

Rider Comparison Packet

Conference Committee on Senate Bill 1

2022-23 General Appropriations Bill

Article 1 – General Government

COMMISSION ON THE ARTS

Differences Only - Excludes Capital

Senate

House

5. **Unexpended Balances: Cultural and Performing Arts Center Grant.** In addition to amounts appropriated above in Strategy A.1.1, Arts Organization Grants, any unexpended and unobligated balances remaining as of August 31, 2021 (estimated to be \$0), in General Revenue are appropriated for the biennium beginning September 1, 2021, to provide a grant to the Flower Mound Cultural Arts Commission to construct a community cultural and performing arts center.

Any unexpended and unobligated balances of these funds remaining as of August 31, 2022, are appropriated to the Commission on the Arts for the fiscal year beginning September 1, 2022, for the same purpose.

OFFICE OF THE ATTORNEY GENERAL

Differences Only - Excludes Capital

Senate

House

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

Program:

(1) Victims Assistance Coordinators and Victims Liaisons	\$2,431,001	\$2,431,001
(2) Sexual Assault Prevention and Crisis Services Program	19,862,521	19,211,211
(3) Sexual Assault Services Program Grants	1,524,468	1,524,468
(4) Legal Services Grants	2,500,000	2,500,000
(5) Other Victims Assistance Grants	10,798,860	10,798,860
(6) Statewide Victim Notification System	3,023,114	3,023,114
(7) Address Confidentiality	161,349	161,349
Total	\$40,301,313	\$39,650,003

Method of Financing:

General Revenue:	\$6,971,120	\$6,971,120
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General Revenue - Dedicated

Compensation to Victims of Crime Fund No. 0469	14,131,855	14,131,855
Victims of Crime Auxiliary Fund No. 0494	161,349	161,349
Sexual Assault Program Account No. 5010	16,421,755	15,770,445

Subtotal, General Revenue - Dedicated	<u>\$30,714,959</u>	<u>\$30,063,649</u>
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Federal Funds	2,615,234	2,615,234
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Total, Method of Financing	<u>\$40,301,313</u>	<u>\$39,650,003</u>
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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

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

Program:

	<u>2022</u>	<u>2023</u>
(1) Victims Assistance Coordinators and Victims Liaisons	\$2,431,001	\$2,431,001
(2) Sexual Assault Prevention and Crisis Services Program	17,512,521	16,861,211
(3) Sexual Assault Services Program Grants	1,524,468	1,524,468
(4) Legal Services Grants	2,500,000	2,500,000
(5) Other Victims Assistance Grants	10,798,860	10,798,860
(6) Statewide Victim Notification System	3,023,114	3,023,114
(7) Address Confidentiality	161,349	161,349
Total	\$37,951,313	\$37,300,003

Method of Financing:

General Revenue	\$5,121,120	\$4,121,120
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General Revenue - Dedicated

Victims of Crime Auxiliary Fund No. 0494	161,349	161,349
Sexual Assault Program Account No. 5010	9,379,158	9,829,453

Subtotal, General Revenue - Dedicated	<u>\$9,540,507</u>	<u>\$9,990,802</u>
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Federal Funds	2,615,234	2,615,234
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Other Funds

Appropriated Receipts	\$20,674,452	\$20,572,847
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Total, Method of Financing	<u>\$37,951,313</u>	<u>\$37,300,003</u>
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The Office of the Attorney General shall adopt rules for the competitive allocation of funds under

OFFICE OF THE ATTORNEY GENERAL

Differences Only - Excludes Capital

(Continued)

Senate

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 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; \$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 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 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

House

item number (5) Other Victims Assistance Grants. Out of funds appropriated above from General Revenue - Dedicated Sexual Assault Program Account No. 5010, in program (2) Sexual Assault Prevention and Crisis Services Program, the Office of the Attorney General shall enter into contracts or provide grants of at least \$8,000,000 to rape crisis centers working to prevent sexual violence and at least \$500,000 for sexual assault nurse examiner programs for the purposes authorized by Texas Government Code, Section 420.008(c)(1) for the 2022-23 biennium.

Out of General Revenue funds appropriated 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 of at least \$7,668,538 for rape crisis centers working to prevent sexual violence and at least \$1,000,000 for sexual assault nurse examiner programs for the purposes authorized by Texas Government Code, Section 420.008(c)(1) for the 2022-23 biennium.

