

BILL ANALYSIS

Senate Research Center

S.B. 31
By: Ratliff
Finance
3-24-97
As Filed

DIGEST

Currently, provisions of Article IX of the General Appropriations Act, do more than set aside a sum of money and provide the manner of distribution, including those provisions which do not appropriate, or otherwise detail, limit, or restrict the use of funds. For this reason such provisions should be removed from Article IX and placed into general law. This bill removes provisions which do not appropriate, or otherwise detail, limit, or restrict the use of funds.

PURPOSE

As proposed, S.B. 31 removes provisions from Article IX, General Appropriations Act, which do not appropriate, or otherwise detail, limit, or restrict the use of funds.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the comptroller in SECTION 8 (Section 659.004 and 659.007, Government Code), SECTION 26 (Section 660.074, Government Code), SECTION 29 (Section 660.118, Government Code), SECTION 37 (Section 666.005, Government Code), and to the governing board of an institution of higher education in SECTION 15 (Section 660.004, Government Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Sets forth the purpose of this Act.

SECTION 2. Amends Section 324.008, Government Code, by adding Subsections (d) and (e), to require the governing body of a state agency to deliver a certified copy of its minutes to the library. Requires any changes or corrections of the minutes to be delivered to the library. Defines "state agency."

SECTION 3. Amends Chapter 403B, Government Code, by adding Sections 403.0131 and 403.0132, as follows:

Sec. 403.0131. REPORT TO LEGISLATURE. Sets forth requirements for preparation by the comptroller of a summary table for all major funds and its delivery.

Sec. 403.0132. REPORT OF EXPENDITURES BY STATE AGENCY. Sets forth requirements of an expenditure report for a state agency.

SECTION 4. Amends Chapter 656B, Government Code, by adding Section 656.026, as follows:

Sec. 656.026. JOB NOTICE POSTING WAIVER. Provides for a job notice posting waiver for certain state agencies.

SECTION 5. Amends Section 658.005(a), Government Code, to set forth opening times of the offices of a state agency.

SECTION 6. Amends Section 658.006, Government Code, as follows:

Sec. 658.006. New heading: STAGGERED WORKING HOURS. Deletes a provision authorizing working hours to be staggered as authorized by the General Appropriations Act. Makes a conforming change.

SECTION 7. Amends Chapter 658, Government Code, by adding Sections 658.008 and 658.009, as follows:

Sec. 658.008. MEMBERS OF NATIONAL GUARD OR RESERVES. Requires working schedules of members of the Texas National Guard or U.S. Armed Forces Reserves to be adjusted in a certain manner.

Sec. 658.009. EMPLOYEES OF HOUSE OR SENATE. Provides that this chapter applies to employees of the house or senate as determined by certain officials.

SECTION 8. Amends Chapter 659A, Government Code, by adding Sections 659.004-659.007, as follows:

Sec. 659.004. PAYROLL REPORTING. Requires the comptroller to adopt certain rules. Defines "state agency."

Sec. 659.005. WITNESS FEES; JURY SERVICE. Prohibits a deduction from a state employee's wages for attending jury service. Sets forth requirements for a state officer or employee who appears as a witness in a judicial proceeding or legislative hearing.

Sec. 659.006. WITHHOLDING, DEDUCTIONS, AND MATCHING CONTRIBUTIONS: TAX AND RETIREMENT LAWS. Sets forth requirements for withholding, deductions, and matching contributions for state officers or employees.

Sec. 659.007. ADJUSTMENT FOR INACCURATE PAYMENT. Requires the comptroller, by rule, to prescribe certain adjustment procedures.

SECTION 9. Amends Chapter 659B, Government Code, by adding Sections 659.015-659.017, as follows:

Sec. 659.015. OVERTIME COMPENSATION FOR EMPLOYEES SUBJECT TO FAIR LABOR STANDARDS ACT. Sets forth overtime compensation provisions for employees subject to the Fair Labor Standards Act.

Sec. 659.016. OVERTIME COMPENSATION FOR EMPLOYEES NOT SUBJECT TO FAIR LABOR STANDARDS ACT; STATE COMPENSATORY TIME; REDUCTIONS IN PAY. Sets forth overtime compensation for employees not subject to the Fair Labor Standards Act. Sets forth requirements for state compensatory time and reductions in pay.

Sec. 659.017. OVERTIME COMPENSATION FOR LEGISLATIVE EMPLOYEES. Sets forth requirements for overtime compensation for legislative employees.

