

Decisions as of 03/15/2023

LBB General Counsel: Stewart Shallow

Article IX General Provisions Total, Article IX General Provisions Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Article IX, Section 18.01, Contingency for Teacher Retirement System Benefit Enhancement</b>								
Total, Outstanding Items / Tentative Decisions	\$ 3,500,000,000	\$ 3,500,000,000	\$ -	\$ -	\$ 3,500,000,000	\$ 3,500,000,000	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Article IX, Section 18.02, American Rescue Plan Appropriations</b>								
Total, Outstanding Items / Tentative Decisions	\$ (5,449,900,000)	\$ -	\$ -	\$ -	\$ (5,449,900,000)	\$ -	\$ -	\$ -
Total, Full-time Equivalents / Tentative Decisions	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ (1,949,900,000)</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (1,949,900,000)</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>
<b>NO-COST ADJUSTMENTS</b>								
1 Article IX, Section 2.01, Position Classification Plan	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
2 Article IX, Section 3.04, Scheduled Exempt Positions	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
3 Article IX, Section 6.23, Appropriations from State	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
4 Article IX, Section 13.10, Definition, Appropriation, Reporting and Audit of Earned Federal Funds	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
5 Article IX, Section 17.18, Appropriation for a Salary Increase for General State Employees	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
<b>Total, NO COST ADJUSTMENTS</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Total GR &amp; GR-Ded Adopted Items less Cost-out</b>	<b>\$ (1,949,900,000)</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (1,949,900,000)</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2022</b>	<b>FY 2023</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>	<b>0.0</b>

Article IX General Provisions Section 18.01, Contingency for Teacher Retirement System Benefit Enhancement Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Technical Adjustments:</b>								
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. Article IX, Section 18.01, Contingency for Teacher Retirement System Benefit Enhancement: Add a new rider that appropriates \$3.5 billion in General Revenue Funds to the Teacher Retirement System, contingent on enactment of legislation.	\$ 3,500,000,000	\$ 3,500,000,000			\$ 3,500,000,000	\$ 3,500,000,000		
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ 3,500,000,000</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ 3,500,000,000</b>	<b>\$ 3,500,000,000</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 18.02, American Rescue Plan Appropriations Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Technical Adjustments:</b>								
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. Article IX, Section 18.02, American Rescue Plan Appropriations: Add new section appropriating to the Texas Department of Criminal Justice all ARPA funds not otherwise appropriated (estimated to be \$5.4 billion) and reducing the agency's General Revenue appropriations by an equal amount.	\$ (5,449,900,000)	-			\$ (5,449,900,000)	-		
<b>Total, Outstanding Items / Tentative Decisions</b>	<b>\$ (5,449,900,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ (5,449,900,000)</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalentents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 2.01, Position Classification Plan Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2024-25 Biennial Total</u>		Pended Items <u>2024-25 Biennial Total</u>		Adopted <u>2024-25 Biennial Total</u>		Article XI <u>2024-25 Biennial Total</u>	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Article IX, Section 2.01, Position Classification Plan: correct two class titles from Guardian Specialist to Guardianship Specialist (class numbers 5731 and 5732).					Adopted			
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 3.04, Scheduled Exempt Positions Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Article IX, Section 3.04, Scheduled Exempt Positions: adjust Texas Military Department Adjutant General from Group 6 to Group 7 and DPS Executive Director from Group 8 to Group 9 to match the agency bill patterns.					Adopted			
2. Article IX, Section 3.04, Scheduled Exempt Positions: add Executive Director (Group 7) of the Texas Facilities Commission to subsection (c)(6), which allows compensation for the position to be set up to the maximum allowable for its current group level.					Adopted			
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalents / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 6.23, Appropriations from State Tax Revenue Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Article IX, Section 6.23, Appropriations from State Tax Revenue: correct "2023-24 biennial appropriations" to "2024-25 biennial appropriations."					Adopted			
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalent / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 13.10, Definition, Appropriation, Reporting and Audit of Earned Federal Funds Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 <u>2024-25 Biennial Total</u>		Pended Items <u>2024-25 Biennial Total</u>		Adopted <u>2024-25 Biennial Total</u>		Article XI <u>2024-25 Biennial Total</u>	
	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds	GR & GR- Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Article IX, Section 13.10, Definition, Appropriation, Reporting and Audit of Earned Federal Funds: update the anticipated earned federal funds in subsection (b) for the Parks and Wildlife Commission from \$255,816 to \$225,000 and for the Department of Agriculture from \$9,514,664 to \$7,138,557 each year to exclude non-allowable fringe benefits.					Adopted			
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalent / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