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.

Notwithstanding Article IX, Section 14.01, Appropriation Transfers, the Appropriated Receipts identified in this rider and Rider 18, Unexpended Balances Carried Forward Between Biennia, and included above in Strategy C.1.2, Victims Assistance, may not be transferred to another strategy for another purpose. It is also the intent of the legislature that Appropriated Receipts identified in this rider, to the extent that it does not conflict with other directives in this rider, shall be expended prior to expending appropriations out of General Revenue - Dedicated Sexual Assault Program Account No. 5010.

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

OFFICE OF THE ATTORNEY GENERAL

Differences Only - Excludes Capital

(Continued)

Senate

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.

House

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.

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, 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. At least semi-annually or more often upon request of the Legislative Budget Board, the Office of the Attorney General shall submit to the Legislative Budget Board, the Senate Finance Committee, the House Appropriations Committee, and the Governor a report that lists the amount of appropriated funds disbursed for the

32. Outside Legal Fees. 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.

OFFICE OF THE ATTORNEY GENERAL

Differences Only - Excludes Capital

(Continued)

Senate

House

litigation expenses.

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.

34. Transfer of General Revenue into Dedicated Accounts. In addition to amounts appropriated above, \$43,155,529 in General Revenue is appropriated for the purpose of transfer into General Revenue - Dedicated Compensation to Victims of Crime Account No. 0469 and \$26,061,279 in General Revenue is appropriated for the purpose of transfer into General Revenue - Dedicated Sexual Assault Program Account No. 5010. The Office of the Attorney General shall coordinate the transfers pursuant to this rider with the Comptroller of Public Accounts. The transfers shall be made no later than September 30, 2021. Notwithstanding other riders or provisions in the bill pattern of the Office of the Attorney General or elsewhere in this Act, the funds appropriated in this rider shall not be expended on any other purpose.

34. Report on Election-Related Litigation. It is the intent of the legislature that the Office of the Attorney General submit a quarterly report to the House Committee on Appropriations and the Senate Committee on Finance with the amount of money spent on election or voting-related litigation during the previous quarter.

CANCER PREVENTION AND RESEARCH INSTITUTE OF TEXAS

Differences Only - Excludes Capital

Senate

- 3. Transfer Authority.** The Cancer Prevention and Research Institute of Texas shall notify the Legislative Budget Board and the Governor of all appropriation transfers allowed under Article IX, Section 14.01, Appropriation Transfers.

House

- 3. Transfer Authority.** Notwithstanding Article IX, Section 14.01, Appropriation Transfers, no appropriations or unexpended balances may be transferred out of Strategy A.1.1, Award Cancer Research Grants, or Strategy A.1.2, Award Cancer Prevention Grants, unless the Cancer Prevention and Research Institute of Texas submits a written request to the Legislative Budget Board, in a format prescribed by the Legislative Budget Board, that provides information regarding the purposes for the transfer; and the Legislative Budget Board issues written approval. The written request must be submitted to the Legislative Budget Board no later than 45 days prior to the date the transfer is expected to be needed by the agency.

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 transfer 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 Lieutenant Governor.

COMPTROLLER OF PUBLIC ACCOUNTS

Differences Only - Excludes Capital

Senate

House

- 20. Ensuring Workforce Supports Through Transitioning Industries.** Out of the funds appropriated above to the Comptroller, the agency shall identify and evaluate economic development and workforce retraining opportunities with regard to the transition to clean 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 current workforce retraining opportunities and available job positions.

FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

Differences Only - Excludes Capital

Senate

House

21. Report on Cost of Ad Valorem Tax Exemption for 100 Percent Disabled Veterans.

- (a) Out of funds appropriated above, the Comptroller of Public Accounts shall conduct a study to determine the amount of ad valorem tax revenue that each county containing a United States military installation, each county adjacent to a county containing a United States military installation, and each municipality located in either type of those counties lost for the 2021 ad valorem tax year as the result of the granting of the exemption from ad valorem taxation required by Section 11.131, Tax Code, calculated by multiplying the ad valorem tax rate adopted by the county or municipality, as applicable, for the 2021 ad valorem tax year by the total appraised value of all property located in the county or municipality, as applicable, that was granted the exemption for that tax year.
- (b) The Comptroller shall prepare a report that states the amount of ad valorem tax revenue calculated under Subsection (a) of this section that was lost by:
 - (1) each municipality listed by name;
 - (2) each county listed by name; and
 - (3) all municipalities and counties in this state in the aggregate.
- (c) Not later than December 1, 2022, the Comptroller shall submit the report to the Speaker of the House of Representatives, the Lieutenant Governor, and each member of the Legislature.

22. Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan. Included in amounts appropriated above in Strategy A.1.12, Texas Guaranteed Tuition Plan, is an amount estimated to be \$113,596,096 in fiscal year 2022 and \$157,580,479 in fiscal year 2023 in General Revenue for transfer to the Texas Tomorrow Fund created under Section 19, Article VII, Texas Constitution, for the purpose of paying tuition and required fees for beneficiaries under the Texas Guaranteed Tuition Plan pursuant to Section 19, Article VII, Texas Constitution and Section 54.619, Education Code.

21. Appropriation for Payment of Obligations of the Texas Guaranteed Tuition Plan. Included in amounts appropriated above in Strategy A.1.12, Texas Guaranteed Tuition Plan, is an amount estimated to be \$113,596,096 in fiscal year 2022 and \$157,580,479 in fiscal year 2023 in General Revenue for the purpose of immediate deposit in the Texas Tomorrow Fund, created under Section 19, Article VII, Texas Constitution, to fund the prepaid higher education tuition program described under that section.

FISCAL PROGRAMS - COMPTROLLER OF PUBLIC ACCOUNTS

Differences Only - Excludes Capital

(Continued)

Senate

House

23. **Report on Equal Pay at State Agencies.** It is the intent of the legislature that the Comptroller of Public Accounts, using funds appropriated to the comptroller above, submit a report not later than 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.

EMPLOYEES RETIREMENT SYSTEM

Differences Only - Excludes Capital

Senate

- 4. State Contribution to Employees Retirement Program.** The amount specified above in A.1.1, ERS Retirement Program, is based on a state contribution of 9.5 percent of payroll for each fiscal year of the 2022-23 biennium, including annual membership fees of \$3 for contributing members for each fiscal year. Included in appropriations made in this Act is a total of \$678,629,301 in fiscal year 2022 and \$682,047,289 in fiscal year 2023 for the ERS Retirement Program.

House

- 4. State Contribution to Employees Retirement Program.** The amount specified above in A.1.1, ERS Retirement Program, is based on a state contribution of 9.5 percent of payroll for each fiscal year of the 2022-23 biennium, including annual membership fees of \$3 for contributing members for each fiscal year.

TEXAS ETHICS COMMISSION

Differences Only - Excludes Capital

Senate

3. Judgments and Settlements. Notwithstanding Article IX, Section 16.04, Judgments and Settlements, of this Act, payment of judgments or settlements, including attorney's fees, resulting from actions brought under Title 42 United States Code §1983 that arise from claims challenging the validity or constitutionality of a state law and prosecuted or defended by the Office of the Attorney General that are obtained against the Texas Ethics Commission, or any individual(s) acting in their official capacity on behalf of the Texas Ethics Commission, shall be paid out by the Comptroller and not from funds appropriated above to the Texas Ethics Commission.

House

3. Judgments and Settlements. Notwithstanding Article IX, Section 16.04, Judgments and Settlements, of this Act, payment of judgments or settlements, including attorney's fees, resulting from actions that arise from claims challenging the validity or constitutionality of a state law and prosecuted or defended by the Office of the Attorney General that are obtained against the Texas Ethics Commission, or any individual(s) acting in their official capacity on behalf of the Texas Ethics Commission, shall be paid out by the Comptroller and not from funds appropriated above to the Texas Ethics Commission.

FACILITIES COMMISSION

Differences Only - Excludes Capital

Senate

House

- 22. Capitol Complex Completion.** Funds appropriated to the Texas Facilities Commission (TFC) include all expenses related to the move of agencies to new buildings in Capitol Complex Phase I with the exception of: office or conference room furniture and costs related to an agency transitioning to cloud services. Expenses included in appropriations to TFC for Capitol Complex Phase I completion and tenant agency move-in include, but are not limited to: moving expenses; full and complete construction of office suites; installation of servers within a co-location space; and installation of all security features. In addition, TFC may make no request for reimbursement to any agency moving into the complex without the written approval of the LBB.