SECTION 10. Amends Section 659.081, Government Code, to provide that an exception to this subchapter is the General Appropriations Act.

SECTION 11. Amend Chapter 659F, Government Code, by adding Section 659.085, as follows:

Sec. 659.085. DETERMINING AMOUNT OF MONTHLY OR HOURLY PAY; PROPORTIONATE REQUIREMENT FOR PART-TIME PAY. Sets forth requirements for determining monthly or hourly pay. Sets forth the salary rate requirements for part-time employees.

SECTION 12. Amends Section 660.002, Government Code, to define "appropriated money," "board," cancellation charge," "commercial lodging establishment," "commercial transportation

company," "disability," "duty point," "incidental expense," "institutional funds," "institution of higher education," "key official," "lease," "place of employment," "prospective state employee," "rented or public conveyance," "state agency," "state employee," "travel expense," and "unit of state government." Redefines "chief administrator of a state agency." Deletes a definition "per diem allowance."

SECTION 13. Amends Chapter 660A, Government Code, by adding Section 660.0021, as follows:

Sec. 660.0021. DESIGNATED HEADQUARTERS. Provides that for the designated headquarters of a state employee or a member of the legislature.

SECTION 14. Amends Section 660.003, Government Code, to set forth the application of this chapter. Deletes a provision setting forth the applicability of this chapter to certain persons.

SECTION 15. Amends Section 660.004, Government Code, as follows:

Sec. 660.004. New heading: TRAVEL EXPENSES PAID OR REIMBURSED BY INSTITUTIONS OF HIGHER EDUCATION. Deletes a provision setting forth the applicability of this chapter. Requires the governing board of an institute of higher education to adopt rules to administer certain expenses and reimbursements exempt under this chapter.

SECTION 16. Amends Chapter 660A, Government Code, by adding Sections 660.006-660.013, as follows:

Sec. 660.006. TRAVEL OF PROSPECTIVE STATE EMPLOYEES. Sets forth requirements for reimbursing prospective state employees for visiting the agency for an interview or employment evaluation.

Sec. 660.007. CONSERVATION OF FUNDS. Sets forth requirements for conservation or travel expenses paid or reimbursed.

Sec. 660.008. TRAVEL EXPENSES INCURRED WHILE ON LEAVE. Sets forth requirements for travel expenses of a state employee incurred while on leave.

Sec. 660.009. INABILITY TO PERFORM OFFICIAL STATE BUSINESS. Sets forth requirements of travel expenses of a state employee incurred while attempting to conduct official state business.

Sec. 660.010. RETURNING TO DESIGNATED HEADQUARTERS; TRAVELING TO DUTY POINT. Sets forth requirements for reimbursement of travel expenses for state employees on personal or compensatory leave and traveling to a duty point.

Sec. 660.011. TRAVEL EXPENSES INCURRED BY EMPLOYEES OF OTHER AGENCIES. Authorizes reimbursement to employees of other state agencies if the employee is providing services to the paying state agency.

Sec. 660.012. PAYMENTS TO CREDIT CARD ISSUERS AND TRAVEL AGENTS. Sets forth requirements for paying credit card issuers and travel agents.

Sec. 660.013. CANCELLATION CHARGES. Sets forth requirements for paying or reimbursing cancellation charges.

SECTION 17. Amends Sections 660.047-660.49, Government Code, by redesignating them as Sections 660.014-660.016, Government Code, respectively, as follows:

Sec. 660.014. New heading: PROHIBITION AGAINST ACCEPTING MONEY OR TRAVEL EXPENSE REIMBURSEMENTS FROM CERTAIN PERSONS. Prohibits a state employee from accepting certain travel expenses from a person who the state intends

to examine or audit. Provides for forfeiture of the money or travel reimbursement for a state employee who violates Subsection (a). Provides that Subsections (a) and (b) are in addition to any other penalties imposed by other laws.

Sec. 660.015. New heading: EXCESS REIMBURSEMENTS. Requires a state employee or member of the legislature to return excess reimbursements of travel expenses.

Sec. 660.016. New heading: MULTIPLE ADVANCES OR REIMBURSEMENTS FOR TRAVEL EXPENSE. Prohibits an employee of the state or a member of the legislature from accepting reimbursements or advancements for travel expenses from more than one source. Prohibits an employee of the state or a member of the legislature from receiving reimbursement for travel expenses from the state only to the extent that the amount of the person's advance or reimbursement from the other source is less than the amount of the total expense incurred.

