ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE

Sec. 1. The several sums of money herein specified, or so much thereby as may be necessary, are appropriated out of any funds in the State Treasury not otherwise appropriated, or out of special funds as indicated, for the support, maintenance, or improvement of the designated public safety and criminal justice agencies.

ADJUTANT GENERAL'S DEPARTMENT

For the Years Ending
August 31,     August 31,
2010         2011

Method of Financing:
General Revenue Fund $ 15,500,653 $ 15,535,862

Federal Funds
Adjutant General Federal Fund No. 449 103,515,372 38,728,952
Federal Funds 270,000 270,000

Subtotal, Federal Funds $ 103,785,372 $ 38,998,952

Other Funds
Appropriated Receipts 258,000 258,000
Current Fund Balance 4,781,111 725,773
Bond Proceeds - General Obligation Bonds 2,491,650 4,043,350
Interagency Contracts - Transfer from Foundation School Fund No. 193 175,000 175,000

Subtotal, Other Funds $ 7,705,761 $ 5,202,123

Total, Method of Financing $ 126,991,786 $ 59,736,937

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 619.0 619.0

Schedule of Exempt Positions:
Adjutant General, Group 5 $139,140 $139,140

Items of Appropriation:
A. Goal: OPERATIONS RESPONSE
Provide a Professional Force Capable of Response.
A.1.1. Strategy: STATE ACTIVE DUTY - DISASTER
Respond to Disaster Relief/Emergency Missions.
$ 1,000,000 $ 1,000,000

A.1.2. Strategy: STATE MISSIONS AND TRAINING
$ 637,280 $ 637,280

A.1.3. Strategy: TEXAS STATE GUARD
$ 594,793 $ 618,992

Total, Goal A: OPERATIONS RESPONSE $ 2,232,073 $ 2,256,272

B. Goal: OPERATIONS SUPPORT
Provide Adequate Facilities for Operations Training.
B.1.1. Strategy: FACILITIES MAINTENANCE
$ 21,360,541 $ 22,565,583

B.1.2. Strategy: NEW FACILITY CONSTRUCTION
$ 69,093,960 $ 573,000

B.1.3. Strategy: DEBT SERVICE
$ 2,297,289 $ 2,334,159

B.1.4. Strategy: UTILITIES
$ 7,716,945 $ 7,716,945

Pay All Utilities.

Total, Goal B: OPERATIONS SUPPORT $ 100,468,735 $ 33,189,687
C. Goal: COMMUNITY SUPPORT

Community Support and Involvement.

C.1.1. Strategy: YOUTH EDUCATION PROGRAMS
$ 2,785,400 $ 2,785,400
Train Youth in Specialized Education Programs.

C.1.2. Strategy: ENVIRONMENTAL CLEAN-UP
$ 3,452,800 $ 3,452,800
Conduct Clean-up and Compliance Activities.

C.1.3. Strategy: STATE MILITARY TUITION ASSISTANCE
$ 2,000,000 $ 2,000,000
State Military Tuition Payment Assistance.

Total, Goal C: COMMUNITY SUPPORT
$ 8,238,200 $ 8,238,200

D. Goal: INDIRECT ADMINISTRATION

D.1.1. Strategy: INDIRECT ADMINISTRATION
$ 16,052,778 $ 16,052,778

Grand Total, ADJUTANT GENERAL’S DEPARTMENT
$ 126,991,786 $ 59,736,937

Object-of-Expense Informational Listing:
Salaries and Wages $ 22,756,492 $ 22,693,451
Other Personnel Costs 1,019,740 1,043,940
Professional Fees and Services 10,368,761 2,685,093
Fuels and Lubricants 64,575 64,575
Consumable Supplies 251,432 251,432
Utilities 11,033,215 11,033,215
Travel 586,300 586,300
Rent - Building 418,736 418,736
Rent - Machine and Other 599,711 599,711
Debt Service 1,979,206 1,985,069
Other Operating Expense 8,206,128 8,201,800
Client Services 2,016,800 2,016,800
Capital Expenditures 67,690,690 8,110,469

Total, Object-of-Expense Informational Listing $ 126,991,786 $ 59,736,937

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $ 1,448,264 $ 1,469,988
Group Insurance 3,700,846 3,994,902
Social Security 1,945,433 1,974,614
Benefits Replacement 107,864 102,471
Subtotal, Employee Benefits $ 7,202,407 $ 7,541,975

Debt Service
TPFA GO Bond Debt Service $ 661,113 $ 662,884

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $ 7,863,520 $ 8,204,859

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Adjutant General's Department. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Adjutant General's Department. In order to achieve the objectives and service standards established by this Act, the Adjutant General's Department shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: OPERATIONS RESPONSE

Outcome (Results/Impact):
Percent of Eligible Texas National Guard Personnel Who Are Retained 80% 80%

A.1.1. Strategy: STATE ACTIVE DUTY - DISASTER
Output (Volume):
Assigned Texas National Guard Strength 24,100 24,360

A401-Conf-5 V-2 May 24, 2009
B. Goal: OPERATIONS SUPPORT

Outcome (Results/Impact):

Percent of Needed Routine or Preventive Maintenance Completed

Percent of Facilities That Comply with Texas Accessibility Standards

B.1.1. Strategy: FACILITIES MAINTENANCE Efficiencies:
Average Maintenance Cost Per Square Foot of All Buildings

Explanatory:
Number of Facilities Maintained

B.1.4. Strategy: UTILITIES Efficiencies:
Utilities Cost Per Square Foot, All Buildings

C. Goal: COMMUNITY SUPPORT

Outcome (Results/Impact):

Percent of Students Completing Specialized Education Programs

2. Capital Budget. None of the general revenue funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103. This rider does not limit the use of federal funds obtained by the department.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Acquisition of Land and Other Real Property</td>
<td>$400,000</td>
<td>$0</td>
</tr>
<tr>
<td>b. Construction of Buildings and Facilities</td>
<td>68,693,960</td>
<td>573,000</td>
</tr>
<tr>
<td>c. Repair or Rehabilitation of Buildings and Facilities</td>
<td>6,262,808</td>
<td>7,165,777</td>
</tr>
<tr>
<td>d. Acquisition of Information Resource Technologies</td>
<td>125,000</td>
<td>125,000</td>
</tr>
<tr>
<td>e. Transportation Items</td>
<td>91,473</td>
<td>100,621</td>
</tr>
<tr>
<td>f. Acquisition of Capital Equipment and Items</td>
<td>345,930</td>
<td>269,362</td>
</tr>
<tr>
<td><strong>Total, Capital Budget</strong></td>
<td>$75,919,171</td>
<td>$8,233,760</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>Source</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$674,500</td>
<td>$686,430</td>
</tr>
<tr>
<td>Adjutant General Federal Fund No. 449</td>
<td>68,584,950</td>
<td>3,365,077</td>
</tr>
<tr>
<td><strong>Other Funds</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Current Fund Balance</td>
<td>4,168,071</td>
<td>138,903</td>
</tr>
<tr>
<td>Bond Proceeds - General Obligation Bonds</td>
<td>2,491,650</td>
<td>4,043,350</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$6,659,721</td>
<td>$4,182,253</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td>$75,919,171</td>
<td>$8,233,760</td>
</tr>
</tbody>
</table>

3. Support and Maintenance Expenditures. It is hereby provided that all monies currently appropriated to the Adjutant General's Department for support and maintenance of the Texas National Guard are authorized for like expenditures for the support and maintenance, including organization, of units of the Texas State Guard supplementing the Texas National Guard or replacing National Guard units inducted into federal service.
4. **Transferability.** The Adjutant General's Department is hereby authorized to transfer such amounts as may be necessary from one strategy to another strategy. No transfers shall be made into Strategy B.1.3, Debt Service. No transfer of federal reimbursements for state active duty shall be made out of Strategy A.1.1, State Active Duty - Disaster.

5. **Travel Limitations.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General's Department shall pay the travel expenses of members of the National Guard when said members are acting as official representatives of the Adjutant General's Department on behalf of the Texas National Guard.

6. **Payment of Travel - Limitation.** None of the funds appropriated above may be expended for the payment of travel of any officer or employee, except the Adjutant General of the State of Texas, Assistant Adjutant General-Army, Assistant Adjutant General-Air, and State Judge Advocate or the Adjutant General's designee for any one of these officers, to meetings of the National Guard Association of the United States.

7. **Armory Closure.** The Adjutant General shall not close any armories due solely to insufficient funds to pay for utilities without providing 30 days prior written notification to the Legislative Budget Board and the Governor's Office.

8. **Armory Utilities.** The Adjutant General's Department shall study each armory to ensure utility costs are kept to a minimum and the Adjutant General's Department shall charge rental fees for armories that are comparable to fees charged for similar facilities in the area where the armory is located. In any case, the rent charged must be adequate to recover any additional utility costs associated with the rental of the armory.

9. **Quarters and Utilities Allowance.** The Adjutant General, Assistant Adjutant General-Air, and the Assistant Adjutant General-Army are authorized to live in state-owned housing and are exempt from paying housing costs. The Adjutant General's Department may also allocate existing department housing to other department employees with a demonstrated need based on location and job description at a rate in accordance with Article IX, § 11.05 of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

10. **Federally Funded Projects.** Federal funds for any 100 percent federally funded project are hereby appropriated, and related additional travel expenditures are authorized.

11. **Appropriation - Billet Receipts.** Any billet receipts in excess of $258,000 in fiscal year 2010 and $258,000 in fiscal year 2011 (included in Appropriated Receipts above) are hereby appropriated for use in Strategy B.1.1, Facilities Maintenance (estimated to be $0).

12. **Unexpended Balances, Payments to National Guard for State Active Duty.** Any unexpended balances as of August 31, 2010, in Strategy A.1.1, State Active Duty - Disaster, for payments to the National Guard for State Active Duty, are hereby appropriated for the same purpose for the fiscal year beginning September 1, 2010.

13. **Cash Flow Contingency.** Contingent upon the receipt of federal funds and the approval of the Legislative Budget Board and the Governor's Office, the Adjutant General's Department may temporarily utilize additional general revenue funds, pending receipt of federal reimbursement, in an amount not to exceed $10,000,000 in each fiscal year of the biennium. The request to access the additional funds by the Adjutant General's Department shall include justification for the additional funds. The general revenue amounts utilized above the department's general revenue method of finance must be repaid upon receipt of federal reimbursement and shall be utilized only for the purpose of temporary cash flow needs. At the end of each fiscal year, the $10,000,000 must be repaid by November 30 of the following fiscal year. These transfers and repayments shall be credited to the fiscal year being reimbursed and shall be in accordance with procedures established by the Comptroller of Public Accounts.

14. **Travel Limitations - State Guard.** Subject to the travel limitations set out in the General Provisions of this Act, the Adjutant General's Department may pay the travel expenses of members of the Texas State Guard when said members are acting as official representatives of the Adjutant General's Department on behalf of the Texas State Guard.

15. **Seaborne/ChalleNGe Youth Education Program.** Out of funds appropriated above in Strategy C.1.1, Youth Education Programs, $175,000 is appropriated from the Foundation School Fund No. 193 for each fiscal year of the biennium. In the event the available amount is greater than
$175,000 in each fiscal year, general revenue funds equal to the difference between the Foundation School Funds No. 193 and $175,000 shall lapse to the unobligated portion of the General Revenue Fund.

16. **Unexpended Balances, General Obligation Bonds.** Any unexpended balances as of August 31, 2009, in the general obligation bonds appropriated by the 80th Legislature, Regular Session, for Repair or Rehabilitation of Buildings and Facilities (estimated at $0) are hereby appropriated for the same purposes for the biennium beginning September 1, 2009.

17. **State Military Tuition Assistance Program.** All unexpended balances of the State Military Tuition Assistance Program as of August 31, 2009 (estimated to be $0), are appropriated for the same purpose for use during the biennium beginning September 1, 2009. Any balances on hand at the end of fiscal year 2010 may be carried over to fiscal year 2011 and such funds are appropriated for fiscal year 2011 for the same purpose.

18. **ChalleNGe Youth Program.** From funds appropriated above in Strategy C.1.1, Youth Education Programs, and to ensure their efficient use, the Adjutant General's Department shall coordinate with the Juvenile Probation Commission to ensure that no duplication of services occurs with the ChalleNGe Youth Education Program.

19. **Appropriation of Refunded Money.** There is hereby appropriated to the Adjutant General's Department all money refunded to the Adjutant General's Department from any source when such money was originally expended for any of the purposes in B.1.1, Facilities Maintenance, and B.1.2, New Facility Construction above. Such appropriated funds may be expended for any of the purposes enumerated in B.1.1 and B.1.2 above.

20. **Local Fund Authorization.** The Adjutant General's Department is hereby authorized to spend, and there is hereby made available to it, any or all local funds which the Adjutant General's Department now has or which it may hereinafter acquire, in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.

21. **Bond Indenture Revenues.** There is hereby appropriated to the Adjutant General's Department all revenues that the Adjutant General's Department has pledged, assigned, and set over and does pledge, assign, and set over unto its trustee and its successors in trust, and all revenues it has received or may hereinafter receive in accordance with the provisions of its bond indenture dated October 1, 1979, and subsequently amended.

22. **Superseding of Statutes and Bond Covenants.** None of the appropriations or provisions herein shall supersede Government Code, Chapter 431, or the covenants under which bonds are issued by or on behalf of the Adjutant General's Department, regarding the agency's obligations as a public bonding authority, body politic and corporate.

23. **Disposition of State-owned Property.** Contingent upon sufficient funds from the sale of state-owned properties, appropriations above include $4,000,000 in fiscal year 2010 and $0 in fiscal year 2011 from the Current Fund Balance to the Adjutant General's Department in funds derived from sales, in previous biennia and in the current biennium, of State-owned National Guard camps and other property owned by the Adjutant General's Department and of land, improvements, buildings, facilities, installations, and personal property in connection therewith as authorized by Government Code, Chapter 431. Such funds shall be expended by the Adjutant General's Department in one or more of the following ways: (1) as a participating fund in the construction and maintenance of facilities financed in part by the United States Government; or (2) as a construction fund to be used by the Adjutant General's Department; or (3) as a debt-servicing fund as provided in Government Code, Chapter 431, provided, however, that all such funds that are not actually used for the purposes hereinbefore specified shall remain on deposit in the state treasury to the credit of the Adjutant General's Department for the use and benefit of the Texas National Guard, their successors or components, as provided in Government Code, Chapter 431. The Adjutant General's Department is hereby authorized to carry forward unexpended balances from fiscal year 2010 into fiscal year 2011 for the same purpose.