PUBLIC FINANCE AUTHORITY

Differences Only - Excludes Capital

Senate

House

6. 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 year of the 2022-23 biennium out of Revenue Bond Proceeds for the administration of the revenue commercial paper programs.

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 Legislature.

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 year of the 2022-23 biennium out of Revenue Bond Proceeds for the administration of 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 Legislature.

TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

Differences Only - Excludes Capital

Senate

2. Disaster and Deficiency Grants.

- a. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021, for the biennium beginning September 1, 2021, (estimated to be \$30,000,000) and \$80,000,000 in General Revenue in fiscal year 2022 in Strategy A.1.1, Disaster Funds to provide grants-in-aid in case of disasters, in accordance with Government Code, Chapter 418.
- b. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021, for the biennium beginning September 1, 2021, (estimated to be \$1,350,000) in General Revenue in fiscal year 2022 to Strategy A.1.2, Agency Grant Assistance, for payments of claims arising prior to the convening of the next legislature by the Governor for deficiencies of up to \$200,000 per agency, per event, in accordance with §403.075, Government Code.
- c. The Governor may, according to the terms of the disaster award or deficiency award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.
- d. The Governor shall notify the Legislative Budget Board 15 business days after any grants or awards made as described in subsection "a" or "b" above, including any General Revenue or unexpended balances carried forward from previous appropriations.

House

2. Disaster and Deficiency Grants.

- a. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021, for the biennium beginning September 1, 2021, (estimated to be \$30,000,000), in Strategy A.1.1, Disaster Funds to provide grants-in-aid in case of disasters, in accordance with Government Code, Chapter 418.
- b. The Trusted Programs within the Office of the Governor shall set aside funds appropriated to Strategy A.1.1, Disaster Funds, for the purchase, storage, and transportation of foods by Texas food banks for distribution during a disaster.
- c. Included in the amounts appropriated above is all unexpended balances as of August 31, 2021, for the biennium beginning September 1, 2021, (estimated to be \$1,350,000) in General Revenue in fiscal year 2022 to Strategy A.1.2, Agency Grant Assistance, for payments of claims arising prior to the convening of the next legislature by the Governor for deficiencies of up to \$200,000 per agency, per event, in accordance with §403.075, Government Code.
- d. The Governor may, according to the terms of the disaster award or deficiency award, require the agency to repay all or part of the award. The repayment may be accomplished by purchase voucher, journal entry, or other procedures established by the Governor's Office with the concurrence of the Comptroller of Public Accounts.
- e. The Governor shall notify the Legislative Budget Board 15 business days after any grants or awards made as described in subsection "a", "b" or "c" above, including any General Revenue or unexpended balances carried forward from previous appropriations.

- 35. Children's Justice Grants to States.** Out of funds appropriated above, the Office of the Governor shall collaborate with the Children's Advocacy Centers of Texas, the grant administrator designated by the Governor for the Children's Justice Grant to States (CFDA 93.643), in filing a report with the Legislative Budget Board within 90 days following August 31st of each fiscal year showing disbursements, the purpose of each disbursement, and compliance with grant conditions.

TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

Differences Only - Excludes Capital

(Continued)

Senate

House

36. Grants for County Jail Medication-assisted Treatment for Opioid and Alcohol Dependence.

Included in amounts appropriated above in Strategy B.1.1., Criminal Justice, is \$1,000,000 in General Revenue in fiscal year 2022 with the purpose of providing inmates in Texas county jails access to Federal Drug Administration-approved, evidence-based medication-assisted treatment for opioid and alcohol dependence. Treatment may be administered while the inmate is confined in the county jail and when participating in outpatient care upon release. Grant funding may only be used for medical evaluations, the purchase of Federal Drug Administration-approved medication to treat opioid or alcohol dependency, individual and group counseling services, cognitive behavioral therapies, and necessary medical and behavioral health staff needed to implement the program.

Not later than December 1 of each year, the Office of the Governor shall provide a report on the previous fiscal year's grants to the Legislative Budget Board that includes participant relapse and recidivism rates for each county receiving funding.