SECTION 18. Amends Section 660.021, Government Code, to require the comptroller to adopt rules for effective and efficient administration of travel provisions.

SECTION 19. Amends Section 660.024, Government Code, to prohibit the payment or reimbursement of foreign nation travel expenses unless approved by the governor. Authorizes the governor to condition his or her approval on the employee's not incurring above a specified amount in travel expenses. Provides that Subsection (a) applies to travel expense if it is incurred while traveling to, in, or from, a destination that is not in the United States, a possession of the United States, rather than to, in, and from Mexico. Authorizes the governor to give general approval for international travel. Provides that the comptroller may require proof of the governor's approval. Authorizes the governor to delegate the approvals to an employee of the governor's office.

SECTION 20. Amends Section 660.025, Government Code, to authorize the comptroller to establish rules to advance travel expenses. Requires the procedures to be consistent with Section 403.248, Government Code. Sets forth requirements for the advancement of travel expenses. Deletes previous Subsection (b).

SECTION 21. Amends Sections 660.041 and 660.042, Government Code, to redesignate these sections as Sections 660.027 and 660.028, Government Code, as follows:

Sec. 660.027. New heading: VOUCHERS. Sets forth requirements for issuing vouchers to initiate an electronic funds transfer to pay or reimburse travel expenses. Deletes a provision requiring the comptroller to prescribe a travel expense form.

Sec. 660.028. New heading: AUDITS. Sets forth requirements for auditing a voucher. Deletes a provision requiring the comptroller to prescribe a travel expense form and requirements of the form.

SECTION 22. Amends Chapter 660B, Government Code, by adding Section 660.029, as follows:

Sec. 660.029. KNOWLEDGE OF TRAVEL PROCEDURES. Sets forth requirements for instructing state employees on travel procedures.

SECTION 23. Amends the subchapter heading of Chapter 660C, as follows:

SUBCHAPTER C. TRANSPORTATION BY PERSONAL MOTOR VEHICLE.

SECTION 24. Amends Chapter 660C, Government Code, by adding Sections 660.0411 and 660.0412, as follows:

Sec. 660.0411. REIMBURSEMENT REQUIREMENT. Entitles an employee to be reimbursed for the employee's use of a personally owned or leased motor vehicle used for state business. Prohibits an employee from being reimbursed for expenses other than mileage,

tolls, and parking.

Sec. 660.0412. AMOUNT OF REIMBURSEMENT. Sets forth mileage reimbursement requirements.

SECTION 25. Amends Section 660.052, Government Code, as follows:

Sec. 660.052. New heading: DETERMINATION OF REIMBURSABLE MILEAGE. Sets forth requirements for reimbursing a motor vehicle's mileage. Deletes a provision for determining mileage for reimbursement.

SECTION 26. Amends Section 660.055, Government Code, as follows:

Sec. 660.055. New heading: MULTIPLE USE OF SINGLE MOTOR VEHICLE. Provides that two, three, or four state employees who are employed by the same state agency, travel on the same itinerary, dates, and official state business may be reimbursed for mileage. Deletes Subsection (b). Provides that if more than four state employees who are employed by the same state agency, travel on the same itinerary, dates, and official state business, a state agency may reimburse for mileage only on the basis of one motor vehicle for each four employees and for any fraction in excess of a multiple of four employees. Provides that Subsections (a) and (b) do not apply to certain groups if the chief administrative officer of the state agency that employs the employees determines before travel that it is not feasible for the employees to travel together in the same motor vehicle. Authorizes this determination to be made only for reasons related to official state business. Deletes provisions relating to authorization for reimbursement and relating to authorization of employees' actions. Deletes Subsection (e).

SECTION 27. Amends Chapter 660, Government Code, by adding Subchapter D, as follows:

SUBCHAPTER D. TRANSPORTATION BY PERSONAL AIRCRAFT

Sec. 660.071. REIMBURSEMENT REQUIREMENT. Sets forth requirements for reimbursement for employees, officials, or members of a board or the legislature for use of an aircraft owned or leased by the state employees, officials, or members of a board or the legislature.

Sec. 660.072. AMOUNT OF REIMBURSEMENT. Sets forth the amount of reimbursement for employees who use an aircraft owned or leased by the state employees.

Sec. 660.073. AIRCRAFT MILEAGE REIMBURSEMENT RATE. Sets forth the rate of aircraft mileage reimbursement.

