

Rider Comparison Packet

Conference Committee on House Bill 1

2024-25 General Appropriations Bill

Article 6 – Natural Resources

DEPARTMENT OF AGRICULTURE

Differences Only - Excludes Capital

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10. Texans Feeding Texans. Amounts appropriated above out of the General Revenue Fund in Strategy C.1.2, Nutrition Assistance for at-Risk Children and Adults, includes the following:

- (a) \$10,081,480 each fiscal year to fund the Texans Feeding Texans (Surplus Agricultural Product Grant Program) to offset the costs of harvesting, gleaning and transporting agricultural products to Texas food banks.
- (b) \$9,932,584 each fiscal year to fund the Texans Feeding Texans (Home Delivered Meals Grant Program) to defray the costs of providing home-delivered meals to homebound elderly and disabled Texans. The Department of Agriculture may award grants to organizations providing this service that have also received matching funds from the county where meals are served.
- (c) Out of the amounts identified in subsection (a) above for the Surplus Agricultural Grant Program, no less than \$5,000,000 each fiscal year shall be used to provide food and may not be used for costs including facility expansion or renovation, increasing capacity, transportation, equipment, technology, personnel, administration, indirect administration, or to purchase generators.

13. Estimated Appropriation and Unexpended Balance.

- (a) The estimated amounts appropriated above out of the Permanent Endowment Fund for Rural Communities Healthcare Investment Program, are out of the amounts available for distribution or investment returns of the funds. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2024, are appropriated for the same purposes for fiscal year 2025.
- (b) The estimated amounts appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement are out of the available earnings of the fund. Available earnings in excess of the amounts estimated above are appropriated to the Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the

10. Texans Feeding Texans. Amounts appropriated above out of the General Revenue Fund in Strategy C.1.2, Nutrition Assistance for at-Risk Children and Adults, includes the following:

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- (b) \$9,932,584 each fiscal year to fund the Texans Feeding Texans (Home Delivered Meals Grant Program) to defray the costs of providing home-delivered meals to homebound elderly and disabled Texans. The Department of Agriculture may award grants to organizations providing this service that have also received matching funds from the county where meals are served.

13. Estimated Appropriation and Unexpended Balance.

- (a) The estimated amounts appropriated above out of the Permanent Endowment Fund for Rural Communities Healthcare Investment Program, are out of the amounts available for distribution or investment returns of the funds. Amounts available for distribution or investment returns in excess of the amounts estimated above are also appropriated to the Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2024, are appropriated for the same purposes for fiscal year 2025.
- (b) The estimated amounts appropriated above out of the Permanent Fund for Rural Health Facility Capital Improvement are out of the available earnings of the fund. Available earnings in excess of the amounts estimated above are appropriated to the Department of Agriculture. In the event that amounts available for distribution or investment returns are less than the

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amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2024, are appropriated for the same purposes for fiscal year 2025.

- (c) Any unobligated and unexpended remaining as of August 31, 2023, made to the Department of Agriculture from the Permanent Endowment Fund for Rural Communities Healthcare Investment Program and the Permanent Fund for Rural Health Facility Capital Improvement are appropriated for the same purposes in the same strategies for the fiscal year beginning September 1, 2023.

20. Appropriations Limited to Revenue Collections: Cost Recovery Programs.

- (a) Fees and other miscellaneous revenues as authorized and generated by the operation of the cost recovery programs in the following strategies shall cover, at a minimum, the cost of appropriations made in the following strategies, as well as the "other direct and indirect costs" made elsewhere in this Act:
 - (1) Strategy A.1.1, Trade & Economic Development: Direct costs for the Livestock Export Pens (Agriculture Code, Section 146, Subchapter B) cost recovery program are estimated to be \$294,513 in fiscal year 2024 and \$312,013 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$1,582 for fiscal year 2024 and \$1,594 for fiscal year 2025 (Revenue Object Codes: 3420).
 - (2) Strategy A.1.2, Promote Texas Agriculture: Direct costs for the International and Domestic Trade (Agriculture Code, Ch. 12) cost recovery program are estimated to be \$242,199 in fiscal year 2024 and \$242,199 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$39,994 for fiscal year 2024 and \$40,295 for fiscal year 2025 (Revenue Object Codes: 3400, 3428, and 3755).
 - (3) Strategy B.1.1, Plant Health and Seed Quality: Direct costs for the Plant Health (Agriculture Code, Ch. 61 & 62) and Hemp (Agriculture Code, Ch. 121 & 122) cost recovery programs are estimated to be \$1,754,384 in fiscal year 2024 and \$1,754,384 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$516,930 for

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amounts estimated above, this Act may not be construed as appropriating funds to make up the difference. Any unexpended appropriations made above as of August 31, 2024, are appropriated for the same purposes for fiscal year 2025.

