Fiscal Programs Strategy A.1.3, Judgments and Settlements, instead of TEC's appropriations. House rider additionally extends payment of state court awarded judgments and settlements to the Comptroller Fiscal Programs appropriations.

303 FACILITIES COMMISSION

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-Strategy Issues	I-39	I-39	ADOPTED IN HB 2; ADOPT INCREASE IN FTE CAP BY 6.8 IN FY 22 AND 7.5 IN FY 23	<p>1) Funding to implement CAPPS Financial Module Senate provides \$1,630,046 in General Revenue and 6.8 and 7.5 FTEs, respectively, in FY 2022 and FY 2023.</p> <p>House provides \$2,173,394 in Economic Stabilization Funds and 9.0 and 10.0 FTEs, respectively in FY 2022 and FY 2023 in HB 2.</p> <p>2) Funding for operation of new Capitol Complex buildings. Senate provides \$8,100,214 in General Revenue and 26.0 FTEs in operational expenses for two new Capitol Complex buildings. Amounts include costs for custodial services (\$1,943,000), facilities operations (\$5,759,716), and central administration support (\$397,498).</p>
Number of Full-Time-Equivalents (FTEs)	570.9	537.4	SENATE	Differences include: a. See Cross-Strategy Issue 1. b. See Cross-Strategy Issue 2.
B.1.1 CUSTODIAL	\$ 13,929,634	\$ 11,986,634	\$ 1,943,000	See Cross-Strategy Issue 2.
B.2.1 FACILITIES OPERATION	\$ 68,609,017	\$ 62,849,301	\$ 5,759,716	See Cross-Strategy Issue 2.
D.1.1 CENTRAL ADMINISTRATION	\$ 8,850,949	\$ 7,338,220	\$ 1,512,729	Funding differences include: a. See Cross-Strategy Issue 1. b. See Cross-Strategy Issue 2.
D.1.2 INFORMATION RESOURCES	\$ 3,288,419	\$ 2,980,563	\$ 307,856	Funding differences include: a. See Cross-Strategy Issue 1

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
			ADOPTED IN HB 2	b. House provides \$206,959 in All Funds for data center services. Amounts include \$90,917 in General Revenue, \$3,730 in Federal Funds, \$51,940 in Appropriated Receipts, and \$60,372 in Interagency Contracts.
Capitol Complex Completion	I-46 Rider 22 Rider Packet, page I-12			Senate includes rider which specifies that sums appropriated to TFC for the Capitol Complex move include all costs for tenant agencies with the exception of furniture and cloud transition costs. Rider requires TFC to seek LBB approval prior to requesting reimbursement from a moving agency.
Conference Committee Revisions and Additions				
Renovation of Lyndon B. Johnson Building and Annex			ADOPT	Provide \$2,000,000 in General Revenue and capital budget authority to complete the renovation of the Lyndon B. Johnson Building and Annex.
Flex Space Office Building Project Manager			ADOPT	a. Provide \$122,388 in General Revenue in SB 1 for a project manager position (1.0 FTE) to manage the construction fo the flex space office building.
			ADOPT	b. Add a rider to direct the Facilities Commission, when purchasing land for the flex space building, to consider purchasing sufficient area for the potential future construction of a state archival storage building.

347 PUBLIC FINANCE AUTHORITY

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-strategy Issues:	I-47	I-46	ADOPTED IN HB 2; ADOPT INCREASE IN FTE CAP BY 1.0 IN FY22	1) CAPPS Implementation Senate provides \$82,924 in General Revenue and 1.0 FTE in FY 2022 for CAPPS completion. House provides \$82,924 in Economic Stabilization Funds and 1.0 FTE in FY 2022 for CAPPS completion in HB 2.
Number of Full-Time-Equivalents (FTEs)	14.0	14.0		See Cross-Strategy Issue.
A.1.1 ANALYZE FINANCINGS AND ISSUE DEBT	\$ 1,549,997	\$ 1,508,701	\$ 41,296	See Cross-Strategy Issue.
A.2.1 MANAGE BOND PROCEEDS	\$ 1,562,446	\$ 1,520,818	\$ 41,628	See Cross-Strategy Issue.
Appropriations and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees	I-49 Rider 5 Rider Packet, page I-13	I-49 Rider 5 Rider Packet, page I-13 AS AMENDED TO APPROPRIATE ANY EXCESS REVENUE FROM REVENUE BOND PROCEEDS AND MASTER LEASE PURCHASE PROGRAM RECEIPTS		House amends rider to include unexpended balance authority within biennium for Revenue Bond Proceeds.
Agency's Participation in Master Lease Purchase Program		IX-86, Section 17.18		House adopts provision in Article IX to indicate legislative intent for agencies to use the Master Lease Purchase Program when cost-effective for financing capital assets.
Appropriation of Administrative Receipts		IX-86 Section 17.19		House adopts provision to provide TPFA authority to use up to \$25,000 in appropriated receipts per fiscal year collected from Texas Windstorm Insurance Association (TWIA) to be used for administrative costs associated with bonds issued on behalf of TWIA.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Conference Committee Revisions and Additions Executive Director Salary and Funding			ADOPT	Adopt \$96,012 in Other Funds and provide increase for Executive Director salary from \$151,994 to \$200,000 with movement from Salary Group 5 to Group 6. Also include position in Article IX, Sec. 3.04(c)(6) Schedule of Exempt Positions.

BOND DEBT SERVICE PAYMENTS

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Technical Adjustments	I-94, II-85, III-239, V-55, VI-61, VII-46	I-94, II-96, III-241, V-56, VI-62, VII-47	ADOPT ADOPT	1) CPRIT Debt Service Decrease General Revenue appropriations in FY 2022 by \$10,006,453 to reflect revisions to estimated issuances for CPRIT. 2) Texas Military Preparedness Commission (TMPC) Debt Service Increase in GR-D 5114 Texas Military Revolving Loan Account appropriations in FY 2023 by \$3,229,550 to account for additional TMPC transaction that may occur in the biennium. Note: GR-D 5114 does not impact certification of the General Appropriations Act.