Sec. 660.074. GROUP TRAVEL. Sets forth reimbursement for an official or member flying with the owner or lessee of an aircraft. Requires the comptroller to adopt procedures for reimbursements.

Sec. 660.075. AIRCRAFT LEASED FROM CERTAIN PERSONS. Provides for reimbursement to a state employee entitled to reimbursement under this subchapter for use of an aircraft leased from a proprietorship, partnership, or corporation in which the official or member has an interest.

SECTION 28. Amends Chapter 660, Government Code, by adding Subchapter E, as follows:

SUBCHAPTER E. TRANSPORTATION BY RENTED OR PUBLIC CONVEYANCE

Sec. 660.091. GENERAL PROVISION. Requires the state agency to pay the expense of transporting a state employee by rented or public conveyance in the course of conducting state business.

Sec. 660.092. PAYMENT AND REIMBURSEMENT METHODS. Sets forth payment and reimbursement methods of a state agency under this subchapter.

Sec. 660.093. USING OTHER THAN COMMERCIAL TRANSPORTATION COMPANIES. Prohibits a state agency from paying or reimbursing the expenses of transporting a state employee by rented or public conveyance if the transportation is provided by a person who is not a commercial transportation company.

Sec. 660.094. COMMERCIAL AIR TRANSPORTATION. Sets forth requirements for payment or reimbursement for commercial air transportation expenses.

SUBCHAPTER F. MEALS, LODGING, AND INCIDENTAL EXPENSES

SECTION 29. Amends Chapter 660, Government Code, by adding Subchapter F, as follows:

Sec. 660.111. REIMBURSEMENT REQUIREMENT. Requires a state agency to reimburse a state employee for meals, lodging, or incidental expenses incurred by the employee in the conduct of state business.

Sec. 660.112. AMOUNT OF REIMBURSEMENT. Sets forth the amount of reimbursement for meals, lodging, or incidental expenses incurred by the employee in the conduct of state business.

Sec. 660.113. RESTRICTED REIMBURSEMENTS. Sets forth restricted reimbursements for certain meals, lodging, or incidental expenses incurred by the employee in the conduct of state business.

Sec. 660.114. DIRECT PAYMENTS TO COMMERCIAL LODGING ESTABLISHMENTS. Sets forth requirements and procedures for direct payments to commercial lodging establishments.

Sec. 660.115. RECEIPTS. Sets forth procedures for submitting receipts for lodging expenses.

Sec. 660.116. HOTEL OCCUPANCY AND SIMILAR TAXES. Entitles reimbursement to a state employee for hotel occupancy and similar taxes.

Sec. 660.117. APARTMENT OR HOUSE RENTAL EXPENSES. Sets forth requirements for reimbursements for apartment or house rental expenses.

Sec. 660.118. INCIDENTAL EXPENSES. Authorizes a state agency to reimburse a state employee for incidental expenses according to rules adopted by the comptroller.

SECTION 30. Amends Chapter 660, Government Code, by adding Subchapter G, as follows:

SUBCHAPTER G. SPECIAL TRAVEL EXPENSE PROVISIONS

Sec. 660.141. TRAVEL BY MEMBERS OF THE LEGISLATURE. Sets forth reimbursement requirements for members of the legislature.

Sec. 660.142. TRAVEL BY CERTAIN OFFICIALS. Sets forth reimbursement requirements for certain state officials.

Sec. 660.143. BOARD MEMBERS. Provides that this chapter applies to a member of a board only if Chapter 659C or other law authorizes reimbursement.

Sec. 660.144. TRAVEL BY PERSONS WITH DISABILITIES. Sets forth reimbursement requirements for employees or members of the legislature for expenses associated with a disability.

Sec. 660.145. DEATH OF STATE EMPLOYEES. Sets forth reimbursement requirements for employees who die while on state business.

Sec. 660.146. TRAVEL EXPENSES OF THREATENED STATE EMPLOYEES AND THEIR FAMILIES. Sets forth reimbursement requirements for families of state employees who are threatened because of the state employee's official duties.

Sec. 660.147. CONFLICTS WITH OTHER SUBCHAPTERS. Provides that this subchapter controls if in conflict with other provisions of this chapter.

SECTION 31. Amends Section 661.033(c), Government Code, to prohibit payment from being more than 336 hours of sick leave or one-half of accumulated sick leave, whichever is less.

SECTION 32. Amends Chapter 661, Government Code, by adding Subchapters F, G, H, and Z, as follows:

SUBCHAPTER F. GENERAL PROVISIONS FOR VACATION LEAVE

Sec. 661.151. APPLICABILITY. Sets forth applicability of this subchapter.