20. Appropriations Limited to Revenue Collections: Cost Recovery Programs.

- (a) Fees and other miscellaneous revenues as authorized and generated by the operation of the cost recovery programs in the following strategies shall cover, at a minimum, the cost of appropriations made in the following strategies, as well as the "other direct and indirect costs" made elsewhere in this Act:
 - (1) Strategy A.1.1, Trade & Economic Development: Direct costs for the Livestock Export Pens (Agriculture Code, Section 146, Subchapter B) cost recovery program are estimated to be \$159,513 in fiscal year 2024 and \$159,513 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$1,582 for fiscal year 2024 and \$1,594 for fiscal year 2025 (Revenue Object Codes: 3420).
 - (2) Strategy A.1.2, Promote Texas Agriculture: Direct costs for the International and Domestic Trade (Agriculture Code, Ch. 12) cost recovery program are estimated to be \$242,199 in fiscal year 2024 and \$242,199 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$39,994 for fiscal year 2024 and \$40,295 for fiscal year 2025 (Revenue Object Codes: 3400, 3428, and 3755).
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Differences Only - Excludes Capital
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fiscal year 2024 and \$520,821 for fiscal year 2025 (Revenue Object Codes: 3400 and 3414).

- (4) Strategy B.1.2, Commodity Regulation & Production: Direct costs for the Egg Quality Regulation (Agriculture Code, Ch. 132), Handling and Marketing of Perishable Commodities (Agriculture Code, Ch. 101), and Grain Warehouse (Agriculture Code, Ch. 14) cost recovery programs are estimated to be \$881,894 in fiscal year 2024 and \$881,894 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$219,163 for fiscal year 2024 and \$220,807 for fiscal year 2025 (Revenue Object Codes: 3400 and 3414).
- (5) Strategy B.2.1, Regulate Pesticide Use: Direct costs for the Agricultural Pesticide Regulation (Agriculture Code, Ch. 76), Organic Certification (Agriculture Code, Ch. 18), and Prescribed Burn (Natural Resources Code, Ch. 153) cost recovery programs are estimated to be \$5,230,854 in fiscal year 2024 and \$5,230,854 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$1,530,383 for fiscal year 2024 and \$1,541,898 for fiscal year 2025 (Revenue Object Codes: 3400, 3404, and 3410).
- (6) Strategy B.2.2, Structural Pest Control: Direct costs for the Structural Pest Control (Occupations Code, Ch. 1951, Subchapter E) cost recovery program are estimated to be \$2,369,427,942,287 in fiscal year 2024 and \$2,369,427,794,695 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$720,692 for fiscal year 2024 and \$726,103 for fiscal year 2025 (Revenue Object Code: 3175).
- (7) Strategy B.3.1, Weights & Measures Device Accuracy: Direct costs for the Weights, Measures, and Metrology (Agriculture Code, Ch. 13) cost recovery program are estimated to be \$3,414,280 in fiscal year 2024 and \$3,414,280 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$690,740 in fiscal year 2024 and \$695,904 in fiscal year 2025 (Revenue Object Codes: 3400, 3402, and 3414).
- (8) Strategy D.1.1, Central Administration: Indirect costs for the cost recovery programs are estimated to be \$1,491,178 in fiscal year 2024 and \$1,491,178 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$362,919 in fiscal year 2024 and \$365,654 in fiscal year 2025 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).

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- (8) Strategy D.1.1, Central Administration: Indirect costs for the cost recovery programs are estimated to be \$1,491,178 in fiscal year 2024 and \$1,491,178 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$362,919 in fiscal year 2024 and \$365,654 in fiscal year 2025 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).

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- (9) Strategy D.1.2, Information Resources: Indirect costs for the cost recovery programs are estimated to be \$811,411 in fiscal year 2024 and \$811,411 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$113,280 in fiscal year 2024 and \$114,129 in fiscal year 2025 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).
- (10) Strategy D.1.3, Other Support Services: Indirect costs for the cost recovery programs are estimated to be \$511,813 in fiscal year 2024 and \$511,813 in fiscal year 2025 and "other direct and indirect costs" are estimated to be \$148,750 in fiscal year 2024 and \$149,871 in fiscal year 2025 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, and 3795).

For informational purposes, total amounts identified for strategies in this subsection total \$16,866,953 in fiscal year 2024 and \$16,866,953 in fiscal year 2025 for direct costs and indirect administration and \$4,344,433 in fiscal year 2024 and \$4,377,076 in fiscal year 2025 for "other direct and indirect costs".

These appropriations are contingent upon the Department of Agriculture (TDA) assessing fees sufficient to generate revenue to cover the General Revenue and General Revenue Dedicated State Hemp Program Fund No. 5178 appropriations for each strategy as well as the related "other direct and indirect costs". Of the totals identified above in subsection (5), \$533,399 each fiscal year is included in direct costs and \$95,714 in fiscal year 2024 and \$96,428 in fiscal year 2025 are included in "other direct and indirect costs" which are funded from General Revenue-Dedicated State Hemp Program Fund No. 5178. In the event that actual and/or projected revenue collections in strategies above are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to the affected strategy to be within the amount of revenue expected to be available.

- (b) TDA shall provide a report to the Comptroller of Public Accounts and the Legislative Budget Board no later than the end of the second business week in March, June, and September (for the second, third, and fourth quarters) detailing the following information at both the strategy level and individual program activity level:
- (1) The amount of fee generated revenues collected for each of the cost recovery programs. This information shall be provided in both strategy level detail and individual program

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- (1) The amount of fee generated revenues collected for each of the cost recovery programs. This information shall be provided in both strategy level detail and individual program

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detail;

- (2) A projection of the revenues for each cost recovery program TDA estimates it will collect by the end of the respective fiscal year. This information shall be provided in both strategy level detail and individual program detail;
- (3) A detailed explanation of the causes and effects of the current and anticipated fluctuations in revenue collections;
- (4) The amount of expenditures for each of the cost recovery programs; and
- (5) Any fee changes made during the fiscal year and the anticipated revenue impacts of those changes.