300 TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-52	I-52		
Number of Full-Time-Equivalents (FTEs)	191.3	141.3		House reduces FTEs by 50.0 due to the removal of General Revenue appropriations in Strategy C.1.1, Create Jobs and Promote Texas.
Appropriations Made in Riders	\$ 1,198,500	\$ -	\$ 1,198,500	Senate provides \$1,198,500 in Federal Funds for an updated case management system for children's advocacy center programs, contingent upon the availability of funds.
A.1.1 DISASTER FUNDS	\$ 110,000,000	\$ 30,000,000	\$ 80,000,000	Senate provides \$80,000,000 in General Revenue for disaster funding.
B.1.1 CRIMINAL JUSTICE	\$ 554,452,747	\$ 554,452,747	\$ -	House includes a method of finance swap for the Child Sex Trafficking Unit increasing General Revenue and decreasing General Revenue-Dedicated 5010 Sexual Assault Program Account by \$1,186,740 to address the funding shortfall in Account 5010. (See Cross-Article Issue #2 in Office of the Attorney General issue docket.)
C.1.1 CREATE JOBS AND PROMOTE TEXAS	\$ 322,004,270	\$ 131,365,023	\$ 190,639,247	Senate provides \$90,639,247 in General Revenue and \$100,000,000 in General Revenue-Dedicated 5107 Texas Enterprise Fund for economic development and tourism programs as follows: a. \$30,000,000 in General Revenue for Defense Economic Adjustment Assistance Grants (DEAAG). b. \$45,000,000 in General Revenue for the Moving Image Industry Incentive Program. c. \$100,000,000 in GR-D 5107 for the Texas Enterprise Fund. d. \$200,000 in General Revenue for grants to promote border economic development. e. \$15,439,247 in General Revenue for administrative costs related to various programs that fall under the strategy.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
				House provides \$0 in General Revenue and General Revenue-Dedicated 5107 Texas Enterprise Fund for the affected programs.
Disaster and Deficiency Grants	I-54 Rider 2 Rider Packet, page I-14	I-55 Rider 2 Rider Packet, page I-14		House adds subsection (b) language that requires the Trusteed Programs Within the Office of the Governor to set aside funds for the purchase, storage, and transportation of foods by Texas food banks for distribution during a disaster.
Children's Justice Grants to States		I-60 Rider 35 Rider Packet, page I-14		House adopts rider that requires the Trusteed Programs Within the Office of the Governor to file a report with the Legislative Budget Board concerning Children's Justice Grants to States. Rider is transferred from the Office of Court Administration.
Grants for County Medication-assisted Treatment for Opioid and Alcohol Dependence		I-60 Rider 36 Rider Packet, page I-15		House adopts a rider designating \$1,000,000 in General Revenue in Strategy B.1.1, Criminal Justice, to provide inmates in Texas county jails access to Federal Drug Administration-approved, evidence-based, medication-assisted treatment for opioid and alcohol dependence.
Update IT Case Management System	I-60 Rider 36 Rider Packet, page I-15			See Appropriations Made in Riders.
Peace Officer Mental Health Program		I-60 Rider 37 Rider Packet, page I-16		House adopts a rider for the purposes of the Peace Officer Mental Health Program and designates funding for the program out of \$200,000 in unexpended balances of General Revenue to be carried forward from from the 2020-21 biennium to the 2022-23 biennium.
Study of Economic Impact of an Additional Top 50 Ranked Public University	I-61 Rider 37 Rider Packet, page I-16	I-61 Rider 38 Rider Packet, page I-16		House version of rider includes specific language designating Top 50 ranked public university "in the United States."

808 HISTORICAL COMMISSION

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
A.1.4 HISTORIC SITES	I-61	I-61		
	\$ 34,787,441	\$ 32,690,641	\$ 2,096,800	Senate provides \$2,096,800 and 9.5 FTEs in General Revenue for the following Historic Sites: a. Senate provides \$136,800 and 3.5 FTEs to annualize the transfer of funds for the Star of the Republic Museum. b. Senate provides \$480,000 and 3.0 FTEs for the Charles and Mary Ann Goodnight Ranch. c. Senate provides \$320,000 and 2.0 FTEs for the Levi Jordan Plantation Site for on-going support. d. Senate provides \$160,000 and 1.0 FTE for the National Museum of the Pacific War for IT support. e. Senate provides \$1,000,000 for the National Museum of the Pacific War, identified in Senate Rider 27. House provides authority for 9.5 FTEs without additional funding.
Cultural Diversity Scholarships	I-64 Rider 6 Rider Packet, page I-17	I-64 Rider 6 Rider Packet, page I-17		Senate rider maintains maximum allowable authority of \$5,000 in gifts and donations for scholarships up to \$500 per recipient to participate at agency-sponsored events. House amends rider allowing the agency to use no more than \$50,000 in gifts and donations for scholarships up to \$1,000 per recipient and specifies amounts are expended with nonprofit organizations.
Capital Budget Expenditures for a Mobile Travel Application	I-67 Rider 25 Rider Packet, page I-17			Senate provides a rider to authorize the agency to implement a capital budget project for the development of a mobile application if funds become available.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Conference Committee Revisions and Additions				
Restoration of Five Percent Reduction			ADOPT	Add \$1,947,793 in General Revenue and 3.6 FTEs in each fiscal year and \$248,625 in General Revenue-Dedicated Preservation Trust Fund 664 to restore the 2020-21 five percent reduction.

313 DEPARTMENT OF INFORMATION RESOURCES

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Number of Full-Time-Equivalents (FTEs)	I-67 211.0	I-67 226.0	SENATE PLUS 1.0 FTE	a. House provides 13.0 FTEs for new Security Operations Center. b. House provides 2.0 FTEs for Endpoint Detection Response.
	212.0			
C.1.2 SECURITY SERVICES	\$ 30,242,417	\$ 75,372,039	\$ 45,129,622 SENATE	Differences include: a. House provides \$13,818,322 in GR for Security Operations Centers pilot project, including \$9.8 million for hardware and software and \$4.0 million for salaries and operations for 13.0 FTEs. b. House provides \$31,311,300 in GR for Endpoint Detections & Response. This project is for technology to protect endpoints at state agencies under the DIR cooperative contracts. Request includes \$30.9 million for professional fees and services and \$0.4 million for salaries and operations for 2.0 FTEs.
DIR Clearing Fund Account	I-70 Rider 3 Rider Packet, page I-18	I-69 Rider 3 Rider Packet, page I-18		House modifies rider to remove the requirement that the agency include in its Annual Financial Report the costs avoided and savings obtained through cooperative contracts, and agencies for which the Clearing Fund Account was used.
Capital Purchases on Behalf of Other Government Entities.	I-71 Rider 4 Rider Packet, page I-19	I-70 Rider 4 Rider Packet, page I-19		House modifies rider to expand the exemption from capital budget limitations made in Article IX, Transfers - Capital Budget, to all information resources and telecommunications technologies purchases. Current rider language applies this exemption only to purchases made on behalf of other agencies and entities if DIR directly bills those entities and is reimbursed.