Sec. 661.152. ENTITLEMENT TO ANNUAL VACATION LEAVE. Sets forth requirements for a state employee's entitlement to vacation leave.

SUBCHAPTER G. GENERAL PROVISIONS FOR SICK LEAVE

Sec. 661.201. APPLICABILITY. Sets forth applicability of this subchapter.

Sec. 661.202. ENTITLEMENT TO SICK LEAVE. Sets forth requirements for a state employee's entitlement to sick leave.

Sec. 661.203. RESTORATION OF SICK LEAVE ON REEMPLOYMENT IN CERTAIN CIRCUMSTANCES. Sets forth requirements for restoration of sick leave on reemployment, under a formal reduction in force or for other reasons.

SUBCHAPTER H. PROVISIONS APPLICABLE TO BOTH VACATION AND SICK LEAVE

Sec. 661.251. APPLICABILITY. Sets forth applicability of this subchapter.

Sec. 661.252. TRANSFER OF LEAVE BALANCE. Provides for a transfer of leave balance if a state employee transfers from one state agency to another.

SUBCHAPTER Z. MISCELLANEOUS LEAVE PROVISIONS

Sec. 661.901. APPLICABILITY. Sets forth applicability of this subchapter.

Sec. 661.902. EMERGENCY LEAVE. Sets forth requirements for emergency leave for a state employee.

Sec. 661.903. NATIONAL GUARD EMERGENCY. Sets forth requirements for a leave of absence for a person who is a member of the Texas National Guard.

Sec. 661.904. MILITARY LEAVE DURING NATIONAL EMERGENCY. Sets forth requirements for leave for persons called to active duty during a national emergency.

Sec. 661.905. VOLUNTEER FIREFIGHTERS. Sets forth requirements for leave for volunteer firefighters.

Sec. 661.906. FOSTER PARENTS. Sets forth requirements for leave for foster parents.

Sec. 661.907. RED CROSS DISASTER SERVICE VOLUNTEER. Sets forth requirements for leave for a Red Cross disaster service volunteer.

Sec. 661.908. LEAVE RECORDS. Sets forth requirements for leave records for each state agency.

Sec. 661.909. STATE AUDITOR INTERPRETATIONS. Requires the state auditor to provide uniform interpretation of this subchapter and Subchapters F-H. Requires the state auditor to report to the governor and the legislature any state agency which practices exceptions to these laws.

Sec. 661.910. LEAVE WITHOUT PAY; LEAVE OF ABSENCE. Sets forth requirements for leave without pay and leave of absence.

Sec. 661.911. SEEING-EYE DOG TRAINING FOR BLIND EMPLOYEES. Sets forth requirements for leaves of absence for state employees who need to attend training courses to acquaint themselves with a seeing-eye dog to be used by the state employee. Defines "blind."

Sec. 661.912. ADMINISTRATIVE LEAVE WITH PAY. Sets forth requirements for administrative leave with pay.

Sec. 661.913. FAMILY AND MEDICAL LEAVE ACT. Sets forth application and exceptions of the Family and Medical Leave Act.

Sec. 661.914. PARENTAL LEAVE FOR CERTAIN EMPLOYEES. Sets forth requirements for parental leaves of absence.

SECTION 33. Amends Section 662.004(a), Government Code, to require that an institution of higher education to have employees on duty during a state holiday. Makes a conforming change.

SECTION 34. Amends Section 662.007, Government Code, by adding Subsection (c), to authorize an employee of an institution of higher education to take compensatory time off on certain national or state holidays, if certain requirements are met.

SECTION 35. Amends Section 662.010, Government Code, by amending Subsection (c) and adding Subsection (d), to provide for the payment of an employee who transfers from one state agency to another without a break of service, by the agency to which the employee transfers. Makes a conforming change.

SECTION 36. Amends Section 662.011, Government Code, by amending Subsection (a) and adding Subsection (c), to provide that Subsection (a) is subject to any applicable limitation on the observance of holidays prescribed by the General Appropriations Act. Sets forth requirements by which the employee is eligible to take a paid holiday leave.

SECTION 37. Amends Title 6B, Government Code, by adding Chapter 666, as follows:

CHAPTER 666. MULTIPLE EMPLOYMENTS WITH STATE

Sec. 666.001. GENERAL PROVISIONS. Sets forth applicability of this chapter. Prohibits certain persons from receiving benefits from the state which exceed the benefits provided for one full-time employee.