24. **Master Plan for Military Facilities.** Funds appropriated to the Adjutant General's Department for capital construction projects are intended to be expended for those projects which are part of the agency's Master Plan. The Adjutant General's Department shall revise the plan at least biennially and submit the plan to the Legislative Budget Board and the Governor every even-numbered year as an appendix to the agency's Strategic Plan.
25. **Reallocation of Unexpended Bond Proceeds.** The Adjutant General's Department is authorized to reallocate the unexpended bond proceeds of canceled projects only to other projects listed in its current Master Plan and only after notifying the Texas Public Finance Authority, the Texas Bond Review Board, the Governor, and the Legislative Budget Board.

26. **Renovation Priorities.** The Adjutant General's Department shall give priority in the use of funds appropriated by this Act to renovations which: (1) insure the structural integrity of the facilities; (2) bring such facilities into compliance with current building and safety codes and accessibility standards; (3) increase the economic efficiency of the facilities; and (4) simplify future maintenance of the facilities.

27. **Projects Funded with Bond Proceeds.** In addition to the number of FTEs authorized in the bill pattern for the Adjutant General's Department, the Adjutant General's Department is authorized to employ one additional person for the purpose of managing any project(s) that are funded 100% with bond proceeds. The Adjutant General's Department is authorized to employ the additional person only for the duration of the project(s) the personnel are hired to manage. All salaries, benefits, and other expenses incurred (including a fair allocation of agency indirect expenses related to the additional personnel) are to be paid out of the bond proceeds.

28. **Leave Requirement.**

   a. The Adjutant General's Department shall use funds appropriated above for the following purposes:

      (1) Provide a report to the Governor's Office and the State Auditor's Office every 30 days of the overtime payment and emergency leave approved for all employees for the previous 30 days;

      (2) Have any emergency leave for more than three (3) days or for reasons other than death in the immediate family be pre-approved by the Governor's Office and the Legislative Budget Board; and

      (3) Have any emergency leave taken by an officer with a rank above major pre-approved by the Governor's Office and the Legislative Budget Board.

   b. This section does not apply to emergency leave used for purposes of differential pay.

29. **Internal Audit.** The Adjutant General's Department shall use funds appropriated above for the following purposes:

   a. To report to the Governor's Office, Legislative Budget Board, and State Auditor's Office every 30 days on all internal audit work performed. Each month the director of Internal Audit of the Adjutant General's Department shall report to the State Auditor's Office to brief an individual designated by the State Auditor; and

   b. To hold meetings by the internal audit committee at the Adjutant General's Department at least once each fiscal quarter and to provide minutes of these meetings to the Governor's Office and the State Auditor's Office.

30. **Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy B.1.1, Facilities Maintenance, in fiscal year 2010 is $2,491,650 and in fiscal year 2011 is $4,043,350 in general obligation bond proceeds for projects for the Adjutant General's Department as described in Article IX, Sec. 17.10, Informational Listing: General Obligation Bond Proceeds.

    All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).
### ALCOHOLIC BEVERAGE COMMISSION

For the Years Ending

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Method of Financing:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$44,601,770</td>
<td>$43,192,719</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>351,200</td>
<td>351,200</td>
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<tr>
<td>Other Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>23,750</td>
<td>23,750</td>
</tr>
<tr>
<td>Criminal Justice Grants</td>
<td>130,000</td>
<td>130,000</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$153,750</td>
<td>$153,750</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$45,106,720</td>
<td>$43,697,669</td>
</tr>
<tr>
<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$11,350,925</td>
<td>$11,846,414</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

### Number of Full-Time-Equivalents (FTE):
- 696.0
- 696.0

### Schedule of Exempt Positions:
- Administrator, Group 5: $122,500 ($122,500)

### Items of Appropriation:

#### A. Goal: REGULATE DISTRIBUTION
Promote the Health, Safety, and Welfare of the Public.

**A.1.1. Strategy: ENFORCEMENT**
- $23,031,975 ($22,864,714)

#### B. Goal: LICENSING AND INVESTIGATION
Process Applications and Issue Alcoholic Beverage Licenses & Permits.

**B.1.1. Strategy: LICENSING AND INVESTIGATION**
- $4,983,388 ($4,226,123)

#### C. Goal: COLLECT FEES AND TAXES
Ensure Compliance with Fees & Taxes.

**C.1.1. Strategy: COMPLIANCE MONITORING**
- $6,926,066 ($6,359,017)

**C.2.1. Strategy: PORTS OF ENTRY**
- $4,632,158 ($4,627,461)

#### D. Goal: INDIRECT ADMINISTRATION

**D.1.1. Strategy: CENTRAL ADMINISTRATION**
- $2,424,564 ($2,465,010)

**D.1.2. Strategy: INFORMATION RESOURCES**
- $2,473,285 ($2,508,574)

**D.1.3. Strategy: OTHER SUPPORT SERVICES**
- $635,284 ($646,770)

**Total, Goal D: INDIRECT ADMINISTRATION**
- $5,533,133 ($5,620,354)

#### Grand Total, ALCOHOLIC BEVERAGE COMMISSION
- $45,106,720 ($43,697,669)

### Object-of-Expense Informational Listing:

#### Salaries and Wages
- $32,129,222 ($32,468,923)

#### Other Personnel Costs
- $1,413,980 ($1,413,980)

#### Professional Fees and Services
- $2,834,679 ($2,220,712)

#### Fuels and Lubricants
- $733,650 ($733,650)

#### Consumable Supplies
- $298,456 ($298,457)

#### Utilities
- $367,888 ($367,213)

#### Travel
- $695,682 ($695,682)

#### Rent - Building
- $2,087,488 ($2,087,488)

#### Rent - Machine and Other
- $139,574 ($139,574)

#### Other Operating Expense
- $2,888,501 ($2,876,237)

#### Grants
- $238,875 ($238,875)

#### Capital Expenditures
- $1,278,725 ($1,156,878)

**Total, Object-of-Expense Informational Listing**
- $45,106,720 ($43,697,669)

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ALCOHOLIC BEVERAGE COMMISSION
(Continued)

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$ 1,846,089</td>
<td>$ 1,873,780</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>5,968,719</td>
<td>6,497,453</td>
</tr>
<tr>
<td>Social Security</td>
<td>2,268,598</td>
<td>2,302,627</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>193,090</td>
<td>183,435</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$ 10,276,496</strong></td>
<td><strong>$ 10,857,295</strong></td>
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</table>

Debt Service

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lease Payments</td>
<td>$ 51,397</td>
<td>$ 51,545</td>
</tr>
<tr>
<td><strong>Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act</strong></td>
<td><strong>$ 10,327,893</strong></td>
<td><strong>$ 10,908,840</strong></td>
</tr>
</tbody>
</table>

1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Alcoholic Beverage Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Alcoholic Beverage Commission. In order to achieve the objectives and service standards established by this Act, the Alcoholic Beverage Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. **Goal:** REGULATE DISTRIBUTION

**Outcome (Results/Impact):** Percentage of Licensed Establishments Inspected Annually

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>80%</td>
<td>80%</td>
</tr>
</tbody>
</table>

A.1.1. Strategy: ENFORCEMENT

**Output (Volume):** Number of Inspections Conducted by Enforcement Agents

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>130,000</td>
<td>130,000</td>
</tr>
</tbody>
</table>

**Efficiencies:** Average Cost Per Enforcement Inspection

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>172.51</td>
<td>172.79</td>
</tr>
</tbody>
</table>

B. **Goal:** LICENSING AND INVESTIGATION

**Outcome (Results/Impact):** Percent of Original License/Permit Applications Processed within 14 Days

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>99%</td>
<td>99%</td>
</tr>
</tbody>
</table>

B.1.1. Strategy: LICENSING AND INVESTIGATION

**Output (Volume):** Number of Licenses/Permits Issued

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>74,700</td>
<td>60,300</td>
</tr>
</tbody>
</table>

**Efficiencies:** Average Cost Per License/Permit Processed

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>50.51</td>
<td>61.75</td>
</tr>
</tbody>
</table>

C. **Goal:** COLLECT FEES AND TAXES

**Outcome (Results/Impact):** Percent of Inspections, Field Analyses, and Selected Regulatory Activities Conducted by Compliance Personnel Resulting in Administrative Actions

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>34%</td>
<td>34%</td>
</tr>
</tbody>
</table>

C.1.1. Strategy: COMPLIANCE MONITORING

**Output (Volume):** Number of Inspections, Analyses, and Compliance Activities

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>163,350</td>
<td>163,350</td>
</tr>
</tbody>
</table>

**Efficiencies:** Average Cost Per Inspection, Analysis, and Compliance Activity

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>30</td>
<td>30.61</td>
</tr>
</tbody>
</table>

C.2.1. Strategy: PORTS OF ENTRY

**Output (Volume):** Number of Alcoholic Beverage Containers and Cigarette Packages Stamped

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,922,000</td>
<td>2,922,000</td>
</tr>
</tbody>
</table>

2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103.
a. Acquisition of Information Resource Technologies

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Computer Equipment - Leased</td>
<td>$446,890</td>
<td>$446,890</td>
</tr>
<tr>
<td>(2) Hardware/Software Acquisitions</td>
<td>187,000</td>
<td>187,000</td>
</tr>
<tr>
<td>(3) Data Center Consolidation</td>
<td>857,608</td>
<td>801,609</td>
</tr>
<tr>
<td>(4) IT Automation Enhancements</td>
<td>1,819,616</td>
<td>65,674</td>
</tr>
<tr>
<td><strong>Total, Acquisition of Information Resources Technologies</strong></td>
<td><strong>$3,311,114</strong></td>
<td><strong>$1,501,173</strong></td>
</tr>
</tbody>
</table>

b. Transportation Items

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Fleet Acquisition (67 Vehicles)</td>
<td>690,500</td>
<td>690,500</td>
</tr>
</tbody>
</table>

c. Acquisition of Capital Equipment and Items

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>(1) Public Safety Equipment - Replacement</td>
<td>353,213</td>
<td>353,213</td>
</tr>
<tr>
<td><strong>Total, Capital Budget</strong></td>
<td><strong>$4,354,827</strong></td>
<td><strong>$2,544,886</strong></td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$4,336,077</td>
<td>2,526,136</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>18,750</td>
<td>18,750</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$4,354,827</strong></td>
<td><strong>$2,544,886</strong></td>
</tr>
</tbody>
</table>

3. **Hazardous Duty Pay Authorized.** The Texas Alcoholic Beverage Commission is authorized to pay hazardous duty pay to any commissioned law enforcement personnel as prescribed by law.

It is further provided that individuals who had received hazardous duty pay as of August 31, 1981, shall continue to receive hazardous duty pay for the biennium beginning with the effective date of this Act. Individuals hired after August 31, 1981, shall not receive hazardous duty pay unless so authorized by Government Code, Chapter 659.

4. **Witness Expenses Authorized.** No other provisions of this Act shall prevent payment by the State of Texas of salaries and expenses incurred by representatives of the Texas Alcoholic Beverage Commission in attendance on state or federal grand jury proceedings, and who may be called as witnesses in the trial of criminal or civil cases in state or federal courts involving offenses complained of against state or federal liquor regulatory or revenue laws. It is further provided that any fees collected by such representatives in performing such duties shall be deposited in the State Treasury to the credit of the appropriations made above.

5. **Revolving Fund.** The revolving change fund created by prior legislatures in the amount of $25,000 for use at several International Bridges is hereby appropriated out of the funds above for the biennium beginning with the effective date of this Act for the same purposes.

6. **Purchase of Evidence Authorized.** From the amounts authorized above, the Texas Alcoholic Beverage Commission is hereby authorized to establish a cash fund not to exceed $50,000 for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Commission.

7. **Appropriations Limited to Revenue Collections.** Fees, fines and other miscellaneous revenues as authorized and generated by the agency shall cover, at a minimum, the cost of the appropriations made above as well as an amount equal to the amount identified above in the informational item "Other Direct and Indirect Costs Appropriated Elsewhere in this Act." In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above to be within the amount of revenue expected to be available.

8. **Fleet of Motor Vehicles Authorized.** From funds appropriated above, the Alcoholic Beverage Commission may purchase and maintain a fleet of vehicles. If these vehicles are unmarked for law enforcement purposes, these vehicles shall be utilized only by personnel who are commissioned peace officers or those persons responsible for the maintenance and repair of these vehicles. Vehicles which are properly marked pursuant to state requirements may be utilized for other legitimate agency purposes as needed by personnel employed by the agency.
   a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2008-09 biennium shall receive a $1,200 clothing allowance in the 2010-11 biennium.
   b. No person shall receive a $1,200 clothing allowance unless eligible in subsection (a).
   c. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a $500 cleaning allowance. No rank other than that of agent is entitled to a $500 cleaning allowance.
   d. The Texas Alcoholic Beverage Commission may purchase uniforms for Tax Collectors at International Bridges.

10. Contingency Rider - Ports of Entry (Anzalduas Bridge). Included in the amounts appropriated above in Strategy C.2.1, Ports of Entry, is $218,595 in fiscal year 2010 and $203,381 in fiscal year 2011 out of the General Revenue Fund for the purpose of regulating the personal importation of alcoholic beverages and cigarettes at the Anzalduas Bridge. These amounts represent 12 months of estimated operating costs per fiscal year. The appropriation of these funds is contingent upon the opening of the Anzalduas Bridge. In the event the bridge does not open prior to September 2009, the level of appropriation described above is to be prorated based on the number of months remaining in the fiscal year.

11. Contingency Rider - Ports of Entry (Donna Bridge). Included in the amounts appropriated above in Strategy C.2.1, Ports of Entry, is $243,390 in fiscal year 2010 and $228,261 in fiscal year 2011 out of the General Revenue Fund for the purpose of regulating the personal importation of alcoholic beverages and cigarettes at the Donna Bridge. These amounts represent 12 months of estimated operating costs per fiscal year. The appropriation of these funds is contingent upon the opening of the Donna Bridge. In the event the bridge does not open prior to September 2009, the level of appropriation described above is to be prorated based on the number of months remaining in the fiscal year.

12. Texas Wine Marketing Assistance Program. Included in the amounts appropriated above in Strategy D.1.1, Central Administration, is $250,000 in fiscal year 2010 and $250,000 in fiscal year 2011 out of the General Revenue Fund for the Texas Wine Marketing Assistance Program. The Texas Alcoholic Beverage Commission shall transfer these funds to the Department of Agriculture pursuant to § 5.56, Alcoholic Beverage Code.