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Telecommunications Revolving Account	I-72 Rider 8 Rider Packet, page I-20	I-72 Rider 8 Rider Packet, page I-20 AS AMENDED TO REQUIRE NOTIFICATION TO LBB OF TELECOMMUNICATION SPENDING		<p>Senate rider maintains requirement for LBB approval of additional expenditures above amounts appropriated out of the Telecommunications Revolving Account (Other Funds), including payments made to service providers for telecommunication services utilized by state agencies.</p> <p>House modifies rider to identify funding for operations and administrative costs and to limit requirements for LBB approval to additional expenditures for operations and administrative costs and thereby excludes from LBB approval payments made to service providers on behalf of state agencies.</p>
Statewide Technology Account	I-72 Rider 9 Rider Packet, page I-21	I-72 Rider 9 Rider Packet, page I-21 AS AMENDED TO REQUIRE NOTIFICATION TO LBB OF DATA CENTER SERVICES SPENDING		<p>Senate rider maintains requirement for LBB approval of additional expenditures above amounts appropriated out of the Statewide Technology Account (Other Funds), including payments made to service providers for data center/shared technology services utilized by state agencies.</p> <p>House modifies rider to identify funding for operations and administrative costs and to limit requirements for LBB approval to additional expenditures for operations and administrative costs and thereby excludes from LBB approval payments made to service providers on behalf of state agencies. House rider also requires DIR to submit a report by December 1 to notify LBB of any increases in authority for data center services payments made to service providers on behalf of state agencies.</p>
Reporting Requirements for Cost Recovery Activities	I-73 Rider 10 Rider Packet, page I-22	I-73 Rider 10 Rider Packet, page I-22		<p>House modifies rider pertaining to reporting requirements for DIR's enterprise accounts to change the reporting date from December 1 to March 1 of each fiscal year.</p>

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Fund Balance Limitations	I-74 Rider 11 Rider Packet, page I-23	I-73 Rider 11 Rider Packet, page I-23		House modifies the rider as follows: a) Amend the due date to submit a report on cost recovery activities from December 1 to March 1 of each fiscal year; and b) Allow the use of cooperative contracts revenue (Clearing Fund Account) in excess of allowable fund balances to fund cybersecurity costs in lieu of General Revenue appropriations. The rider would also restrict DIR from spending the General Revenue saved by the swap unless written approval is provided by the LBB.

306 LIBRARY & ARCHIVES COMMISSION

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-Strategy Issue	I-75	I-75	HOUSE	Funding for Library Support Services House provides \$3,750,000 in General Revenue and 5.0 FTEs for four projects related to providing support to libraries and access to resources.
Number of Full-Time-Equivalents (FTEs)	170.5	175.5		See cross-strategy issue.
A.1.1 LIBRARY SUPPORT SERVICES	\$ 47,952,879	\$ 51,452,879	\$ 3,500,000	See cross-strategy issue. House provides \$3,500,000 in General Revenue and 3.0 FTEs to support libraries by providing workforce tools, equipping libraries to increase access to online resources, and grow TexShare resources.
B.1.1 PROVIDE ACCESS TO INFO & ARCHIVES	\$ 6,844,883	\$ 7,094,883	\$ 250,000	See cross-strategy issue. House provides \$250,000 in General Revenue and 2.0 FTEs to increase digital access to primary sources and Texas historical records.
Unexpended Balances: Library Innovation Zone Grant		I-78 Rider 10 Rider Packet, page I-26		House provides authority to carry forward unexpended balances to the 2022-23 biennium (estimated to be \$0) for the Library Innovation Zone Grant provided during the Eighty-sixth Legislature.
TexQuest Digital Resources		I-78 Rider 11 Rider Packet, page I-26		House provides a rider requiring the agency to ensure that vendors that provide TexQuest digital resources include technology protection measures that meet the requirements of 47 U.S.C. Section 254(h)(5).
Contingent Rider: TexShare and TexQuest		I-78 Rider 12 Rider Packet, page I-26		House provides a rider requiring the agency to allocate \$5,000,000 in Federal Funds for the TexShare and TexQuest online library resource program.

338 PENSION REVIEW BOARD

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Cross-Strategy Issue	I-79	I-79	SENATE	Funding for Financial Analyst Position Senate provides \$112,875 in General Revenue to fill a vacant financial analyst position to assist with retirement system reviews, provide technical assistance and develop continuing education for administrators and trustees of retirement systems, including best practices.
A.1.1 RETIREMENT SYSTEM REVIEWS	\$ 1,022,240	\$ 965,803	\$ 56,437	See cross-strategy issue.
A.2.1 TECHNICAL ASSISTANCE AND EDUCATION	\$ 1,235,258	\$ 1,178,820	\$ 56,438	See cross-strategy issue.

809 PRESERVATION BOARD

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-80	I-80		
Number of Full-Time-Equivalents (FTEs)	136.5	129.5		Senate adds 7.0 FTEs for grounds management and maintenance of the exterior grounds of the Texas Mall.
A.1.2 BUILDING MAINTENANCE	\$ 41,150,034	\$ 8,656,778	\$ 32,493,256 ADOPTED IN HB 2 SENATE HOUSE	Differences include the following issues: a) Senate provides \$33,605,000 in GR for Capitol, Capitol Extension and Capitol Visitors Center Repair and Preservation Projects. House provides \$33,605,000 in Economic Stabilization Funds for this purpose in HB 2. b) Senate provides \$1,393,380 in GR for grounds management, landscaping, and maintenance of the Texas Mall outdoor common areas. Includes funding for 7.0 FTEs. c) House provides \$2,505,124 in GR for Capitol, Extension, and Capitol Visitors Center janitorial and maintenance contracts.
A.1.3 STATE CEMETERY	\$ 1,198,732	\$ 2,598,732	\$ 1,400,000 ADOPTED IN HB 2	House provides \$1,400,000 in GR for the State Cemetery Master Plan Phase 1 capital project. This amount was transferred to the State History Museum in FY 2020 at the request of the agency to fund museum operations.
Electric Vehicle Charging Stations		I-83 Rider 10 Rider Packet, page I-27		House adds rider requiring the agency to use available appropriations to install electric vehicle charging stations in the Capitol Complex.

307 SECRETARY OF STATE

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-85	I-85		
Number of Full-Time-Equivalents (FTEs)	207.0	203.0		Senate provides 4.0 FTEs for Program Specialist V positions to provide election training for county officials.
Appropriations Made in Riders	\$ 34,000,000 AS AMENDED TO REMOVE CONTINGENCY FOR LEGISLATION AND TO APPROPRIATE GR IF FEDERAL FUNDS ARE NOT AVAILABLE	\$ -	\$ 34,000,000	Reimbursement for Auditable Voting Machines. Senate includes an appropriation contingent on the passage of SB 7 for \$34,000,000 in Federal Funds for reimbursing counties for the purchase of auditable voting machines. Appropriation is also contingent on availability of these Federal Funds.
B.1.1 ELECTIONS ADMINISTRATION	\$ 14,794,694	\$ 13,144,694	\$ 1,650,000	a. Senate provides \$1,400,000 in General Revenue and 4.0 FTEs to provide election training for county officials. b. Senate provides \$250,000 in General Revenue for salary increases and reclassifications of positions related to statewide election administration.
Reimbursement for Auditable Voting Machines	I-89 Rider 19 Rider Packet, page I-28 AS AMENDED TO REMOVE CONTINGENCY FOR LEGISLATION AND TO APPROPRIATE GR IF FEDERAL FUNDS ARE NOT AVAILABLE			See Appropriations Made in Rider.