Sec. 666.002. SEPARATE RECORDS REQUIRED. Requires separate records for vacation and sick leave.

Sec. 666.003. TRANSFER OF LEAVE BALANCES PROHIBITED. Prohibits a person's leave balance from being transferred to the new employment under certain conditions.

Sec. 666.004. ACCRUAL OF STATE SERVICE CREDIT. Provides that a person accrues state service credit as if the person had only one employment.

Sec. 666.005. FEDERAL INSURANCE CONTRIBUTIONS. Prohibits a state's contribution toward the taxes imposed on a person by the Federal Insurance Contributions Act from exceeding the overall limit specified in the General Appropriations Act. Requires the comptroller to prescribe uniform accounting and reporting procedures.

Sec. 666.006. GROUP INSURANCE CONTRIBUTION. Sets forth a limit on the state's contribution to a person's group insurance.

Sec. 666.007. OVERTIME COMPENSATION. Sets forth requirements for overtime compensation.

Sec. 666.008. INFORMING EMPLOYER ABOUT MULTIPLE EMPLOYMENT. Requires a person to inform a person's employing state agency or institution before accepting additional employment with another agency or institution.

Sec. 666.009. SPECIAL PROVISIONS FOR LEGISLATIVE AGENCIES. Sets forth provisions for persons with less than full-time employments using paid leave.

Sec. 666.010. SPECIAL PROVISIONS FOR INSTITUTIONS OF HIGHER EDUCATION. Provides for a policy defining a person's employment.

SECTION 38. Amends Chapter 751, Government Code, by adding Subchapter C, as follows:

SUBCHAPTER C. STATE PERSONNEL IN WASHINGTON

Sec. 751.051. LIAISON TO LEGISLATIVE COMMITTEES. Requires state employees in Washington, D.C., to act as a liaison and provide certain federal funding information.

SECTION 39. Amends Chapter 2052A, Government Code, by adding Section 2052.004, as follows:

Sec. 2052.004. REPORT ON CLOSING OF FIELD OFFICES. Requires a state agency to send notice to certain persons about a state agency's plans to close a field office located in a member's legislative district.

SECTION 40. Amends Section 2054.092, Government Code, to require the state strategic plan to be a visionary plan for the management of the state's information resources, including providing a strategic direction for four, rather than five years, and establishing a framework under which the state's telecommunications systems can be used to efficiently and effectively exchange information among state agencies.

SECTION 41. Amends Section 2054.095(d), Government Code, to require the Department of Information Resources (department) to specify the format, content, updating, and submission of an agency's strategic plan.

SECTION 42. Amends Section 2054.118, Government Code, to provide that an agency cannot spend funds for major information resources projects unless a project has been reviewed and approved by a quality assurance team consisting of the state auditor's office. Sets forth the duties of a quality assurance team. Requires the department to provide technical assistance to a state agency in the implementation of the project. Authorizes the quality assurance team to request the Legislative Budget Board or the comptroller's office to assist in determining the accuracy of project expenditures and other items. Makes conforming changes.

SECTION 43. Amends Chapter 2054F, Government Code, by adding Sections 2054.120 and 2054.121, as follows:

Sec. 2054.120. COORDINATION AMONG INSTITUTIONS OF HIGHER EDUCATION. Requires institutions of higher education to coordinate the use of information technologies.

Sec. 2054.121. COORDINATED TECHNOLOGY TRAINING. Sets forth requirements for training for use of information resources technologies.

SECTION 44. Amends Chapter 2101B, Government Code, by adding Sections 2101.0111 and 2101.0112, as follows:

Sec. 2101.0111. ANNUAL REPORTS AND INVENTORIES. Sets forth requirements for annual reports and inventories of state agencies. Defines "state agency."

Sec. 2101.0112. BINDING ENCUMBRANCE REPORT. Sets forth requirements for a binding encumbrance report. Defines "state agency."

SECTION 45. Amends Section 2101.012(a), Government Code, to make a conforming change.

SECTION 46. Amends Section 2101.038, Government Code, to require the state auditor to notify an agency's governing body and executive head, if the state auditor issues any report concerning the operation of a state agency.

SECTION 47. Amends Chapter 2102, Government Code, by adding Section 2102.0091, as follows:

Sec. 2102.0091. REPORTS OF PERIODIC AUDITS. Sets forth requirements for reports of periodic audits.

