

BILL ANALYSIS

Senate Research Center
82R12197 KLA-F

S.B. 1278
By: Ogden
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

This legislation provides for emergency and supplemental appropriations for the current biennium and addresses budget shortfalls that have arisen in this current biennium.

S.B. 1278 relates to making supplemental appropriations and reductions in appropriations and giving direction and adjustment authority and prescribing limitations regarding appropriations.

As proposed, S.B. 1278 amends current law relating to making supplemental appropriations and giving direction and adjustment authority regarding appropriations.

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. CERTAIN REDUCTIONS IN APPROPRIATIONS FOR THE STATE FISCAL YEAR ENDING AUGUST 31, 2011. (a) Provides that the appropriations from the general revenue fund for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the agencies listed in this subsection are reduced respectively for each agency, in the unencumbered amounts indicated by this subsection, for a total aggregate reduction of \$1,154,979,097. Requires each of the following agencies to identify the strategies and objectives out of which the indicated reductions in unencumbered amounts appropriated to the agency from the general revenue fund are made except to the extent a strategy or objective is specified by this subsection:

- (1) Office of the Attorney General: \$17,484,078 from General Revenue Fund 0001;
- (2) Bond Review Board: \$52,066 from General Revenue Fund 0001;
- (3) Comptroller of Public Accounts: \$13,732,608 from General Revenue Fund 0001;
- (4) Fiscal Programs - Comptroller of Public Accounts: \$10,000,000 from General Revenue Fund 0001 out of Strategy A.1.15, Major Events Trust Fund;
- (5) Texas Ethics Commission: \$163,972 from General Revenue Fund 0001;
- (6) Facilities Commission: \$2,791,970 from General Revenue Fund 0001;
- (7) Public Finance Authority: \$56,892,135 from General Revenue Fund 0001;
- (8) Fire Fighters' Pension Commissioner: \$16,889 from General Revenue Fund 0001;
- (9) Office of the Governor: \$271,118 from General Revenue Fund 0001;

- (10) Trusteed Programs within the Office of the Governor: \$2,541,907 from General Revenue Fund 0001;
- (11) Historical Commission: \$919,769 from General Revenue Fund 0001;
- (12) Department of Information Resources: \$59,451 from General Revenue Fund 0001;
- (13) Library & Archives Commission: \$2,393,317 from General Revenue Fund 0001;
- (14) Pension Review Board: \$42,189 from General Revenue Fund 0001;
- (15) Preservation Board: \$295,823 from General Revenue Fund 0001;
- (16) Secretary of State: \$789,485 from General Revenue Fund 0001;
- (17) Veterans Commission: \$359,819 from General Revenue Fund 0001;
- (18) Department of Aging and Disability Services: \$57,486,512 from General Revenue Fund 0001;
- (19) Department of Assistive and Rehabilitative Services: \$7,271,451 from General Revenue Fund 0001;
- (20) Department of Family and Protective Services: \$16,465,070 from General Revenue Fund 0001;
- (21) Department of State Health Services: \$30,888,622 from General Revenue Fund 0001;
- (22) Health and Human Services Commission: \$114,214,139 from General Revenue Fund 0001;
- (23) Texas Education Agency: \$60,277,640 from General Revenue Fund 0001;
- (24) School for the Blind and Visually Impaired: \$1,397,421 from General Revenue Fund 0001;
- (25) School for the Deaf: \$781,956 from General Revenue Fund 0001;
- (26) Teacher Retirement System: \$3,700,000 from General Revenue Fund 0001;
- (27) Higher Education Employees Group Insurance Contributions: \$70,652,754 from General Revenue Fund 0001;
- (28) Higher Education Coordinating Board: \$46,197,894 from General Revenue Fund 0001;
- (29) The University of Texas System Administration: \$250,000 from General Revenue Fund 0001;
- (30) The University of Texas at Arlington: \$12,979,094 from General Revenue Fund 0001;
- (31) The University of Texas at Austin: \$34,802,552 from General Revenue Fund 0001;