13. Accountability Tracking System for DWI Prevention and Enforcement. From funds appropriated above, the Alcoholic Beverage Commission shall track the impact of funds appropriated for enhanced DWI prevention and enforcement. By January 1st of each fiscal year, the commission shall report to the Governor and the Legislative Budget Board the specific prevention and enforcement activities performed with the funds to include locations where the monies were spent, what programs were implemented, the impact of enforcement efforts compared to the previous biennium, and the impact on DWI-related fatalities and arrests.

14. Appropriation Transfers Between Fiscal Years - Gasoline Contingency. In addition to the transfer authority provided elsewhere in this Act, the Alcoholic Beverage Commission may transfer appropriations for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:
   a. Transfers under this section may be requested only if the average price per gallon of gasoline paid by the agency during the first six months of fiscal year 2010 exceeds $3.10 per gallon.
   b. A request to transfer appropriations for fiscal year 2011 to fiscal year 2010 shall be submitted in writing to the Governor and the Legislative Budget Board. The request shall include a justification for the amount of funds to be transferred based on an estimate of the total gallons of gasoline consumed by the agency in a year and the average price per gallon paid over $3.10 per gallon during the first six months of fiscal year 2010.
   c. A transfer authorized by this section must receive the prior approval of the Governor and the Legislative Budget Board.
d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

15. Appropriation: Seized Assets. All funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, by the Alcoholic Beverage Commission are hereby appropriated above in Strategy A.1.1, Enforcement, to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year (fiscal year 2009 unexpended balance estimated to be $0).

DEPARTMENT OF CRIMINAL JUSTICE
For the Years Ending August 31, August 31, 2010 2011

Method of Financing:

General Revenue Fund
General Revenue Fund $2,816,041,763 $2,899,835,124
Education and Recreation Program Receipts 86,454,303 86,454,303
Texas Correctional Industries Receipts 8,947,000 8,947,000
Subtotal, General Revenue Fund $2,911,443,066 $2,995,236,427

General Revenue Fund - Dedicated
Private Sector Prison Industry Expansion Account No. 5060 1,500,630 1,500,630
Compensation to Victims of Crime Account No. 469 1,576,175 1,576,175
Subtotal, General Revenue Fund - Dedicated $3,076,805 $3,076,805

Federal Funds for Incarcerated Aliens 18,601,740 18,601,739

Other Funds
Interagency Contracts - Texas Correctional Industries 40,252,930 40,252,928
Appropriated Receipts 31,112,801 11,312,792
Interagency Contracts 9,183,170 9,183,170
Bond Proceeds - General Obligation Bonds 45,000,000 35,000,000
Subtotal, Other Funds $125,548,901 $95,748,890

Total, Method of Financing $3,058,670,512 $3,112,663,861

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):
39,284.3 39,433.3

Schedule of Exempt Positions:
Executive Director, Group 8 $186,300 $186,300
Presiding Officer, Board of Pardons & Paroles, Group 4 126,500 126,500
Parole Board Member, Group 3 (6) 95,619 (6) 95,619

Items of Appropriation:
A. Goal: PROVIDE PRISON DIVERSIONS
Provide Prison Diversions through Probation & Community-based Programs.

A.1.2. Strategy: DIVERSION PROGRAMS $118,593,921 $122,968,920
A.1.3. Strategy: COMMUNITY CORRECTIONS $38,770,088 $38,770,088
A.1.4. Strategy: TRMT ALTERNATIVES TO INCARCERATION $11,604,912 $11,604,911
Treatment Alternatives to Incarceration Program.

Total, Goal A: PROVIDE PRISON DIVERSIONS $280,412,879 $286,024,332

B. Goal: SPECIAL NEEDS OFFENDERS
B.1.1. Strategy: SPECIAL NEEDS PROJECTS $20,444,499 $20,444,499
C. Goal: INCARCERATE FELONS

C.1.1. Strategy: CORRECTIONAL SECURITY OPERATIONS
$1,017,474,277 $1,057,018,188

C.1.2. Strategy: CORRECTIONAL SUPPORT OPERATIONS
$81,366,616 $83,295,660

C.1.3. Strategy: OFFENDER SERVICES
$12,926,039 $12,935,554

C.1.4. Strategy: INSTITUTIONAL GOODS
$158,274,073 $160,428,198

C.1.5. Strategy: INSTITUTIONAL SERVICES
$165,385,533 $166,115,904

C.1.6. Strategy: INST'L OPERATIONS & MAINTENANCE
$201,451,448 $202,569,344

Institutional Operations and Maintenance.

C.1.7. Strategy: PSYCHIATRIC CARE
$46,510,189 $51,354,175
Correctional Managed Psychiatric Care.

C.1.8. Strategy: MANAGED HEALTHCARE
$419,860,274 $416,949,309
Correctional Managed Healthcare.

C.1.9. Strategy: HEALTH SERVICES
$3,934,664 $3,968,366

C.1.10. Strategy: CONTRACTED TEMPORARY CAPACITY
$0 $0
Provide for Contract Correctional Beds.

C.1.11. Strategy: CONTRACT PRISONS/PRIVATE ST JAILS
$116,938,382 $118,999,800

Contract Prisons and Privately Operated State Jails.

$33,143,537 $33,852,327

C.2.1. Strategy: TEXAS CORRECTIONAL INDUSTRIES
$69,109,474 $69,561,207

C.2.2. Strategy: ACADEMIC/VOCATIONAL TRAINING
$2,332,715 $2,332,714

C.2.3. Strategy: PROJECT RIO
$5,043,000 $5,157,308

C.2.4. Strategy: TREATMENT SERVICES
$18,799,677 $19,209,850

C.2.5. Strategy: SUBSTANCE ABUSE TREATMENT
$94,461,133 $97,316,361

Total, Goal C: INCARCERATE FELONS
$2,446,911,031 $2,501,064,265

D. Goal: ENSURE ADEQUATE FACILITIES

Ensure and Maintain Adequate Facilities.

D.1.1. Strategy: FACILITIES CONSTRUCTION
$45,000,000 $35,000,000
Construction and Repair of Facilities.

D.1.2. Strategy: LEASE-PURCHASE OF FACILITIES
$12,987,350 $6,888,475
Provide for Lease-purchase of Facilities.

Total, Goal D: ENSURE ADEQUATE FACILITIES
$57,987,350 $41,888,475

E. Goal: BOARD OF PARDONS AND PAROLES

E.1.1. Strategy: BOARD OF PARDONS AND PAROLES
$17,729,541 $17,813,230

E.1.2. Strategy: REVOCATION PROCESSING
$6,999,549 $7,051,571

Total, Goal E: BOARD OF PARDONS AND PAROLES
$24,729,090 $24,864,801

F. Goal: OPERATE PAROLE SYSTEM

F.1.1. Strategy: PAROLE RELEASE PROCESSING
$3,450,240 $3,450,240

F.2.1. Strategy: PAROLE SUPERVISION
$95,392,307 $99,277,674

F.2.2. Strategy: HALFWAY HOUSE FACILITIES
$19,205,670 $19,608,995

F.2.3. Strategy: INTERMEDIATE SANCTION FACILITIES
$31,482,373 $37,385,517

Total, Goal F: OPERATE PAROLE SYSTEM
$149,530,590 $159,722,426

G. Goal: INDIRECT ADMINISTRATION

G.1.1. Strategy: CENTRAL ADMINISTRATION
$28,932,186 $28,932,179

G.1.2. Strategy: CORRECTIONAL TRAINING
$4,480,176 $4,480,176

G.1.3. Strategy: INSPECTOR GENERAL
$9,622,090 $9,622,089

G.1.4. Strategy: VICTIM SERVICES
$2,053,287 $2,053,287

G.1.5. Strategy: INFORMATION RESOURCES
$33,567,334 $33,567,332

Total, Goal G: INDIRECT ADMINISTRATION
$78,655,073 $78,655,063

Grand Total, DEPARTMENT OF CRIMINAL JUSTICE
$3,058,670,512 $3,112,663,861

Supplemental Appropriations Made in Riders:
$ (8,303,086) $(5,274,640)

Object-of-Expense Informational Listing:
Salaries and Wages
$1,355,425,810 $1,407,759,235

A696-Conf-5 V-12 May 24, 2009
### Other Personnel Costs
53,870,012  54,273,300

### Professional Fees and Services
513,119,390  515,052,410

### Fuels and Lubricants
10,844,031  10,844,026

### Consumable Supplies
15,147,212  15,147,205

### Utilities
124,003,216  124,003,202

### Travel
8,308,253  8,308,252

### Rent - Building
13,037,504  13,037,505

### Rent - Machine and Other
6,047,317  6,047,311

### Other Operating Expense
487,281,663  499,772,572

### Client Services
52,131,841  52,737,773

### Food for Persons - Wards of State
92,236,869  92,236,867

### Grants
15,147,212  15,147,205

### Capital Expenditures
72,121,969  55,765,774

### Total, Object-of-Expense Informational Listing
$ 3,050,367,426  $ 3,107,389,221

### Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

#### Employee Benefits

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$ 79,148,734</td>
<td>$ 80,653,918</td>
</tr>
<tr>
<td>Group Insurance</td>
<td>270,306,434</td>
<td>292,321,292</td>
</tr>
<tr>
<td>Social Security</td>
<td>104,346,991</td>
<td>106,331,373</td>
</tr>
<tr>
<td>Benefits Replacement</td>
<td>9,879,232</td>
<td>9,385,270</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td>$ 463,681,391</td>
<td>$ 488,691,853</td>
</tr>
</tbody>
</table>

#### Debt Service

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>TPFA GO Bond Debt Service</td>
<td>$ 203,256,495</td>
<td>$ 200,033,219</td>
</tr>
<tr>
<td>Lease Payments</td>
<td>649,112</td>
<td>648,328</td>
</tr>
<tr>
<td><strong>Subtotal, Debt Service</strong></td>
<td>$ 203,905,607</td>
<td>$ 200,681,547</td>
</tr>
</tbody>
</table>

### Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act
$ 667,586,998  $ 689,373,400

#### Performance Measure Targets

The following is a listing of the key performance target levels for the Department of Criminal Justice. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Department of Criminal Justice. In order to achieve the objectives and service standards established by this Act, the Department of Criminal Justice shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>Goal</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>A. Goal: PROVIDE PRISON DIVERSIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>A.1. Strategy: BASIC SUPERVISION</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Average Number of Felony Offenders under Direct Supervision</td>
<td>172,895</td>
<td>175,075</td>
</tr>
<tr>
<td><strong>Efficiencies:</strong></td>
<td>76</td>
<td>76</td>
</tr>
<tr>
<td>A.1.2. Strategy: DIVERSION PROGRAMS</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Residential Facility Beds Grant-funded</td>
<td>3,284</td>
<td>3,284</td>
</tr>
<tr>
<td><strong>A.1.3. Strategy: COMMUNITY CORRECTIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Residential Facility Beds Funded through Community Corrections</td>
<td>330</td>
<td>330</td>
</tr>
<tr>
<td><strong>B. Goal: SPECIAL NEEDS OFFENDERS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Outcome (Results/Impact):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Rate</td>
<td>12%</td>
<td>12%</td>
</tr>
<tr>
<td><strong>B.1.1. Strategy: SPECIAL NEEDS PROJECTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Output (Volume):</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Number of Special Needs Offenders Served Through the Continuity of Care Programs</td>
<td>28,500</td>
<td>28,500</td>
</tr>
</tbody>
</table>
C. Goal: INCARCERATE FELONS

**Outcome (Results/Impact):**

<table>
<thead>
<tr>
<th>Escaped Offenders as Percentage of Number of Offenders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Incarcerated</td>
</tr>
<tr>
<td>Three-year Recidivism Rate</td>
</tr>
<tr>
<td>Turnover Rate of Correctional Officers</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.1.1. Strategy: CORRECTIONAL SECURITY OPERATIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Offenders Incarcerated</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.1.7. Strategy: PSYCHIATRIC CARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Psychiatric Inpatient Average Daily Census</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.1.8. Strategy: MANAGED HEALTHCARE</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Offenders under Correctional Managed Healthcare</td>
</tr>
</tbody>
</table>

**Efficiencies:**

<table>
<thead>
<tr>
<th>Medical Care Cost Per Offender</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>C.1.10. Strategy: CONTRACTED TEMPORARY CAPACITY</th>
</tr>
</thead>
<tbody>
<tr>
<td>Explanatory:</td>
</tr>
<tr>
<td>Average Number of Offenders in Contractual Correctional Bed Capacity</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.1.11. Strategy: CONTRACT PRISONS/PRIVATE ST JAILS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Offenders in Contract Prisons and Privately Operated State Jails</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Number of Inmates Assigned to the Texas Correctional Industries Program</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.2.2. Strategy: ACADEMIC/VOCATIONAL TRAINING</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Inmate Students Enrolled</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.2.4. Strategy: TREATMENT SERVICES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Number of Sex Offenders Receiving Psychological Counseling While on Parole/Mandatory Supervision</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>C.2.5. Strategy: SUBSTANCE ABUSE TREATMENT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Number of Confinees Completing Treatment in Substance Abuse Felony Punishment Facilities</td>
</tr>
</tbody>
</table>

E. Goal: BOARD OF PARDONS AND PAROLES

<table>
<thead>
<tr>
<th>E.1.1. Strategy: BOARD OF PARDONS AND PAROLES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Number of Parole Cases Considered</td>
</tr>
<tr>
<td>Number of Parole Cases Processed</td>
</tr>
</tbody>
</table>

F. Goal: OPERATE PAROLE SYSTEM

**Outcome (Results/Impact):**

<table>
<thead>
<tr>
<th>Releasee Annual Revocation Rate</th>
</tr>
</thead>
</table>

