

BILL ANALYSIS

Senate Research Center
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S.B. 1090
By: Ellis, Rodney
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DIGEST AND PURPOSE

Currently, under the Texas Constitution, no bill shall contain more than one subject. The one exception to this rule is the General Appropriations Act, which must contain more than one subject because it aggregates all the subjects on which the state spends money, with the limitation that the general appropriations bill must be strictly limited to the subjects and accounts of money. As proposed, S.B. 1090 codifies certain state agency practices and duties currently prescribed by the General Appropriations Act as general law to ensure their constitutional validity.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the State Board of Education in SECTION 3.02 (Section 30.003(g), Education Code), to the supreme court and the court of criminal appeals in SECTION 4.03 (Section 22.303, Government Code), to the Department of Agriculture in SECTION 6.01 (Section 12.0144, Agriculture Code), and to the Texas Department of Transportation in SECTION 7.15 (Section 201.706, Transportation Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1.01. Amends Chapter 402B, Government Code, to codify Rider 10 following the appropriation to the office of the attorney general in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 402.030, as follows:

Sec. 402.030. DECISION TO INITIATE LITIGATION OR SETTLE MATTER REFERRED BY STATE AGENCY. Requires the attorney general, in making a decision about whether to initiate litigation or make a settlement in a matter referred by a state agency, to follow the written recommendation of the executive director of that agency or a person designated by the executive director to make the recommendation, unless the attorney general determines that good cause exists to disregard the recommendation. Requires the attorney general, if the attorney general determines that good cause exists to disregard the recommendation, to provide the state agency with a written explanation of the reasons for the determination.

SECTION 1.02. Amends Section 815.206, Government Code, to codify Rider 2 following the appropriation to the Employees Retirement System of Texas in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (f), as follows:

(f) Requires the board of trustees of the Employees Retirement System of Texas, in addition to the other requirements of this section, to contract with an actuary to perform a limited actuarial evaluation of the assets and liabilities of the retirement system not later than February 28 of each odd-numbered year to determine certain effects of investment, salary, and payroll experience.

SECTION 1.03. Amends Chapter 2205B, Government Code, to codify Rider 7 following the appropriations to the General Services Commission in the General Appropriations Act for the state

fiscal biennium ending August 31, 2001, by adding Section 2205.0345, as follows:

Sec. 2205.0345. MAINTENANCE OF FACILITIES AND OTHER REAL PROPERTY. Requires the General Services Commission to maintain real property, including facilities, owned by this state and used by the State Aircraft Pooling Board.

SECTION 1.04. Amends Chapter 2165B, Government Code, to codify Rider 11 following the appropriation to the General Services Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2165.057, as follows:

Sec. 2165.057. NOTICE TO LEGISLATOR. Requires the General Services Commission (commission), before relocating a state office, executing a lease contract for a state office, or changing a policy that affects office location in a state legislative district, to notify each member of the legislature who represents the district.

SECTION 1.05. Amends Chapter 481L, Government Code, to codify Riders 7, 6, 8, 29, and 9 following, respectively, the appropriations to the Parks and Wildlife Department, the Texas Commission on the Arts, the Texas Department of Economic Development, the Texas Department of Transportation, and the Texas Historical Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 481.175, as follows:

Sec. 481.175. COORDINATION WITH OTHER STATE AGENCIES; MEMORANDUM OF UNDERSTANDING. Requires the Texas Department of Economic Development, the Parks and Wildlife Department, the Texas Commission on the Arts, the Texas Department of Transportation, and the Texas Historical Commission to coordinate with each other on all matters, including spending, relating to the promotion of tourism and travel. Requires these agencies to enter into a memorandum of understanding that meets certain requirements.

SECTION 1.06. Amends Section 442.005, Government Code, to codify Rider 11 following the appropriation to the Texas Historical Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (v), as follows:

(v) Requires the Texas Historical Commission (THC) to cooperate with the General Services Commission for any bidding or contracting related to the construction of capital improvements on buildings owned or maintained by THC.

SECTION 1.07. Amends Chapter 443, Government Code, to codify Rider 2 following the appropriation to the State Preservation Board in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 443.0153, as follows:

443.0153. PAVED SURFACES ON CAPITOL GROUNDS. Requires the Texas Department of Transportation to maintain paved surfaces on the Capitol grounds according to the long-range master plan approved under Section 443.007.

ARTICLE 2. RIDERS CONTAINED IN ARTICLE II OF THE GENERAL APPROPRIATIONS ACT

SECTION 2.01. Amends Chapter 461, Health and Safety Code, to codify Rider 4 following the appropriation to the Texas Commission on Alcohol and Drug Abuse in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 461.019, as follows:

Sec. 461.019. AGREEMENTS WITH AUTHORITIES REPRESENTING NATIVE AMERICAN POPULATIONS. Requires the Texas Commission on Alcohol and Drug Abuse to enter into agreements with Native American population authorities for the provision of programs to provide chemical dependency prevention, intervention, and treatment services for

Native American populations.

SECTION 2.02. Amends Section 461.0124(d), Health and Safety Code, to codify Rider 5 following the appropriation to the Texas Commission on Alcohol and Drug Abuse in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to require the plan to provide a priority for obtaining treatment services for certain individuals in need of treatment.

SECTION 2.03. Amends Chapter 461, Health and Safety Code, to codify Rider 7 following the appropriation to the Texas Commission on Alcohol and Drug Abuse in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 461.01245, as follows:

Sec. 461.01245. COORDINATION OF SUPPORT SERVICES. Requires the treatment plan for each client of the Texas Commission on Alcohol and Drug Abuse (commission) to contain complete and appropriate medical, educational, and vocational objectives to meet the client's needs. Requires the commission to perform certain functions.

SECTION 2.04. Amends Chapter 461, Health and Safety Code, to codify Rider 10 following the appropriation to the Texas Commission on Alcohol and Drug Abuse in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 461.01255, as follows:

Sec. 461.01255. HIV SERVICES CONTRACTING. Defines "HIV." Requires the contracting for HIV services by the Texas Commission on Alcohol and Drug Abuse to be as comprehensive as the contracting for those services by the Texas Department of Health and to include certain specific elements.