In the event that reported expenditures exceed revenues collected for any cost recovery program, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to the affected strategy by an amount specified by the Legislative Budget Board.

- (c) Also, contingent on the generation of such revenue required above to fund TDA's cost recovery programs and related "other direct and indirect costs" TDA's "Number of Full-Time Equivalents" includes 182.4 FTEs in fiscal year 2024 and 182.4 FTEs in fiscal year 2025. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the number of FTEs funded by the amount of revenue expected to be available.
- (d) If cost recovery revenues collected in the first year of the biennium exceed the cost recovery requirements above, the excess revenue may be counted towards the cost recovery requirement in the second year of the biennium in addition to the revenues collected in the second year.
- (e) In addition to amounts appropriated above, any revenues received from programs identified in this rider and deposited to the credit of the General Revenue Fund and the General Revenue-Dedicated State Hemp Program Fund No. 5178 (Revenue Object Codes: 3175, 3400, 3402, 3404, 3410, 3414, 3420, 3428, 3435, 3755, and 3795) in excess of the amounts

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detail;

- (2) A projection of the revenues for each cost recovery program TDA estimates it will collect by the end of the respective fiscal year. This information shall be provided in both strategy level detail and individual program detail;
- (3) A detailed explanation of the causes and effects of the current and anticipated fluctuations in revenue collections;
- (4) The amount of expenditures for each of the cost recovery programs; and
- (5) Any fee changes made during the fiscal year and the anticipated revenue impacts of those changes.

In the event that reported expenditures exceed revenues collected for any cost recovery program, the Legislative Budget Board may direct the Comptroller of Public Accounts to reduce the appropriation authority provided above to the affected strategy by an amount specified by the Legislative Budget Board.

- (c) Also, contingent on the generation of such revenue required above to fund TDA's cost recovery programs and related "other direct and indirect costs" TDA's "Number of Full-Time Equivalents" includes 176.4 FTEs in fiscal year 2024 and 176.4 FTEs in fiscal year 2025. In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may reduce the FTE cap provided by this Act to reflect the number of FTEs funded by the amount of revenue expected to be available.
- (d) If cost recovery revenues collected in the first year of the biennium exceed the cost recovery requirements above, the excess revenue may be counted towards the cost recovery requirement in the second year of the biennium in addition to the revenues collected in the second year.

DEPARTMENT OF AGRICULTURE

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identified above in subsection (a) each fiscal year are appropriated to TDA in the 2024-25 biennium for the same purposes.

- (f) Any unobligated or unobligated balances in appropriations made for cost recovery programs as identified in subsection (a) of Rider 20, Appropriations Limited to Revenue Collections: Cost Recovery Programs, in Senate Bill 1, Eighty-seventh Legislature, Regular Session, 2021, that are remaining at the end of the fiscal year ending August 31, 2023 (estimated to be \$0), are appropriated for the same purpose for the fiscal year beginning September 1, 2023.

29. Cash Flow Contingency. Contingent upon the receipt of Federal Funds appropriated in Strategy A.1.1, Trade and Economic Development, and the approval of the Legislative Budget Board and the Governor's Office, the Texas Department of Agriculture may temporarily utilize additional General Revenue funds, pending the receipt of revenue, in an amount not to exceed \$5,000,000 each fiscal year. The General Revenue amounts transferred above the General Revenue method of finance shall be utilized for the purpose of temporary cash flow needs. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed to the Treasury on or before November 30 of the following fiscal year.

29. Contingency Appropriation: Citrus Inspectors.

- (a) Amounts appropriated above to the Department of Agriculture in Strategy B.1.1, Plant Health and Seed Quality, include \$673,072 in fiscal year 2024 and \$389,112 in fiscal year 2025 from General Revenue and 6.0 FTEs each fiscal year for the purpose of inspecting citrus in the canker quarantine zones in Harris, Montgomery, Fort Bend, Brazoria, and Galveston counties. In the event that the Department terminates the sale of all citrus plants in the aforementioned zones, any remainder of unspent funds for this strategy shall be returned to the state treasury. The Department is not prohibited from enforcing the stop sale provisions in Texas Agriculture Code, Section 19.011, and a stop sale under this provision does not result in the agency having to return the funds appropriated herein.

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- (b) The Department of Agriculture shall use appropriations and FTEs in subsection (a) of this rider to provide additional inspectors and necessary equipment for citrus canker quarantine zones.
- (c) No funds appropriated to the Department of Agriculture in this act may be used for the implementation of a retail nursery customer registry related to citrus canker containment zones that collects the end-consumer's name or address information.

30. Rural Nursing Retention and Recruitment.

- (a) Amounts appropriated above to the Department of Agriculture in Strategy A.2.2, Rural Health, include \$925,000 in fiscal year 2024 and \$925,000 in fiscal year 2025 from General Revenue to provide funding for Rural Nursing Recruitment and Retention stipends.
- (b) It is the intent of the legislature that grant recipients be required to commit to a minimum of three years in their position in order to receive a stipend.

