

## **BILL ANALYSIS**

Senate Research Center  
77R11166 JRD-D

H.B. 1333  
By: Junell (Ellis)  
Finance  
4/17/2001  
Engrossed

### **DIGEST AND PURPOSE**

Each legislative session, state agencies project the costs of fulfilling their functions and for providing important services. The greater portion of the state's general revenue budget is based on projected public school enrollment, caseloads in the Medicaid program, and the prison population. Actual caseloads in Medicaid and the prison population have exceeded projections made during the 76th legislative session and several other agencies need additional funding as well. H.B. 1333 transfers unencumbered amounts to provide emergency appropriations to the Texas Department of Health, Texas Department of Criminal Justice, and the State Office of Risk Management. The bill also provides additional funding to certain other state agencies.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

**SECTION 1. TEXAS DEPARTMENT OF HEALTH: HIGHER THAN EXPECTED MEDICAID COSTS AND LESS FAVORABLE FEDERAL PERCENTAGE MATCH RATE.** (a) Provides that the unencumbered amounts listed below that were appropriated by Chapter 1589, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act), from the general revenue fund to the respective agencies for one or both fiscal years of the fiscal biennium ending August 31, 2001, totaling \$333,887,000, are transferred to the Texas Department of Health for the remainder of the fiscal year ending August 31, 2001, for the purpose of providing services under the state Medicaid program:

- (1) various agencies identified by the comptroller of public accounts: \$154,700,000;
- (2) the Texas Education Agency for student success: \$10,200,000;
- (3) the Texas Education Agency that may be spent for the Foundation School Program, from recovery of fiscal year 2000 overpayments to school districts: \$100,000,000;
- (4) the Texas Public Finance Authority that may be spent for bond debt service, appropriated in Article II of the General Appropriations Act: \$2,000,000;
- (5) the Texas Public Finance Authority that may be spent for bond debt service, appropriated in Article V of the General Appropriations Act: \$14,000,000;
- (6) the State Soil and Water Conservation Board that may be spent for financial and technical assistance: \$2,000,000;
- (7) the State Soil and Water Conservation Board that may be spent for pollution

abatements: \$400,000;

(8) the Texas Historical Commission that may be spent for archeological protection: \$500,000;

(9) the Texas Historical Commission that may be spent for the evaluation and interpretation of resources: \$500,000;

(10) The University of Texas at Austin that may be spent for the TxPharm program: \$478,000;

(11) Texas Southern University that may be spent for the TxPharm program: \$549,000;

(12) the University of Houston that may be spent for the TxPharm program: \$460,000;

(13) the Texas Higher Education Coordinating Board that may be spent for Texas Excellence access and success grants: \$39,000,000;

(14) the Texas Education Agency for support programs: \$1,100,000;

(15) the Texas Education Agency for improving educator performance: \$8,000,000;

(b) Provides that contingent on S.B. 848 being enacted by the 77th Legislature in Regular Session and becoming law, the sum of \$99,000,000, originally derived as interest from the suspense account of the comptroller of public accounts as described by S.B. 848, is appropriated from the general revenue fund to the Texas Department of Health for the remainder of the fiscal year ending August 31, 2001, for the purpose of providing services under the state Medicaid program.

(c) Provides that from the amounts appropriated by Chapter 396, Acts of the 76th Legislature, Regular Session, 1999 (Senate Bill No. 4), from the general revenue fund to the Texas Education Agency for one or both fiscal years of the fiscal biennium ending August 31, 2001, that may be spent for various purposes, the unencumbered amount of \$47,500,000 is transferred to the Texas Department of Health for the remainder of the fiscal year ending August 31, 2001, for the purpose of providing services under the state Medicaid program.

(d) Requires that funds described by Subsections (a), (b), and (c) of this section be expended only for the purpose described by Subsections (a), (b), and (c) of this section and only if certain requirements are met.

(e) Provides that the unexpended balance of funds described by Subsections (a), (b), and (c) of this section remaining at the end of the state fiscal year that ends August 31, 2001, is appropriated from the general revenue fund to the Texas Department of Health for the state fiscal year beginning September 1, 2001, for the purpose of providing services under the state Medicaid program, but the amounts appropriated by this subsection may be expended by the department only with the prior approval of the Legislative Budget Board.