403 VETERANS COMMISSION

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
	I-89	I-89		
Number of Full-Time-Equivalents (FTEs)	438.5	425.5		Senate provides 13.0 FTEs for additional Health Care Advocates at VA Outpatient Clinics.
A.1.6 HEALTH CARE ADVOCACY PROGRAM	\$ 2,888,398	\$ 1,516,858	\$ 1,371,540	Senate provides \$1,371,540 in General Revenue and 13.0 FTEs to add additional Health Care Advocates at VA Outpatient Clinics.
D.1.1 CENTRAL ADMINISTRATION	\$ 3,886,391	\$ 3,814,407	\$ 71,984	Senate provides \$71,984 in General Revenue for costs associated with the Capitol Complex move.
	\$ 3,912,839		SENATE PLUS \$26,448 IN GR	House provides \$98,432 in Economic Stabilization Funds for this purpose in HB 2.
Capital Budget	I-91 Rider 2	I-91 Rider 2		Senate provides capital budget authority for \$600,000 in Fund for Veterans' Assistance Account No. 368 to enhance or replace the Electronic Grant Management System.
Veteran Hospital Billing	I-93 Rider 2 Rider Packet, page I-29			Senate provides a rider requiring TVC to conduct a review of billing practices of veteran designated hospitals.

Article I Agencies With No Issues

Item	Senate 2022-23	House 2022-23	Biennial Difference	Explanation
Texas Emergency Services Retirement System (326)	I-32	I-32		
Office of the Governor (301)	I-51	I-51		
State Office of Risk Management (479)	I-83	I-83		
Retirement and Group Insurance	I-93, II-84, III-238, IV-37, V-54, VI-60, VII-45, VIII-56, X-7	I-93, II-95, III-240, IV-34, V-55, VI-61, VII-46, VIII-55, X-9		Differences conform to FTE decisions.
Social Security and Benefit Replacement Pay, including Informational Listing of Funds Appropriated to the Comptroller for Social Security and BRP (S22)	I-28, I-94, II-84, III-238, IV-37, V-55, VI-60, VII-46, VIII-56, X-8	I-28, I-93, II-95, III-240, IV-34, V-56, VI-61, VII-46, VIII-56, X-9		Differences conform to FTE decisions.
Lease Payments	I-95, II-85, III-239, IV-38, V-56, VI-61, VII-47, VIII-57, X-8	I-95, II-96, III-241, IV-35, V-57, VI-62, VII-47, VIII-56, X-9		

Office of the Attorney General, Article I
Proposed Rider
Victims Assistance Grants

Prepared by LBB Staff, 05/06/2021

Overview

Amend and adopt Rider 9, Victims Assistance Grants, to modify rider language regarding funding allocations for rape crisis centers and sexual assault nurse examiners program. This includes the removal of language regarding \$2,400,201 in Federal Funds per fiscal year to rape crisis centers, as well as a decrease in total allocations from \$34,370,004 to \$29,569,602. The amended rider also adds an allocation amount of \$1,754,034 in General Revenue-Dedicated Sexual Assault Program Account No. 5010.

Required Action

On page I-12 of the Office of the Attorney General’s bill pattern, add the following rider:

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

<u>Program:</u>	
(1) Victims Assistance Coordinators and Victims Liaisons	
(2) Sexual Assault Prevention and Crisis Services Program	
(3) Sexual Assault Services Program Grants	
(4) Legal Services Grants	
(5) Other Victims Assistance Grants	
(6) Statewide Victim Notification System	
(7) Address Confidentiality	
Total	
Method of Financing:	
General Revenue:	
<u>General Revenue - Dedicated</u>	
Compensation to Victims of Crime Fund No. 0469	
Victims of Crime Auxiliary Fund No. 0494	
Sexual Assault Program Account No. 5010	
Subtotal, General Revenue - Dedicated	
Federal Funds	
Total, Method of Financing	

The Office of the Attorney General shall adopt rules for the competitive allocation of funds under item number (5) Other Victims Assistance Grants.

Included in appropriations above in Strategy C.1.2., Victims Assistance, for program (2) Sexual Assault Prevention and Crisis Services Program, the Office of the Attorney General shall enter into contracts or provide grants in the amount of ~~\$34,370,004~~\$29,569,602 for rape crisis centers to provide the minimum services as statutorily required by Texas Government Code, Section 420.008(c)(1) to adult survivors of stranger and non-stranger sexual assault. This amount includes \$2,350,000 in fiscal year 2022 and \$2,350,000 in fiscal year 2023 in General Revenue; and \$12,434,801 in fiscal year 2022 and \$12,434,801 in fiscal year 2023 in General Revenue-Dedicated Sexual Assault Program Account No. 5010; ~~and \$2,400,201 in fiscal year 2022 and \$2,400,201 in Federal Funds.~~

The Office of the Attorney General shall notify the Legislative Budget Board, Governor and Comptroller at least 30 days prior to the start of a new fiscal year if the revenue sources listed above are insufficient to provide the full appropriations to rape crisis centers or sexual assault nurse examiners program as indicated in this rider for the upcoming fiscal year.

For purposes of this rider, “rape crisis center” shall have the same meaning as “sexual assault program” in Texas Government Code Section 420.003 (7).

In accordance with Texas statute, rape crisis centers remain eligible to apply for victim assistance funds in addition to the funds listed in program (2) Sexual Assault Prevention and Crisis Services Program.

Included in appropriations above in Strategy C.1.2., Victim Assistance, for program (2) Sexual Assault Prevention and Crisis Services Program, the Attorney General shall enter into contracts or provide grants in the amount of ~~\$1,754,034~~\$1,377,017 in fiscal year 2022 and \$377,017 in fiscal year 2023 in General Revenue-Dedicated Sexual Assault Program Account No. 5010 for the sexual assault nurse examiner program.

It is the intent of the Legislature that \$300,000 in fiscal year 2022 and \$300,000 in fiscal year 2023 appropriated to the Office of the Attorney General be used to fund domestic violence high risk teams.

None of the funds appropriated in Strategy C.1.2, Victims Assistance, may be expended on grants to organizations that make contributions to campaigns for elective office or that endorse candidates.

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

Any unexpended balances of these funds remaining as of August 31, 2022, are appropriated to the Office of the Attorney General for the fiscal year beginning September 1, 2022, for the same purpose.

Office of the Attorney General, Article I
Proposed Rider
Coverage of Outside Legal Expenses

Prepared by LBB Staff, 05/07/2021

Overview

Amend and adopt Rider 32, Outside Legal Fees, as included in Senate Bill 1, as Passed 2nd House, to remove requirements for the Office of the Attorney General to cover the cost of outside legal expenses for an agency which it declines to represent and instead require notification to the Legislative Budget Board of denials to represent state agencies in litigation.