30. Agricultural and Livestock Entry Point Inspection Stations. Amounts appropriated above to the Department of Agriculture in Strategy B.1.1, Plant Health and Seed Quality, include \$3,881,003 in fiscal year 2024 and \$3,256,003 in fiscal year 2025 from General Revenue and 60.0 FTEs each fiscal year for the Department of Agriculture to operate five regional agricultural entry point inspection teams. The Department of Agriculture shall work with the Animal Health Commission as necessary for the operation of the stations and to allow the Animal Health Commission to conduct livestock inspections at these stations as needed.

ANIMAL HEALTH COMMISSION

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3. Laboratory Testing.

- a. Laboratory testing for animal diseases shall be performed at the Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL), the state's regulatory animal health laboratory. The Texas Animal Health Commission (TAHC) shall utilize the services at TVMDL to the extent required by Agriculture Code, Section 161.0603. TAHC shall use funds appropriated by this Act to enter into an interagency memorandum of understanding (MOU) with TVMDL, to be reviewed annually, that establishes the scope of laboratory services needed, reporting and data sharing requirements, and a fee structure. No later than October 1 of each year, the agency shall report to the Legislative Budget Board (LBB) and the Comptroller of Public Accounts (CPA) the estimated total contract amount agreed to in the MOU. No later than November 1 of each year, the agency shall report to the LBB and the CPA the testing costs it was billed for by TVMDL in the previous fiscal year.
- b. In addition to the amounts appropriated above, General Revenue (estimated to be \$0) shall be appropriated to TAHC in amounts necessary to cover laboratory testing costs incurred where such costs exceed 10.0 percent of the estimated total contract amount agreed to in the MOU between TAHC and TVMDL each fiscal year contingent upon (1) the occurrence of an animal disease outbreak; (2) the Executive Director and State Veterinarian of TAHC certifying the outbreak occurrence and laboratory costs exceeding the estimated contract amount by 10.0 percent; and (3) the Executive Director and State Veterinarian of TAHC issuing a finding of fact to that effect to the LBB and the CPA. Upon receiving the finding of fact, the contingent appropriation shall be made available to fund the additional laboratory costs.

3. **Laboratory Testing.** Laboratory testing for animal diseases shall be performed at the Texas A&M Veterinary Medical Diagnostic Laboratory (TVMDL), the state's regulatory animal health laboratory. The Texas Animal Health Commission (TAHC) shall utilize the services at TVMDL to the extent required by Agriculture Code, Section 161.0603. TAHC shall use funds appropriated by this Act to enter into an interagency memorandum of understanding (MOU) with TVMDL, to be reviewed annually, that establishes the scope of laboratory services needed, reporting and data sharing requirements, and a fee structure. No later than October 1 of each year, the agency shall report to the LBB the estimated total contract amount agreed to in the MOU. No later than November 1 of each year, the agency shall report to the LBB the testing costs it was billed for by TVMDL in the previous fiscal year.

9. **Agricultural and Livestock Entry Point Inspection Stations.** Amounts appropriated above to the Animal Health Commission (TAHC) in Strategy A.1.1, Field Operations, include \$1,465,680 in fiscal year 2024 and \$1,030,680 in fiscal year 2025 from General Revenue and 10.0 FTEs each fiscal year for the purposes of assisting the Texas Department of Agriculture in operating five regional agricultural and livestock entry point inspection stations and conducting TAHC livestock inspections at these stations as needed.

ANIMAL HEALTH COMMISSION

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10. Cattle Fever Tick Mitigation Clinical Trials.

- (a) Amounts appropriated above to the Animal Health Commission (TAHC) in Strategy A.1.2, Diagnostic/Epidemiological Support Services, include \$87,000 in fiscal year 2024 and \$229,000 in fiscal year 2025 from General Revenue for the purposes of conducting cattle fever tick mitigation clinical trials that would evaluate the efficacy of three eprinomectin regimens for cattle fever tick control to determine if less frequent treatments can be used to effectively mitigate fever ticks. Any unexpended balances remaining as of August 31, 2024, are appropriated in the fiscal year beginning September 1, 2024, for the same purposes.
- (b) Out of amounts identified in subsection (a), TAHC would evaluate dosing and withdraw periods in weaned beef heifers in phase one.
- (c) Out of amounts identified in subsection (a), TAHC shall transfer up to \$40,000 of the funds appropriated by this rider in fiscal year 2025 to a state University through an interagency contract to assist in conducting phase two of the clinical trials that would evaluate repeated dosing and withdraw periods in full herd settings.

COMMISSION ON ENVIRONMENTAL QUALITY

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19. Texas Emissions Reduction Plan (TERP) Cash Flow Contingency. Contingent upon the receipt of money deposited to the credit of the Texas Emissions Reduction Plan Fund No. 1201 under Health and Safety Code, Section 386.056, Tax Code, Sections 151.0515 and 152.0215 and Transportation Code, Sections 501.138, 502.358, and 548.5055 by the Texas Commission on Environmental Quality (TCEQ), TCEQ may temporarily utilize General Revenue-Dedicated Texas Emissions Reduction Plan No. 5071 funds to pay for TERP costs as authorized in the Health and Safety Code, Section 386.252 in the 2024-25 biennium. These funds shall be appropriated and utilized only for the purpose of temporary cash flow needs when TERP expenditures exceed monthly collections received. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed by TCEQ on or before August 31 of each fiscal year.