- (32) The University of Texas at Dallas: \$9,601,643 from General Revenue Fund 0001;
- (33) The University of Texas at El Paso: \$11,976,764 from General Revenue Fund 0001;
- (34) The University of Texas - Pan American: \$7,344,515 from General Revenue Fund 0001;
- (35) The University of Texas at Brownsville: \$3,581,390 from General Revenue Fund 0001;
- (36) The University of Texas of the Permian Basin: \$5,918,190 from General Revenue Fund 0001;
- (37) The University of Texas at San Antonio: \$12,397,011 from General Revenue Fund 0001;
- (38) The University of Texas at Tyler: \$4,365,466 from General Revenue Fund 0001;
- (39) Texas A&M University System Administrative and General Offices: \$250,000 from General Revenue Fund 0001;
- (40) Texas A&M University: \$18,065,118 from General Revenue Fund 0001;
- (41) Texas A&M University at Galveston: \$1,240,706 from General Revenue Fund 0001;
- (42) Prairie View A&M University: \$3,632,323 from General Revenue Fund 0001;
- (43) Tarleton State University: \$2,377,562 from General Revenue Fund 0001;
- (44) Texas A&M University - Corpus Christi: \$4,151,741 from General Revenue Fund 0001;
- (45) Texas A&M University - Kingsville: \$3,383,777 from General Revenue Fund 0001;
- (46) Texas A&M International University: \$2,096,339 from General Revenue Fund 0001;
- (47) West Texas A&M University: \$2,798,970 from General Revenue Fund 0001;
- (48) Texas A&M University - Commerce: \$2,861,747 from General Revenue Fund 0001;
- (49) Texas A&M University - Texarkana: \$671,472 from General Revenue Fund 0001;
- (50) University of Houston System Administration: \$257,077 from General Revenue Fund 0001;
- (51) University of Houston: \$15,995,397 from General Revenue Fund 0001;
- (52) University of Houston - Clear Lake: \$2,780,479 from General Revenue Fund 0001;

- (53) University of Houston - Downtown: \$1,849,987 from General Revenue Fund 0001;
- (54) University of Houston - Victoria: \$1,099,229 from General Revenue Fund 0001;
- (55) Midwestern State University: \$1,702,745 from General Revenue Fund 0001;
- (56) University of North Texas System Administration: \$713,628 from General Revenue Fund 0001;
- (57) University of North Texas: \$7,759,219 from General Revenue Fund 0001;
- (58) Stephen F. Austin State University: \$5,043,398 from General Revenue Fund 0001;
- (59) Texas Southern University: \$3,876,116 from General Revenue Fund 0001;
- (60) Texas Tech University System Administration: \$200,000 from General Revenue Fund 0001;
- (61) Texas Tech University: \$11,692,679 from General Revenue Fund 0001;
- (62) Angelo State University: \$2,328,579 from General Revenue Fund 0001;
- (63) Texas Woman's University: \$1,924,726 from General Revenue Fund 0001;
- (64) Texas State University System: \$85,294 from General Revenue Fund 0001;
- (65) Lamar University: \$5,140,684 from General Revenue Fund 0001;
- (66) Lamar Institute of Technology: \$732,715 from General Revenue Fund 0001;
- (67) Lamar State College - Orange: \$540,586 from General Revenue Fund 0001;
- (68) Lamar State College - Port Arthur: \$863,307 from General Revenue Fund 0001;
- (69) Sam Houston State University: \$3,985,517 from General Revenue Fund 0001;
- (70) Texas State University - San Marcos: \$6,857,731 from General Revenue Fund 0001;
- (71) Sul Ross State University: \$1,149,935 from General Revenue Fund 0001;
- (72) Sul Ross State University Rio Grande College: \$451,287 from General Revenue Fund 0001;
- (73) The University of Texas Southwestern Medical Center at Dallas: \$17,126,319 from General Revenue Fund 0001;
- (74) The University of Texas Medical Branch at Galveston: \$33,083,291 from General Revenue Fund 0001;
- (75) The University of Texas Health Science Center at Houston: \$20,408,079 from General Revenue Fund 0001;

- (76) The University of Texas Health Science Center at San Antonio: \$20,364,412 from General Revenue Fund 0001;
- (77) The University of Texas M. D. Anderson Cancer Center: \$20,446,441 from General Revenue Fund 0001;
- (78) The University of Texas Health Center at Tyler: \$5,349,891 from General Revenue Fund 0001;
- (79) Texas A&M University System Health Science Center: \$10,672,046 from General Revenue Fund 0001;
- (80) University of North Texas Health Science Center at Fort Worth: \$4,957,588 from General Revenue Fund 0001;
- (81) Texas Tech University Health Sciences Center: \$14,283,190 from General Revenue Fund 0001;
- (82) Texas State Technical College System Administration: \$314,674 from General Revenue Fund 0001;
- (83) Texas State Technical College - Harlingen: \$1,707,490 from General Revenue Fund 0001;
- (84) Texas State Technical College - West Texas: \$1,111,674 from General Revenue Fund 0001;
- (85) Texas State Technical College - Marshall: \$433,962 from General Revenue Fund 0001;
- (86) Texas State Technical College - Waco: \$2,416,071 from General Revenue Fund 0001;
- (87) Texas AgriLife Research: \$4,544,206 from General Revenue Fund 0001;
- (88) Texas AgriLife Extension Service: \$4,932,005 from General Revenue Fund 0001;
- (89) Texas Engineering Experiment Station: \$1,145,627 from General Revenue Fund 0001;
- (90) Texas Transportation Institute: \$56,250 from General Revenue Fund 0001;
- (91) Texas Engineering Extension Service: \$596,416 from General Revenue Fund 0001;
- (92) Texas Forest Service: \$1,032,378 from General Revenue Fund 0001;
- (93) Texas Veterinary Medical Diagnostic Laboratory: \$617,294 from General Revenue Fund 0001;
- (94) Supreme Court of Texas: \$559,922 from General Revenue Fund 0001;
- (95) Court of Criminal Appeals: \$269,433 from General Revenue Fund 0001;
- (96) First Court of Appeals District, Houston: \$233,239 from General Revenue Fund 0001;
- (97) Second Court of Appeals District, Fort Worth: \$175,606 from General Revenue Fund 0001;

