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Special Provisions Relating To All Regulatory Agencies - Senate Rider Highlights

2. **Appropriations Limited to Revenue Collections.** Recommendations remove six agencies from the listing:
 - Department of Banking, Office of Consumer Credit Commissioner, Credit Union Department, and Department of Savings and Mortgage are removed pursuant to the enactment of House Bill 2774, 81st Legislature, Regular Session, which resulted in the agencies becoming self-directed and semi-independent. The legislation removes the agencies from the legislative budgeting process and enables the agencies to operate outside the provisions of the 2012-13 General Appropriations Act.
 - Board of Tax Professionals is removed pursuant to the enactment of House Bill 2447, 81st Legislature, Regular Session, which abolished the agency and transferred its functions to the Department of Licensing and Regulation.
 - Residential Construction Commission is removed due to the agency not being continued by the 81st Legislature, Regular Session.

3. **Funding for Health Professions Council.**
 - Recommendations reflect an increase in the transfer amounts required from member agencies to the Health Professions Council above the 2010-2011 level by \$43,238 for the biennium. The amount includes an increase for the Legislative Bill Tracking Services (TELICON) and toll-free complaint line services. Recommendations for each member agency include an increase equivalent to a portion of the General Revenue provided to the Health Professions Council during the 2010-2011 biennium through an allocation method previously approved by the 81st Legislature.
 - Recommendations also include increases due to the incorporation of ongoing maintenance costs for the Health Professions Council Shared Regulatory Database for the following amounts:
 - Four agencies included in the listing: Texas State Board of Dental Examiners, Optometry Board, Board of Pharmacy, and Board of Examiners of Psychologists, have increased their transfer amounts by a total of \$1,015,451 to reflect the cost of maintenance for the Health Professions Council Shared Regulatory Database.
 - Two non-member agencies: the Board of Professional Land Surveying and the Board of Plumbing Examiners, have been added to the listing due to their participation in the Health Professions Council Shared Regulatory Database. The two agencies must transfer amounts totaling \$353,700 for the cost of maintenance for the Health Professions Council Regulatory Database.
 - An additional informational listing of the agencies participating in the Health Professions Council Shared Regulatory Database and each agency's respective portion of the ongoing maintenance cost of the database has been added to the rider.

4. **Texas Online Authority Appropriation.** Recommendations include an updated informational listing of the amounts appropriated to participating agencies in bill pattern order and continue to require notifications of agency exemptions from participation and certifications by the Comptroller of Public Accounts. The rider is designed to authorize each licensing agency participating in the program to increase its licensing fees in order to pay for the costs associated with the program. In order to neutralize the cost to the Appropriations Bill, the rider appropriates to each participating agency an amount equal to revenue raised by that agency for new application fees.

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6. **Contingency Appropriations for Criminal History Record Information.** Recommendations include an updated informational listing of the amounts appropriated to agencies conducting criminal history background checks in bill pattern order and the continuation of a requirement that appropriations are limited to revenue collections for these checks. The rider is designed to authorize each licensing agency conducting criminal history background checks to increase fees in order to pay for the costs associated with those checks as necessary. An additional requirement has been added to ensure agencies utilize the funds appropriated for Criminal History Record Information only for the purpose of paying for the cost of the fee charged by entities performing the background checks. In order to neutralize the cost to the Appropriations Bill, the rider appropriates to each participating agency an amount equal to revenue raised by that agency for this purpose.
7. **Contingent Funding for Health Professions Council Shared Regulatory Database Migration.** Recommendations delete this rider due to implementation of the database during the 2010-11 biennium. This rider was designed to ensure that appropriation for the database was contingent upon all agencies raising sufficient funds and transferring the amounts to the Health Professions Council. Funding for ongoing maintenance costs of the database have been included within Section 3, Funding for Health Professions Council in Special Provisions for Article VIII (see *Rider Highlights, Item #3* above).
8. **Self-Leveling Agency Fee Change Notification Requirements.** Recommendations delete this rider from Special Provisions and add the rider to the bill pattern for the Department of Insurance. The Department of Insurance is now the only self-leveling agency in Article VIII. A self-leveling agency, pursuant to statute, only generates the funds necessary to recover the costs of administering their regulatory functions. The Department of Banking, Office of Consumer Credit Commissioner, Credit Union Department, and Department of Savings and Mortgage have been removed from the rider pursuant to the enactment of House Bill 2774, 81st Legislature, Regular Session, which resulted in the agencies becoming self-directed and semi-independent and therefore, remove the agencies from the legislative budgeting process and enable the agencies to operate outside the provisions of the 2012-13 General Appropriations Act.