Required Action

On page I-xx of the Office of the Attorney General's bill pattern, amend the following rider:

- _____. **Outside Legal Fees**~~Denial of Legal Representation. The amount paid by the Office of the Attorney General for outside legal expenses may not exceed \$500 per hour. In the event that the Office of the Attorney General declines a state agency request to provide legal representation in litigation, the Office of the Attorney General must cover the cost of outside legal expenses for the involved state agency, out of funds appropriated in Strategy A-1-1, Legal Services. The Office of the Attorney General must notify the Legislative Budget Board of its denial of a state agency's request for representation in litigation within 48 hours of informing the client agency. The Legislative Budget Board must promptly inform the Lieutenant Governor, Speaker of the House of Representatives, the Senate Finance Committee and the House Appropriations Committee of the Office of the Attorney General's submitted notification.~~

Office of the Attorney General, Article I
Proposed Rider
OAG Outside Counsel Contingency Fees

Prepared by LBB Staff, 05/18/2021

Overview

Amend and adopt Rider 32, Appropriation for Outside Legal Counsel and Litigation Services, as included in Committee Substitute for Senate Bill 1, to include language that specifies that compensation of outside legal counsel for litigation against Google must follow the provisions and limitations outlined in chapter 2254 of the Government Code.

Required Action

On page I-12 of the Office of the Attorney General's bill pattern, amend the following rider:

32. **Appropriation for Outside Legal Counsel and Litigation Services.** Included in the amounts appropriated above in Strategy A.1.1., Legal Services, is \$43,283,112 in General Revenue funds in fiscal year 2022 for pending litigation in State of Texas vs. Google, LLC, Civil Action No. 4:20cv957, U.S. District Court, Eastern District of Texas, Sherman Division, and any related litigation brought by the Office of Attorney General against Google, LLC and any related parent companies or subsidiaries for deceptive trade practices, violation of antitrust laws, and other related claims. This appropriation shall be limited to funding ongoing or incurred litigation expenses in the above-referenced litigation including expert services, litigation costs, and payments to outside counsel. Payments to outside counsel would only be made as (1) permitted by the operative contract between outside counsel and the Office of the Attorney General (OAG), and (2) per the contract's terms, outside counsel's potential contingent-fee recovery is reduced upon the Legislature's appropriation of the amount specified by this provision.

Contingent upon the final resolution of the OAG's litigation against Google, LLC and any related parent companies or subsidiaries, the OAG shall follow the process outlined in chapter 2254 of the Government Code to pay outside counsel, which bases the contingent fee on a multiple of actual hours worked on the case not to exceed the negotiated percentage of total recovery. The outside counsel contingency fee contracts shall not exceed the calculated hourly rate established by chapter 2254 of the Government Code, and shall be payable upon conclusion of the litigation. At least semi-annually or more often upon request of the Legislative Budget Board, the ~~Office of the Attorney General~~(OAG) shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the Governor a report that lists the expenditures related to expert witnesses, billable hours for outside counsel and the amount of appropriated funds disbursed for the litigation expenses. Upon conclusion of the litigation, a final report shall be submitted to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, Governor, and the Comptroller.

Any unexpended balances remaining as of August 31, 2022 in the appropriation made herein are appropriated for the fiscal year beginning September 1, 2022. Any part of this appropriation that is not necessary for that purpose described above shall be lapsed by the agency at the end of the biennium.

By: _____

Office of the Attorney General, Article I
Proposed Rider
Report on Certain Litigation

Prepared by LBB Staff, 05/06/2021

Overview

Adopt and amend language in Rider 34, Report on Election-Related Litigation as included in Senate Bill 1, as Passed 2nd House, to require that the Office of the Attorney General submit a report on expenditures related to litigation for the enforcement of the Election Code once per biennium to the Senate Finance Committee and House Appropriations Committee.

Required Action

On page I-xx of the Office of the Attorney General's bill pattern, amend the following rider:

_____.
Report on ~~Election-Related~~ Certain Litigation. It is the intent of the legislature that the Office of the Attorney General submit a report not later than December 31, 2022, to the House Committee on Appropriations and the Senate Committee on Finance concerning the amount of money spent during the previous two fiscal years on litigation related to the enforcement of the Election Code ~~election or voting related litigation during the previous quarter.~~

By: _____

Office of the Attorney General, Article I
Proposed Rider
Report on Use of Public Information Act Exceptions
Prepared by LBB Staff, 05/06/2021

Overview

Prepare rider that requires the Office of the Attorney General to produce and submit a report to the Legislature by December 31, of each year on the number of Open Records Division rulings permitting the withholding of public information.

Required Action

On page I-12 of the Office of the Attorney General's bill pattern, add the following rider:

_____. **Report on Use of Public Information Act Exceptions.** Out of funds appropriated above, the Office of the Attorney General shall annually submit a report to the Legislature no later than December 31 of each year on the number of Open Records Division rulings issued during that calendar year permitting the withholding of information under Texas Government Code § 552.108(a)(2) or (b)(2). The report shall include the attorney general's file identification number or opinion identification number, date of each ruling, and the name of the agency or other governmental body that sought the ruling.

Office of the Attorney General, Article I
Proposed Rider
Legal Services Transferability

Prepared by LBB Staff, 05/07/2021

Overview

Prepare a rider that would require the Office of the Attorney General to receive written approval from the Legislative Budget Board in order to transfer appropriations into or out of Strategy A.1.1, Legal Services. Also direct the agency to submit a quarterly report to the Legislative Budget Board regarding certain FTE information.

Required Action

On page I-xx of the Office of the Attorney General's bill pattern, add the following rider:

_____.
Legal Services Transferability and Reporting. Notwithstanding Article IX, Section 14.01, Appropriation Transfers, and Rider 12, Transfer Authority, the Office of the Attorney General may not transfer any funds into or out of Strategy A.1.1, Legal Services, without receiving prior written approval from the Legislative Budget Board.

The Office of the Attorney General shall submit a report to the Legislative Budget Board no later than 30 days after the close of each fiscal quarter which details the status of full-time-equivalent (FTE) positions included in Strategy A.1.1, Legal Services. The report shall include the following information by position classification, and additionally aggregated, for the previous fiscal quarter:

- a. Number of FTE positions budgeted;
- b. Number of FTE positions filled;
- c. Number of FTE positions vacant and posted with the intention of filling; and
- d. Any additional information requested by staff of the Legislative Budget Board.

Office of the Attorney General, Article I
Proposed Rider
Child Support Enforcement Salary Limitation

Prepared by LBB Staff, 05/13/2021

Overview

Adopt a rider that requires the Office of the Attorney General to request approval from the Legislative Budget Board in order to increase the salaries of full-time equivalents allocated under Strategy B.1.1, Child Support Enforcement in excess of 2 percent.