36. Update IT Case Management System. Contingent on the availability of federal funds, and the expenses being an allowable use, in addition to amounts appropriated above is \$1,198,500 in Strategy B.1.1, Criminal Justice in federal funds for the purpose of contracting with a statewide organization as described in Texas Family Code 264.409(a) to implement an updated case management system for children's advocacy center programs in furtherance of duties described in Texas Family Code 264.405. Duties include, but are not limited to, the statutory requirements to receive, review, and track reports relating to the suspected abuse or neglect of a child and coordinate the activities of participating agencies relating the suspected abuse or neglect of a child and coordinate the activities of participating agencies relating to abuse and neglect investigations and delivery of services to alleged abuse and neglect victims and their families. Unexpended balances remaining as of August 31, 2022, are appropriated for the same purpose for the fiscal year beginning September 1, 2022.

TRUSTEED PROGRAMS WITHIN THE OFFICE OF THE GOVERNOR

Differences Only - Excludes Capital

(Continued)

Senate

House

37. Study of Economic Impact of an Additional Top 50 Ranked Public University. Out of funds appropriated above, or through gift proceeds in accordance with Article IX, Sec. 8.01, Acceptance of Gifts of Money, the Trusteed Programs within the Office of the Governor shall conduct a study to examine the economic impact of appropriating additional university funding for an existing ethnically diverse public university in order to elevate that university to a Top 50 ranked public university. The study results shall be submitted to the Legislature no later than June 1, 2022.

37. Peace Officer Mental Health Program. Included in amounts appropriated above in Strategy B.1.1, Criminal Justice, is \$200,000 in unexpended balances remaining as of August 31, 2021 identified in Rider 11, Appropriation of Unexpended Balances, Revenue, and Interest Earnings, in General Revenue for the purposes of the Peace Officer Mental Health Program. Any unexpended or unobligated balances remaining as of August 31, 2022, are appropriated for the same purpose for the fiscal year beginning August 31, 2022.

38. Study of Economic Impact of an Additional Top 50 Ranked Public University. Out of funds appropriated above, or through gift proceeds in accordance with Article IX, Sec. 8.01, Acceptance of Gifts of Money, the Trusteed Programs Within the Office of the Governor shall conduct a study to examine the economic impact of appropriating additional university funding for an existing ethnically diverse public university in order to elevate that university to a Top 50 ranked public university in the United States. The study results shall be submitted to the Legislature no later than June 1, 2022.

HISTORICAL COMMISSION

Differences Only - Excludes Capital

Senate

- 6. Cultural Diversity Scholarships.** Gifts and donations received by the Historical Commission, not to exceed \$5,000 in each fiscal year of the biennium, may be expended for scholarships of up to \$500 per recipient for travel expenses, including meals and lodging, in order to encourage diversity among participants at agency sponsored conferences, seminars, and workshops.
- 25. Capital Budget Expenditures for a Mobile Travel Application.** Notwithstanding the provisions in Article IX, Section 14.03 Transfers - Capital Budget, the Texas Historical Commission is authorized to implement a capital budget project for the development of an agency mobile application if funds become available for this purpose.

House

- 6. Cultural Diversity Scholarships.** Gifts and donations received by the Historical Commission, not to exceed \$50,000 in each fiscal year of the biennium, may be expended to nonprofit organizations for scholarships of up to \$1,000 per recipient for travel expenses, including meals and lodging, in order to encourage diversity among participants at agency sponsored conferences, seminars, and workshops.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

Senate

3. DIR Clearing Fund Account. The Comptroller shall establish in the state treasury the Department of Information Resources Clearing Fund Account for the administration of cost recovery activities pursuant to authority granted under Chapters 771, 791, and 2157, Government Code. The account shall be used:

- a. As a depository for funds received as payments from state agencies, units of local government, and/or vendors for goods and services provided;
- b. As a source of funds for the department to purchase, lease, or acquire in any other manner services, supplies, software products, and equipment necessary for carrying out the department's duties relating to services provided to state agencies and units of local government for which the department receives payment from state agencies and local governmental units; and
- c. To pay salaries, wages, and other costs directly attributable to the services provided to state agencies and units of local government for which the department receives payment from those agencies and governmental units. However, the maximum amount for all administrative costs to be applied to state agency receipts and local government receipts shall not exceed 2.0 percent per receipt.