21. Aggregate Operations. Amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, to the Commission on Environmental Quality shall be used to adopt and make accessible on the commission's internet website best management practices for all aspects of aggregate production operations regarding nuisance issues relating to dust, noise, and light, as well as water use and storage, and blasting to minimize disruption to surrounding areas, and to conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations. It is the intent of the legislature that the Commission on Environmental Quality shall work cooperatively with other state agencies in the development of best management practices described in this rider. Unless otherwise provided by law, the best management practices are nonbinding.

28. Texas Emissions Reduction Plan (TERP) Annual Report. In addition to other reporting requirements, the Commission shall produce an annual report on its expenditures, number of projects, and the estimated pollution reduced, and the cost-effectiveness of each program authorized as part of TERP that are spent out of the TERP Trust Fund. The report must include an analysis of the report by the Texas Department of Transportation (TxDOT) on the use of TERP funds for congestion mitigation and air quality improvement projects in nonattainment areas and

19. Texas Emissions Reduction Plan (TERP) Cash Flow Contingency. Contingent upon the receipt of money deposited to the credit of the Texas Emissions Reduction Plan Fund No. 1201 under Health and Safety Code Section 386.056, Tax Code Sections 151.0515 and 152.0215 and Transportation Code Sections 501.138, 502.358, and 548.5055 by the Texas Commission on Environmental Quality (TCEQ), TCEQ may temporarily utilize General Revenue-Dedicated Texas Emissions Reduction Plan No. 5071 funds to pay for TERP costs as authorized in the Texas Health and Safety Code Section 386.252 in the 2024-25 biennium in an amount not to exceed \$1.4 million in fiscal year 2024 which are included in amounts appropriated above. These funds shall be utilized only for the purpose of temporary cash flow needs when TERP expenditures exceed monthly collections received. The transfer and reimbursement of funds shall be made under procedures established by the Comptroller of Public Accounts to ensure all borrowed funds are reimbursed by TCEQ on or before August 31 of each fiscal year.

21. Aggregate Operations. Amounts appropriated above in Strategy C.1.1, Field Inspections and Complaint Response, to the Commission on Environmental Quality shall be used to adopt and make accessible on the commission's internet website best management practices for aggregate production operations regarding nuisance issues relating to dust, noise, and light, and to conduct aerial observations at least twice per fiscal year to ensure enforcement of existing statutes and rules relating to aggregate operations.

28. Texas Emissions Reduction Plan (TERP) Annual Report. In addition to other reporting requirements, the Commission shall produce an annual report on its expenditures, number of projects, and the estimated pollution reduced, and the cost-effectiveness of each program authorized as part of TERP that are spent out of the TERP Trust Fund. The annual report must be delivered to the Legislative Budget Board, and Governor's Office by December 1 of each year.

COMMISSION ON ENVIRONMENTAL QUALITY

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affected counties. The annual report must be delivered to the Legislative Budget Board, and Governor's Office by December 1 of each year.

29. Air Monitoring Staff. It is the intent of the Legislature that out of amounts appropriated above in Strategy A.1.1, Air Quality Assessment and Planning, \$250,000 each fiscal year in General Revenue- Dedicated Clean Air Account No. 151 shall be used to fund 4.0 FTEs included in the number of Full-Time-Equivalents above to operate the agency's mobile air monitoring units in coastal regions.

31. Study on Uranium Deposits in this State.

- (a) Out of funds appropriated above to the Commission on Environmental Quality for the state fiscal biennium ending August 31, 2025, that may be used for that purpose, the commission, in conjunction with the Texas A&M University - Kingsville, shall conduct a study on the uranium deposits in this state and how utilizing those deposits could lessen the United States' reliance on foreign sources of uranium.
- (b) Not later than December 1, 2024, the commission shall submit to the governor, lieutenant governor, and speaker of the house of representatives a report that includes the findings of the study and any recommendations for legislative or other action. The report must include recommendations for legislative or regulatory changes and potential economic incentive programs to support the uranium mining industry in this state.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

Differences Only - Excludes Capital

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22. Gulf Coast Protection District (GCPD).

- (a) The General Land Office and Veterans Land Board (GLO) shall use \$200,000,000 in General Revenue appropriated in fiscal year 2024 in Strategy B.1.1, Coastal Management, for the purpose of making a grant to the Gulf Coast Protection District (GCPD) through a cooperative agreement in the 2024-25 biennium. The GLO shall ensure that no more than 5.0 percent of this grant funding is expended by the GCPD for the purposes of administrative and salary expenses. The disbursement of this grant shall occur only if the terms of the agreement require the grantee, GCPD, to, at minimum:
 - (1) Provide a report of budgeted and expended grant amounts by project or activity areas on a semi-annual basis as defined by the GLO;
 - (2) Provide timelines for completion of projects on a semi-annual basis as defined by the GLO; and
 - (3) Any other reasonable term deemed prudent by the GLO.
- (b) The GLO shall use \$299,989,236 in General Revenue in fiscal year 2024 in Strategy B.1.1, Coastal Management, solely for the purpose of making an additional grant to the GCPD through a cooperative agreement during the 2024-25 biennium to provide state matching funds to meet federal requirements for studies and projects planned to be conducted in the state by the United States Army Corps of Engineers (USACE). The appropriation of state matching funds is contingent upon USACE requesting payments to cover the 35.0 percent non-federal cost share which may include the non-federal sponsor's real estate and in-kind work costs. The appropriation of state matching funds is also contingent upon the terms of the agreement requiring the grantee, GCPD, to report the same information detailed above in Subsection (a)(1) through (a)(3).
- (c) Any related unobligated and unexpended balances remaining as of August 31, 2024, are appropriated for the same purpose for the fiscal year beginning September 1, 2024.
- (d) In addition to amounts appropriated above, any unobligated and unexpended balances for the Gulf Coast Protection District remaining from 2022-23 appropriations in Strategy B.1.1, Coastal Management, as of August 31, 2023, are appropriated for the fiscal year beginning on September 1, 2023 (estimated to be \$0) in the same strategy for the purpose of funding