SECTION 2.05. Amends Chapter 74, Human Resources Code, to codify Rider 5 following the appropriation to the Children's Trust Fund of Texas Council in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 74.0034, as follows:

Sec. 74.0034. CONTRACTS. (a) Requires the Children's Trust Fund of Texas Council (council) to notify the governor's office of a proposed contract to which the council is a party at least 30 days before the proposed effective date of the contract.

(b) Authorizes the governor's office to disapprove of the proposed contract by informing the council of the disapproval by a certain date.

(c) Prohibits the council from spending money appropriated to the council on a contract disapproved by the governor's office.

(d) Authorizes the council to proceed with a proposed contract under certain conditions.

(e) Prohibits the council from contracting with certain persons or for certain purposes.

SECTION 2.06. Amends Chapter 32B, Human Resources Code, to codify Rider 28 following the appropriation to the Texas Department of Health in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 32.0284, as follows:

Sec. 32.0284. PAYMENTS TO RURAL HOSPITALS UNDER MEDICAID MANAGED CARE. Provides that this section applies to payments made from funds appropriated for acute care services to certain rural hospitals. Requires the Health and Human Services Commission or an agency operating part of the medical assistance program (department) to compute the reimbursement rate for a payment described by this Section according to a certain process. Prohibits the department, if using the Tax equity and Fiscal Responsibility Act of 1982 (TEFRA) method to compute, from imposing the TEFRA cap. Requires the participating

managed care organization to reimburse the hospital under a full-risk managed care pilot project.

SECTION 2.07. Amends Chapter 32B, Human Resources Code, to codify Rider 29 following the appropriation to the Texas Department of Health in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 32.0283, as follows:

Sec. 32.0283. PAYMENTS TO RURAL PHYSICIANS UNDER MEDICAID MANAGED CARE. Provides that this section applies to certain physicians. Requires the Health and Human Services Commission or an agency operating part of the medical assistance program (department), except as provided by this section, to reimburse a physician described by this section at the rate specified by the medical assistance fee schedule. Requires the department to reimburse certain physicians at a certain rate. Requires the department to pay certain physicians a monthly case management fee.

SECTION 2.08. Amends Chapter 531B, Government Code, to codify Rider 7 following the appropriation to the Health and Human Services Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 531.0392, as follows:

Sec. 531.0392. SUPPORT FOR COMMUNITY RESOURCE COORDINATION GROUPS. Authorizes the Health and Human Services Commission to enter into interagency contracts with certain agencies for certain stated purposes.

SECTION 2.09. Amends Section 32.021, Human Resources Code, to codify Rider 7e following the appropriation to the Texas Department of Human Services in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (p) to require the Health and Human Services Commission or an agency operating part of the medical assistance program, as appropriate, to encourage competition among nursing facilities with which the department contracts.

SECTION 2.10. Amends Chapter 533D, Health and Safety Code, to codify Rider 24 following the appropriation to the Texas Department of Mental Health and Mental Retardation (MHMR) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 533.0845, as follows:

Sec. 533.0845. DISPOSITION OF SURPLUS PERSONAL PROPERTY. Authorizes MHMR, to conserve appropriated money, to transfer surplus personal property from one facility to another and to a community mental health and mental retardation center with or without reimbursement. Authorizes MHMR to sell or transfer surplus personal property belonging to an MHMR facility. Provides that the procedure provided by Chapter 2175, (Surplus and Salvage Property), Government Code. Authorizes MHMR, notwithstanding Chapter 771 (Interagency Cooperation Act), Government Code, to make a sale or transfer under this section without a contract.

SECTION 2.11. Amends Chapter 591B, Health and Safety Code, to codify Rider 32 following the appropriation to the Texas Department of Mental Health and Mental Retardation (MHMR) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 591.014, as follows:

Sec. 591.014. INFORMATION REGARDING CHOICE OF PROVIDERS OF RESIDENTIAL SERVICES. Requires MHMR, to ensure that individuals seeking residential services for a person with mental retardation have a choice among available providers, to inform individuals seeking those residential services of all the available services options, including large and small congregate living arrangements and Medicaid services available under a federal waiver.

ARTICLE 3. RIDERS CONTAINED IN ARTICLE III OF
THE GENERAL APPROPRIATIONS ACT

SECTION 3.01. Amends Section 8.102, Education Code, to codify Rider 4 following the appropriation to the Texas Education Agency in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to require the commissioner of education to report information obtained under this section to the State Board of Education for transmittal to the Legislative Budget Board and the Governor's Office of Budget and Planning, accompanied by any recommendations relating to the performance of regional education service centers.

SECTION 3.02. Amends Section 30.003, Education Code, to codify Rider 27 following the appropriation to the Texas Education Agency in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by amending Subsections (d) and (g), as follows:

(d) Requires certain school districts to remit the payment to the commissioner of education by a certain date.

(g) Requires the State Board of Education to adopt rules for certain purposes and to adopt other rules as necessary to implement this section.

SECTION 3.03. Amends Section 39.073, Education Code, to codify Rider 28 following the appropriation to the Texas Education Agency (agency) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (f) as follows:

(f) Requires the agency, when the agency notifies a school district that the district's accreditation status has been changed, to also notify each state senator and state representative who represents a legislative district that includes territory that is within the school district.

SECTION 3.04. Amends Chapter 29E, Education Code, to codify Rider 48 following the appropriation to the Texas Education Agency (agency) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 29.158, as follows:

Sec. 29.158. INTERAGENCY INITIATIVES ON EARLY CHILDHOOD EDUCATION AND CARE. Requires the agency to participate to the extent practical in interagency initiatives relating to coordination and funding of early childhood education and care, including initiatives relating to the federal Head Start program.