Required Action

On page I-xx of the Office of the Attorney General's bill pattern, adopt the following rider:

_____. **Child Support Enforcement Salary Limitation.**

- (a) The maximum amount the Office of the Attorney General (OAG) may expend in Strategy B.1.1, Child Support Enforcement, for merit salary increases in and promotions to classified positions during a fiscal year may not exceed, without the written approval of the Legislative Budget Board (LBB), the amount computed by multiplying the total amount spent by the agency in the same strategy in the preceding fiscal year for classified salaries times 2.0 percent.
- (b) The maximum amount that may be spent for merit salary increases in and promotions to classified positions shall be computed separately for each fiscal year. Merit salary increases and promotions awarded in the first fiscal year of a biennium do not count against the maximum amount that may be spent for those increases in the second fiscal year of that biennium.
- (c) Money spent to pay a salary increase for an employee who is promoted to a classified position title counts against the limitation prescribed by this rider only if, as a result of the promotion, the number of agency employees in that position title exceeds the maximum number of agency employees who have been in that position title at any time during the preceding six-month period.
- (d) A request to exceed the limitation prescribed by this rider must be submitted by the Attorney General or the Attorney General's designee and must include at least:
 - (1) the date on which the Attorney General or the Attorney General's designee approved the request;
 - (2) a statement justifying the need to exceed the limitation; and
 - (3) the source of funds to be used to pay the salary increases.
- (e) The request shall be considered approved unless the Legislative Budget Board issues a written disapproval within 30 business days of the date on which the staff of the Legislative Budget Board concludes its review of the request and forwards its review to the Chair of the House Appropriations Committee, the Chair of the Senate Finance Committee, the Speaker of the House, and the Lieutenant Governor.
- (f) The comptroller shall prescribe accounting and reporting procedures necessary to ensure that the amount spent for merit salary increases and promotions does not exceed the limitations established by this rider.

Comptroller of Public Accounts, Article I
Proposed Funding and Rider
Ensuring Workforce Supports Through Transitioning Industries

Prepared by LBB Staff, 05/07/2021

Overview

Amend and adopt Rider 20, Ensuring Workforce Supports Through Transitioning Industries, as included in Senate Bill 1, as passed 2nd House, to indicate legislative intent that the Comptroller conduct a study to analyze economic development and workforce retraining opportunities relating to renewable energy.

Required Action

On page I-xx of the Comptroller of Public Accounts bill pattern, amend the following rider:

- _____. **Ensuring Workforce Supports Through Transitioning Industries.** ~~Out of the funds appropriated above to the Comptroller, the agency shall identify and evaluate It~~ is the intent of the legislature that the Comptroller of Public Accounts analyze economic development and workforce retraining opportunities ~~with regard to the transition to clean relating to renewable energy sources. The agency shall seek and utilize data, as needed, from the Texas Workforce Commission and any other state agency to complete a thorough review of~~ Such analysis may include current workforce retraining opportunities ~~and~~ as well as available job positions. In conducting the analysis the agency may utilize data from the Texas Workforce Commission and any other state agency.

Comptroller of Public Accounts, Article I
Proposed Funding and Rider
Improve and Enhance Security and Services

Prepared by LBB Staff, 05/08/2021

Overview

Add rider indicating funding of \$5,800,000 and purpose for improvement of the agency's information security and enhancing taxpayer services.

Required Action

On page I-xx of the Comptroller of Public Accounts bill pattern, add the following rider:

_____. **Improve and Enhance Security and Services.** Included in amounts appropriated above to the Comptroller of Public Accounts is \$5,800,000 in fiscal year 2022, out of the General Revenue Fund, for the purpose of improving the agency's information security and enhancing taxpayer services to improve voluntary compliance. Any unexpended and unobligated balances of these funds remaining as of August 31, 2022, are appropriated to the Comptroller of Public Accounts for the fiscal year beginning September 1, 2022, for the same purpose.

Fiscal Programs - Comptroller, Article I
Proposed Rider
Contingency for Senate Bill 1827

Prepared by LBB Staff, 5/3/2021

Overview

Prepare a rider which appropriates funds to the Comptroller from the new GR-Dedicated Opioid Abatement Account for the purposes of implementing the provisions of Senate Bill 1827 or similar legislation, contingent upon its enactment.

Required Action

On page I-xx of the Fiscal Programs – Comptroller of Public Accounts bill pattern, add the following rider:

_____.
Opioid Abatement Account. Contingent upon the enactment of Senate Bill 1827, or similar legislation relating to the creation of the opioid abatement account, an opioid abatement trust fund, and to a statewide opioid settlement agreement, by the Eighty-seventh Legislature, Regular Session, in addition to the amounts appropriated above, all sums deposited to the Opioid Abatement Account, a new General Revenue-Dedicated Account in the state treasury, are appropriated to the Comptroller in a new Strategy A.1.15, Opioid Abatement Account. These amounts are to be distributed in accordance with statute and used to defray administrative expenses incurred by the Comptroller to the extent allowed by statute. In addition, the Comptroller is authorized to reimburse the Opioid Abatement Fund Council for meeting and travel expenses out of funds deposited in the Opioid Abatement Account.

Unexpended balances remaining in this strategy as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022. The bill pattern for the Fiscal Programs – Comptroller of Public Accounts shall be amended accordingly.

Article IX
Proposed Rider
Contingency for Senate Bill 2230

Prepared by LBB Staff, 05/08/2021

Overview

Prepare a rider which, contingent on enactment of Senate Bill 2230, appropriates \$20,000,000 in Revenue Bond Proceeds to the Texas Public Finance Authority (TPFA) and Fiscal Programs – Comptroller of Public Accounts for the acquisition of a building for the Bullion Depository. Rider would also appropriate revenue from lease payments from tenants occupying buildings managed by the Comptroller to the Fiscal Programs – Comptroller of Public Accounts for the purposes of making debt service payments to TPFA, contingent upon its enactment.

Required Action

In Article IX, add the following appropriately numbered rider:

_____. **Contingency for Senate Bill 2230.**

- a. Contingent on enactment of Senate Bill 2230, or similar legislation relating to the acquisition of real property or construction of buildings for the purpose of operating the Texas Bullion Depository, by the Eighty-seventh Legislature, Regular Session, notwithstanding other capital budget provisions contained elsewhere in this Act, and in accordance with Government Code Chapter 1232, as amended by Senate Bill 2230, the Texas Public Finance Authority is authorized to issue revenue bonds or other obligations on behalf of the Comptroller of Public Accounts in an amount not to exceed \$20,000,000 for the purpose of constructing or acquiring and equipping buildings to be used by the Texas Bullion Depository. From the proceeds of the issuance and sale of such bonds or other obligations, such amounts as may be necessary to fund associated costs, including the costs of issuance, reasonably required reserve funds, capitalized interest, and other administrative costs are appropriated to the Texas Public Finance Authority. From the remaining proceeds of the issuance and sale of such bonds or obligations, amounts necessary to fund the costs of the acquisition, construction and equipping of buildings to be used by the Texas Bullion Depository are appropriated to the Fiscal Programs – Comptroller of Public Accounts for fiscal year 2022. Any unexpended balances from appropriations made in this subsection remaining as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.
- b. In addition, and also contingent on enactment of Senate Bill 2230 as identified in the previous subsection, Fiscal Programs – Comptroller of Public Accounts is appropriated receipts from lease payments from tenants of buildings acquired under the provisions of Senate Bill 2230, for the purpose of making lease payments to the Texas Public Finance Authority for debt service payments on revenue bonds or other revenue obligations issued to acquire, construct and equip buildings to be used by the Texas Bullion Depository, estimated to be \$1,680,000 in fiscal year 2022 and \$1,680,000 in fiscal year 2023. Any additional receipts from lease payments are appropriated to the Fiscal Programs – Comptroller of Public Accounts and may be expended in accordance with applicable law and Rider 16, Appropriation of Texas Bullion Depository Receipts, in the Fiscal Programs – Comptroller of Public Accounts’ bill pattern.

Employees Retirement System, Article I
Proposed Funding and Rider
Alternative Delivery Methods for Group Benefits Program

Prepared by LBB Staff, 05/16/2021

Overview

Add rider that would indicate legislative intent for the Employees Retirement System (ERS) to engage a third party vendor to examine alternative methods to deliver current benefits supplied under the Group Benefits Program.

Required Action

1. On page I-37 of the Employees Retirement System bill pattern in Senate Bill 1, add the following rider:

_____. **Alternative Delivery Methods for Group Benefits Program.** It is the intent of the legislature that the Employees Retirement System (ERS) engage a third party vendor to examine alternative methods to deliver the current benefits supplied under the Group Benefits Program and that ERS provide a report to the chairs of the Senate Finance and Health and Human Services committees, the chairs of the House Appropriations and Insurance committees, and the Governor on the findings of the third party vendor no later than August 31, 2022.

Texas Facilities Commission, Article I
Proposed Rider
Land Purchase for Flex Space Office Building

Prepared by LBB Staff, 05/12/21

Overview

Require that the Texas Facilities Commission purchase land sufficient to build an archive for the Library and Archives Commission when selecting a site for a new flexible space office building.

Required Action

On page I-47 of the Texas Facilities Commission bill pattern, add the following rider:

23. **Land Purchase for Future Expansion.** It is the intent of the legislature that from the funds appropriated to the Texas Facilities Commission, in assessing land to be purchased for the construction of a new flexible space office building, the Facilities Commission shall include as a consideration acquiring land to additionally accommodate potential future construction of a building for the use of the Library and Archives Commission as an archival storage space.

The Facilities Commission shall notify the Legislative Budget Board and the Library and Archives Commission of the feasibility and cost of acquiring sufficient land for the construction of archival storage space prior to any purchase of land for this purpose.

Texas Public Finance Authority, Article I
Proposed Rider
Appropriation and Transfer Authority for Revenue Commercial Paper Programs:
Payments and Administrative Fees

Prepared by LBB Staff, 05/07/2021

Overview

Adopt and amend Rider 5, Appropriation and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees, as included in Senate Bill 1, as Passed 2nd House, to appropriate to the Texas Public Finance Authority excess revenue bond proceeds (including MLPP proceeds) for the purposes of issuance and administrative costs associated with the revenue commercial paper programs.

Required Action

On page I-xx of the Texas Public Finance Authority's bill pattern, amend the following rider:

5. **Appropriation and Transfer Authority for Revenue Commercial Paper Programs: Payments and Administrative Fees.** The Texas Public Finance Authority is appropriated balances held in and revenue accruing to the General Revenue - Dedicated State Lease Fund Account No. 0507 and the interest and sinking funds associated with the Texas Public Finance Authority revenue commercial paper programs for the purpose of making debt service and other payments in accordance with applicable laws, rules, and covenants pertaining to the respective revenue commercial paper programs. Included in amounts appropriated above is \$243,768 in each fiscal year of the 2022-23 biennium out of Revenue Bond Proceeds for the administration of the revenue commercial paper programs. In addition, revenues accruing to the Texas Public Finance Authority revenue commercial paper program funds, including costs of issuance funds, in excess of Revenue Bond Proceeds and Master Lease Project Fund included in amounts appropriated above are appropriated to the Texas Public Finance Authority for the purpose of administering the revenue commercial paper programs. Any unexpended and unobligated balances remaining as of August 31, 2022 are appropriated for the fiscal year beginning September 1, 2022 for the same purpose.

The Texas Public Finance Authority is hereby authorized to transfer each agency's share of administrative fees and lease payments pursuant to the respective revenue commercial paper program from each agency's appropriations made elsewhere in this Act to the Texas Public Finance Authority revenue commercial paper program cost of issuance fund(s) and the General Revenue - Dedicated State Lease Fund Account No. 0507, respectively. Such transfers shall not be made earlier than fifteen days prior to the date that the debt service payment is required. The Texas Public Finance Authority may transfer funds necessary for revenue commercial paper debt service payments from the General Revenue - Dedicated State Lease Fund Account No. 0507 to the respective Texas Public Finance Authority revenue commercial paper program's interest and sinking fund(s).

For the purpose of this provision, the Texas Public Finance Authority revenue commercial paper programs include: the Master Lease Purchase Program; the Texas Facilities Commission Revenue Commercial Paper Program; and any revenue financing authorized by the Eighty-~~sixth~~seventh Legislature.

Department of Information Resources, Article I
Proposed Rider Revision
Rider 8, Telecommunications Revolving Account

Prepared by LBB Staff, 05/3/2021

Overview

Adopt Rider 8, Telecommunications Revolving Account, as included in Senate Bill 1, as Passed 2nd House, and amend to require the Department of Information Resources to report semi-annually to the Legislative Budget Board on increased spending for telecommunications services.

Required Action

On page I-xx of the Department of Information Resources bill pattern, amend the following rider:

8. Telecommunications Revolving Account. Included in amounts appropriated above in Strategies B.4.1, Communications Technology Services; ; C.1.2, Security Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all balances not previously encumbered as of August 31, 2021, (estimated to be \$3,095,213) and revenues accruing during the 2022-23 biennium estimated to be \$96,967,390 in fiscal year 2022 and \$102,713,990 in fiscal year 2023 in revenue collected on or after September 1, 2021, appropriated from telecommunications services as provided by Government Code, Chapter 2170 out of Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account.

Any unexpended and unobligated balances remaining as of August 31, 2022, in the appropriation made herein are appropriated for the fiscal year beginning September 1, 2022, for the same purposes. For each fiscal year, in the event that unexpended and unobligated balances and/or revenues are less than the amounts estimated by this rider, fund balances in the

Telecommunications Revolving Account, authorized by Rider 11, Fund Balance Limitations, may be expended to address a shortfall, subject to the limitations on expenditures included in this rider.