- (98) Third Court of Appeals District, Austin: \$154,183 from General Revenue Fund 0001;
- (99) Fourth Court of Appeals District, San Antonio: \$177,249 from General Revenue Fund 0001;
- (100) Fifth Court of Appeals District, Dallas: \$319,965 from General Revenue Fund 0001;
- (101) Sixth Court of Appeals District, Texarkana: \$85,715 from General Revenue Fund 0001;
- (102) Seventh Court of Appeals District, Amarillo: \$105,089 from General Revenue Fund 0001;
- (103) Eighth Court of Appeals District, El Paso: \$85,864 from General Revenue Fund 0001;
- (104) Ninth Court of Appeals District, Beaumont: \$104,734 from General Revenue Fund 0001;
- (105) Tenth Court of Appeals District, Waco: \$84,894 from General Revenue Fund 0001;
- (106) Eleventh Court of Appeals District, Eastland: \$85,548 from General Revenue Fund 0001;
- (107) Twelfth Court of Appeals District, Tyler: \$86,576 from General Revenue Fund 0001;
- (108) Thirteenth Court of Appeals District, Corpus Christi-Edinburg: \$154,821 from General Revenue Fund 0001;
- (109) Fourteenth Court of Appeals District, Houston: \$234,047 from General Revenue Fund 0001;
- (110) Office of Court Administration, Texas Judicial Council: \$521,168 from General Revenue Fund 0001;
- (111) Office of Capital Writs: \$37,089 from General Revenue Fund 0001;
- (112) Office of State Prosecuting Attorney: \$53,188 from General Revenue Fund 0001;
- (113) State Law Library: \$27,077 from General Revenue Fund 0001;
- (114) Judiciary Section, Comptroller's Department: \$862,018 from General Revenue Fund 0001;
- (115) State Commission on Judicial Conduct: \$62,772 from General Revenue Fund 0001;
- (116) Adjutant General's Department: \$1,362,009 from General Revenue Fund 0001;
- (117) Alcoholic Beverage Commission: \$2,793,890 from General Revenue Fund 0001;

- (118) Department of Criminal Justice: \$65,874,494 from General Revenue Fund 0001;
- (119) Commission on Jail Standards: \$78,513 from General Revenue Fund 0001;
- (120) Juvenile Probation Commission: \$7,015,504 from General Revenue Fund 0001;
- (121) Commission on Law Enforcement Officer Standards and Education: \$74,940 from General Revenue Fund 0001;
- (122) Department of Public Safety: \$6,045,065 from General Revenue Fund 0001;
- (123) Youth Commission: \$13,245,121 from General Revenue Fund 0001;
- (124) Department of Agriculture: \$4,342,526 from General Revenue Fund 0001;
- (125) Animal Health Commission: \$973,114 from General Revenue Fund 0001;
- (126) Commission on Environmental Quality: \$298,050 from General Revenue Fund 0001;
- (127) General Land Office and Veterans' Land Board: \$903,431 from General Revenue Fund 0001;
- (128) Parks and Wildlife Department: \$227,845 from General Revenue Fund 0001;
- (129) Railroad Commission: \$2,322,377 from General Revenue Fund 0001;
- (130) Soil and Water Conservation Board: \$1,690,749 from General Revenue Fund 0001;
- (131) Debt Service Payments - Non-Self Supporting G.O. Water Bonds: \$27,398,762 from General Revenue Fund 0001;
- (132) Water Development Board: \$823,997 from General Revenue Fund 0001;
- (133) Department of Housing and Community Affairs: \$1,203,967 from General Revenue Fund 0001;
- (134) Texas Lottery Commission: \$388,007 from General Revenue Fund 0001;
- (135) Department of Motor Vehicles: \$1,138,428 from General Revenue Fund 0001;
- (136) Department of Rural Affairs: \$732,117 from General Revenue Fund 0001;
- (137) Department of Transportation: \$84,400,000 from General Revenue Fund 0001;
- (138) Texas Workforce Commission: \$3,754,693 from General Revenue Fund 0001;
- (139) State Office of Administrative Hearings: \$252,505 from General Revenue Fund 0001;