<table>
<thead>
<tr>
<th>F.2.1. Strategy: PAROLE SUPERVISION</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Offenders Under Active Parole Supervision</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>F.2.2. Strategy: HALFWAY HOUSE FACILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Releases in Halfway Houses</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>F.2.3. Strategy: INTERMEDIATE SANCTION FACILITIES</th>
</tr>
</thead>
<tbody>
<tr>
<td>Output (Volume):</td>
</tr>
<tr>
<td>Average Number of Releases in Intermediate Sanction Facilities</td>
</tr>
</tbody>
</table>
2. **Capital Budget.** None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code §1232.103.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Capital Budget</strong></td>
<td></td>
</tr>
<tr>
<td>a. Construction of Buildings and Facilities</td>
<td></td>
</tr>
<tr>
<td>(1) Lease-Purchase of Facilities</td>
<td>$ 12,987,350</td>
</tr>
<tr>
<td>b. Repair or Rehabilitation of Buildings and Facilities</td>
<td></td>
</tr>
<tr>
<td>(1) Lease Payment (MLPP) for Energy Performance Contract (EPC)</td>
<td>1,973,796</td>
</tr>
<tr>
<td>(2) Marlin Correctional Mental Health Facility</td>
<td>10,000,000</td>
</tr>
<tr>
<td>(3) Repair and Rehabilitation of Facilities</td>
<td>35,000,000</td>
</tr>
<tr>
<td>Total, Repair or Rehabilitation of Buildings and Facilities</td>
<td>$ 46,973,796</td>
</tr>
<tr>
<td>c. Acquisition of Information Resource Technologies</td>
<td></td>
</tr>
<tr>
<td>(1) Data Center Consolidation</td>
<td>17,276,662</td>
</tr>
<tr>
<td>(2) Computer and Software Acquisitions</td>
<td>3,995,428</td>
</tr>
<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
<td>$ 21,272,090</td>
</tr>
<tr>
<td>d. Transportation Items</td>
<td></td>
</tr>
<tr>
<td>(1) Vehicles, Scheduled Replacements</td>
<td>5,134,267</td>
</tr>
<tr>
<td>e. Acquisition of Capital Equipment and Items</td>
<td></td>
</tr>
<tr>
<td></td>
<td>4,544,867</td>
</tr>
<tr>
<td>Total, Capital Budget</td>
<td>$ 90,912,370</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>General Revenue Fund</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$ 44,685,160</td>
</tr>
<tr>
<td>Texas Correctional Industries Receipts</td>
<td>920,407</td>
</tr>
<tr>
<td>Subtotal, General Revenue Fund</td>
<td>$ 45,605,567</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Other Funds</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Interagency Contracts - Texas Correctional Industries</td>
<td>306,803</td>
</tr>
<tr>
<td>Bond Proceeds - General Obligation Bonds</td>
<td>45,000,000</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$ 45,306,803</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 90,912,370</td>
</tr>
</tbody>
</table>

3. **Disposition of Construction Appropriation.** Construction Appropriations may be used to pay salaries of engineers, architects, superintendents, supervisors and administrative expenses and support personnel of construction projects; architectural fees and the actual and necessary travel expenses incurred by them or their representatives in making special trips of inspection at the instance of the Board of Criminal Justice or the Department of Criminal Justice's Executive Director or designee during construction or repair of buildings or installation of fixed equipment in such buildings. The State Auditor's Office may recommend job titles and rates of pay for such salaried positions.

4. **Temporary Loan of Construction Resources.** The Texas Department of Criminal Justice (TDCJ) may temporarily utilize materials and equipment acquired and personnel paid from one project appropriated for construction, repairs, and renovation, including construction of additional capacity and building maintenance, to construct any other similar project for which funds have been appropriated. The receiving project must reimburse the providing project within twelve months with funds and/or a like amount of materials, equipment, equipment usage, or personnel of equivalent value. Reimbursement with funds may be accomplished by transfer in a manner which
records appropriate expenditures to the borrowing project and negative expenditures to the lending project. These transfers may be summary amounts in a manner approved by the Comptroller of Public Accounts. However, the TDCJ must maintain adequate detailed records to support such summary transfer amounts.

5. Architectural Fees. Notwithstanding other provisions of this Act, in those instances where inmate labor is used on construction projects, the Department of Criminal Justice is authorized to pay architectural fees based on the estimated total cost of a project as if it were to be done by a private contractor. The department shall employ an independent firm, separate from the architect, to estimate the total cost of a project. Architectural fees based on the estimated cost shall be governed by other provisions of this Act.

6. Construction Encumbrances. Any funds legally encumbered for construction contracts for projects which are in effect as of August 31, 2009, are considered encumbered and may be carried forward to fiscal year 2010.

7. Utilization of Existing Correctional Facilities. The department shall give full consideration to utilizing existing correctional facilities located in the State of Texas and currently owned or operated by federal or local governments. Appropriations to the department may be used for the purposes of leasing, purchasing, or contracting for operations of such facilities if agreements can be reached which are beneficial to the State.

8. Review of Construction Change Orders. From funds appropriated above, the Texas Department of Criminal Justice (TDCJ), upon the review of any change order, shall develop a procedure whereby cause of such change order shall be determined and documented in the project file. If it is determined that the change was necessitated by the error or omission of any contracted party, the TDCJ shall hold such party financially responsible.

9. Salary Adjustment Authorized. Notwithstanding other provisions of this Act, the Texas Department of Criminal Justice is authorized to adjust salaries of the following position series to rates within the designated salary group for the purpose of recruiting, employing, and retaining career correctional personnel:
   a. Correctional Officer;
   b. Sergeant, Lieutenant, Captain, and Major of Correctional Officers;
   c. Food Service Manager;
   d. Laundry Manager; and
   e. Parole Officer.

Merit raises are prohibited for all employees who are receiving or are eligible to receive step adjustments in the career ladder system.

10. Appropriation: Meals Authorized. The department may charge an amount necessary to recover the cost of a meal provided to an employee as described herein. Department employees assigned to work inside correctional facilities or on travel status may receive up to two free meals per shift and employees residing in employee dormitories may receive three free meals per day. None of the funds appropriated above shall be utilized to provide meals to other employees for a charge of less than $1.00 per meal or to grow, purchase, prepare, or provide food products for employees to use at their homes. All meal fees received are appropriated above in Strategy C.1.4, Institutional Goods. Any fees collected in excess of $4,308 in fiscal year 2010 and $4,307 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

11. Benefit Policy Required. The Board of Criminal Justice shall adopt a written policy relating to benefits provided in Riders 10 and 13 specifying the criteria used to award these benefits to employees, and shall develop a system to account for all costs related to these benefits and all revenues from collection of fees.

   a. The department's Regional Directors, Chief Wardens, Assistant Wardens, Majors of Correctional Officers, Captain of Correctional Officers, Lieutenant of Correctional Officers, Kennel Sergeants, Maintenance Supervisors, and Fire/Safety Managers at each facility are authorized to live in state-owned housing at rental rates determined by the department.
   b. Other department employees may live in available state-owned housing as set forth in Article IX, § 11.05, State Owned Housing - Recover Housing Costs of this Act.
c. All fees received for employee housing are appropriated above in Strategy C.1.6, Institutional Operations and Maintenance, to be used for maintaining employee housing. Any fees collected in excess of $750,000 in fiscal year 2010 and $750,000 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

d. Notwithstanding Article IX, § 11.05, the department may allocate housing at reduced or no cost to employees with a demonstrated need based on location and job description.

13. Appropriation: Laundry Service. The department may charge an amount necessary to recover the cost for the provision of laundry services as described herein. The department may launder or dry clean the uniforms of correctional officers at no charge. None of the funds appropriated above may be used to launder or dry clean other employee clothing or to provide other services unless fees are charged to recover the cost of providing the services. All fees collected for laundry and other related services are appropriated above in Strategy C.1.4, Institutional Goods. Any fees collected in excess of $950,000 in fiscal year 2010 and $950,000 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

14. Employee Medical Care. Appropriations made in this Act not otherwise restricted in use may also be expended to provide medical attention and hospitalization by correctional medical staff and the correctional hospital facilities, or to pay necessary medical expenses for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.

15. Compensatory Time. Exceptions to the prohibition against substituting other days for holidays may be authorized by the Director of the Texas Department of Criminal Justice for employees who are required to work on holidays due to the continuing operation of the department. Any employee who is required to work on any of the holidays authorized in the general provisions of this Act, and who does work on any of the said holidays, shall be entitled to compensating time off to be taken on such day as may be mutually agreed upon by the employee and supervisor.

16. Hazardous Duty Pay. Employees hired after August 31, 1985, must occupy positions approved by the Texas Board of Criminal Justice and meet statutory criteria to receive hazardous duty pay.

17. Transfer Authority within and between Goals. Subject to capital budget provisions contained in this Act, the Texas Department of Criminal Justice is authorized to transfer such amounts as may be necessary within appropriations made for each goal. Funds may be transferred between goals, provided that before any transfer between goals which will have the cumulative effect of changing expenditures for any goal by more than 20 percent of the amount appropriated for that goal for the fiscal year, written notification of intent to transfer be provided the Governor, the Legislative Budget Board, the Senate Finance Committee, and the House Appropriations Committee.

18. Employment Limitation. None of the funds appropriated above shall be expended by the Department of Criminal Justice to employ anyone who, in the course of his official duties, conducts business with individuals or firms with which the employee has either a direct or indirect financial interest.

19. Grievance Procedures. From funds appropriated above, the Board of Criminal Justice shall maintain employee disciplinary and grievance procedures in compliance with this section. The Board's disciplinary procedures shall allow an employee of the department to be represented by a designee of the employee's selection who may participate in the hearing on behalf of an employee charged with any type of disciplinary violation. The Board's grievance procedure shall attempt to solve problems through a process which recognizes the employee's right to bring grievances pursuant to the procedures in this section. The grievance procedure shall include either independent mediation or independent, non-binding arbitration of disputes between the employer and the employee if the disciplining authority recommends that the employee be terminated or the employee is terminated.
Any grievance or disciplinary hearing in which a department employee serves as a representative shall be held during normal business hours on a week day, unless the employer and employee agree otherwise. The employee subject to the hearing attends such hearing as part of regular employment duties. An employee representative who is a department employee must obtain prior approval to be placed on unpaid leave to attend a hearing.

Nothing in this provision shall authorize expenditures of appropriated funds not authorized elsewhere in this Act.

20. Petty Cash Fund Authorized. The local Petty Cash Revolving Fund in the amount of $10,000 is continued for the biennium beginning September 1, 2009, and may be used to advance or reimburse transfer agents and for the care and maintenance of convicted felons while en route to the department from points in Texas and elsewhere in the United States; and for the payment of C.O.D. freight and express charges and similar items requiring immediate cash disbursements. The funds shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.

21. Revolving Fund Authorized. The local Inmate Release Revolving Fund of $500,000 is continued for each year of the biennium beginning September 1, 2009, and is deposited in a bank or banks in Texas; and all inmates released on parole, mandatory supervision, discharge, or conditional pardon shall be paid out of this fund. The fund shall be reimbursed by warrants drawn and approved by the Comptroller out of appropriated funds to the Texas Department of Criminal Justice.

22. Appropriation: Agriculture Receipts. Each year of the biennium the Texas Department of Criminal Justice (TDCJ) may exchange agricultural products for other agricultural products and finished goods, and all revenue accruing from the sale of agricultural commodities or livestock and other revenues as they apply to sales of equipment, salvage, refunds and to recover damage claims are appropriated above in Strategy C.1.5, Institutional Services. Any revenues collected in excess of $5,725,974 in fiscal year 2010 and $5,725,974 in fiscal year 2011 are hereby appropriated to the department for agricultural operations. Any unexpended balance up to $2,000,000 remaining from revenues on August 31, 2009, and August 31, 2010, is appropriated to allow for continuity of agricultural production and sales cycles which do not conform to fiscal years (fiscal year 2009 unexpended balance estimated to be $0).

23. Appropriation: Acceptance of Grants, Gifts. The Board of Criminal Justice is authorized to accept federal grants, donations, and gifts, including those of real property, for the programs and projects of the agency. All such gifts, donations, and grants are appropriated above in Strategy C.1.1, Correctional Security Operations, for the purposes for which they are made available, provided, however, that in taking advantage of or accepting such funds, the Board shall not incur any indebtedness which would necessitate a supplemental or additional appropriation out of any funds of this State nor deplete any of the funds herein appropriated to an amount which would necessitate a supplemental or additional appropriation out of any funds of this State to replenish said fund or funds.

24. Appropriation: Controlled Substance Receipts. All funds received under Chapter 59, Code of Criminal Procedure, and Chapter 71, Property Code, by the Texas Department of Criminal Justice are hereby appropriated above in Strategy G.1.3, Inspector General, to be used for law enforcement purposes. Any funds unexpended at the close of each fiscal year are appropriated for the following year (fiscal year 2009 unexpended balance estimated to be $0).

25. Appropriation: Texas Correctional Industries Receipts. Receipts collected from the sales of products produced by Texas Correctional Industries (TCI) are appropriated above in Strategy C.2.1, Texas Correctional Industries. Any receipts collected in excess of $49,199,930 in fiscal year 2010 and $49,199,928 in fiscal year 2011 are hereby appropriated to the department for the continued production of TCI goods and services (estimated to be $0). Any unexpended and unobligated balance up to $5,000,000 remaining from TCI revenues on August 31, 2009, and August 31, 2010, is appropriated to the department for the same purpose. The State Comptroller shall transfer any unobligated fund balances from Texas Correctional Industries receipts in excess of $5,000,000 to the General Revenue Fund at the end of each fiscal year (fiscal year 2009 unexpended balance estimated to be $0).

26. Appropriation: Unexpended Balances for Increased Offender Populations. In order to operate new correctional facilities or programs necessary for increased offender populations under the department's supervision, unexpended balances from appropriations made to the Department
of Criminal Justice for fiscal year 2010 are hereby appropriated to the Department for fiscal year 2011 contingent upon written notification to the Governor and the Legislative Budget Board by the Texas Board of Criminal Justice, not less than 45 days prior to encumbrance, which details the amount and purpose of expenditures of funds carried into fiscal year 2011 under authority of this provision.

27. **Transfer Limitation.** Upon any order from a federal court that requires the Texas Department of Criminal Justice to transfer funds from any appropriation made hereinabove, those funds which were attempted to be transferred shall lapse and the Comptroller shall return the amount appropriated to its respective source.

28. **Offender Information Management System.** The Department of Criminal Justice shall use funds appropriated above to automate the offender management function to the greatest extent possible. To this end, the department may contract for automation/reengineering assistance after receiving prior approval from the Legislative Budget Board. Funds for this payment may come from benefits and savings as realized.

The Texas Department of Criminal Justice shall demonstrate that the current phase (Phase III, Period 1) of the Offender Information Management System meets the business needs of the agency and the technical capabilities, performance, and specifications identified during the development phase of the project. The Texas Department of Criminal Justice shall validate that all product requirements are satisfied and that no outstanding issues exist. Senior management of the Board of Pardons and Paroles, the Texas Department of Criminal Justice, and the Parole Division of the Texas Department of Criminal Justice shall provide to the Governor and the Legislative Budget Board a letter of certification validating the usability and functionality of the current system (Phase III, Period 1) before expenditure of funds by the Texas Department of Criminal Justice for the next phase of the project (Phase III, Period 2).