SECTION 3.05. Amends Chapter 29C, Education Code, to codify Rider 49 following the appropriation to the Texas Education Agency (agency) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 29.087, as follows:

Sec. 29.087. PROGRAMS FOR PARENTS OF AT-RISK STUDENTS. Requires the agency to encourage parents of students at risk of dropping out of school as defined by Section 29.081 to participate in certain parenting programs. Requires the agency to use money appropriated for providing academic counseling and support service programs to accomplish the purposes of this section.

SECTION 3.06. Amends Section 31.104, Education Code, to codify Rider 54 following the appropriation to the Texas Education Agency (agency) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (e), as follows:

(e) Requires the agency to assist each school district to ensure that the appropriate textbook is available for each student enrolled in kindergarten, first, second, or third grade in a foundation curriculum course offered by the district.

SECTION 3.07. Amends Section 21.048, Education Code, to codify Rider 5 following the appropriation to the State Board for Educator Certification (board) in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by amending Subsection (d) and adding Subsection (e), as follows:

(d) Requires the board to ensure that certain examinations are offered at certain locations.

(e) Redesignated from existing Subsection (d).

SECTION 3.08. Amends Chapter 30A, Education Code, to codify Rider 6 of the special provisions for the Texas School for the Blind and Visually Impaired and Texas School for the Deaf in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 30.006, as follows:

Sec. 30.006. FEE FOR ASSESSMENT OF STUDENT BY TEXAS SCHOOL OR THE BLIND AND VISUALLY IMPAIRED OR TEXAS SCHOOL FOR THE DEAF. Requires that, if the Texas School for the Blind and Visually Impaired and Texas School for the Deaf performs an assessment of a student, the school impose on the school district in which the student resides a certain fee. Requires the school to make a reasonable effort to collect a fee imposed under this section.

SECTION 3.09. Amends Section 825.206, Government Code, to codify Rider 2 following the appropriation to the Teacher Retirement System in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (g), as follows:

(g) Requires the board of trustees appointed to administer the Teacher Retirement System (board) to contract with an actuary to perform a limited actuarial valuation of the assets and liabilities of the retirement system not later than February 28 of each odd-numbered year to determine the effect of investment, salary, and payroll experience on certain stated factors.

SECTION 3.10. Amends Chapter 2205B, Government Code, to codify Rider 2 following the appropriation to The University of Texas System Administration and Rider 4 following the appropriation to the University of Texas Medical Branch at Galveston in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2205.0331, as follows:

Sec. 2205.0331. UNIVERSITY OF TEXAS SYSTEM AIRCRAFT. Authorizes the University of Texas System to acquire, operate, maintain, and replace a passenger airplane. Authorizes the system to purchase the airplane if the system is unable to acquire the airplane by gift. Provides that the airplane is subject to the authority of the State Aircraft Pooling Board (board) under this chapter if the system purchases the airplane. Authorizes the system to use money allocated to the system from the available university fund to pay for the cost of acquiring, operating, maintaining, or replacing the airplane. Authorizes the University of Texas Medical Branch at Galveston to lease and operate a helicopter to transport critically ill or emergency patients to the medical branch hospitals. Prohibits the medical branch from using state funds to operate the helicopter except under certain conditions. Authorizes the University of Texas System to lease additional aircraft on a short-term basis as needed.

SECTION 3.11. Amends, to conform to the codification as Section 2205.0331, Government Code, of Rider 2 following the appropriation to the University of Texas System Administration and Rider 4 following the appropriation to the University of Texas Medical Branch at Galveston in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, Section 2205.031(a), Government Code, as follows:

(a) Provides that this chapter applies to all aircraft owned or leased by the state, except as provided by Sections 2205.033 and 2205.0331.

SECTION 3.12. Amends Section 87.004, Education Code, to codify Rider 2 following the appropriation to Tarleton State University in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsections (g) and (h), as follows:

(g) Requires the Texas Institute for Applied Environmental Research (institute) to monitor the water quality in the Bosque River and report the data collected to the Texas Natural Resource Conservation Commission (commission) biannually by a certain date. Requires the institute to coordinate the collection and reporting of data to conform with protocols of the commission.

(h) Requires the institute, the commission, and other appropriate entities to cooperate with each other and avoid duplication of efforts in water quality monitoring the statute conducts.

SECTION 3.13. Amends Chapter 74A, Education Code, to codify certain provisions of Rider 3 following the appropriation to the University of Texas Medical Branch at Galveston in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 74.009, as follows:

Sec. 74.009. PATIENT CHARGES; GIFTS AND GRANTS. Authorizes the board of regents of The University of Texas System (board of regents) to set reasonable rates to be charged and collected by hospitals of the University of Texas Medical Branch at Galveston (medical branch) and to accept gifts and donations for the support and maintenance of those hospitals. Prohibits the board of regents from using more than \$5 million of local revenue each year to match any gift made to endowments of the medical branch, under certain conditions. Prohibits a project initiated under this section from being structured so that it will require future appropriation of general revenue. Provides that this section does not authorize the board of regents, without prior specific approval of the legislature, to accept real property that would require a legislative appropriation for the maintenance, repair, or construction of buildings.

SECTION 3.14. Amends Chapter 74K, Education Code, to codify Rider 2 following the appropriation to The University of Texas Health Science Center at Tyler in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 74.604, as follows:

Sec. 74.604. PATIENT CHARGES; GIFTS AND GRANTS. Requires the board of regents of The University of Texas System (board) to set reasonable rates to be charged and collected from paying patients at the University of Texas Health Center at Tyler, and authorizes the board to enter into contracts for the hospitalization of indigent persons. Authorizes the board to accept gifts and donations for the support and maintenance of the health science center. Provides that this section does not authorize the board, without prior specific approval of the legislature, to accept real property that would require a legislative appropriation for the maintenance, repair, or construction of buildings.

SECTION 3.15. Amends Chapter 86B, Education Code, to codify Rider 2 following the appropriation to the Texas A&M University Health Science Center in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 86.25, as follows:

Sec. 86.25. TEXAS A&M UNIVERSITY HEALTH CENTER AFFILIATION WITH HEALTH FACILITIES. Authorizes the Texas A&M University Health Science Center to unite with certain clinics, hospitals and foundations as its long-term primary partners for high-quality clinical education and research for the benefit of the people of this state. Authorizes the Texas A&M University Health Science Center to collaborate with certain entities.