- (140) Board of Chiropractic Examiners: \$14,816 from General Revenue Fund 0001;
- (141) Texas State Board of Dental Examiners: \$114,118 from General Revenue Fund 0001;
- (142) Funeral Service Commission: \$18,444 from General Revenue Fund 0001;
- (143) Board of Professional Geoscientists: \$40,349 from General Revenue Fund 0001;
- (144) Office of Public Insurance Counsel: \$80,533 from General Revenue Fund 0001;
- (145) Board of Professional Land Surveying: \$32,463 from General Revenue Fund 0001;
- (146) Department of Licensing and Regulation: \$1,779,282 from General Revenue Fund 0001;
- (147) Texas Medical Board: \$227,469 from General Revenue Fund 0001;
- (148) Texas Board of Nursing: \$269,638 from General Revenue Fund 0001;
- (149) Optometry Board: \$11,010 from General Revenue Fund 0001;
- (150) Board of Pharmacy: \$212,929 from General Revenue Fund 0001;
- (151) Executive Council of Physical Therapy & Occupational Therapy Examiners: \$76,090 from General Revenue Fund 0001;
- (152) Board of Plumbing Examiners: \$169,609 from General Revenue Fund 0001;
- (153) Board of Podiatric Medical Examiners: \$5,959 from General Revenue Fund 0001;
- (154) Board of Examiners of Psychologists: \$49,005 from General Revenue Fund 0001;
- (155) Real Estate Commission: \$854,138 from General Revenue Fund 0001;
- (156) Securities Board: \$982,946 from General Revenue Fund 0001;
- (157) Public Utility Commission of Texas: \$808,890 from General Revenue Fund 0001;
- (158) Office of Public Utility Counsel: \$131,904 from General Revenue Fund 0001;
- (159) Board of Veterinary Medical Examiners: \$74,419 from General Revenue Fund 0001; and
- (160) agencies and entities appropriated general revenue funds by Article X, Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act): \$11,688,731 from General Revenue Fund 0001, subject to Section 2 of this Act.

(b)(i) Reduces the unencumbered appropriation from the sporting good sales tax transfers to the general revenue fund (State Parks Account No. 64), pursuant to Section 11.035

(State Parks Account), Parks and Wildlife Code, and Section 151.801 (Disposition of Proceeds), Tax Code, for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Parks and Wildlife Department by \$1,259,680.

(ii) Reduces the unencumbered appropriation from the sporting good sales tax transfers to the general revenue fund (Texas Recreation and Parks Account No. 467), pursuant to Section 24.003 (Account Revenue Source; Revenue Dedication), Parks and Wildlife Code, and Section 151.801, Tax Code, for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Parks and Wildlife Department by \$3,150,000.

(iii) Reduces the unencumbered appropriation from the sporting good sales tax transfers to the general revenue fund (Large County and Municipality Recreation and Parks Account No. 5150), pursuant to Section 24.053, Parks and Wildlife Code, and Section 151.801, Tax Code, for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Parks and Wildlife Department by \$2,100,000.

(iv) Reduces the unencumbered appropriation from the sporting good sales tax transfers to the general revenue fund (State Parks Account No. 64), pursuant to Section 11.035, Parks and Wildlife Code, and Section 151.801, Tax Code, for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Public Finance Authority by \$5,847,851.

(c) Reduces the amounts of the unencumbered appropriations listed below that were appropriated from the general revenue fund by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), for Public Junior/Community Colleges, for the state fiscal year ending August 31, 2011, in the aggregate amount of \$76,111,610 as indicated by this subsection. Requires the Texas Higher Education Coordinating Board and the comptroller of public accounts, pursuant to Section 130.0031 (Transfers: When Made), Education Code, to apply the reductions in general revenue appropriations to each community or junior college in the amounts indicated:

- (1) Alamo Community College: \$6,811,203;
- (2) Alvin Community College: \$630,970;
- (3) Amarillo College: \$1,286,495;
- (4) Angelina College: \$630,541;
- (5) Austin Community College: \$3,507,989;
- (6) Blinn College: \$2,047,679;
- (7) Brazosport College: \$438,799;
- (8) Central Texas College: \$1,588,719;
- (9) Cisco Junior College: \$522,994;
- (10) Clarendon College: \$199,528;
- (11) Coastal Bend College: \$487,469;