22. Gulf Coast Protection District (GCPD). Amounts appropriated above in Strategy B.1.1, Coastal Management, include \$500,000,000 in fiscal year 2024 from General Revenue that shall be used by the General Land Office and Veterans' Land Board (GLO) to provide funding to the Gulf Coast Protection District (GCPD).

- (a) The GLO shall use \$200,000,000 of this appropriation in fiscal year 2024 for the purpose of making a grant to the GCPD in the 2024-25 biennium. Included in this amount is \$300,000 and 3.0 FTEs each fiscal year at the GLO for the purpose of providing oversight and coordination with the GCPD. The GLO shall ensure that no more than 5.0 percent of the \$200,000,000 is expended by the GCPD for administrative and salary expenses inclusive of certain engineering fees and program management costs. The disbursement of these funds to the GCPD shall occur only if the terms of the grant require the grantee, GCPD, to, at minimum:
 - (1) Provide a report of budgeted and expended grant amounts by project or activity areas on a semi-annual basis as defined by the GLO;
 - (2) Provide timelines for completion of projects on a semi-annual basis as defined by the GLO; and
 - (3) Any other reasonable term deemed prudent by the GLO or pursuant to the terms of the Local Cooperation Agreement executed between the GLO and the GCPD.
- (b) The GLO shall use the remaining \$300,000,000 in fiscal year 2024 solely for the purpose of making an additional grant to the GCPD through a cooperative agreement during the 2024-25 biennium to provide state matching funds to meet federal requirements for studies and projects planned to be conducted in the state by the United States Army Corps of Engineers (USACE). The appropriation of state matching funds is contingent upon USACE requesting payments to cover the 35.0 percent non-federal cost share which may include the non-federal sponsor's real estate and in-kind work costs. The disbursement of state matching funds to the GCPD is also contingent upon the terms of the grant requiring the grantee, GCPD, to report the same information detailed above in Subsection (a)(1) through (a)(3).
- (c) The GCPD and the GLO shall abide by the terms of the Local Cooperation Agreement executed by the two parties in the disbursement of funds.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

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GCPD expenses associated with implementing the Sabine to Galveston and Coastal Texas storm surge protection measures.

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- (d) Any related unobligated and unexpended balances remaining as of August 31, 2024, are appropriated for the same purpose for the fiscal year beginning September 1, 2024.
- (e) In addition to amounts appropriated above, any unobligated and unexpended balances for the GCPD remaining from 2022-23 appropriations in Strategy B.1.1, Coastal Management, as of August 31, 2023, are appropriated for the fiscal year beginning on September 1, 2023 (estimated to be \$0) in the same strategy for the purpose of funding GCPD expenses associated with implementing the Sabine to Galveston and Coastal Texas storm surge protection measures and to provide oversight and technical assistance where necessary.

23. Veterans' Programs Capital Projects.

- (a) Amounts appropriated above to the General Land Office and Veterans' Land Board in Strategy C.1.2, State Veterans' Homes and Strategy C.1.3, State Veterans' Cemeteries, from the Texas Veterans Homes Administration Fund No. 374, that are used for the purposes of Article III, Section 49b of the Texas Constitution are exempt from the capital budget provisions in Rider 2, Capital Budget, and Article IX, Section 14.03, Transfers - Capital Budget, except for the capital project expenditures including Acquisition of Information Resource Technologies, Transportation Items, and Data Center/Shared Technology Services.
- (b) The General Land Office and Veterans' Land Board shall report expenditures from the Texas Veterans Homes Administration Fund No. 374 for capital projects implemented pursuant to Article III, Section 49b of the Texas Constitution that are exempted under subsection (a) above in its Operating Budget and Legislative Appropriations Request.