The Texas Department of Criminal Justice shall provide a detailed project plan for the next phase of the Offender Information Management System (Phase III, Period 2), to the Governor and the Legislative Budget Board prior to the expenditure of funds for project implementation. This plan shall include a detailed description of tasks, deliverables, milestones, work efforts, responsible individuals, and due dates. The Texas Department of Criminal Justice shall provide performance measures to assist in evaluating the progress of the project. The Texas Department of Criminal Justice shall continue to provide monthly status reports to the Quality Assurance Team that include project status, change management, risk management, issue and action items, deliverables, and scheduled accomplishments.

29. **Appropriation: Recreational Facility Fees.** The department may charge an amount necessary to recover the cost for the use of recreation facilities. Fees charged for recreation facilities owned and operated by the department are to be deposited in a special account with the Comptroller of Public Accounts. All recreational facility fees received are appropriated above in Strategy C.1.6, Institutional Operations and Maintenance. Any fees collected in excess of $30,545 in fiscal year 2010 and $30,545 in fiscal year 2011 are hereby appropriated to the department for continued operation and maintenance of the department's recreational facilities.

30. **Purchasing Through Request for Proposal.** The Texas Department of Criminal Justice may purchase care, treatment services, and residential services through the Request for Proposal process.

The Texas Department of Criminal Justice shall:

a. negotiate purchases to achieve fair and reasonable prices at rates that do not exceed any maximum provided by law, and

b. select service providers according to each provider's qualifications and demonstrated competence.

31. **Parole Supervision Ratio.** The department shall use funds appropriated above in Strategy F.2.1, Parole Supervision, to maintain a ratio of 75 active releasees to one supervising officer in fiscal years 2010 and 2011. The ratio will be calculated by dividing the number of supervising parole officers and case managers currently employed into the total number of releasees supervised, exclusive of those under intensive and super intensive supervision, for which a ratio of 25 and 20
releasees to one supervising officer respectively is to be maintained. In the event that this ratio is
not maintained, the Texas Department of Criminal Justice shall file a statement documenting the
reasons for noncompliance with the Governor and the Legislative Budget Board.

32. **Project RIO.** The Texas Workforce Commission, the Texas Department of Criminal Justice, and
the Texas Youth Commission shall together enhance the effectiveness of Project RIO by
improving cohesive program delivery among the three agencies. The agencies shall together
develop and implement a biennial strategic plan for the implementation of a more cohesive and
effective Project RIO program which will emphasize necessary skill development, rehabilitation,
and appropriate assessment of the offender prior to release. Not later than March 1, 2010, the
biennial strategic plan, jointly prepared by the three agencies, and including specific strategies,
measures, timeframes for program improvement, and a methodology for program evaluation, shall
be submitted to the Legislative Budget Board and the Governor. The Texas Workforce
Commission shall maintain interagency contracts at $4,559,735 in each fiscal year of the biennium
to the Texas Department of Criminal Justice to fund Project RIO. The agencies shall enter into
interagency contracts, to include the reporting of performance levels, for the 2010-11 biennium.

33. **Aircraft Authorization.** The Texas Department of Criminal Justice (TDCJ) is authorized to own
or lease, operate, and maintain one aircraft and to replace it if necessary. In the event that a
temporary need arises, the TDCJ is authorized to expend funds for the lease or rental of aircraft on
an as-needed basis.

34. **Expenditure Limitation - Windham School District.** None of the funds provided to the
Windham School District through the Texas Education Agency shall be expended unless the
Board of Criminal Justice has approved an annual operating budget for the school district prior to
the expenditure of any funds. The Department of Criminal Justice shall file a copy of that
operating budget of the Windham School District with the Governor, the Legislative Budget
Board, and the appropriate legislative oversight committees at the beginning of each fiscal year.

35. **Postsecondary Education Programs.** Postsecondary education courses shall be available only to
inmates who have:

a. demonstrated a clear and convincing record of rehabilitation while incarcerated, and

b. demonstrated an interest in a field of study that lends itself to performing specific and
   beneficial tasks while incarcerated, and

c. demonstrated the aptitude and capabilities to do college-level study.

The costs of such postsecondary education programs shall be reimbursed by the inmate as a
condition of parole.

The Department of Criminal Justice shall not provide in-cell tutoring for inmates who are in
administrative segregation.

The Department of Criminal Justice may not transfer appropriations out of Strategy C.2.2,
Academic/Vocational Training.

36. **Appropriation: Education and Recreation Program Receipts.** All receipts collected from the
operation of facility commissaries and all gifts and other income for inmate welfare accruing
together with Education and Recreation Program account balances at the beginning of each year of
the biennium beginning September 1, 2009, are hereby appropriated above in Strategy C.1.5,
Institutional Services, to the Department of Criminal Justice subject to the following provisions:

a. All receipts collected shall be deposited in accordance with applicable statutes: (1) in the
   General Revenue Fund of the State Treasury; (2) in trust with the State Comptroller; or (3) in
   a local bank account on approval by the State Comptroller.

b. Salaries of personnel employed by the Education and Recreation Program shall conform
   with the provisions of the Classification Plan except as otherwise provided by this Act.

c. Funds deposited in Education and Recreation Program accounts shall be expended only with
   the advance, written approval of the Board of Criminal Justice.
d. The department shall expend Education and Recreation Program receipts first for the construction, maintenance, equipment and operations of recreational facilities and for the income producing operations of the program. Any remaining balances may be expended for other programs benefiting the welfare of department confinees.

Any Education and Recreation Program receipts collected in excess of $86,454,303 in fiscal year 2010 and $86,454,303 in fiscal year 2011 are hereby appropriated to the department subject to the above-cited provisions.

37. **Private Sector Prison Industries Oversight Authority.** Out of funds appropriated above in Strategy C.2.1, Texas Correctional Industries, the Texas Department of Criminal Justice shall provide reimbursement of travel expenses incurred by members of the Private Sector Prison Industries Oversight Authority in accordance with Government Code § 497.055 and provisions of this Act related to the per diem of board or commission members.

38. **Appropriation: Sex Offender Notification Fees.** All fees collected from offenders for reimbursement to local law enforcement authorities for costs incurred in providing notice for publication, including any costs incurred in publishing any photographs needed to provide notice, to a newspaper in accordance with Government Code, § 508.186, are appropriated above in Strategy F.2.1, Parole Supervision, for reimbursing local law enforcement authorities. Any fees collected in excess of $10,046 in fiscal year 2010 and $10,046 in fiscal year 2011 are hereby appropriated to the department for the same purpose.

39. **Appropriation: Parole Supervision Fees.** All parole supervision fees collected from offenders in accordance with Government Code § 508.182, are appropriated above in Strategy F.2.1, Parole Supervision. Any fees collected in excess of $8,399,000 in fiscal year 2010 and $8,502,000 in fiscal year 2011 are hereby appropriated to the department for parole supervision.

40. **Appropriation Transfers Between Fiscal Years.** In addition to the transfer authority provided elsewhere in this Act, the Texas Department of Criminal Justice may transfer appropriations in an amount not to exceed $150,000,000 made for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only:

   (1) if correctional populations exceed the capacity of the department, or

   (2) if Federal Funds for Incarcerated Aliens appropriated in fiscal year 2010 to the department are not received in the amount identified in the method of finance for that year, or

   (3) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

b. The transfer authority provided above is exclusive of expenditure needs for Strategy C.1.7, Psychiatric Care, and Strategy C.1.8, Managed Healthcare.

c. A transfer authorized by this section above must receive the prior approval of the Governor and the Legislative Budget Board.

d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

41. **Managed Health Care - Reporting Requirements.** The Correctional Managed Health Care Committee is required to submit to the Legislative Budget Board and Governor a report detailing:

a. correctional managed health care actual and projected expenditures for on-site, off-site, and pharmaceutical costs;

b. health care cost for inmates over age 55 including utilization data;

c. other health care information determined by the Office of the Governor and the Legislative Budget Board; and
d. all monies held in reserve during any quarterly reporting period by the Correctional Managed Health Care Committee or for Correctional Managed Health Care by the University of Texas Medical Branch at Galveston and the Texas Tech University Health Sciences Center.

Such reports shall be submitted on a quarterly basis.

42. Managed Health Care Operational Shortfalls. For the purpose of offsetting operational shortfalls occurring in correctional managed health care and out of funds appropriated above, the department shall transfer funds as necessary into Strategy C.1.8, Managed Healthcare, for payment to the Correctional Managed Health Care Committee to address any managed health care operational shortfalls for fiscal years 2010-11, not to exceed $5 million for the biennium. If the department and committee do not agree on transfer amounts deemed necessary, supporting documentation shall be provided to the Governor and the Legislative Budget Board. The Governor and Legislative Budget Board shall then make the final decision.

43. Computer Refurbishing Program. The Texas Department of Criminal Justice shall use funds appropriated above in Strategy C.2.1, Texas Correctional Industries, to develop and implement an inmate work program in which donated, second-hand computers are refurbished in prisons for use by public schools.

44. Capital Expenditures Authorized. Notwithstanding the limitations placed on the expenditure of funds for capital budget items contained in the general provisions of this Act, the Texas Department of Criminal Justice is hereby authorized to expend funds appropriated to the Texas Department of Criminal Justice for the acquisition of capital budget items and unforeseen building maintenance as approved by the Texas Board of Criminal Justice.

45. Recruitment and Retention of Staff. TDCJ shall submit a biennial report on its recruitment and retention efforts to the Governor and the Legislative Budget Board no later than January 1, 2011. The report shall include information on vacancy rates, turnover rates, average years of service, and average number of continuing education training hours for security and nonsecurity staff.

46. Parole Transitional Support Program. Out of funds appropriated above in Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice (TDCJ) shall use $50,000 each fiscal year of the 2010-11 biennium for the Transitional Support Program. The TDCJ shall use these funds for the sole purpose of providing contracts for services with recognized non-profit organizations in order to facilitate parolees with their transition from incarceration to release on parole. The contracted services shall emphasize and promote family support and involvement in the transition and should establish the goal of reducing recidivism rates of the individuals who participate in the program.

47. Correctional Officer Training. Out of funds appropriated above, the Texas Department of Criminal Justice shall provide at least 284 hours of training for new correctional officers.

48. Human Resources Management Plan. From funds appropriated above, the Texas Department of Criminal Justice shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Texas Department of Criminal Justice shall report, by October 1 of each year of the biennium, to the Senate Finance Committee, the House Committee on Appropriations, the Legislative Budget Board, and the Governor the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for correctional officers.

49. Ombudsman Activity. From funds appropriated above, the Ombudsman for the Texas Department of Criminal Justice (TDCJ) shall respond to all agency and legislatively referred complaints in a timely manner. The TDCJ shall develop performance measures, trend analysis, and a method of resolution for issues presented. The TDCJ shall provide summary reports regarding this activity to the Legislative Budget Board and the Governor on an annual basis.

50. Safe Prisons Program. From funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall maintain a Safe Prisons Program for the purpose of preventing and limiting the number of sexual assaults by inmates on inmates. Strategies to prevent sexual assaults that may be used in the Safe Prisons Program include, but are not limited to, use of protective custody; use of an inmate's assault history in making cell assignments; use of an inmate's likelihood of victimization in cell assignments; education of correctional officers on the importance of preventing sexual assault; education of new prisoners on the risks of sexual assault, including
prosecution; and use of surveillance cameras. TDCJ shall report annually to the Legislative Budget Board and the Governor the number of sexual assaults by inmates on inmates and the actions taken on each assault. Additional reporting elements may be established by the Legislative Budget Board and the Governor. TDCJ shall designate a Safe Prisons Program coordinator who reports directly to the TDCJ Executive Director.

51. **Interagency Contract for Legal Services.** Out of funds appropriated above, $1.3 million for each fiscal year of the 2010-11 biennium is for an interagency contract with the Office of the Attorney General for legal services provided by the Office of the Attorney General to the Texas Department of Criminal Justice (TDCJ). Any interagency contract funded by appropriated funds may not exceed reasonable attorney fees for similar legal services in the private sector, shall not jeopardize the ability of the TDCJ to carry out its legislative mandates, and shall not affect the budget for the TDCJ such that employees must be terminated in order to pay the amount of the interagency contract.

52. **Appropriation: Unexpended Balances of Construction Bonds.** Any unexpended balances of general obligation bond appropriations that have been approved under the provisions of Article IX, Section 19.70 or Article IX, Section 19.71 of House Bill 1, 80th Legislature, Regular Session, 2007, as of August 31, 2009, for the Texas Department of Criminal Justice (TDCJ) for the repair and rehabilitation of facilities are hereby appropriated to the TDCJ for the biennium beginning September 1, 2009, provided that such appropriated funds shall not be expended without approval of the Board of Criminal Justice and that copies of such approvals shall be filed with the Governor and the Legislative Budget Board. Unexpended balances appropriated for the 2010-11 biennium may be used only for facilities repair and rehabilitation or the conversion of the Marlin Correctional Mental Health Facility and shall not be used for the construction of additional facilities (fiscal year 2009 unexpended balance estimated to be $0).

53. **Misdemeanor Funding.** The Texas Department of Criminal Justice shall distribute funds at a rate not to exceed $.70 per day for each misdemeanor defendant directly supervised by a community supervision and corrections department. Funding for each misdemeanor defendant may not exceed the period of time authorized by statute.

54. **Appropriation: Refunds of Unexpended Balances from CSCDs.** The Texas Department of Criminal Justice (TDCJ) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of this biennium by local community supervision and corrections departments (CSCDs). All estimated fiscal years 2008-09 refunds received from CSCDs by TDCJ are appropriated above in Strategies A.1.1, Basic Supervision, A.1.2, Diversion Programs, A.1.3, Community Corrections, and A.1.4, Treatment Alternatives to Incarceration. All refunds received by TDCJ in excess of $19,800,000 shall be redistributed by TDCJ for the benefit of the community supervision and corrections system (estimated to be $0).

55. **Transportation - Substance Abuse.** From funds appropriated above, the Department of Criminal Justice shall provide transportation for inmates who are released from Substance Abuse Felony Punishment Facilities (SAFPF) or In-Prison Therapeutic Community (IPTC) facilities and transferred to a residential setting.