SECTION 3.16. Amends Section 321.0137, Government Code, to codify Rider 4 following the appropriation to public community/junior colleges in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (c), as follows:

(c) Requires the state auditor, in an independent audit of a junior college district that receives an appropriation under the General Appropriations Act, to determine whether that district has complied with the eligibility requirements for receiving the appropriation and any limitations on the expenditure of the appropriation prescribed by the General Appropriations Act.

ARTICLE 4. RIDERS CONTAINED IN ARTICLE IV OF THE GENERAL APPROPRIATIONS ACT

SECTION 4.01. Amends Chapter 91, Government Code, to codify Rider 3 following the appropriation to the State Law Library in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 91.010, as follows:

Sec. 91.010. **COMPUTER-BASED LEGAL RESEARCH SERVICE.** Authorizes the State Law Library (library) to enter into interagency contracts with other state agencies and courts to provide a computer-based legal research service. Requires the library to charge a fee for the service in an amount equal to the cost to the library of providing the service.

SECTION 4.02. Amends Chapter 22C, Government Code, to codify Rider 5, of Article IV, Special Provisions-Judiciary, in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 22.229, as follows:

Sec. 22.229. **TRANSFER OF CASES.** Requires the chief justice of each court of appeals to cooperate with the chief justice of the supreme court in transferring cases between courts of appeals in adjacent jurisdictions to equalize the disparity in workloads of the courts of appeals.

SECTION 4.03. Amends Chapter 22D, Government Code, to codify Rider 6 following the appropriation to the Article IV Special Provisions-Judiciary in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 22.303, as follows:

Sec. 22.303. **VOICE OR VIDEO RECORDING.** Requires the supreme court and the court of criminal appeals to jointly adopt rules authorizing the use of voice or video recording technology, including CD-ROM, to make a record of court proceedings. Prohibits rules adopted under this section from authorizing the use of voice or video recording technology as a substitute for a written transcript.

ARTICLE 5. RIDERS CONTAINED IN ARTICLE V OF THE GENERAL APPROPRIATIONS ACT

SECTION 5.01. Amends Chapter 431B, Government Code, to codify Rider 9 following the appropriation to the adjutant general's department in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 431.0301, as follows:

Sec. 431.0301. **ROAD CONSTRUCTION AND MAINTENANCE AT CAMP MABRY.** Requires the Texas Department of Transportation to construct, repair, and maintain roads in Camp Mabry in Austin and roads providing access to and from Camp Mabry.

SECTION 5.02. Amends Chapter 5A, Alcoholic Beverage Code, to codify Rider 5 following the appropriation to the Alcoholic Beverage Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 5.19, as follows:

Sec. 5.19. COMMISSION AS STATE POLICE AGENCY. Provides that, for the purposes of application to the federal government for a license, permit, or other authorization, including a radio frequency, or for law enforcement assistance grants, the Alcoholic Beverage Commission is a state police agency.

SECTION 5.03. Amends Chapter 5A, Alcoholic Beverage Code, to codify Rider 9 following the appropriation to the Alcoholic Beverage Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 5.143, as follows:

Sec. 5.143. TRAINING OF INSPECTORS AND REPRESENTATIVES. Requires the Texas Alcoholic Beverage Commission (TABC), as part of the initial and ongoing training of TABC's commissioned inspectors and representatives, to emphasize the evidentiary threshold required in the prosecution of criminal cases as it applies to minors in possession of alcoholic beverages.

SECTION 5.04. Amends Chapter 495B, Government Code, to codify Rider 7 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 495.025, as follows:

Sec. 495.025. CONSTRUCTION MANAGEMENT SERVICES FOR OTHER AGENCIES. Requires the Texas Department of Criminal Justice (department) to enter into contracts with the Texas Youth Commission and the Texas Juvenile Probation Commission that provide that the department will provide construction management services to those agencies for construction projects funded by bonds issued by the state.

SECTION 5.05. Amends Chapter 496A, Government Code, to codify Rider 8 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 496.008, as follows:

Sec. 496.008. REVIEW OF CONSTRUCTION CHANGE ORDERS. Requires the Texas Department of Criminal Justice (department), on review of a change order, to develop a procedure to determine the cause of the change order and document the cause of the change order in the project file. Requires the department, if it determines that the change was caused by the error or omission of a contracted party, to hold the party financially responsible.

SECTION 5.06. Amends Chapter 493, Government Code, to codify Rider 14 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 493.026, as follows:

Sec. 493.026. PAYROLL DEDUCTIONS. Requires the Texas Department of Criminal Justice (department) to use a payroll deduction program, in circumstances in which a deduction is practical, to collect money owed the department by employees for meals and other services.

SECTION 5.07. Amends Chapter 497E, Government Code, to codify Rider 18 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 497.098, as follows:

Sec. 497.098. LABOR FOR PERSONAL SERVICES PROHIBITED. Prohibits inmate labor from being used to provide personal services to an employee of the Texas Department of Criminal Justice. Provides that this section does not apply to the use of inmate labor to maintain state property.

SECTION 5.08. Amends Chapter 493, Government Code, to codify Rider 22 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 493.0071, as follows:

Sec. 493.0071. EMPLOYEE CONFLICT OF INTEREST. Prohibits the Texas Department of Criminal Justice (department) from employing a person who, in the course of the person's official duties as a department employee, conducts business with an individual or firm in which the person has a direct or indirect financial interest.

SECTION 5.09. Amends Chapter 493, Government Code, to codify Rider 23 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 493.0075, as follows:

Sec. 493.0075. DISCIPLINARY AND GRIEVANCE PROCEDURES. (a) Requires the Texas Board of Criminal Justice (board) to maintain disciplinary procedures that allow a Texas Department of Criminal Justice (department) employee to designate a person of the employee's choice to represent the employee in a hearing held to consider disciplinary action against the employee.