24. Veterans' Bond Programs. General Land Office and Veterans' Land Board:

- (a) in accordance with Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code; is appropriated during each year of the biennium:

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

Differences Only - Excludes Capital
(Continued)

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- (1) all revenue of the state that is dedicated or appropriated to the Texas Veterans Homes Administration Fund No. 374 in accordance with Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code, and such funds shall be deposited as received into the Texas Veterans Homes Administration Fund No. 374;
 - (2) all available funds in the Texas Veterans Homes Administration Fund No. 374, including any investment income, for the purposes outlined in Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code;
 - (3) such amounts to be transferred to the Texas Veterans Homes Administration Fund No. 374 in accordance with Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code, as may be necessary to make payments when due on any bonds, notes, other obligations, or credit agreements issued or entered into pursuant to Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code, to the extent that the available funds in the Texas Veterans Homes Administration Fund No. 374 are insufficient for such purposes; and
 - (4) in addition to the estimated amounts of Texas Veterans Homes Administration Fund No. 374 Bond Proceeds listed above, any proceeds of additional bonds issued by the Texas General Land Office and Veterans' Land Board in a fiscal year or biennium as authorized by Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code.
- (b) in accordance with Section 49-b of Article III of the Texas Constitution and Chapter 164 of the Natural Resources Code, is authorized during each fiscal year of the biennium to pay out of amounts appropriated above from the Texas Veterans Homes Administration Fund No. 374, or otherwise dedicated or appropriated to such fund or available therein, debt service and other amounts due under bonds, other public securities, and bond enhancement agreements that are issued or entered into to fund financial assistance programs authorized by Chapter 164 of the Natural Resources Code and that are secured by and payable from revenue deposited to the credit of the Texas Veterans Homes Administration Fund No. 374.

GENERAL LAND OFFICE AND VETERANS' LAND BOARD

Differences Only - Excludes Capital
(Continued)

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26. Texas State Veterans Homes (TSVH) Room Rate Freeze. Amounts appropriated above to the General Land Office and Veterans' Land Board in Strategy C.1.2, Veterans' Homes, include \$4,650,000 in fiscal year 2024 and \$5,350,000 in fiscal year 2025 from General Revenue for the purpose of maintaining current resident room rates through the 2024-25 biennium.

25. Exemption from Certain Contract and Oversight Requirements. General Land Office and Veterans' Land Board Community Development and Revitalization Program contracts which utilize Federal Funds are exempt from the requirements of Article IX, Section 17.09(c)(1).

23. Texas State Veterans Homes (TSVH) Room Rate Freeze. Amounts appropriated above to the General Land Office and Veterans' Land Board in Strategy C.1.2, Veterans' Homes, include \$2,325,000 in fiscal year 2024 and \$2,675,000 in fiscal year 2025 from General Revenue contingent upon the Veterans' Land Board Bond Funds Manager certifying that a nursing home resident room rate increase is necessary for the TSVH program to remain fiscally solvent and issuing a finding of fact to that effect to the Legislative Budget Board and the Comptroller of Public Accounts. Upon receiving the finding of fact, the contingent appropriation shall be made available to support increased operational costs within the homes during the 2024-25 biennium.

27. Appropriation: Coastal Erosion Response Account No. 5176.

- (a) Amounts appropriated above to the General Land Office and Veterans' Land Board (GLO) in Strategy B.1.2, Coastal Erosion Control Projects, include \$44,941,359 in fiscal year 2024 from General Revenue-Dedicated Coastal Erosion Response Account No. 5176 for the purpose of administering the Coastal Erosion Planning and Response Act (CEPRA) program and to expand erosion response projects and studies.
- (b) In addition to amounts appropriated above, and pursuant to Natural Resources Code, Section 33.604, all remaining balances each fiscal year (estimated to be \$0) and amounts deposited to into Account No. 5176 each fiscal year above the Comptroller's Biennial Revenue Estimate are appropriated to the GLO in Strategy B.1.2, Coastal Erosion Control Projects, for the purposes authorized in Natural Resources Code, Chapter 33, Subchapter F.

PARKS AND WILDLIFE DEPARTMENT

Differences Only - Excludes Capital

House

Senate

40. Carryforward Authority for Supply Chain Delays.

- (a) Any unexpended or unobligated balances remaining from appropriations made to Texas Parks and Wildlife Department (TPWD) for the purchase of vehicles and equipment in fiscal years 2022 and 2023 as of August 31, 2023, (estimated to be \$0) are appropriated for the same purpose for the biennium beginning September 1, 2023.
- (b) Any appropriations encumbered for the purchase of vehicles and equipment as of August 31, 2023, that subsequently become unencumbered after August 31, 2023, due to manufacturer cancellation or similar circumstance, are appropriated to TPWD for the same purpose for the biennium beginning September 1, 2023.
- (c) The agency shall submit a report to the Legislative Budget Board no later than December 1, 2024, that identifies amounts carried forward, the number and model of vehicles and equipment items purchased with these amounts, and any potential need for supply chain-related carry forward authority to be maintained in the 2026-27 biennium.

40. Transfer Authority: Appropriations for Local Parks Grants. Notwithstanding the transfer provisions contained in Article IX, Section 14.01, Appropriation Transfers, the Texas Parks and Wildlife Department shall not transfer appropriations out of Strategy B.2.1, Local Parks Grants, to other strategies.

41. Contingency for Senate Bill 1648 and Senate Joint Resolution 74. Amounts appropriated above to the Texas Parks and Wildlife Department (TPWD) in Strategy D.1.4, Centennial State Park Conservation Fund, include \$500,000,000 in fiscal year 2024 from the General Revenue Fund contingent on enactment of Senate Bill 1648 and Senate Joint Resolution 74, or similar legislation relating to the establishment of the Centennial State Park Conservation Fund, by the Eighty-eighth Legislature, Regular Session, and the associated proposed constitutional amendment being approved by voters. Upon voter approval of the constitutional amendment establishing the Centennial State Park Conservation Fund, TPWD shall transfer the \$500,000,000 in General Revenue in fiscal year

PARKS AND WILDLIFE DEPARTMENT

Differences Only - Excludes Capital

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House

Senate

2024 in Strategy D.1.4 to the Centennial State Park Conservation Fund. All funds deposited to the Centennial State Park Conservation Fund are appropriated to TPWD to implement the provisions of the legislation.