- (12) College of the Mainland: \$476,780;
- (13) Collin County Community College: \$2,387,580;
- (14) Dallas County Community College: \$8,912,016;
- (15) Del Mar College: \$1,391,753;
- (16) El Paso Community College: \$2,523,687;
- (17) Frank Phillips College: \$212,352;
- (18) Galveston College: \$354,701;
- (19) Grayson County College: \$558,045;
- (20) Hill College: \$793,644;
- (21) Houston Community College: \$5,275,284;
- (22) Howard College: \$822,395;
- (23) Kilgore College: \$937,550;
- (24) Laredo Community College: \$963,810;
- (25) Lee College: \$767,122;
- (26) Lone Star College System: \$4,621,188;
- (27) McLennan Community College: \$1,050,779;
- (28) Midland College: \$952,683;
- (29) Navarro College: \$1,136,872;
- (30) North Central Texas College: \$958,088;
- (31) Northeast Texas Community College: \$317,400;
- (32) Odessa College: \$635,532;
- (33) Panola College: \$397,491;
- (34) Paris Junior College: \$695,431;
- (35) Ranger College: \$156,117;
- (36) San Jacinto College: \$2,916,262;
- (37) South Plains College: \$1,127,037;
- (38) South Texas College: \$2,292,651;
- (39) Southwest Texas Junior College: \$574,796;
- (40) Tarrant County College: \$4,739,004;
- (41) Temple College: \$620,631;

- (42) Texarkana College: \$697,627;
- (43) Texas Southmost College: \$1,737,231;
- (44) Trinity Valley Community College: \$1,482,408;
- (45) Tyler Junior College: \$1,969,699;
- (46) Vernon College: \$442,264;
- (47) Victoria College: \$508,508;
- (48) Weatherford College: \$617,559;
- (49) Western Texas College: \$300,881; and
- (50) Wharton County Junior College: \$634,366.

(d) Reduces the appropriations from dedicated accounts in the general revenue fund for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the agencies listed in this subsection respectively for each agency, in the unencumbered amounts indicated by this subsection from the dedicated accounts indicated by this subsection, for a total aggregate reduction of \$160,247,667. Requires each of the following agencies to identify the strategies and objectives out of which the indicated reductions in unencumbered amounts appropriated to the agency from the indicated account in the general revenue fund are made:

- (1) Commission on the Arts: \$230,069 from general revenue dedicated account number 334, Commission on the Arts Operating Account;
- (2) Office of the Attorney General: \$5,510 from general revenue dedicated account number 5006, AG Law Enforcement Account;
- (3) Office of the Attorney General: \$5,236 from general revenue dedicated account number 5010, Sexual Assault Program Account;
- (4) Office of the Attorney General: \$775 from general revenue dedicated account number 5036, Attorney General Volunteer Advocate Program Plates Account;
- (5) Cancer Prevention and Research Institute of Texas: \$300 from general revenue dedicated account number 5136, Cancer Prevention and Research Account;
- (6) Commission on State Emergency Communications: \$1,864,589 from general revenue dedicated account number 5007, Commission on State Emergency Communications Account;
- (7) Commission on State Emergency Communications: \$2,039,808 from general revenue dedicated account number 5050, 9-1-1 Service Fees Account;
- (8) Facilities Commission: \$120,900 from general revenue dedicated account number 570, Federal Surplus Property Service Charge Account;
- (9) Historical Commission: \$234,600 from general revenue dedicated account number 664, Texas Preservation Trust Account;
- (10) Library & Archives Commission: \$4,000 from general revenue dedicated account number 5042, Texas Reads Plates Account;

- (11) Department of Assistive and Rehabilitative Services: \$24,159 from general revenue dedicated account number 492, Business Enterprise Program Account;
- (12) Department of State Health Services: \$774,607 from general revenue dedicated account number 19, Vital Statistics Account;
- (13) Department of State Health Services: \$10,530 from general revenue dedicated account number 129, Hospital Licensing Account;
- (14) Department of State Health Services: \$26,190 from general revenue dedicated account number 341, Food and Drug Retail Fee Account;
- (15) Department of State Health Services: \$29,022 from general revenue dedicated account number 512, Bureau of Emergency Management Account;
- (16) Department of State Health Services: \$195,168 from general revenue dedicated account number 524, Public Health Services Fee Account;
- (17) Department of State Health Services: \$16,283 from general revenue dedicated account number 5017, Asbestos Removal Licensure Account;
- (18) Department of State Health Services: \$4,590 from general revenue dedicated account number 5020, Workplace Chemicals List Account;
- (19) Department of State Health Services: \$76,680 from general revenue dedicated account number 5024, Food and Drug Registration Account;
- (20) Department of State Health Services: \$19,489 from general revenue dedicated account number 5044, Permanent Fund for Health and Tobacco Education and Enforcement Account;
- (21) Department of State Health Services: \$2,251 from general revenue dedicated account number 5045, Permanent Fund for Children and Public Health Account;
- (22) Department of State Health Services: \$5,400 from general revenue dedicated account number 5046, Permanent Fund for Emergency Medical Services and Trauma Care Account;
- (23) Department of State Health Services: \$1,500,000 from general revenue dedicated account number 5049, State Owned Multicategorical Teaching Hospital Account;
- (24) Department of State Health Services: \$5,000,810 from general revenue dedicated account number 5111, Designated Trauma Facility and EMS Account;
- (25) Higher Education Coordinating Board: \$17,500 from general revenue dedicated account number 106, Scholarship Fund for Fifth Year Accounting Students Account;
- (26) Higher Education Coordinating Board: \$16,000 from general revenue dedicated account number 542, Medical School Tuition Set Aside Account;
- (27) Higher Education Coordinating Board: \$8,400 from general revenue dedicated account number 5015, Texas Collegiate License Plates Account;
- (28) Higher Education Coordinating Board: \$125 from general revenue dedicated account number 5034, Houston Livestock Show and Rodeo Scholarship Plates Account;