Included in the amounts appropriated above in Strategies A.1.1, Statewide Planning and Rules; A.1.2, Innovation and Modernization; B.1.1, Contract Administration of IT Commodities and Services; C.1.1, Security Policy and Awareness; 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 \$1,127,908) and revenues accruing during the 2022-23 biennium estimated to be \$11,861,066 in fiscal year 2022 and \$13,026,445 in fiscal year 2023 in revenue collected on or after September 1, 2021, appropriated from the sale of information technology commodity items out of Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2022, out of appropriations made herein are appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2022. 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 DIR Clearing Fund 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.

House

3. DIR Clearing Fund Account. The Comptroller shall establish in the state treasury the Department of Information Resources Clearing Fund Account for the administration of cost recovery activities pursuant to authority granted under Chapters 771, 791, and 2157, Government Code. The account shall be used:

- a. As a depository for funds received as payments from state agencies, units of local government, and/or vendors for goods and services provided;
- b. As a source of funds for the department to purchase, lease, or acquire in any other manner services, supplies, software products, and equipment necessary for carrying out the department's duties relating to services provided to state agencies and units of local government for which the department receives payment from state agencies and local governmental units; and
- c. To pay salaries, wages, and other costs directly attributable to the services provided to state agencies and units of local government for which the department receives payment from those agencies and governmental units. However, the maximum amount for all administrative costs to be applied to state agency receipts and local government receipts shall not exceed 2.0 percent per receipt.

Included in the amounts appropriated above in Strategies A.1.1, Statewide Planning and Rules; A.1.2, Innovation and Modernization; B.1.1, Contract Administration of IT Commodities and Services; C.1.1, Security Policy and Awareness; 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 \$1,127,908) and revenues accruing during the 2022-23 biennium estimated to be \$11,861,066 in fiscal year 2022 and \$13,026,445 in fiscal year 2023 in revenue collected on or after September 1, 2021, appropriated from the sale of information technology commodity items out of Appropriated Receipts to the Department of Information Resources Clearing Fund Account.

Any unexpended and unobligated balances as of August 31, 2022, out of appropriations made herein are appropriated for the same purposes to the Department of Information Resources for the fiscal year beginning September 1, 2022. 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 DIR Clearing Fund 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.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

The Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts identified above for each fiscal year of the 2022-23 biennium 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.

As part of its Annual Financial Report showing the use of appropriated funds, the Department of Information Resources shall include information showing the costs avoided and/or savings obtained through its cooperative activities and a list of the agencies or units of local government for which the Clearing Fund Account was used.

- 4. Capital Purchases on Behalf of Other Government Entities.** Any capital items related to information resources and telecommunications technologies purchased by the Department of Information Resources for use by other state agencies and governmental entities for which the department directly bills state agencies and governmental entities and is reimbursed do not apply to the department for the purpose of the capital budget rider limitations specified in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

Capital purchases made by the department for the department's internal use are subject to capital budget rider limitations in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

House

The Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts identified above for each fiscal year of the 2022-23 biennium 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.

- 4. Capital Purchases on Behalf of Other Government Entities.** Any capital items related to information resources and telecommunications technologies purchased by the Department of Information Resources for use by other state agencies and governmental entities do not apply to the department for the purpose of the capital budget rider limitations specified in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

Capital purchases made by the department for the department's internal use are subject to capital budget rider limitations in Article IX, Transfers - Capital Budget, of the General Provisions of this Act.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

- 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.

The Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts identified above for each fiscal year of the 2022-23 biennium 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.

House

- 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.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

9. 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.

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.

The Department of Information Resources may not expend funds appropriated to the Department that exceed the total in Appropriated Receipts and Interagency Contracts identified above for each fiscal year of the 2022-23 biennium 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

House

9. 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.

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

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

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.

- 10. Reporting Requirements for Cost Recovery Activities.** Out of funds appropriated above, the Department of Information Resources (DIR) shall submit a report detailing all revenues and expenditures out of the DIR Clearing Fund Account, Telecommunications Revolving Account, Statewide Network Applications Account, and the Statewide Technology Account, respectively; estimated unexpended and unobligated balances remaining at the end of each fiscal year out of

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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.

- 10. Reporting Requirements for Cost Recovery Activities.** Out of funds appropriated above, the Department of Information Resources (DIR) shall submit a report detailing all revenues and expenditures out of the DIR Clearing Fund Account, Telecommunications Revolving Account, Statewide Network Applications Account, and the Statewide Technology Account, respectively; estimated unexpended and unobligated balances remaining at the end of each fiscal year out of

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

these accounts; and any expenditures that would exceed the amounts appropriated in DIR's bill pattern out of these accounts. The report shall include the fee rates charged for each service provided by DIR, the total fees charged to each state agency and other users of DIR's cooperative contracts, telecommunications, state electronic internet portal, and data center services, and the methodology DIR used to evaluate and set the respective fees.