(b) Requires the board to maintain grievance procedures that meet certain requirements.

(c) Requires a disciplinary or grievance hearing at which a department employee serves as an employee representative to be held at certain times, unless a different time is otherwise agreed upon. Requires an employee who is the subject of a disciplinary or grievance hearing to attend the hearing as a regular duty of employment. Requires an employee representative who is a department employee to obtain prior approval to use unpaid leave to attend a hearing.

SECTION 5.10. Amends Chapter 60, Code of Criminal Procedure, to codify Rider 35 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 60.053, as follows:

Sec. 60.053. MANAGEMENT OF OFFENDER INFORMATION. Requires the Texas Department of Criminal Justice (department) to automate, to the greatest extent feasible, the management of information relating to offenders. Authorizes the department, to accomplish this objective, to enter into a contract for automation or engineering assistance on receiving approval from the Department of Information Resources.

SECTION 5.11. Amends Chapter 496B, Government Code, to codify Rider 39 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 496.0511, as follows:

Sec. 496.0511. PURCHASE OF SERVICES, INMATE CARE THROUGH PROPOSAL PROCESS. Authorizes the Texas Department of Criminal Justice (department) to purchase treatment services, residential services, and inmate care through a request for proposal process. Requires the department to perform certain functions.

SECTION 5.12. Amends Chapter 51Z, Education Code, to codify Rider 49 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 51.949, as follows:

Sec. 51.949. INMATE OF TEXAS DEPARTMENT OF CRIMINAL JUSTICE. Provides that an inmate confined in a facility operated by or under a contract with the Texas Department of Criminal Justice is classified as a resident of this state for education purposes at an institution of higher education.

SECTION 5.13. Amends Chapter 501C, Government Code, to codify Rider 50 following the appropriation to the Texas Department of Criminal Justice in the General Appropriations Act for the

state fiscal biennium ending August 31, 2001, by adding Section 501.098, as follows:

Sec. 501.098. AVAILABILITY OF POSTSECONDARY EDUCATIONAL COURSE TO INMATE. Provides that a postsecondary educational course is available only to certain inmates. Requires an inmate, if released on parole or mandatory supervision, to reimburse as a condition of parole or mandatory supervision the cost of a course of study undertaken by the inmate under this section. Prohibits the Texas Department of Criminal Justice from providing in-cell tutoring for an inmate who is confined in administrative segregation.

SECTION 5.14. Amends Section 419.027, Government Code, to codify Rider 4 following the appropriation to the Texas Commission on Fire Protection in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to prohibit the Texas Commission on Fire Protection, when conducting an inspection of a fire department, from providing prior notice of the inspection to the fire department.

SECTION 5.15. Amends Chapter 419A, Government Code, to codify Rider 6 following the appropriation to the Texas Commission on Fire Protection in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 419.0092, as follows:

Sec. 419.0092. STANDARDS COMPLIANCE OFFICERS. Requires the Texas Commission on Fire Protection to appoint one person from the staff of each regional office to serve as the standards compliance officer.

SECTION 5.16. Amends Chapter 141C, Human Resources Code, to codify Rider 16 following the appropriation to the Texas Juvenile Probation Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 141.04315, as follows:

Sec. 141.04315. TRAINING FOR PLACEMENT UNDER PROGRESSIVE SANCTIONS GUIDELINES. Requires the Texas Juvenile Probation Commission to provide training to maximize the appropriate placement of juvenile offenders under the progressive sanctions guidelines in Chapter 59 (Progressive Sanctions Guidelines), Family Code, to personnel of local juvenile probation departments and judges of the juvenile courts.

SECTION 5.17. Amends Chapter 1702B, Occupations Code, to codify Rider 4 following the appropriation to the Texas Commission on Private Security, referred to as the Board of Private Investigators and Private Security Agencies, in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 1702.0291, as follows:

Sec. 1702.0291. MEETING LOCATION. Authorizes a Board of Private Investigators and Private Security Agencies (commission) meeting to be held only at a state facility in Austin.

SECTION 5.18. Amends Chapter 411A, Government Code, to codify Rider 3 following the appropriation to the Department of Public Safety in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 411.0135, as follows:

Sec. 411.0135. USE OF MOTOR VEHICLE FOR PURPOSE OTHER THAN OFFICIAL BUSINESS. Prohibits the public safety director from authorizing more than 30 officers or employees of the department to use a state-owned or state-leased motor vehicle to commute to and from work under Section 2113.013.

SECTION 5.19. Amends Chapter 411A, Government Code, to codify Rider 4 following the appropriation to the Department of Public Safety in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 411.0079, as follows:

Sec. 411.0079. RECORD OF SUPERVISORY RESPONSES TO EMERGENCY

CALLS. Requires the Department of Public Safety (department) to maintain, for each fiscal year, a record of the number of emergency calls to which a supervisory officer above the rank of lieutenant responded from certain locations. Requires the department to clearly identify the nature of each emergency call included in the record.

SECTION 5.20. Amends Section 411.014, Government Code, to codify Rider 20 following the appropriation to the Department of Public Safety in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (c) to authorize the Department of Public Safety (department) to allow the Texas Department of Public Safety Historical Museum to use department property for a historical museum.

SECTION 5.21. Amends Chapter 750, Transportation Code, to codify Rider 22 following the appropriation to the Department of Public Safety in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 750.001, as follows:

Sec. 750.001. STRANDED MOTORIST ASSISTANCE. Provides that the Department of Public Safety (department) is the lead state agency to help motorists whose vehicles are disabled on state or federal roads. Requires the department to obtain the cooperation of the Texas Department of Transportation and all other relevant state agencies and coordinate its efforts with all local law enforcement agencies and interested private businesses. Requires the department, as part of its duties under this section, to establish and publicize a toll-free number and a universal distress signal for motorists who need assistance.

SECTION 5.22. Amends Chapter 411, Government Code, to codify Rider 29 following the appropriation to the Department of Public Safety in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subchapter J, as follows:

SUBCHAPTER J. COMPLEX CRIME UNIT

Sec. 411.301. COMPLEX CRIME UNIT. Requires the Department of Public Safety (department) to maintain a complex crime unit for certain stated purposes.