- (29) Higher Education Coordinating Board: \$22,250,000 from general revenue dedicated account number 5103, Texas B-On-Time Student Loan Account;
- (30) Higher Education Coordinating Board: \$150 from general revenue dedicated account number 5119, Cotton Boll Plates Account;
- (31) Higher Education Coordinating Board: \$175 from general revenue dedicated account number 5126, Boy Scout Plates Account;
- (32) Higher Education Coordinating Board: \$150 from general revenue dedicated account number 5140, Specialty License Plates General Account;
- (33) Higher Education Coordinating Board: \$407,000 from general revenue dedicated account number 5144, Physician Education Loan Repayment Program Account;
- (34) Texas A&M University System Administrative and General Offices: \$453,819 from general revenue dedicated account number 96, Texas A&M University Mineral Income Account;
- (35) Prairie View A&M University: \$292,938 from general revenue dedicated account number 5029, Center for Study and Prevention of Juvenile Crime and Delinquency Account;
- (36) Midwestern State University: \$1,125 from general revenue dedicated account number 412, Midwestern State University Special Mineral Account;
- (37) Texas Tech University: \$8,772 from general revenue dedicated account number 269, Texas Tech University Special Mineral Account;
- (38) Texas State University System: \$125 from general revenue dedicated account number 283, Texas State University System Special Mineral Account;
- (39) Sam Houston State University: \$346,125 from general revenue dedicated account number 581, Bill Blackwood Law Enforcement Management Institute Account;
- (40) Sam Houston State University: \$190,500 from general revenue dedicated account number 5083, Correctional Management Institute and Criminal Justice Center Account;
- (41) The University of Texas Medical Branch at Galveston: \$7,500 from general revenue dedicated account number 5007, Commission on State Emergency Communications Account;
- (42) Texas AgriLife Research: \$25,000 from general revenue dedicated account number 151, Clean Air Account;
- (43) Texas AgriLife Extension Service: \$2,150 from general revenue dedicated account number 5131, Master Gardener Plates Account;
- (44) Texas AgriLife Extension Service: \$400 from general revenue dedicated account number 5132, 4-H Plates Account;
- (45) Texas Engineering Experiment Station: \$47,601 from general revenue dedicated account number 5071, Emissions Reduction Plan Account;
- (46) Texas Forest Service: \$375,000 from general revenue dedicated account number 5064, Volunteer Fire Department Assistance Account;

- (47) Office of Court Administration, Texas Judicial Council: \$726,628 from general revenue dedicated account number 5073, Fair Defense Account;
- (48) Office of Capital Writs: \$41,169 from general revenue dedicated account number 5073, Fair Defense Account;
- (49) Department of Criminal Justice: \$1,060,000 from general revenue dedicated account number 5060, Private Sector Prison Industries Account;
- (50) Commission on Law Enforcement Officer Standards and Education: \$49,500 from general revenue dedicated account number 116, Law Enforcement Officer Standards and Education Account;
- (51) Department of Public Safety: \$1,100,000 from general revenue dedicated account number 99, Operators and Chauffeurs License Account;
- (52) Department of Agriculture: \$8,329 from general revenue dedicated account number 5002, Young Farmer Loan Guarantee Account;
- (53) Department of Agriculture: \$44,000 from general revenue dedicated account number 5051, Go Texan Partner Program Plates Account;
- (54) Commission on Environmental Quality: \$100,000 from general revenue dedicated account number 88, Low-Level Radioactive Waste Account;
- (55) Commission on Environmental Quality: \$37,861 from general revenue dedicated account number 146, Used Oil Recycling Account;
- (56) Commission on Environmental Quality: \$2,169,081 from general revenue dedicated account number 151, Clean Air Account;
- (57) Commission on Environmental Quality: \$141,701 from general revenue dedicated account number 153, Water Resource Management Account;
- (58) Commission on Environmental Quality: \$5,208 from general revenue dedicated account number 158, Watermaster Administration Account;
- (59) Commission on Environmental Quality: \$151,822 from general revenue dedicated account number 549, Waste Management Account;
- (60) Commission on Environmental Quality: \$210,950 from general revenue dedicated account number 550, Hazardous and Solid Waste Remediation Fees Account;
- (61) Commission on Environmental Quality: \$244,249 from general revenue dedicated account number 655, Petroleum Storage Tank Remediation Account;
- (62) Commission on Environmental Quality: \$13,963,227 from general revenue dedicated account number 5071, Emissions Reduction Plan Account;
- (63) Commission on Environmental Quality: \$105,430 from general revenue dedicated account number 5093, Dry Cleaning Facility Release Account;
- (64) Commission on Environmental Quality: \$425,384 from general revenue dedicated account number 5094, Operating Permit Fees Account;
- (65) General Land Office and Veterans' Land Board: \$284,517 from general revenue dedicated account number 27, Coastal Protection Account;