56. **Treatment Alternatives to Incarceration Program.** The Texas Department of Criminal Justice is directed to expedent at least $3.25 million each fiscal year of the biennium on the Treatment Alternatives to Incarceration Program as specified in Government Code § 76.017.

57. **Harris County Community Corrections Facility.** Out of funds appropriated above in Strategy A.1.2, Diversion Programs, $6,500,000 in fiscal year 2010 and $6,500,000 in fiscal year 2011 in discretionary grants shall be made to the Harris County Community Supervision and Corrections Department for the continued operations of the Harris County Community Corrections Facility.

58. **Continuity of Care.** Out of the funds appropriated above in Strategy B.1.1, Special Needs Projects, the Texas Correctional Office on Offenders with Medical or Mental Impairments shall coordinate with the Texas Department of State Health Services, county and municipal jails, and community mental health and mental retardation centers on establishing methods for the continuity of care for pre- and post-release activities of defendants who are returned to the county of conviction after the defendant's competency has been restored. The Council shall coordinate in the same manner it performs continuity of care activities for offenders with special needs.

59. **Texas State Council for Interstate Adult Supervision Authority.** Out of funds appropriated above, TDCJ shall provide reimbursement of travel expenses incurred by members of the Texas State Council for Interstate Adult Supervision Authority.
State Council for Interstate Adult Offender Supervision while conducting the business of the council in accordance with Government Code, Chapters 510 and 2110, and provisions of this Act related to the per diem of board or commission members.

60. **Advisory Committee on Offenders with Medical or Mental Impairments.** Out of the funds appropriated above, TDCJ shall provide reimbursement of travel expenses incurred by members of the Advisory Committee on Offenders with Medical or Mental Impairments incurred while conducting business of the committee in accordance with Government Code, Chapters 614 and 2110, and provisions of this Act related to the per diem of board or commission members.

61. **Correctional Managed Healthcare: Limitation of Expenditure.** Out of the funds appropriated above, the Correctional Managed Healthcare Committee shall not transfer any funds in excess of capitation rates established in contracts to the University of Texas Medical Branch or the Texas Tech University Health Sciences Center without prior approval of the Governor and the Legislative Budget Board. Any funds appropriated for Correctional Managed Healthcare remaining unexpended or unobligated on August 31 of each fiscal year shall lapse to the General Revenue Fund.

62. **Minimum Standards of Contracted Facilities.** The Texas Department of Criminal Justice may use funds appropriated for Strategy C.1.10, Contracted Temporary Capacity, to contract only with facilities that met the minimum standards promulgated by the Texas Commission on Jail Standards at the time of their most recent audit.

63. **Probation Caseload Reduction.** Out of funds appropriated above to the Texas Department of Criminal Justice in Strategy A.1.2, Diversion Programs, at least $14,092,422 in fiscal year 2010 and at least $14,092,422 in fiscal year 2011 shall be used to fund community supervision officers to reduce caseloads consisting of medium and high risk offenders.

64. **Residential Treatment and Sanction Beds Funding.** From funds appropriated above in Strategy A.1.2, Diversion Programs, at least $13,637,500 shall be expended in fiscal year 2010 and at least $13,637,500 shall be expended in fiscal year 2011 on residential treatment and sanction beds. In distribution of these funds, the Community Justice Assistance Division of the Texas Department of Criminal Justice shall give preference to community supervision and corrections departments having access to currently existing, unfunded residential treatment and sanction beds. The Community Justice Assistance Division shall also give preference to community supervision and corrections departments that have higher rates of community supervision technical revocations in order to maximize the positive effect on the criminal justice system.

65. **Medically Recommended Intensive Supervision.** From funds appropriated above, the Department of Criminal Justice (TDCJ) shall develop an automated report to assist in identifying offenders eligible for medically recommended intensive supervision (MRIS). TDCJ should work with the University of Texas Medical Branch and the Texas Tech University Health Sciences Center to develop uniform diagnosis codes to signal offenders eligible for release on MRIS.

TDCJ shall expedite its screening process for MRIS by requesting an offender's board file at the same time it assigns a caseworker to complete an interview of the offender.

66. **Unexpended Balance Authority for Special Needs Projects.** Any unexpended balances as of August 31, 2010, for the Texas Department of Criminal Justice in appropriations made above in Strategy B.1.1, Special Needs Projects, are hereby appropriated to the department for the fiscal year beginning September 1, 2010, for the same purpose.

67. **Monitoring of Community Supervision Diversion Funds.** From funds appropriated above, the Texas Department of Criminal Justice (TDCJ) shall maintain a specific accountability system for tracking community supervision funds targeted at making a positive impact on the criminal justice system.

In addition to continuing the recommendations made by the State Auditor's Office in the September 2004 report (Report No. 05-002) to the Texas Department of Criminal Justice to increase the accuracy and completeness of information used to allocate funds for adult probation services and to improve the monitoring agreements made with the community supervision and corrections departments (CSCDs), the agency shall implement a monitoring system so that the use of funds appropriated in Strategies A.1.2, A.1.3, and A.1.4. can be specifically identified.

The agency shall produce, on an annual basis, detailed monitoring, tracking, utilization, and effectiveness information on the above mentioned funds. This information shall include
information on the impact of any new initiatives. Examples include, but are not limited to, number of offenders served, number of residential beds funded, number of community supervision officers hired, and caseload sizes. The agency shall provide documentation regarding the methodology used to distribute the funds. In addition to any other requests for information, the agency shall report the above information for the previous fiscal year to the Legislative Budget Board and the Governor's Office by December 1st of each year.

68. Mental Health Services. Out of the funds appropriated above to the Texas Department of Criminal Justice (TDCJ) in Strategy A.1.2, Diversion Programs, and Strategy B.1.1, Special Needs Projects, at least $31,000,000 shall be expended for enhanced mental health services. Funds appropriated in Strategy A.1.2, Diversion Programs, include $4,000,000 that shall be used in fiscal year 2010 and $4,000,000 that shall be used in fiscal year 2011 for specialized mental health caseloads. Funds appropriated in Strategy B.1.1, Special Needs Projects, include $11,500,000 in fiscal year 2010 and $11,500,000 in fiscal year 2011 that shall be used to provide case management and mental health services for adult and juvenile offenders.

69. Battering Intervention Program. Out of funds appropriated above in Strategy A.1.2, Diversion Programs, the Texas Department of Criminal Justice (TDCJ) shall allocate $1,250,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 for funding the Battering Intervention and Prevention Program (BIPP) in the manner required by Article 42.141 of the Code of Criminal Procedure. The BIPP shall be administered using a statewide allocation of direct grants from TDCJ to local non-profit organizations in the manner described in Government Code § 509.011. Funds subject to this provision shall be allocated at the local level and designated for use only for these programs. Funds subject to this provision may not be utilized for administrative expenses of local community supervision and corrections departments nor may they be used to supplant local funding.

70. Payments to County Prosecutors. Out of the funds appropriated above, the district clerks in counties with more than four Texas Department of Criminal Justice operational correctional facilities are to be allocated during each year of the biennium, an amount not to exceed $12,000 annually, to be allocated in equal monthly installments. The allocation shall be used for the purpose of prosecuting persons charged with criminal violations on Texas Department of Criminal Justice property.

71. Progressive Sanctions Model. From funds appropriated above, the Community Justice Assistance Division of the Texas Department of Criminal Justice shall encourage community supervision and corrections departments to employ the progressive sanctions community supervision model. To the maximum extent possible and from funds appropriated to the Texas Department of Criminal Justice in Strategy A.1.2, Diversion Programs, the Community Justice Assistance Division shall give preference to community supervision and corrections departments using the progressive sanctions community supervision model to make a positive impact on the criminal justice system.

72. Marlin Correctional Mental Health Facility. From funds appropriated by this Act for the repair and rehabilitation of facilities, $13,500,000 in General Obligation Bond Proceeds may be expended to convert the Marlin Veterans Affairs Hospital into an inpatient mental health facility for the Texas Department of Criminal Justice. Also, funds appropriated above in Strategy C.1.1, Correctional Security Operations, include $5,500,000 in fiscal year 2011 in General Revenue Funds for the operations of the facility, and funds appropriated above in Strategy C.1.7, Psychiatric Care, include $4,843,986 in fiscal year 2011 in General Revenue Funds to provide inpatient mental health care.

73. Project RIO Referrals and Educational and Workforce Services. From funds appropriated above in Strategy C.2.3, Project RIO, and Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice shall implement methods to 1) ensure that offenders under parole supervision who are unemployed or underemployed are identified and referred to local workforce centers to participate in post-release Project RIO services, and 2) align Project RIO pre-release educational and workforce services to correspond with the types of employment available and location of such opportunities based on information provided by the Texas Workforce Commission. The Department shall provide a report to the Legislative Budget Board and the Governor's Office no later than December 1st of each year summarizing the progress and implementation of the requirements listed above.

74. Annual Parole Supervision. Out of funds appropriated above in Strategy F.2.1, Parole Supervision, the Texas Department of Criminal Justice shall develop an annual parole supervision program to supervise nonviolent, low-risk offenders.
75. **Diversion Initiatives.** The Department of Criminal Justice shall use funds appropriated above for various diversion initiatives in the strategies and General Revenue amounts specified below:

a. Strategy A.1.2, Diversion Programs. Funding for probation outpatient substance abuse treatment appropriated in the amount of $5,000,000 in fiscal year 2010 and $5,000,000 in fiscal year 2011;

b. Strategy A.1.2, Diversion Programs. Funding for probation residential treatment beds (800) appropriated in the amount of $18,004,723 in fiscal year 2010 and $18,004,723 in fiscal year 2011;

c. Strategy B.1.1, Special Needs Projects. Funding for the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) to provide mental health services, medications, and continuity of care to juvenile and adult offenders with mental impairments appropriated in the amount of $5,000,000 in fiscal year 2010 and $5,000,000 in fiscal year 2011;

d. Strategy C.2.5, Substance Abuse Treatment. Funding for Substance Abuse Felony Punishment Facility treatment beds (additional beds in contracted capacity) appropriated in the amount of $37,226,325 in fiscal year 2010 (1,399 beds) and $39,980,583 in fiscal year 2011 (1,500 beds). The funding includes aftercare in transitional treatment centers and outpatient counseling;

e. Strategy C.2.5, Substance Abuse Treatment. Funding for In-Prison Therapeutic Community Program expansion (1,000 additional treatment slots in existing capacity) appropriated in the amount of $12,054,125 in fiscal year 2010 and $12,054,125 in fiscal year 2011. The funding includes aftercare in transitional treatment centers and outpatient counseling;

f. Strategy C.2.5, Substance Abuse Treatment. Funding for Driving While Intoxicated (DWI) treatment beds (500 additional treatment beds in contracted capacity) appropriated in the amount of $6,027,063 in fiscal year 2010 and $6,027,063 in fiscal year 2011. The funding includes aftercare in transitional treatment centers and outpatient counseling;

g. Strategy C.2.5, Substance Abuse Treatment. Funding for additional treatment slots in State Jails (1,200 beds in existing capacity) appropriated in the amount of $2,900,000 in fiscal year 2010 and $2,900,000 in fiscal year 2011;

h. Strategy F.2.2, Halfway House Facilities. Funding for parole halfway houses (300 additional beds) appropriated in the amount of $3,542,324 in fiscal year 2010 and $3,542,324 in fiscal year 2011; and

i. Strategy F.2.3, Intermediate Sanction Facilities. Funding for additional probation and parole beds appropriated in the amount of $14,375,891 in fiscal year 2010 (992 beds) and $20,279,035 in fiscal year 2011 (1,400 beds).

Payment for the services provided above in Strategy A.1.2, Diversion Programs, Strategy C.2.5, Substance Abuse Treatment, Strategy F.2.2, Halfway House Facilities, and Strategy F.2.3, Intermediate Sanction Facilities, shall be provided on a per diem or reimbursement basis for services actually provided to offenders or for beds actually occupied by offenders. Any surplus funding from services directly provided by local community supervision and corrections departments (CSCDs) shall be returned to the state at the end of the biennium in accordance with applicable statutes and rules of this state.

76. **Withholding of Funds.** The Department of Criminal Justice (TDCJ) may withhold the distribution of funds allocated in Goal A, Provide Prison Diversions, to community supervision and corrections departments (CSCDs) that fail to comply with TDCJ data reporting requirements that include, but are not limited to, data required for the Community Supervision Tracking System, Quarterly Financial Reports, Monthly Community Supervision and Correction Reports, Caseload Reports, Program Output reports and other data required by TDCJ for accountability purposes.

77. **Job Placement Pilot Program.** From funds appropriated above in Strategy F.2.1, Parole Supervision, $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 in General Revenue Funds may be used for the development of a job placement pilot program using a private vendor selected through a request for proposal process. The program shall ensure that services correspond
with the types of employment available and location of such opportunities. The agency shall submit a report to the Legislative Budget Board and the Governor's Office summarizing the implementation and activities of the pilot program by December 1st of each year. The report shall include, but not be limited to:

a. The number of offenders served by the job placement pilot program;
b. The number of program participants who obtain employment through the pilot program;
c. The employment retention rate;
d. The average annual earnings of each participant; and
e. A review of underemployment among program participants to identify and implement activities for improvement.

78. Targeted Substance Abuse Treatment. From funds appropriated above in Strategy A.1.2, Diversion Programs, $1,000,000 in fiscal year 2010 and $1,000,000 in fiscal year 2011 may be used to provide substance abuse aftercare and treatment in an outpatient setting in conjunction with ongoing monitoring and oversight provided by the contracting entity for defendants completing contract residential or community corrections facilities’ placements for substance abuse.

It is the intent of the Legislature that the Department of Criminal Justice shall give preference to those counties with the greatest need in order to maximize the positive effect of reducing recidivism and providing alternatives to incarceration within the criminal justice system.

79. Appropriation Authority for General Obligation Bond Proceeds. Appropriated above in Strategy D.1.1, Facilities Construction, in fiscal year 2010 is $45,000,000 and in fiscal year 2011 is $35,000,000 in general obligation bond proceeds for projects for the Department of Criminal Justice as described in Article IX, Sec. 17.10, Informational Listing: General Obligation Bond Proceeds.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

80. Community Supervision Officers and Direct Care Staff Salary Increases. From funds appropriated above in Strategy A.1.2, Diversion Programs, the Department of Criminal Justice (TDCJ) shall provide $4,375,000 in fiscal year 2010 and $8,750,000 in fiscal year 2011 in General Revenue Funds to local community supervision and corrections departments for salary increases for community supervision officers and direct care staff. It is the intent of the Legislature that the community supervision officers and direct care staff receive a three and a half percent increase in salaries in fiscal year 2010 and an additional three and a half percent increase in fiscal year 2011 based on the employee's annual compensation as of August 31, 2009. These funds shall not be used to supplant existing expenditures associated with programs and services within local community supervision and corrections departments.