Sec. 411.302. PERSONNEL ASSIGNED TO COMPLEX CRIME UNIT. Requires the complex crime unit to be staffed by commissioned peace officers and noncommissioned employees as determined appropriate by the public safety director. Sets forth guidelines concerning eligibility for appointment to the complex crime unit.

Sec. 411.303. INVESTIGATIONS BY COMPLEX CRIME UNIT. Authorizes the complex crime unit, on request of the governor and with the approval of the public safety director, to investigate any allegation of criminal activity that involves harm to the interests of an agency of this state.

Sec. 411.304. ASSISTANCE TO LOCAL LAW ENFORCEMENT AGENCIES. Authorizes the complex crime unit, on request of an attorney representing the state and with the approval of the public safety director, to assist any local law enforcement agency of this state in the investigation of a criminal offense described by Section 411.301.

SECTION 5.23. Amends Section 61.033, Human Resources Code, to codify Rider 12 following the appropriation to the Texas Youth Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, as follows:

Sec. 61.003. New heading: ANNUAL REPORT. Requires the Texas Youth Commission to prepare annually a complete and detailed written report that meets certain requirements.

ARTICLE 6. RIDERS CONTAINED IN ARTICLE VI

OF THE GENERAL APPROPRIATIONS ACT

SECTION 6.01. Amends Section 12.0144, Agriculture Code, to codify Rider 5 following the appropriation to the Department of Agriculture in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to require the Department of Agriculture, with exception, to set fees in an amount which offsets, when feasible, all of the direct and indirect state costs of administering its regulatory activities. Deletes text regarding the General Appropriations Act. Provides that the cost offset requirement established by this section does not apply to certain activities.

SECTION 6.02. Amends Section 61.067, Natural Resources Code, to codify Rider 12 following the appropriation to the General Land Office in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (f) to authorize the land office to use trusty inmates provided by the institutional division of the Texas Department of Criminal Justice to clean and maintain public beaches.

SECTION 6.03. Amends Chapter 5D, Water Code, to codify Rider 3 following the appropriation to the Texas Natural Resource Conservation Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 5.127, as follows:

Sec. 5.127. **AUTHORITY TO CHARTER AIRCRAFT.** Authorizes the Texas Natural Resource Conservation Commission to spend appropriated money to charter aircraft for monitoring environmental quality and enforcing state environmental and water rights laws.

SECTION 6.04. Amends Section 5.235, Water Code, to codify in part Rider 5 following the appropriation to the Texas Natural Resource Conservation Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (p) to provide that certain fees charged may not exceed \$2000.

SECTION 6.05. Amends Section 382.062, Health and Safety Code, to codify in part Rider 5 following the appropriation to the Texas Natural Resource Conservation Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by amending Subsection (d) to prohibit a fee assessed under this section from being less than \$25 or more than \$80,000.

SECTION 6.06. Amends Chapter 11B, Parks and Wildlife Code, to codify Rider 13 following the appropriation to the Parks and Wildlife Department in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 11.0202, as follows:

Sec. 11.0202. **CLOTHING PROVISION.** Prohibits the Parks and Wildlife Department (department) from providing a clothing or cleaning allowance to any nonuniformed personnel. Authorizes the department to provide a cleaning allowance not to exceed \$500 per year to an employee required to wear a uniform.

ARTICLE 7. RIDERS CONTAINED IN ARTICLE VII OF THE GENERAL APPROPRIATIONS ACT

SECTION 7.01. Amends Chapter 481A, Government Code, to codify Rider 11 following the appropriation to the Texas Department of Economic Development in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 481.0064, as follows:

Sec. 481.0064. **DEFENSE INFRASTRUCTURE SUPPORT.** Requires the Texas Department of Economic Development (department) to prepare annually a plan stating in detail the department's intended action to support the defense infrastructure of the economy of this state. Requires the plan to contain certain types of information. Requires the department to make the plan available to the legislature at the beginning of each fiscal year. Requires the department to prepare a quarterly report stating in detail the economic effect of the military and

civilian defense industry on the economy of this state.

SECTION 7.02. Amends Chapter 2306A, Government Code, to codify Rider 2 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2306.008, as follows:

Sec. 2306.008. **CONTRACT REPORTING REQUIREMENT.** Requires a party that enters into a contract with the Texas Department of Housing and Community Affairs (department) to provide a full accounting of state money expended under the terms of the contract to the executive director of the department (director) by a certain date. Requires all contracts entered into by the department to state the reporting requirement provided by this section. Provides that the failure of a party contracting with the department to provide the full accounting of expended state money as required by this section is sufficient reason for the department to terminate the contract and to deny any future contracts to that contracting party.

SECTION 7.03. Amends Chapter 2306Z, Government Code, to codify Rider 4 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2306.590, as follows:

Sec. 2306.590. **COORDINATION WITH TEXAS WATER DEVELOPMENT BOARD.** Requires the Texas Department of Housing and Community Affairs and the Texas Water Development Board to coordinate funds, as outlined in a memorandum of understanding, for certain stated purposes.

SECTION 7.04. Amends Chapter 2306H, Government Code, to codify Rider 6 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2306.185, as follows:

Sec. 2306.185. **LOCAL SITE VISIT.** Requires the Texas Department of Housing and Community Affairs (department), for a proposed rental housing development that is the subject of an application for a federal tax incentive, to send a department employee to visit the site of the proposed development if the department receives a letter opposing that development from the mayor or county judge of the affected political subdivision. Requires the department employee to visit the site with the mayor or judge by a certain date. Authorizes the department to obtain reimbursement, at a certain rate, from the applicant for certain purposes.

SECTION 7.05. Amends Chapter 2306A, Government Code, to codify in part Rider 9 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2306.009, as follows:

Sec. 2306.009. **SCORING CRITERIA.** Requires the Texas Department of Housing and Community Affairs (department) to integrate certain scoring criteria into any scoring system used to award certain contracts.