SECTION 48. Amends Title 10C, Government Code, by adding Chapter 2113, as follows:

CHAPTER 2113. USE OF APPROPRIATED MONEY AND OTHER STATE FUNDS

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 2113.001. DEFINITIONS. Defines "appropriated money" and "state agency."

SUBCHAPTER B. RESTRICTIONS ON POLITICAL ACTIVITY

Sec. 2113.011. SUPPORT OF CANDIDATES. Prohibits state agency resources from being used to support a political candidate.

Sec. 2113.012. ELECTIONS AND LEGISLATIVE INFLUENCE. Prohibits state agency resources from being used to influence the outcome of an election or legislative measure. Provides that this section does not prohibit a state employee from providing information to state officials which is public information.

Sec. 2113.013. LOBBYING. Sets forth prohibitions on a state agency from using state agency resources for certain lobbying purposes.

Sec. 2113.014. RETALIATION AND VIOLATION. Requires a person who causes an officer or employee to be discharged, demoted, or otherwise discriminated against for providing information under Section 2113.012(b) to be discharged immediately.

Sec. 2113.015. NOTICE OF PROHIBITIONS. Sets forth requirements for notice of prohibitions.

Sec. 2113.016. STUDENT ORGANIZATIONS. Provides that this chapter does not prohibit the payment of reasonable dues to organizations which represent students' interests before the legislature from certain sources. Provides that a mandatory student service fee may not be

used to influence the outcome of an election.

Sec. 2113.017. COMPENSATION PROHIBITION. Prohibits a state agency from using appropriated money to compensate an officer or employee who violates this subchapter.

SUBCHAPTER C. RESTRICTIONS ON OFFICERS AND EMPLOYEES

Sec. 2113.101. PUBLICITY. Prohibits a state agency from using appropriated money to publicize an employee of state government or for other publicity purposes. Sets forth requirements for publicizing the state agency.

Sec. 2113.102. USE OF ALCOHOLIC BEVERAGES. Prohibits a state agency from using appropriated money for compensating an officer or employee who uses alcoholic beverages on active duty.

Sec. 2113.103. USE OF MOTOR VEHICLE. Sets forth requirements for using a state-owned motor vehicle.

SUBCHAPTER D. RESTRICTIONS ON GOODS AND SERVICES

Sec. 2113.201. CONSULTANT CONTRACTS. Prohibits a state agency from using funds for contracting with certain consulting services.

Sec. 2113.202. ALCOHOLIC BEVERAGES. Prohibits a state agency from purchasing alcoholic beverages except for authorized law enforcement purposes.

Sec. 2113.203. AUDITS. Sets forth requirements for using state agency funds for audits.

Sec. 2113.204. PUBLICATION OF REPORTS. Sets forth requirements for using state agency funds for certain publications.

Sec. 2113.205. PERIODICALS AND OTHER PUBLICATIONS. Sets forth requirements for using state agency funds for certain periodicals and other publications.

Sec. 2113.206. POSTAGE. Sets forth requirements for using state agency funds for postage.

Sec. 2113.207. INDOOR PLANTS. Prohibits a state agency from using funds for purchasing or maintaining indoor plants.

Sec. 2113.208. STATE FACILITIES FOR MEETINGS AND CONFERENCES. Sets forth requirements for using state facilities.

SUBCHAPTER E. SPECIFICALLY AUTHORIZED USES OF GOODS AND SERVICES

Sec. 2113.301. EMPLOYEE AWARDS. Sets forth requirements for using state agency funds for employee awards.

Sec. 2113.302. VOLUNTEER AWARDS. Sets forth requirements for using state agency funds for volunteer awards.

Sec. 2113.303. EXAMINATION FEES. Sets forth requirements for using state agency funds for examination fees.

SECTION 49. Amends Section 2152.064, Government Code, by amending Subsection (b) and adding Subsection (d), to provide that certain files are to be filed with the Legislative Budget Board. Requires an agency to include an explanation for the need to use a nonresident bidder, for contracts with a value of \$250,000 or more. Requires certain reports to be sent to the Legislative Budget Board.

SECTION 50. Amends Section 2155.067(e), Government Code, to provide that the General Services Commission (commission) is to provide reasons for exceptions to justifications to members of the governing board, rather than a presiding officer of the agency's governing body.

SECTION 51. Amends Chapter 2155B, Government Code, by adding Section 2155.074, as follows:

Sec. 2155.074. PURCHASES FROM FEDERAL GOVERNMENT. Sets forth requirements for certain purchases from the federal government.