81. Contingency for Reducing and Increasing Texas Department of Criminal Justice Appropriations. Contingent on the enactment of Senate Bill 1206, House Bill 1899, House Bill 1958, or similar legislation relating to the release of certain inmates who complete a rehabilitation tier program from the Texas Department of Criminal Justice, by the Eighty-first Legislature, Regular Session, funding in Goal C, Incarcerate Felons, is reduced by $9,039,832 in General Revenue Funds in fiscal year 2010 and $5,742,667 in General Revenue Funds in fiscal year 2011. Also contingent on the enactment of this legislation, funding in Strategy F.2.1 Parole Supervision, is increased by $736,746 in General Revenue Funds in fiscal year 2010 and $468,027 in General Revenue Funds in fiscal year 2011 to provide for the supervision of these offenders.

82. Managed Health Care Staff Loan Repayment. From the amounts appropriated above in Strategy C.1.7, Psychiatric Care, and Strategy C.1.8, Managed Healthcare, the Correctional Managed Health Care Committee established under Subchapter E, Chapter 501, Government Code, may use not more than a total of $500,000 for fiscal year 2010 and $500,000 for fiscal year 2011 for loan repayment assistance for medical and mental health care staff in accordance with
guidelines established by the committee. Not later than December 1, 2011, the committee shall submit to the Legislative Budget Board and the Office of the Governor a report detailing the use and disposition of those funds.

83. Managed Health Care - Appropriation Transfer Between Fiscal Years. In addition to transfer authority provided elsewhere in this Act, the Correctional Managed Health Care Committee may transfer appropriations in an amount not to exceed $20 million made for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

a. Transfers under this section may be made only if:

   (1) costs of providing correctional managed health care exceed available funding due to increases in prison population, increases in medical care needs among the prison population, or increases in health care staffing costs, or

   (2) for any other emergency expenditure requirements, including expenditures necessitated by public calamity.

b. A transfer authorized by this section above must receive the prior approval of the Governor and the Legislative Budget Board.

c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

84. Salary Increase for Certain Department Employees. Out of funds appropriated to the Texas Department of Criminal Justice above, the department shall increase the annual compensation of department employees employed in the following areas or categories in an amount equal to three and a half percent in fiscal year 2010 and an additional three and a half percent in fiscal year 2011 of the employee's annual compensation as of August 31, 2009:

a. TCI Industrial Specialists,
b. Agricultural Unit Operations,
c. Unit Maintenance Operations,
d. Unit Clerical Staff,
e. Mailroom Operations,
f. Countroom Operations,
g. Commissary Operations,
h. Intake Operations/Photo and ID,
i. Property and Supply Officers,
j. Unit Classification Operations,
k. Unit Human Resource Assistants,
l. Chaplaincy,
m. Unit Project RIO,
n. Counsel Substitute,
o. Substance Abuse Treatment Program,
p. Grievance Investigators,
q. Risk Management,
r. Law Librarians,
s. Sex Offender Treatment Program,
t. TCI Accountants,
u. Health Care/Diagnostics and Evaluation,
v. Treatment Services - Unit Staff, and
w. Truck Drivers and Correctional Transportation Officers

85. Serving for Success Diversion Program. From funds appropriated above in Strategy A.1.2, Diversion Programs, $2,000,000 in fiscal year 2010 and $2,000,000 in fiscal year 2011 shall be used for one-time start-up costs for the Serving for Success Diversion Program with the Houston Food Bank to provide job training for offenders and community service by inmate volunteers.
COMMISSION ON FIRE PROTECTION

For the Years Ending
August 31,          August 31,
2010                2011

Method of Financing:
General Revenue - Insurance Companies Maintenance Tax and
  Insurance Department Fees  $ 3,346,168  $ 3,287,668
Appropriated Receipts  35,000  35,000
Total, Method of Financing  $ 3,381,168  $ 3,322,668

This bill pattern represents an estimated 100%
of this agency’s estimated total available
funds for the biennium.

Number of Full-Time-Equivalents (FTE):
  40.0  40.0

Schedule of Exempt Positions:
Executive Director, Group 3  $92,600  $92,600

Items of Appropriation:
A. Goal: EDUCATION & ASSISTANCE
Provide Fire-related Information and Resources.
A.1.1. Strategy: FIRE SAFETY INFO & EDUC
  PROGRAMS  $ 72,948  $ 72,948
  Fire Safety Information & Educational Programs.
A.2.1. Strategy: ADMINISTER GRANT PROGRAM
  Administer Grant/Loan Program.
Total, Goal A: EDUCATION & ASSISTANCE  $ 1,072,948  $ 1,072,948

B. Goal: FIRE DEPARTMENT STANDARDS
Enforce Fire Department Standards.
B.1.1. Strategy: CERTIFY & REGULATE FIRE SERVICE
  Certify and Regulate Fire Departments and
  Personnel.

C. Goal: INDIRECT ADMINISTRATION
C.1.1. Strategy: INDIRECT ADMINISTRATION

Grand Total, COMMISSION ON FIRE PROTECTION  $ 3,381,168  $ 3,322,668

Object-of-Expense Informational Listing:
Salaries and Wages  $ 1,991,211  $ 1,991,211
Other Personnel Costs  65,360  52,360
Professional Fees and Services  7,000  7,000
Consumable Supplies  15,600  15,600
Utilities  25,544  25,544
Travel  125,000  125,000
Rent - Building  12,000  12,000
Rent - Machine and Other  32,600  32,600
Other Operating Expense  91,853  46,353
Grants  1,000,000  1,000,000
Capital Expenditures  15,000  15,000

Total, Object-of-Expense Informational Listing  $ 3,381,168  $ 3,322,668

Estimated Allocations for Employee Benefits and Debt
Service Appropriations Made Elsewhere in this Act:
Employee Benefits
Retirement  $ 106,255  $ 107,849
Group Insurance  384,953  422,229
Social Security  129,062  130,998
Benefits Replacement  8,167  7,758
Subtotal, Employee Benefits  $ 628,437  $ 668,834
Debt Service
Lease Payments  $ 9,207  $ 6,000

Total, Estimated Allocations for Employee
Benefits and Debt Service Appropriations Made
Elsewhere in this Act  $ 637,644  $ 674,834
1. **Performance Measure Targets.** The following is a listing of the key performance target levels for the Commission on Fire Protection. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Fire Protection. In order to achieve the objectives and service standards established by this Act, the Commission on Fire Protection shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>A. Goal: EDUCATION &amp; ASSISTANCE</td>
<td>Percentage of Total Amount Requested for Loans/Grants</td>
<td>36%</td>
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<tr>
<td>B. Goal: FIRE DEPARTMENT STANDARDS</td>
<td>Percentage of Inspected Fire Certificate Holders with No Recent Violations</td>
<td>95%</td>
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<tr>
<td>B.1.1. Strategy: CERTIFY &amp; REGULATE FIRE SERVICE</td>
<td>Number of Fire Service Personnel Certified</td>
<td>26,750</td>
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</tbody>
</table>

2. **Training Restriction.** None of the funds appropriated above may be expended for fire protection or fire management training except through contract with Texas Commission on Fire Protection approved training programs external to the commission in order to avoid duplication of service.

3. **Appropriation of Receipts - Loan Repayments Revolving Fund.** In addition to the amounts appropriated above, the Texas Commission on Fire Protection is hereby appropriated all loan repayments, loan forfeitures, and other revenue accruing to the revolving loan fund in excess of $229,000 for fiscal year 2010 and in excess of $229,000 for fiscal year 2011 for the purpose of making additional loans as established in Government Code, Chapter 419, Subchapter C (estimated to be $0). The unexpended balance in Strategy A.2.1, Administer Grant Program, and of collections in excess of $229,000 in the revolving loan fund at the end of fiscal year 2010 is hereby appropriated for fiscal year 2011 for the same purpose.

4. **Grants and Loan Program.** Funds appropriated above in Strategy A.2.1, Administer Grant Program, shall be used solely for grants and loans to fire departments per Government Code § 419.053. Funds shall not be transferred out of this strategy and any funds not used for grants and loans shall lapse at the end of the biennium.

5. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Commission on Fire Protection are made contingent on the continuation of the Commission on Fire Protection by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

6. **Contingency for Fire Fighter Certification Fees.** Included in the amounts appropriated above in Strategy B.1.1, Certify and Regulate Fire Service, and Strategy C.1.1, Indirect Administration, is $366,500 in fiscal year 2010 and $321,000 in fiscal year 2011 out of the General Revenue Fund (Fund 8042 - Insurance Companies Maintenance Tax and Insurance Department Fees) for the purpose of certifying and regulating the fire service. These appropriations are contingent upon the Commission on Fire Protection increasing revenues from certification fees, pursuant to Government Code, Chapter 419, by $857,206 and providing such information deemed necessary by the Comptroller of Public Accounts to issue a finding of fact that the increased revenues are estimated to be available in excess of the Comptroller's Biennial Revenue Estimate, including supplemental estimates used in certifying this Act, to fund the increased appropriations and benefits. Also contingent on the finding of fact, the "Number of Full-time-equivalents (FTE)" indicated above includes 7 FTEs in fiscal year 2010, and 7 FTEs in fiscal year 2011.
### COMMISSION ON JAIL STANDARDS

For the Years Ending

<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
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<tr>
<td>General Revenue Fund</td>
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<td>$1,046,848</td>
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<tr>
<td><strong>Other Funds:</strong></td>
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<td></td>
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<tr>
<td>Criminal Justice Grants</td>
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</tr>
<tr>
<td>Appropriated Receipts</td>
<td>3,500</td>
<td>3,500</td>
</tr>
<tr>
<td><strong>Subtotal, Other Funds:</strong></td>
<td>$28,500</td>
<td>$28,500</td>
</tr>
<tr>
<td><strong>Total, Method of Financing:</strong></td>
<td>$1,075,348</td>
<td>$1,075,348</td>
</tr>
</tbody>
</table>

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

**Number of Full-Time-Equivalents (FTE):**

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>19.0</td>
<td>19.0</td>
</tr>
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</table>

**Schedule of Exempt Positions:**

<table>
<thead>
<tr>
<th>Position</th>
<th>2010</th>
<th>2011</th>
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</thead>
<tbody>
<tr>
<td>Executive Director, Group 1</td>
<td>$75,350</td>
<td>$75,350</td>
</tr>
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</table>

**Items of Appropriation:**

**A. Goal: EFFECTIVE JAIL STANDARDS**

Assist Local Govts through Effective Standards & Technical Assistance.

<table>
<thead>
<tr>
<th><strong>A.1.1. Strategy:</strong></th>
<th>INSPECTION AND ENFORCEMENT</th>
<th>$336,470</th>
<th>$336,470</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Perform Inspections of Facilities and Enforce Standards.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.1.2. Strategy:</strong></td>
<td>JUVENILE JUSTICE SURVEY</td>
<td>$25,000</td>
<td>$25,000</td>
</tr>
<tr>
<td></td>
<td>Perform Annual Survey of Jails to Determine Compliance with JJDPA.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.2.1. Strategy:</strong></td>
<td>CONSTRUCTION PLAN REVIEW</td>
<td>$128,264</td>
<td>$128,264</td>
</tr>
<tr>
<td></td>
<td>Assist with Facility Need Analysis and Construction Document Review.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.2.2. Strategy:</strong></td>
<td>MANAGEMENT CONSULTATION</td>
<td>$186,868</td>
<td>$186,868</td>
</tr>
<tr>
<td></td>
<td>Assist with Staffing Analysis, Operating Plans, &amp; Program Development.</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>A.3.1. Strategy:</strong></td>
<td>AUDITING POPULATION AND COSTS</td>
<td>$65,635</td>
<td>$65,635</td>
</tr>
<tr>
<td></td>
<td>Collect and Analyze Data Concerning Inmate Population/Backlogs/Costs.</td>
<td></td>
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**Total, Goal A: EFFECTIVE JAIL STANDARDS**

<table>
<thead>
<tr>
<th></th>
<th>$742,237</th>
<th>$742,237</th>
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</table>

**B. Goal: INDIRECT ADMINISTRATION**

<table>
<thead>
<tr>
<th><strong>B.1.1. Strategy:</strong></th>
<th>INDIRECT ADMINISTRATION</th>
<th>$333,111</th>
<th>$333,111</th>
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**Grand Total, COMMISSION ON JAIL STANDARDS**

<table>
<thead>
<tr>
<th></th>
<th>$1,075,348</th>
<th>$1,075,348</th>
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</table>

**Object-of-Expense Informational Listing:**

<table>
<thead>
<tr>
<th>Category</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$797,300</td>
<td>$797,300</td>
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<tr>
<td>Other Personnel Costs</td>
<td>31,684</td>
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<tr>
<td>Professional Fees and Services</td>
<td>36,513</td>
<td>36,513</td>
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<tr>
<td>Consumable Supplies</td>
<td>12,452</td>
<td>12,452</td>
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<tr>
<td>Utilities</td>
<td>1,647</td>
<td>1,647</td>
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<tr>
<td>Travel</td>
<td>136,204</td>
<td>136,204</td>
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<tr>
<td>Rent - Building</td>
<td>364</td>
<td>364</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>21,615</td>
<td>21,615</td>
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<tr>
<td>Other Operating Expense</td>
<td>26,981</td>
<td>26,981</td>
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<tr>
<td>Capital Expenditures</td>
<td>10,588</td>
<td>10,588</td>
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**Total, Object-of-Expense Informational Listing**

<table>
<thead>
<tr>
<th></th>
<th>$1,075,348</th>
<th>$1,075,348</th>
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</thead>
</table>

**Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:**

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<thead>
<tr>
<th>Benefit</th>
<th>2010</th>
<th>2011</th>
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</thead>
<tbody>
<tr>
<td>Retirement</td>
<td>$39,661</td>
<td>$40,256</td>
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<tr>
<td>Group Insurance</td>
<td>117,106</td>
<td>126,877</td>
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<tr>
<td>Social Security</td>
<td>50,319</td>
<td>51,074</td>
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<tr>
<td>Benefits Replacement</td>
<td>1,853</td>
<td>1,761</td>
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**Subtotal, Employee Benefits**

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<tr>
<th></th>
<th>$208,939</th>
<th>$219,968</th>
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A409-Conf-5  V-31  May 24, 2009
1. Performance Measure Targets. The following is a listing of the key performance target levels for the Commission on Jail Standards. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Jail Standards. In order to achieve the objectives and service standards established by this Act, the Commission on Jail Standards shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: EFFECTIVE JAIL STANDARDS
Outcome (Results/Impact):
Number of Jails Achieving Compliance with Standards 220 222
Percent of Jails with Management-related Deficiencies 10% 10%

A.1.1. Strategy: INSPECTION AND ENFORCEMENT
Output (Volume):
Number of Annual Inspections Conducted 251 251

A.2.1. Strategy: CONSTRUCTION PLAN REVIEW
Output (Volume):
Number of On-site Planning and Construction Consultations with Jail Representatives 140 140

A.2.2. Strategy: MANAGEMENT CONSULTATION
Output (Volume):
Number of On-site Operation and Management Consultations with Jail Representatives 300 300

A.3.1. Strategy: AUDITING POPULATION AND COSTS
Output (Volume):
Number of Paper-ready Reports Analyzed 6,300 6,300

2. Appropriation: Inspection Fees. The Commission on Jail Standards is hereby appropriated fees collected to pay only the cost incurred by the commission in performing inspections pursuant to Government Code § 511.0091 (estimated to be $13,000 in fiscal year 2010 and $13,000 in fiscal year 2011 from the General Revenue Fund and included in the amounts appropriated above).