SECTION 7.06. Amends Section 2306.358, Government Code, to codify in part Rider 9 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (i) to require the Texas Department of Housing and Community Affairs (department), to the extent practicable, to develop a sliding scale fee schedule applicable to the issuance of qualified 501(c)(3) bonds described by this section to encourage increased participation in the bond program by nonprofit entities, including community housing development corporations.

SECTION 7.07. Amends Section 2306.677, Government Code, to codify in part Rider 9 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by amending Subsection (a) and adding Subsection (c), as follows:

(a) Prohibits a fee charged by the Texas Department of Housing and Community Affairs (department) to an applicant for a low income housing tax credit from being excessive and, except as provided by Subsection (c), requires the fee to reflect the department's actual costs in processing applications and providing copies of documents in connection with the allocation process.

(c) Requires the department, to the extent practicable, to develop a sliding scale fee schedule for applications submitted under this subchapter to encourage increased participation in the low income housing tax credit program by certain nonprofit entities.

SECTION 7.08. Amends Chapter 2306H, Government Code, to codify Rider 13 following the appropriation to the Texas Department of Housing and Community Affairs in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2306.1801, as follows:

Sec. 2306.1801. MORTGAGE REVENUE BOND PROGRAM FOR FIRST-TIME HOME BUYERS. (a) Requires the Texas Department of Housing and Community Affairs (department), through the mortgage revenue bond program for first-time homebuyers, to maximize the creation of single family housing for individuals and families of very low income by setting aside for a period of one year at least 30 percent of the lendable bond proceeds for individuals and families with incomes at or below 60 percent of the area median family income.

(b) Requires the department to use down payment and closing cost assistance or other methods of assistance to facilitate the origination of single family mortgage loans to individuals and families with incomes at or below 60 percent of the area median family income.

(c) Requires the department to manage the mortgage revenue bond program for first-time homebuyers in a manner that will obtain the highest reasonable bond rating.

SECTION 7.09. Amends Section 201.403, Transportation Code, to codify Rider 13, following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (e) to require the Texas Department of Transportation to implement the policy statement prepared under Section 201.402(a) to hire qualified minority applicants for supervisory or management positions and to promote qualified minority employees into supervisory or management positions.

SECTION 7.10. Amends Section 201.108, Transportation Code, to codify Rider 20 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsections (c) and (d), as follows:

(c) Requires the Texas Department of Transportation (department), in complying with the requirements of Chapter 2102 (Internal Auditing), Government Code, to assign at least one internal auditor to each district office and to each division in the department. Requires an internal auditor assigned under this subsection to report either directly to the commission or to the internal auditor appointed under Section 2102.006 (Internal Auditor; Staff), Government Code.

(d) Authorizes an internal auditor assigned to a district office under Subsection (c) to consider suggestions from a district engineer in developing a proposal for the

department's annual audit plan.

SECTION 7.11. Amends Chapter 223B, Transportation Code, to codify Rider 21 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 223.049, as follows:

Sec. 223.049. MINIMUM WAGE REQUIREMENT FOR CONSTRUCTION OR MAINTENANCE CONTRACTS. Requires the Texas Department of Transportation (department), in a contract for construction or maintenance work made with the private sector, to require a contractor and a subcontractor to pay all employees and contract labor not less than the federal minimum wage rate. Requires the department to withhold payments to the contractor until the contractual obligations to pay employees and contract labor have been fulfilled.

SECTION 7.12. Amends Chapter 201H, Transportation Code, to codify Rider 32 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 201.6091, as follows:

Sec. 201.6091. PROJECT STATUS. Requires the Texas Department of Transportation (department), before January 1 of each year, to provide each member of the legislature, unless the member requests it not be provided, a status report of all highway construction projects, by legislative district, under contract or awaiting funding at the time of the report, including projects that would be funded fully or partially by state, federal, or toll funds. Requires the department to notify by a certain date all legislative members of the legislative district about the status of the project and how other projects in any legislative district would be affected.

SECTION 7.13. Amends Section 22.005(b), Transportation Code, to codify in part Rider 33 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to require the Texas Department of Transportation (department) to deposit money it receives under this subsection in the state treasury and to hold the money in trust to be used for those purposes for which the money is made available. Requires the department, unless the agency from which the money is received prescribes otherwise, to keep the money in separate funds designated according to the purposes for which the money is made available, including a fund designated for the purpose of reimbursing the state highway fund for expenditures made for projects for which federal money is made available.

SECTION 7.14 Amends Section 222.052, Transportation Code, to codify in part Rider 33 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (d) to require the Texas Department of Transportation to hold in trust contributions made under this section for certain purposes.

SECTION 7.15. Amends Section 201.706, Transportation Code, to codify Rider 37 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, to require the Texas Department of Transportation (department) to perform certain stated functions using appropriated funds. Authorizes the department, from appropriated funds, to assist municipalities in the maintenance of municipal streets by providing expertise in the field of roadway maintenance. Requires the department, if it possesses surplus materials, to make the surplus materials available to any local government of this state that establishes a need for the surplus materials. Requires the department to adopt rules and procedures to implement this section.

SECTION 7.16. Amends Section 201.608, Transportation Code, to codify Rider 48 following the appropriation to the Texas Department of Transportation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (d) to require the Texas

Department of Transportation (department) to annually review its proposed road and maintenance projects to determine whether the projects are adequate to allow for the projected effect of overweight trucks on state highways resulting from international trade.

SECTION 7.17. Amends Chapter 302A, Labor Code, to codify Rider 13 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 302.0042, as follows:

Sec. 302.0042. **DONATED PURCHASE AGREEMENTS.** Requires the Texas Workforce Commission (commission) to use donated purchase agreements and other funding mechanisms, to the extent permitted by federal law, for certain purposes.

SECTION 7.18. Amends Chapter 302A, Labor Code, to codify Rider 14 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 302.0041, as follows:

Sec. 302.0041. **MAXIMIZING FEDERAL CHILD CARE FUNDS.** Requires the Texas Workforce Commission (commission) to cooperate with municipalities, nonprofit organizations, the Texas Education Agency, and school districts to obtain local matching funds necessary to maximize federal funds for child care. Authorizes the commission to implement necessary system and accounting system changes as needed to implement this section.