SECTION 52. Amends Chapter 2155H, by adding Section 2155.4441, as follows:

Sec. 2155.4441. SERVICE CONTRACTS. Sets forth requirements for certain service contracts.

SECTION 53. Amends Chapter 2155H, Government Code, by adding Section 2155.449, as follows:

Sec. 2155.449. PREFERENCE FOR PRISON-PRODUCED GOODS. Requires certain agencies and commissions to purchase certain goods produced by the Texas Department of Criminal Justice.

SECTION 54. Amends Chapter 2166D, Government Code, as follows:

Sec. 2166.158. FILING OF PROJECT ANALYSIS. Requires the filing of certain project analyses.

SECTION 55. Amends Chapter 2166F, Government Code, by adding Section 2166.2551, as follows:

Sec. 2166.2551. CONTRACT NOTIFICATION. Sets forth requirements for contract notifications.

SECTION 56. Amends Section 2170(a), Government Code, by adding Subdivision (3) to define "state agency."

SECTION 57. Amends Chapter 2170A, Government Code, by adding Sections 2170.009-2170.011, as follows:

Sec. 2170.009. PAY TELEPHONES AUTHORIZED. Sets forth requirements for locations of pay station telephones.

Sec. 2170.010. COST OF NOT USING STATE TELEPHONE SYSTEM. Sets forth the costs of not using state telephone systems.

Sec. 2170.011. UNLISTED TELEPHONE NUMBERS PROHIBITED. Sets forth requirements for a state agency having unlisted phone numbers.

SECTION 58. Amends Section 2170.051, Government Code, as follows:

Sec. 2170.051. New heading: Sec. 2170.051. MANAGEMENT AND USE OF SYSTEM. Sets forth requirements for a state agency using telecommunication systems.

SECTION 59. Amends Chapter 2204, Government Code, by adding Sections 2203.004-2203.006, as follows:

Sec. 2203.004. PREPARATION AND SALE OF HEARINGS TRANSCRIPTS. Sets forth requirements and procedures of selling hearings transcripts.

Sec. 2203.005. REQUIREMENT TO USE STATE PROPERTY FOR STATE PURPOSES. Requires state property to be used for state purposes. Prohibits state property from being entrusted to a state officer or employee or to any person if the property is not used for state purposes.

Sec. 2203.006. VENDING MACHINES AUTHORIZED. Sets forth requirements for placement of vending machines in a state building.

SECTION 60. Amends Chapter 2254A, Government Code, by adding Section 2254.0031, as follows:

Sec. 2254.0031. INDEMNIFICATION. Sets forth requirements for indemnification of certain contractors.

SECTION 61. Amends Chapter 2254A, Government Code, by adding Section 2254.006, as follows:

Sec. 2254.006. CONTRACT NOTIFICATION. Sets forth notice requirements for contracts under this subchapter. Defines "state agency."

SECTION 62. Amends Chapter 2254B, by adding Section 2254.0301, as follows:

Sec. 2254.0301. CONTRACT NOTIFICATION. Sets forth notice requirements for contracts under this subchapter. Defines "state agency."

SECTION 63. Amends Section 2256.005, Government Code, by adding Subsection (n), to require an investment officer of an investing entity to submit certain reports to the governing body of the investing entity. Sets forth the requirements of the report.

SECTION 64. Amends Chapter 11D, Natural Resources Code, by adding Section 11.0791, as follows:

Sec. 11.0791. OTHER PROVISIONS REGARDING ACCESS TO STATE LANDS. Requires the state to have an ingress and egress on certain property. Prohibits a governmental state agency from spending funds for any purpose not specifically authorized by statute with a person who denies the state access by easement to landlocked state properties.

SECTION 65. Amends Chapter 11D, Natural Resources Code, by adding Section 11.083, AS FOLLOWS:

Sec. 11.083. RETENTION OF MINERAL RIGHTS. Requires the state to retain mineral rights in land that is sold, if practical.

SECTION 66. Amends Section 34.057, Natural Resources Code, by adding Subsections (e) and (f), to require a board for lease to include certain provisions in all mineral leases.

SECTION 67. Repealer: Sections 660.005, 660.022, 660.023, 660.026, 660.043-660.046, 660.050, 660.051, 660.053 and 660.054, Government Code (Travel expenses).

SECTION 68. Effective date: September 1, 1997.

SECTION 69. Emergency clause.