**SECTION 2. TEXAS DEPARTMENT OF CRIMINAL JUSTICE: CAPACITY; CAREER LADDER ADJUSTMENTS.** (a) Provides that the unencumbered amounts listed below that were appropriated by Chapter 1589, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act), from the general revenue fund to the respective agencies for one or both fiscal years of the fiscal biennium ending August 31, 2001, totaling \$66,519,000, are transferred to the Texas Department of Criminal Justice for the remainder of the fiscal year ending August 31, 2001, with \$30,819,000 of that amount transferred for the purpose of providing for expenditures relating to the

operation of additional prison capacity and to contracts with counties for additional temporary capacity, and \$35,700,000 of that amount transferred for the purpose of providing for expenditures relating to correctional officer, sergeant, and food service and laundry manager career ladder salary adjustments:

- (1) various agencies identified by the comptroller of public accounts: \$33,377,000;
- (2) the Texas Natural Resource Conservation Commission that may be spent for water resource assessment and planning: \$1,400,000;
- (3) the Texas Youth Commission that may be spent for various purposes: \$1,000,000;
- (4) the Office of Court Administration that may be spent for the Judicial Committee on Information Technology: \$1,000,000;
- (5) the Department of Information Resources in Article IX that may be spent for Year 2000 Conversion: \$12,800,000;
- (6) the State Preservation Board that may be spent for various purposes: \$6,500,000;
- (7) the Comptroller of Public Accounts, Fiscal Programs, that may be spent for Tort Claims & Federal Court Judgments: \$5,000,000
- (8) the Texas Natural Resource Conservation Commission for various purposes for which the commission received an appropriation from general revenue: \$5,442,000;

(b) Provides that, in addition to amounts previously appropriated for the current fiscal biennium, the sum of \$2,781,000 is appropriated from the criminal justice planning account to the Texas Department of Criminal Justice for the remainder of the fiscal year ending August 31, 2001, for the purpose of providing for expenditures relating to the operation of additional prison capacity and to contracts with counties for additional temporary capacity.

(c) Provides that in addition to amounts previously appropriated for the current fiscal biennium, the sum of \$41,000,000 is appropriated from the fugitive apprehension account to the Texas Department of Criminal Justice for the remainder of the fiscal year ending August 31, 2001, for the purpose of providing for expenditures relating to the operation of additional prison capacity and to contracts with counties for additional temporary capacity.

**SECTION 3. STATE OFFICE OF RISK MANAGEMENT: PAYMENT OF WORKERS' COMPENSATION CLAIMS.** Provides that from the amounts appropriated by Chapter 1589, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act), from the general revenue fund for one or both fiscal years of the fiscal biennium ending August 31, 2001, to the Office of the Governor that may be spent for disaster grants and emergency and deficiency grants, the unencumbered amount of \$13,000,000 is transferred to the State Office of Risk Management for the purpose of paying higher than expected workers' compensation claims.

**SECTION 4. TEXAS REHABILITATION COMMISSION: PROVISION OF REHABILITATION SERVICES.** Provides that in addition to amounts previously appropriated for the current fiscal biennium, the sum of \$5,000,000 is appropriated from the comprehensive rehabilitation account to the Texas Rehabilitation Commission for the remainder of the fiscal year ending August 31, 2001, for the purposes provided by Section 111.052, Human Resources Code.

**SECTION 5. TEXAS NATURAL RESOURCE CONSERVATION COMMISSION: PURPOSES FOR WHICH GENERAL REVENUE HAS BEEN APPROPRIATED.** Provides that in addition to amounts previously appropriated for the current fiscal biennium, the sum of \$5,442,000 is appropriated from the low-level radioactive waste account to the Texas Natural Resource Conservation Commission

for the remainder of the fiscal year ending August 31, 2001, for any necessary purposes for which the commission received an appropriation from general revenue for the fiscal year ending August 31, 2001.

SECTION 6. CERTAIN APPROPRIATIONS FOR FISCAL YEAR BEGINNING SEPTEMBER 1, 2001. Provides that the following amounts are appropriated from the general revenue fund to the listed agencies for the described purposes for the state fiscal year beginning September 1, 2001:

- (1) \$2,781,375 to the Office of the Governor for the purposes for which the criminal justice planning account may be appropriated;
- (2) \$13,000,000 to the Office of the Governor for the purpose of making emergency and deficiency grants and disaster grants;
- (3) \$5,000,000 to the Texas Rehabilitation Commission for the purposes for which the comprehensive rehabilitation account may be appropriated;
- (4) \$39,000,000 to the Texas Higher Education Coordinating Board for the purpose of making Texas Excellence access and success grants;
- (5) \$500,000 to the Texas Historical Commission for archeological heritage protection;
- (6) \$500,000 to the Texas Historical Commission to evaluate and interpret resources;
- (7) \$6,500,000 to the State Preservation Board for the purpose of implementing Chapter 443, Government Code; and
- (8) \$1,000,000 to the Office of Court Administration for the Judicial Committee on Information Technology.

SECTION 7. EFFECTIVE DATE. Effective date: upon passage.