SECTION 7.19. Amends Chapter 302A, Labor Code, to codify Rider 23 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 302.009, as follows:

Sec. 302.009. **EMPLOYMENT AND CHILD CARE PROGRAMS IN RURAL AREAS.** Requires the Texas Workforce Commission (commission) and local workforce boards to expand the availability of employment and child care programs to rural areas to the extent the expansion is determined to be cost effective.

SECTION 7.20. Amends Chapter 2308G, Government Code, to codify Rider 27 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2308.317, as follows:

Sec. 2308.317. **HIGHER EDUCATION FOR RECIPIENT OF CHILD CARE BENEFITS.** Provides that a person receiving child care assistance benefits who meets certain requirements continues to be eligible for child care assistance benefits while the person is enrolled in an educational program for an associate's degree. Provides that a person is eligible for benefits under this section for a period not to exceed four years as long as the person meets certain requirements. Authorizes the local workforce development board to determine the eligibility of a person under this section based on the person's progress towards completion of the educational program.

SECTION 7.21. Amends Chapter 302A, Labor Code, to codify Rider 29 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 302.010, as follows:

Sec. 302.010. **OPERATION OF CERTAIN JOB TRAINING PROGRAMS; OBJECTIVE.** Sets forth guidelines concerning the primary objective of certain job training programs. Authorizes a job training program to contain instruction in English as a second language but prohibits a program of instruction in English as a second language from substituting for a job training program.

SECTION 7.22. Amends Chapter 302C, Labor Code, to codify Rider 30 following the appropriation

to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 302.044, as follows:

Sec. 302.044. REALLOCATION OF PERSONNEL. Requires the Texas Workforce Commission (commission) to reduce the number of its employees in proportion to the amount of funds transferred to a local workforce development board to provide workforce services unless the local workforce development board contracts with the commission for the commission to provide those services.

SECTION 7.23. Amends Chapter 31A, Human Resources Code, to codify Rider 33 following the appropriation to the Texas Workforce Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 31.0128, as follows:

Sec. 31.0128. REGISTRATION REQUIREMENT FOR DETERMINATION OF ELIGIBILITY. Requires that, if the Texas Department of Human Services (department), the Texas Workforce Commission, or both the department and the Texas Workforce Commission require an applicant for Temporary Assistance for Needy Families to register with the commission before the department determines the applicant's ability for assistance, the applicant's registration and orientation take place at an office at which the department determines an applicant's eligibility for assistance.

ARTICLE 8. RIDERS CONTAINED IN ARTICLE VIII OF THE GENERAL APPROPRIATIONS ACT

SECTION 8.01. Amends Chapter 2003B, Government Code, to codify Rider 2 following the appropriation to the State Office of Administrative Hearings in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 2003.025, as follows:

Sec. 2003.025. INTERAGENCY CONTRACTS; LIMIT ON TOTAL AMOUNT BILLED. Requires the State Office of Administrative Hearings (office) to establish procedures under which a state agency is authorized to limit, in an interagency contract that the agency executes with the office, the aggregate billable amount for a fiscal year.

SECTION 8.02. Amends Section 1601.154, Occupations Code, to codify Rider 1 following the appropriation to the State Board of Barber Examiners in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (c) to prohibit the State Board of Barber Examiners (board) from spending money appropriated for inspections except under certain conditions. Requires the board to send a copy of the signed contract to the Legislative Budget Board, the Governor's Office of Budget and Planning, and the comptroller.

SECTION 8.03. Amends Chapter 1602D, Occupations Code, to codify Rider 1 following the appropriation to the Texas Cosmetology Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 1602.1545, as follows:

Sec. 1602.1545. INTERAGENCY CONTRACT FOR INSPECTION AND ENFORCEMENT. Prohibits the Texas Cosmetology Commission (commission) from spending money appropriated for inspections except under certain conditions. Requires the commission to send a copy of the signed contract to the Legislative Budget Board, the Governor's Office of Budget and Planning, and the comptroller.

SECTION 8.04. Amends Chapter 1602D, Occupations Code, to codify Rider 5 following the appropriation to the Texas Cosmetology Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 1602.156, as follows:

Sec. 1602.156. PERSON RESPONSIBLE FOR INSPECTIONS. Provides that, if the

Texas Cosmetology Commission (commission) divides the state into districts for the purpose of inspecting schools of cosmetology, the inspector assigned to the district in which a school is located is required to inspect the school. Authorizes the commission's director of enforcement to inspect a school if it is located in a district to which an inspector has not been assigned.

SECTION 8.05. Amends Section 1602.151, Occupations Code, to codify Rider 7 following the appropriation to the Texas Cosmetology Commission in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Subsection (c) to require the Texas Cosmetology Commission to adopt written policies and procedures relating to overnight travel.

SECTION 8.06. Amends Chapter 51D, Occupations Code, to codify Rider 10 following the appropriation to the Texas Department of Licensing and Regulation in the General Appropriations Act for the state fiscal biennium ending August 31, 2001, by adding Section 51.207, as follows:

Sec. 51.207. ELECTRONIC EXAMINATIONS. Requires the Texas Commission of Licensing and Regulation (commission) to perform certain functions.

ARTICLE 9. GENERAL PROVISIONS; EFFECTIVE DATE.

SECTION 9.01. Provides that this Act is enacted as a part of the state's continuing statutory revision program under Chapter 323 (Texas Legislative Council), Government Code. Provides that this Act is a revision for purposes of Section 43 (Revision of Laws), Article III, Texas Constitution, and has the purpose of codifying without substantive change various provisions of Chapter 1589, Acts of the 76th Legislature, Regular Session, 1999 (the General Appropriations Act). Provides that if any provision of this Act conflicts with another statute enacted by the 77th Legislature, Regular Session, 2001, the other statute controls.

SECTION 9.02. Effective date: August 31, 2001.