- (66) Parks and Wildlife Department: \$526,400 from general revenue dedicated account number 64, State Parks Account;
- (67) Parks and Wildlife Department: \$11,311,381 from general revenue dedicated account number 9, Game, Fish, and Water Safety Account;
- (68) Parks and Wildlife Department: \$300,000 from general revenue dedicated account number 467, Texas Recreation and Parks Account;
- (69) Parks and Wildlife Department: \$200,000 from general revenue dedicated account number 5150, Large County and Municipality Recreation and Parks Account;
- (70) Railroad Commission: \$161,191 from general revenue dedicated account number 101, Alternative Fuels Research and Education Account;
- (71) Railroad Commission: \$2,333,597 from general revenue dedicated account number 145, Oil-Field Cleanup Account;
- (72) Texas Department of Rural Affairs: \$157,500 from general revenue dedicated account number 5047, Permanent Fund for Rural Health Facility Capital Improvement Account;
- (73) Texas Workforce Commission: \$294,654 from general revenue dedicated account number 165, Unemployment Compensation Special Administration Account;
- (74) Reimbursements to the Unemployment Compensation Benefit Account: \$123,627 from general revenue dedicated account number 165, Unemployment Compensation Special Administration Account;
- (75) Department of Licensing and Regulation: \$2,651 from general revenue dedicated account number 99, Operators and Chauffeurs License Account;
- (76) Texas Department of Licensing and Regulation: \$500 from general revenue dedicated account number 108, Private Beauty Culture School Tuition Protection Account;
- (77) Texas Department of Licensing and Regulation: \$125 from general revenue dedicated account number 5081, Barber School Tuition Protection Account;
- (78) Texas Medical Board: \$55,741 from general revenue dedicated account number 5105, Public Assurance Account;
- (79) Racing Commission: \$507,420 from general revenue dedicated account number 597, Texas Racing Commission Account; and
- (80) Public Utility Commission of Texas: \$86,762,303 from general revenue dedicated account number 5100, System Benefit Account.

(e) Reduces the appropriations from funds and from dedicated accounts in the general revenue fund for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the agencies listed in this subsection respectively for each agency, in the unencumbered amounts indicated by this subsection from the funds or dedicated accounts indicated by this subsection, for a total aggregate reduction of \$60,757,700. Requires each of the following agencies to identify the strategies and objectives out of which the indicated reductions in unencumbered amounts appropriated to the agency from the indicated fund or account are made:

- (1) Texas Education Agency: \$10,000,000 from State Textbook Fund 0003; and
- (2) Texas Education Agency: \$50,757,700 from Foundation School Fund 193.

(f)(1) Reduces the appropriations from the general revenue fund for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Judiciary Section, Comptroller's Department from General Revenue Fund 0001 respectively in the unencumbered amounts indicated by this subsection:

- (A) \$1,663,706 under Strategy A.1.1., District Judges;
- (B) \$130,561 under Strategy A.1.2., Visiting Judges - Regions;
- (C) \$9,515 under Strategy A.1.3., Visiting Judges - Appellate;
- (D) \$8,900 under Strategy A.1.5., District Judges: Travel;
- (E) \$5,250 under Strategy B.1.5., Felony Prosecutors: Travel;
- (F) \$133,456 under Strategy B.1.6., Felony Prosecutors: Expenses;
- (G) \$140 under Strategy B.1.7., Travis Co. Asst. DA Supplements;
- (H) \$38,203 under Strategy D.1.4., Public Integrity Unit, Travis Co.;
- (I) \$97,988 under Strategy D.1.5., Special Prosecution Unit, Walker Co.;
- (J) \$101,770 under Strategy D.1.9., Sex Offender Treatment and Supervision;
- (K) \$1,250 under Strategy D.1.10., Indigent Inmate Defense; and
- (L) \$4,425 under Strategy D.1.11., Montgomery Co. - 435th Dist. Ct. Staff.

(2) Reduces the amounts of the unencumbered appropriations from the Judicial Fund 0573 that were appropriated by Rider 1, page IV-33, Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Judiciary Section, Comptroller's Department, in the amount of \$5,555,033 for the state fiscal year ending August 31, 2011.