The report shall be submitted to the Governor, Comptroller, and the Legislative Budget Board no later than December 1 each fiscal year.

11. Fund Balance Limitations.

- (a) Before December 1 of each fiscal year, the Department of Information Resources (DIR) shall prepare a report which reflects the amount of unexpended and unobligated balances carried forward in the DIR Clearing Fund, Telecommunications Revolving, Statewide Technology, and Statewide Network Applications accounts, respectively from the previous fiscal year and submit the report to the Governor, Legislative Budget Board, and the Comptroller.
- (b) For purposes of this section (Rider 11, Fund Balance Limitations), "agency" includes a state agency, institution of higher education, or local governmental entity that uses DIR information technology commodity contracts, telecommunications or data center services, or is appropriated funds in this Act.
- (c) For purposes of this subsection, "total revenue" means the total amount of administrative fees collected from users of DIR's information technology commodity contracts authorized by Government Code, Chapter 2157. In the event that unexpended and unobligated balances in the DIR Clearing Fund Account at the end of any fiscal year exceed 10 percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over 10 percent from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.

House

these accounts; and any expenditures that would exceed the amounts appropriated in DIR's bill pattern out of these accounts. The report shall include the fee rates charged for each service provided by DIR, the total fees charged to each state agency and other users of DIR's cooperative contracts, telecommunications, state electronic internet portal, and data center services, and the methodology DIR used to evaluate and set the respective fees.

The report shall be submitted to the Governor, Comptroller, and the Legislative Budget Board no later than March 1 each fiscal year.

11. Fund Balance Limitations.

- (a) Before March 1 of each fiscal year, the Department of Information Resources (DIR) shall prepare a report which reflects the amount of unexpended and unobligated balances carried forward in the DIR Clearing Fund, Telecommunications Revolving, Statewide Technology, and Statewide Network Applications accounts, respectively from the previous fiscal year and submit the report to the Governor, Legislative Budget Board, and the Comptroller.
- (b) For purposes of this section (Rider 11, Fund Balance Limitations), "agency" includes a state agency, institution of higher education, or local governmental entity that uses DIR information technology commodity contracts, telecommunications or data center services, or is appropriated funds in this Act.
- (c) For purposes of this subsection, "total revenue" means the total amount of administrative fees collected from users of DIR's information technology commodity contracts authorized by Government Code, Chapter 2157. In the event that unexpended and unobligated balances in the DIR Clearing Fund Account at the end of any fiscal year exceed 10 percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over 10 percent from all funding sources may be used in lieu of General Revenue for cybersecurity purposes as defined in Rider 12, Security Services to State Agencies and Institutions of Higher Education, of the agency's bill pattern. Any General Revenue saved by this swap shall not be expended by the agency without prior written approval from the Legislative Budget Board (LBB) for similar purposes. The agency shall report to the LBB quarterly on the use of excess fund balances for cybersecurity.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

- (d) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Telecommunications Services provided by DIR under Government Code, Chapter 2170. In the event that unexpended and unobligated balances in the Telecommunications Revolving Account at the end of any fiscal year exceed four percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.
- (e) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Data Center Services provided by DIR under Government Code, Chapter 2054, Subchapter L. In the event that unexpended and unobligated balances in the Statewide Technology Account at the end of any fiscal year exceed one percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the one percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.
- (f) For purposes of this subsection, "operating revenue" means the total amount of gross revenue collected related to the state electronic internet portal, Texas.gov, provided by DIR under Government Code, Chapter 2054, Subchapter I, less the cost for payment processing services. In the event that unexpended and unobligated balances in the Statewide Network Applications Account at the end of any fiscal year exceed four percent of operating revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be transferred to the General Revenue Fund.
- (g) The Comptroller may prescribe accounting procedures and regulations to implement this section.
- (h) The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.
- (i) DIR shall coordinate with the Legislative Budget Board on development of a methodology