Article IX General Provisions Section 17.18, Appropriation for a Salary Increase for General State Employees Items Not Included in Bill as Introduced	Outstanding Items for Consideration				Tentative Subcommittee Decisions			
	Items Not Included in HB 1 2024-25 Biennial Total		Pended Items 2024-25 Biennial Total		Adopted 2024-25 Biennial Total		Article XI 2024-25 Biennial Total	
	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds	GR & GR-Dedicated	All Funds
<b>Technical Adjustments:</b>								
1. Article IX, Section 17.18, Appropriation for a Salary Increase for General State Employees: add the word "only" to subsection (f) as follows: Notwithstanding other restrictions on transfers of appropriations from one strategy to another, the funds appropriated for the salary increase may be transferred to other strategies without limitation only for the purpose of implementing the salary increase.					Adopted			
<b>Agency Requests:</b>								
1. None.								
<b>Subcommittee Revisions and Additions:</b>								
1. None.								
<b>Total, Outstanding Items / Tentative Decisions</b>	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>	<b>FY 2024</b>	<b>FY 2025</b>
<b>Total, Full-time Equivalent / Tentative Decisions</b>	0.0	0.0	0.0	0.0	0.0	0.0	0.0	0.0

By: \_\_\_\_\_

**Article IX**  
**Proposed Rider**  
**Teacher Retirement System: Benefit Enhancement**

Prepared by LBB Staff, 03/14/2023

**Overview**

The proposed new rider will provide enhanced benefits to retired public school teachers.

**Required Action**

Add the following rider to Part 18, Article IX, General Appropriations Act.

**Sec. 18.01. Contingency for Teacher Retirement System Benefit Enhancement.**  
Contingent on the enactment of House Joint Resolution 2 and House Bill 600, or similar legislation by the 88th Legislature, Regular Session, 2023, relating to providing a benefit enhancement for retired employees under the Teacher Retirement System, and contingent on compliance with the requirements regarding the amortization period of the unfunded actuarial liabilities of the Teacher Retirement System under Section 821.006, Government Code, the amount of \$3,500,000,000 is appropriated from the general revenue fund to the Teacher Retirement System.

By: \_\_\_\_\_

**Article IX**  
**Proposed Change in Method of Finance**

Prepared by LBB Staff, 03/14/2023

**Overview**

The proposed rider will appropriate remaining balances of ARPA federal funds before the deadline provided in federal law.

**Required Action**

Add the following riders to Part 18, Article IX, General Appropriations Act.

**Sec. 18.02. American Rescue Plan Act Appropriations.**

(a) All unobligated fund balances and money received by this state from the Coronavirus State Fiscal Recovery Fund (42 U.S.C. Section 802) established under the American Rescue Plan Act of 2021 (Pub. L. No. 117-2) (ARPA) not appropriated elsewhere in the Act (estimated to be \$5,449,900,000) are appropriated to the Texas Department of Criminal Justice for the state fiscal biennium ending August 31, 2025 for salaries and benefits. The Texas Department of Criminal Justice shall, in consultation with the comptroller of public accounts and the Legislative Budget Board, determine the allocation of benefits included in the increased appropriations. The Texas Department of Criminal Justice shall identify the strategies out of which the amounts appropriated to the agency from ARPA federal funds are made.

(b) Texas Department of Criminal Justice General Revenue appropriations and end-of-article appropriations for employee benefits are reduced in the state fiscal biennium ending August 31, 2025 by the amount in subsection (a) supplanting General Revenue appropriations made elsewhere in the Act. The Texas Department of Criminal Justice shall identify to the comptroller of public accounts and the Legislative Budget Board the strategies and objectives out of which the indicated reductions in amounts appropriated to the agency are to be made.