Included in amounts appropriated above is \$9,725,739 in fiscal year 2022 and \$9,736,382 in fiscal year 2023 in Appropriated Receipts and Interagency Contracts to the Telecommunications Revolving Account for the purpose of providing operating and administrative costs, excluding payments to service providers for communications technology services for voice, data, wireless, and internet services for which the Department bills customer state agencies and government entities. The Department may not expend funds in excess of amounts identified in this rider for operating and indirect administrative costs without prior written approval from the Legislative Budget Board. The Department requesting the approval of the Legislative Budget Board shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days.

By April 1 and October 1 of each year, the Department shall submit semi-annual reports to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, on actual spending by customer agencies and entities on telecommunications services, and if applicable, projections for the remainder of the fiscal year.

Department of Information Resources, Article I
Proposed Rider
Rider 9, Statewide Technology Account

Prepared by LBB Staff, 05/3/2021

Overview

Adopt Rider 9, Statewide Technology Account, as included in Senate Bill 1, as Passed 2nd House, and amend to require the Department of Information Resources to report semi-annually to the Legislative Budget Board on increased spending for shared technology services.

Required Action

On page I-xx of the Department of Information Resources bill pattern, amend the following rider:

9. Statewide Technology Account. Statewide Technology Account. In accordance with Government Code, §403.011, the Comptroller of Public Accounts shall establish within the state treasury an operational account, called the Statewide Technology Account for all transactions relating to the operation and management of statewide technology centers.

Included in amounts appropriated above in Strategies B.2.1, Shared Technology Services; D.1.1, Central Administration; D.1.2, Information Resources; and D.1.3, Other Support Services, are all balances not previously encumbered as of August 31, 2021 (estimated to be \$2,557,795), and revenues accruing during the 2022-23 biennium estimated to be \$291,656,443 in fiscal year 2022 and \$299,049,667 in fiscal year 2023 in revenue collected on or after September 1, 2021 appropriated from the operation and management of Statewide Technology Centers as provided by Government Code, Chapter 2054, Subchapter L out of Interagency Contracts and Appropriated Receipts to the Statewide Technology Account. ~~By December 1 of each year, the agency shall notify the Legislative Budget Board of any increases in authority outside of operating and indirect administrative costs from estimated amounts appropriated above for the previous fiscal year.~~

By April 1 and October 1 of each year, the Department of Information Resources shall submit semi-annual reports to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, on actual spending by customer agencies and entities on shared technology services, and if applicable, projections for the remainder of the fiscal year.

Any unexpended and unobligated balances remaining as of August 31, 2022, in the appropriation made herein are appropriated for the fiscal year beginning September 1, 2022, for the same purposes. For each fiscal year, in the event that unexpended and unobligated balances and/or revenues are less than the amounts estimated by this rider, fund balances in the Statewide Technology Account, authorized by Rider 11, Fund Balance Limitations, may be expended to address a shortfall, subject to the limitations on expenditures included in this rider.

Included in amounts appropriated above is \$6,822,058 in fiscal year 2022 and \$7,087,573 in fiscal year 2023 in Appropriated Receipts and Interagency Contracts to the Statewide Technology Account for the purpose of providing operating and indirect administrative costs, excluding payments to services providers for data center services/shared technology services for which the Department bills customer state agencies and government entities. The Department may not expend funds in excess of amounts identified in this rider for operating and indirect administrative costs without prior written approval from the Legislative Budget Board. The Department requesting the approval of the Legislative Budget Board shall submit in a timely manner the request along with adequate information for evaluating the request. Any additional information requested by the Legislative Budget Board must be submitted promptly and in a manner prescribed by the Legislative Budget Board. The request shall be considered to be approved unless the Legislative Budget Board issues a written disapproval within 30 business

days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days.

The Department of Information Resources shall report all administrative costs collected and the administrative cost percentage charged to each state agency and other users of statewide technology centers as defined in Government Code, §2054.380 to the Governor and Legislative Budget Board no later than April 1 for the first six month period of the fiscal year and by October 1 for the second six month period of the fiscal year. By the same deadlines, the Department of Information Resources shall submit the proposed administrative costs collected and the proposed administrative cost percentage for the next six month period. The Legislative Budget Board and Governor's Office shall consider the incremental change to administrative percentages submitted. Without the written approval of the Governor and the Legislative Budget Board, the Department of Information Resources may not expend funds appropriated to the Department if those appropriated funds are associated with an increase to the administrative cost percentage charged to users of the statewide technology centers and deposited to the Statewide Technology Account. The request to increase the administrative cost percentage shall be considered to be approved by the Legislative Budget Board unless the Legislative Budget Board issues a written disapproval within 30 business days after the date the Legislative Budget Board staff concludes its review of the request and forwards the review to the Chair of the House Appropriations Committee, Chair of the Senate Finance Committee, Speaker of the House, and Lieutenant Governor. Any requests for additional information made by the Legislative Budget Board interrupt the counting of the 30 business days. In addition, by September 15 of each even-numbered year the Department shall submit a report to the Legislative Budget Board detailing expended, budgeted and projected costs for data center services by participating agency. The report shall be in a format prescribed by the Legislative Budget Board.

Secretary of State, Article I
Proposed Funding and Rider
Reimbursement for Auditable Voting Machines

Prepared by LBB Staff, 05/11/21

Overview

Provide \$34,000,000 in federal funds, or general revenue if federal funds are not available, to the Secretary of State to reimburse local jurisdictions for the upgrade or replacement of voting and scanning machines that provide an auditable record as well as costs related to mail ballot tracking systems.

Required Action

On page I-89 of the Secretary of State bill pattern, amend the following rider:

19. **Reimbursement for Auditable Voting Machines.** ~~Contingent on enactment of Senate Bill 7, or similar legislation relating to the reimbursement of auditable voting machines, by the Eighty-seventh Legislature, Regular Session, and to the extent the agency receives federal funds for the purposes described in this rider, the Secretary of State is appropriated \$34,000,000 in federal funds in Strategy B.1.4, Elections Improvement, in fiscal year 2022 for the purpose of reimbursements for the retrofitting of certain auditable voting systems, the replacement of certain systems that cannot be so upgraded, and the development of secure tracking systems for mail ballots in accordance with the provisions of Senate Bill 7 or similar legislation by the Eighty-seventh Legislature, Regular Session. Unexpended balances remaining for this purpose as of August 31, 2022, are appropriated for the same purposes for the fiscal year beginning September 1, 2022.~~

If by November 1, 2021 the Secretary of State is not able to certify to the Legislative Budget Board that sufficient federal funds exist for these purposes, \$34,000,000 in general revenue funds is appropriated to the Secretary of State in fiscal year 2022 to fulfill the provisions of the legislation and appropriated federal funds are reduced by \$34,000,000 in fiscal year 2022.