House

- (d) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Telecommunications Services provided by DIR under Government Code, Chapter 2170. In the event that unexpended and unobligated balances in the Telecommunications Revolving Account at the end of any fiscal year exceed four percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.
- (e) For purposes of this subsection, "total revenue" means the total amount of gross revenue collected related to Data Center Services provided by DIR under Government Code, Chapter 2054, Subchapter L. In the event that unexpended and unobligated balances in the Statewide Technology Account at the end of any fiscal year exceed one percent of total revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the one percent funded from all funding sources shall be returned to agencies, no later than May 1 of the following fiscal year. The excess returned to the agencies by DIR is appropriated to the agencies for expenditures consistent with the original funding source.
- (f) For purposes of this subsection, "operating revenue" means the total amount of gross revenue collected related to the state electronic internet portal, Texas.gov, provided by DIR under Government Code, Chapter 2054, Subchapter I, less the cost for payment processing services. In the event that unexpended and unobligated balances in the Statewide Network Applications Account at the end of any fiscal year exceed four percent of operating revenue, as defined in this subsection, processed through the account in that ending fiscal year, the portion of the excess over the four percent funded from all funding sources shall be transferred to the General Revenue Fund.
- (g) The Comptroller may prescribe accounting procedures and regulations to implement this section.
- (h) The reimbursement requirements established by this section may be waived or delayed, either in whole or in part, by the Legislative Budget Board.

DEPARTMENT OF INFORMATION RESOURCES

Differences Only - Excludes Capital

(Continued)

Senate

to implement this section and a methodology to determine the source of funds used for agencies' payments which are directly remitted to vendors for information technology and telecommunications products and services.

- (j) DIR shall require participating agencies to provide to DIR, and those agencies shall submit to DIR, information regarding the specific funding sources from which agencies pay administrative costs charged for the use of DIR's telecommunications and/or data center services respectively and as applicable.

House

- (i) DIR shall coordinate with the Legislative Budget Board on development of a methodology to implement this section and a methodology to determine the source of funds used for agencies' payments which are directly remitted to vendors for information technology and telecommunications products and services.

- (j) DIR shall require participating agencies to provide to DIR, and those agencies shall submit to DIR, information regarding the specific funding sources from which agencies pay administrative costs charged for the use of DIR's telecommunications and/or data center services respectively and as applicable.

LIBRARY & ARCHIVES COMMISSION

Differences Only - Excludes Capital

Senate

House

- 10. Unexpended Balances: Library Innovation Zone Grant.** Included in amounts appropriated above are unexpended balances as of August 31, 2021 in appropriations made to the Library and Archives Commission for the Library Innovation Zone grant to the East Arlington Recreation Center and Library (estimated to be \$0) for the same purpose for the biennium beginning September 1, 2021.

- 11. TexQuest Digital Resources.** The Library & Archives Commission shall ensure that TexQuest digital resources that are provided by a vendor and funded out of amounts appropriated by this Act to the commission include technology protection measures that meet the requirements of 47 U.S.C. Section 254(h)(5).

- 12. Contingent Rider: TexShare and TexQuest.** Out of any money appropriated to the Library and Archives Commission under Section 13.01, Article IX, notwithstanding Section 13.02, Article IX, and to the extent authorized by federal law, the Library and Archives Commission shall allocate \$2,500,000 for the state fiscal year ending August 31, 2022, and \$2,500,000 for the state fiscal year ending August 31, 2023, to Strategy A.1.1, Library Support Services, for purposes of the TexShare and TexQuest online library resource program.

PRESERVATION BOARD

Differences Only - Excludes Capital

Senate

House

- 10. Electric Vehicle Charging Stations.** It is the intent of the legislature that the Preservation Board, using available funds appropriated to the board by this Act, install electric vehicle charging stations in the Capitol Complex.

SECRETARY OF STATE

Differences Only - Excludes Capital

Senate

House

- 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. 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.

VETERANS COMMISSION

Differences Only - Excludes Capital

Senate

House

- 13. Veteran Hospital Billing.** Out of funds appropriated above in Strategy A.1.1, Claims Assistance & Counseling, the Texas Veterans Commission shall conduct a review of billing practices of hospitals designated by the U.S. Department of Veterans Affairs (VA) as "veteran designated hospitals." This review shall focus on the volume of bills that have been unpaid by the veteran and/or the VA and make recommendations to the Legislature on how to reduce the outstanding unpaid bills and prevent future occurrences.