It is the intent of the Legislature that, for purposes of Texas Constitution, Article VIII, Section 22, Limitation on the Rate of Growth of Appropriations, money in the Centennial Parks Conservation Fund established by Section 49-e-1, Article III, Texas Constitution is considered dedicated by the constitution and an appropriation of money to the fund is considered dedicated by the constitution.

41. Coastal Fisheries Research Vessel. Amounts appropriated above to the Texas Parks and Wildlife Department (TPWD) in fiscal year 2024 in Strategy A.2.3, Coastal Fisheries Management, include \$600,000 in General Revenue for the purpose of purchasing a coastal fisheries research vessel.

42. Study and Report on Shrimp Industry and Shrimp Resources. Out of the amounts appropriated above to the Parks and Wildlife Department, the department shall conduct an updated study on the shrimp industry and shrimp resources, as described by Section 77.005, Parks and Wildlife Code, and submit a report on the results of the study in accordance with that section.

RAILROAD COMMISSION

Differences Only - Excludes Capital

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Senate

17. Underground Injection Control Modeling. The Railroad Commission may utilize funds appropriated above in Strategy C.1.1, Oil and Gas Monitoring and Inspections, to contract for advanced modeling to draw seismic response areas, set appropriate limitations on injection wells, and quickly implement statutory and regulatory requirements associated with seismic events.

17. Digitization of Historical Records. Amounts appropriated above to the Railroad Commission in Strategy D.1.1, Public Information and Services, include \$1,110,980 in fiscal year 2024 and \$858,894 in fiscal year 2025 from the General Revenue Fund for the purpose of digitizing certain historical records, reports, and forms. The Railroad Commission shall not use these funds to execute a contract with the Department of Information Resources unless the Railroad Commission has consulted with institutions of higher education and determined that the digitization cannot be completed at an institution of higher education in a cost-effective manner which meets the needs of the agency.

18. Enforcement and Compliance Data and Public Information. Out of amounts appropriated above to the Railroad Commission in Strategy D.1.1, Public Information and Services, the agency shall publish enforcement data on its website quarterly, including inspection and enforcement activities, violations identified, and the final penalties assessed to operators. The agency shall also make available on its website quarterly trends in its enforcement data, including the number of complaints received and how the complaints were resolved, the number and severity of violations identified and sent for enforcement actions for each Commission rule, and the number of repeat violations found for each operator.

WATER DEVELOPMENT BOARD

Differences Only - Excludes Capital

House

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26. Texas Produced Water Consortium.

- (a) Amounts appropriated above to the Water Development Board (TWDB) in Strategy B.1.1, Statewide Water Planning, include \$500,000 in each fiscal year in General Revenue for the purposes of supporting activities of the Texas Produced Water Consortium. Any unexpended balances remaining as of August 31, 2024, are appropriated in the fiscal year beginning September 1, 2024, for the same purposes.
- (b) It is the intent of the legislature that TWDB transfer the funds appropriated by this rider to Texas Tech University through an interagency contract to implement the provisions of the legislation. Funds appropriated by this rider may only be used for the purposes of entering into the interagency contract specified.

27. Agricultural Water Conservation Project Funding.

- (a) Included in amounts appropriated above out of the General Revenue Fund is \$15,071,471 and 1.0 FTE in fiscal year 2024 and \$63,431 and 1.0 FTE in fiscal year 2025 in Strategy A.3.1, Water Conservation and Education Assistance, for administration of agricultural water conservation project funding, to be used as follows:
 - (1) \$17,471 and 1.0 FTE in fiscal year 2024 and \$63,431 and 1.0 FTE in fiscal year 2025 for administrative and staff costs to manage Agricultural Water Conservation Fund No. 358 project funding;
 - (2) \$15,000,000 in fiscal year 2024 to be deposited to Agricultural Water Conservation Fund No. 358.
- (b) Any unexpended balances remaining as of August 31, 2024, are appropriated in the fiscal year beginning September 1, 2024, for the same purposes.

WATER DEVELOPMENT BOARD

Differences Only - Excludes Capital
(Continued)

House

Senate

29. Flood Project Funding. Amounts appropriated above to the Water Development Board in Strategy C.1.1, State and Federal Financial Assistance Programs, include \$350,000,000 in General Revenue in fiscal year 2024 that shall be deposited to the credit of the Flood Infrastructure Fund No. 194 (Fund No. 194) for the purpose of administering financial assistance for eligible flood projects from Fund No. 194.

27. Contingency for SB 28. Contingent on enactment of Senate Bill 28, or similar legislation of the Eighty-eighth Legislature, Regular Session, relating to financial assistance provided and programs administered by the Texas Water Development Board, becoming law and the constitutional amendment proposed by the Eighty-eighth Legislature, Regular Session, creating the Texas water fund to assist in financing water projects in this state being approved by the voters, the Texas Water Development Board is granted access to the Texas Water Fund to implement the provisions of Senate Bill 28.