(g) Reduces the appropriations from federal funds (TANF) for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Department of Assistive and Rehabilitative Services by \$4,319,216.

SECTION 2. REDUCTIONS FROM LEGISLATIVE AGENCIES. Requires the lieutenant governor and the speaker of the house of representatives jointly to identify the various Article X agencies and entities from which amounts are to be transferred and to determine the amount reduced and transferred from each agency or entity for purposes of Section 1(a)(160) of this Act.

SECTION 3. CERTAIN REDUCTIONS FROM THE FOUNDATION SCHOOL FUND. Reduces the unencumbered appropriations from the Foundation School Fund 193 for the state fiscal year ending August 31, 2011, made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Texas Education Agency by \$2,400,000,000.

SECTION 4. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL PROGRAM. Appropriates out of the Economic Stabilization Fund 0599, the amount of \$2,400,000,000 to the

Texas Education Agency for the Foundation School Program for use during the remainder of the state fiscal year ending August 31, 2011.

SECTION 5. OFFICE OF THE ATTORNEY GENERAL: CONTINGENCY FEE PAYMENT.

Appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2011, the amount of \$17,311,326 out of the suspense account established by the comptroller of public accounts and the attorney general in General Revenue Fund 0001 for the payment of itemized claims and judgements, plus interest, if any, against the state of Texas, to the Office of the Attorney General, for the fiscal year ending August 31, 2011, for a contingency fee payment payable under the outside counsel contract OCC No. 2007-302-0012 to Wright and Greenhill, P.C., for work performed in reaching the final judgment in State of Texas ex rel. Ven-a-Care of Florida v. Mylan Pharmaceuticals USA et al., Cause No. D-1-GV-07-001259, District Court of Travis County, 201st Judicial District.

SECTION 6. FACILITIES COMMISSION: UTILITY COSTS. (a) Appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2011, the amount of \$1,500,000 out of the general revenue fund to the Facilities Commission under Strategy B.2.1., Facilities Operation, for the two-year period beginning on the effective date of this Act for the purpose of providing for payment of increased utility costs as a result of an increase in utility rates.

(b) Prohibits money appropriated by this section from being transferred by the Facilities Commission to another appropriation item or being used by the commission for a purpose other than payment of utility expenses without the prior written approval of the Legislative Budget Board, notwithstanding Section 14.01, Part 14, Article IX, Appropriation Transfers, or similar provisions of Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act).

SECTION 7. TEXAS EDUCATION AGENCY: FOUNDATION SCHOOL PROGRAM.

Appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2011, the amount of \$415,000,000 out of Economic Stabilization Fund 0599 to the Texas Education Agency for the two-year period beginning on the effective date of this Act for the Foundation School Program.

SECTION 8. REAL ESTATE COMMISSION: MOVING AND IMAGING COSTS. (a)

Appropriates, in addition to amounts previously appropriated for the state fiscal biennium ending August 31, 2011, the amount of \$350,376 out of General Revenue Fund 0001 to the Real Estate Commission for the two-year period beginning on the effective date of this Act for the purpose of providing for one-time moving costs and the imaging of files.

(b) Authorizes the Real Estate Commission, in addition to the capital budget authority previously granted for the state fiscal biennium ending August 31, 2011, to use \$196,000 in capital budget authority for the capital budget item for image system implementation.

SECTION 9. BOARD OF VETERINARY MEDICAL EXAMINERS: PAYMENT OF

JUDGMENT. Appropriates, for the two-year period beginning on the effective date of this Act, the amount of \$70,000 out of General Revenue Fund 0001 to the Board of Veterinary Medical Examiners for payment of final settlement in Arnet v. Texas State Board of Veterinary Medical Examiners, Cause No. D-1-GN-09-000435.

SECTION 10. TEXAS EDUCATION AGENCY: INSTRUCTIONAL MATERIALS

APPROPRIATIONS. Allocates \$85,000,000 of the appropriations made by Chapter 1424 (S.B. 1), Acts of the 81st Legislature, Regular Session, 2009 (the General Appropriations Act), to the Texas Education Agency from State Textbook Fund 0003 for the fiscal year ending August 31, 2011, for the purpose of funding continuing contracts costs for materials scheduled to enter classrooms for the 2011-12 school year.

SECTION 11. (a) Effective date: immediately, subject to Subsection (b) of this section.

(b) Provides that Sections 3, 4, and 7 of this Act take effect only if this Act is approved by a vote of three-fifths of the members present in each house of the legislature, as provided by Section 49-g(k) (relating to limitations on appropriating funds from the economic stabilization fund), Article III, Texas Constitution. Provides that the appropriations under Sections 4 and 7 of this Act are subject to certification by the comptroller of public accounts as provided by Section 49-g(k), Article III, Texas Constitution, and the reduction specified by Section 3 of this Act may be made only on that certification.