3. Sunset Contingency. Funds appropriated for fiscal year 2011 for the Texas Commission on Jail Standards are made contingent on the continuation of the Texas Commission on Jail Standards by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

JUVENTILE PROBATION COMMISSION

Method of Financing:

<table>
<thead>
<tr>
<th></th>
<th>For the Years Ending</th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31,</td>
<td>August 31,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>2010</td>
<td>2011</td>
<td></td>
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<tr>
<td>General Revenue Fund</td>
<td>$ 150,743,963</td>
<td>$ 147,727,384</td>
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<tr>
<td>Federal Funds</td>
<td>19,209,156</td>
<td>19,209,156</td>
<td></td>
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<tr>
<td>Other Funds</td>
<td>1,345,000</td>
<td>1,345,000</td>
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<tr>
<td></td>
<td>11,476,023</td>
<td>11,534,404</td>
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<tr>
<td>Subtotal, Other Funds</td>
<td>$ 12,821,023</td>
<td>$ 12,879,404</td>
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<tr>
<td>Total, Method of Financing</td>
<td>$ 182,774,142</td>
<td>$ 179,815,944</td>
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This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.
Number of Full-Time-Equivalents (FTE): 75.0  75.0

Schedule of Exempt Positions:
Executive Director, Group 4 $120,023  $120,023

Items of Appropriation:
A. Goal: BASIC PROBATION
A.1. Strategy: BASIC PROBATION SERVICES $33,441,181  $33,441,181
A.1.2. Strategy: PROGRESSIVE SANCTIONS LEVELS 1-3 $14,120,361  $14,120,361
Total, Goal A: BASIC PROBATION $47,561,542  $47,561,542

B. Goal: COMMUNITY CORRECTIONS
B.1.2. Strategy: HARRIS COUNTY BOOT CAMP $1,000,000  $1,000,000
B.1.3. Strategy: LOCAL POST-ADJUDICATION FACILITIES $4,147,038  $4,147,038
B.1.4. Strategy: SPECIAL NEEDS DIVERSIONARY PROGRAMS $1,974,034  $1,974,034
Total, Goal B: COMMUNITY CORRECTIONS $100,708,184  $97,708,184

C. Goal: PROBATION ASSISTANCE
C.1.1. Strategy: PROBATION ASSISTANCE $21,904,996  $21,888,417
Training/Technical Assistance on Community-based Corrections.

D. Goal: JUVENILE JUSTICE ALTERNATIVE ED PGM
Juvenile Justice Alternative Education Programs.
Juvenile Justice Alternative Education Programs.

E. Goal: INDIRECT ADMINISTRATION
E.1.2. Strategy: INFORMATION RESOURCES $137,629  $137,629
Total, Goal E: INDIRECT ADMINISTRATION $1,123,397  $1,123,397

Grand Total, JUVENILE PROBATION COMMISSION $182,774,142  $179,815,944

Object-of-Expense Informational Listing:
Salaries and Wages $3,753,084  $3,753,084
Other Personnel Costs 11,503  11,503
Professional Fees and Services 34,000  34,000
Consumable Supplies 58,301  60,937
Utilities 26,192  26,192
Travel 108,262  110,896
Rent - Machine and Other 36,917  36,917
Other Operating Expense 3,126,096  3,126,096
Grants 175,065,305  175,623,686
Capital Expenditures 554,482  30,000

Total, Object-of-Expense Informational Listing $182,774,142  $179,815,944

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $226,159  $229,552
Group Insurance 409,287  440,878
Social Security 282,390  286,626
Benefits Replacement 17,829  16,937
Subtotal, Employee Benefits $935,665  $973,993

Debt Service
TPFA GO Bond Debt Service $1,023,543  $894,536
Lease Payments  
154,507  154,825  
Subtotal, Debt Service  
1,178,050  $ 1,049,361  
Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act  
$ 2,113,715  $ 2,023,354  

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Juvenile Probation Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Juvenile Probation Commission. In order to achieve the objectives and service standards established by this Act, the Juvenile Probation Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.  

A. Goal: BASIC PROBATION  
Outcome (Results/Impact):  
B. Goal: COMMUNITY CORRECTIONS  
Outcome (Results/Impact):  
C. Goal: PROBATION ASSISTANCE  
D. Goal: JUVENILE JUSTICE ALTERNATIVE ED PGM  

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "/MLPP" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.  

a. Acquisition of Information Resource Technologies  
(1) Desktop/Server Scheduled Replacement  
$ 21,096  $ 20,000  

JUVENILE PROBATION COMMISSION  
(Continued)
### JUVENILE PROBATION COMMISSION
(Continued)

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Budget 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>2. System Backup Infrastructure Replacement</td>
<td>20,000</td>
<td>0</td>
</tr>
<tr>
<td>3. Network Firewall</td>
<td>0</td>
<td>10,000</td>
</tr>
<tr>
<td>4. Juvenile Justice Information System</td>
<td>$500,000</td>
<td>0</td>
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</table>

Total, Acquisition of Information Resource Technologies

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Budget 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>Resource Technologies</td>
<td>$541,096</td>
<td>$30,000</td>
</tr>
</tbody>
</table>

Total, Capital Budget

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Budget 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$541,096</td>
<td>$30,000</td>
</tr>
</tbody>
</table>

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>Description</th>
<th>Budget 2009</th>
<th>Budget 2010</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$541,096</td>
<td>$30,000</td>
</tr>
</tbody>
</table>

### 3. Restriction, State Aid

None of the funds appropriated above in Strategy A.1.1, Basic Probation Services, and allocated to local juvenile probation boards shall be expended for salaries or expenses of juvenile board members.

### 4. Appropriation of Federal Title IV-E Receipts

The provisions of Title IV-E of the Social Security Act shall be used in order to increase funds available for juvenile justice services. The Juvenile Probation Commission shall certify or transfer state funds to the Texas Department of Family and Protective Services so that federal financial participation can be claimed for Title IV-E services provided by counties. The Juvenile Probation Commission shall direct necessary general revenue funding to ensure that the federal match for the Title IV-E Social Security Act is maximized for use by participating counties. Such federal receipts are appropriated to the Juvenile Probation Commission for the purpose of reimbursing counties for services provided to eligible children.

### 5. Juvenile Boot Camp Funding

Out of the funds appropriated above in Strategy B.1.2, Harris County Boot Camp, the amount of $1,000,000 annually may be expended only for the purpose of providing a juvenile boot camp in Harris County.

### 6. Residential Facilities

Juvenile Boards may use funds appropriated in Goal A, Basic Probation, and Goal B, Community Corrections, to lease, contract for, or reserve bed space with public and private residential facilities for the purpose of providing rehabilitation and treatment to juvenile offenders. Funds used for placements may not exceed the Commission's Tier Level of Care Rates.

### 7. County Funding Levels

To receive the full amount of state aid funds for which a juvenile board may be eligible, a juvenile board must demonstrate to the commission's satisfaction that the amount of local or county funds budgeted for juvenile services is at least equal to the amount spent for those services, excluding construction and capital outlay expenses, in the 1994 county fiscal year. This requirement shall not be waived by the commission unless the juvenile board demonstrates to the satisfaction of the commission that unusual, catastrophic, or exceptional circumstances existed during the year in question to adversely affect the level of county fiscal effort. If the required local funding level is not met and no waiver is granted by the commission, the commission shall reduce the allocation of state aid funds to the juvenile board by the amount equal to the amount that the county funding is below the required funding.

### 8. Local Post-adjudication Facilities

Out of the funds appropriated above in Strategy B.1.3, Local Post-Adjudication Facilities, the amount of $4,147,038 in fiscal year 2010 and $4,147,038 in fiscal year 2011 in General Revenue Funds may be used only for the purpose of funding local post-adjudication facilities. The agency shall fund these facilities based on historical occupancy rates, rather than the number of beds in the facility.

### 9. Juvenile Justice Alternative Education Programs (JJAEP)

Out of the funds transferred to the Juvenile Probation Commission pursuant to Texas Education Agency (TEA) Rider 33 and appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, the Juvenile Probation Commission shall allocate $1,500,000 at the beginning of each fiscal year to be distributed on the basis of juvenile age population among the mandated counties identified in Chapter 37, Texas Education Code, and those counties with populations between 72,000 and 125,000 which choose to participate under the requirements of Chapter 37.

An additional $500,000 shall be set aside in a reserve fund for each fiscal year of the biennium to allow mandated and non-mandated counties to apply for additional funds on a grant basis.
The remaining funds shall be allocated for distribution to the counties mandated by § 37.011(a) Texas Education Code, at the rate of $79 per student per day of attendance in the JJAEP for students who are required to be expelled as provided under § 37.007, Texas Education Code, and are intended to cover the full cost of providing education services to such students. Counties are not eligible to receive these funds until the funds initially allocated at the beginning of each fiscal year have been expended at the rate of $79 per student per day of attendance. Counties in which populations exceed 72,000 but are 125,000 or less, may participate in the JJAEP and are eligible for state reimbursement at the rate of $79 per student per day.

The Juvenile Probation Commission may expend any remaining funds for summer school programs in counties with a population over 72,000 which are funded as mandated counties in Chapter 37. Funds may be used for any student assigned to a JJAEP. Summer school expenditures may not exceed $3.0 million in any fiscal year.

Unspent balances in fiscal year 2010 shall be appropriated to fiscal year 2011 for the same purposes in Strategy D.1.1.

The amount of $79 per student day for the JJAEP is an estimated amount and not intended to be an entitlement. Appropriations for JJAEP are limited to the amounts transferred from the Foundation School Program pursuant to TEA Rider 33. The amount of $79 per student per day may vary depending on the total number of students actually attending the JJAEPs. Any unexpended or unobligated appropriations shall lapse at the end of fiscal year 2011 to the Foundation School Fund No. 193.

The Juvenile Probation Commission may reduce, suspend, or withhold Juvenile Justice Alternative Education Program funds to counties that do not comply with standards, accountability measures, or Texas Education Code Chapter 37.

10. **Funding for Additional Eligible Students in JJAEPs.** Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs, a maximum of $500,000 in each fiscal year (for a maximum of 90 attendance days per child), is allocated for counties with a population of at least 72,000 which operate a JJAEP under the standards of Chapter 37, Texas Education Code. The county is eligible to receive funding from the Juvenile Probation Commission at the rate of $79 per day per student for students who are required to be expelled under § 37.007, Texas Education Code, and who are expelled from a school district in a county that does not operate a JJAEP.

11. **Use of JJAEP Funds.** None of the funds appropriated above for the support of JJAEPs shall be used to hire a person or entity to do lobbying.

12. **JJAEP Accountability.** Out of funds appropriated above in Strategy D.1.1, Juvenile Justice Alternative Education Programs (JJAEP), the Juvenile Probation Commission shall ensure that Juvenile Justice Alternative Education Programs are held accountable for student academic and behavioral success. The Juvenile Probation Commission shall submit a performance assessment report to the Legislative Budget Board and the Governor by May 1, 2010. The report shall include, but is not limited to, the following:

a. an assessment of the degree to which each JJAEP enhanced the academic performance and behavioral improvement of attending students;

b. a detailed discussion on the use of standard measures used to compare program formats and to identify those JJAEPs most successful with attending students;

c. student passage rates on the Texas Assessment of Knowledge and Skills (TAKS) in the areas of reading and math for students enrolled in the JJAEP for a period of 90 days or longer;

d. standardized cost reports from each JJAEP and their contracting independent school district(s) to determine differing cost factors and actual costs per each JJAEP program by school year;

e. average cost per student attendance day for JJAEP students. The cost per day information shall include an itemization of the costs of providing educational services mandated in the Texas Education Code § 37.011. This itemization shall separate the costs of mandated educational services from the cost of all other services provided in JJAEPs. Mandated educational services include facilities, staff, and instructional materials specifically related to
the services mandated in Texas Education Code, § 37.011. All other services include, but are not limited to, programs such as family, group, and individual counseling, military-style training, substance abuse counseling, and parenting programs for parents of program youth; and

f. inclusion of a comprehensive five-year strategic plan for the continuing evaluation of JJAEPs which shall include oversight guidelines to improve: school district compliance with minimum program and accountability standards, attendance reporting, consistent collection of costs and program data, training, and technical assistance needs.

13. Training. From funds appropriated above in Strategy C.1.1, Probation Assistance, the Juvenile Probation Commission shall provide training to local juvenile justice practitioners and related professionals including local Juvenile Judges to maximize the appropriate placement of juveniles according to the progressive sanction guidelines.

14. Unexpended Balances - Hold Harmless Provision. Any unexpended balances as of August 31, 2010, in Strategy A.1.1, Basic Probation Services (estimated to be $200,000), and in Strategy B.1.1, Community Corrections Services (estimated to be $200,000), above are hereby appropriated to the Juvenile Probation Commission in fiscal year 2011 for the purpose of providing funding for juvenile probation departments whose allocation would otherwise be affected as a result of reallocations related to population shifts.

15. Appropriation: Refunds of Unexpended Balances from Local Juvenile Probation Departments. The Juvenile Probation Commission (JPC) shall maintain procedures to ensure that the state is refunded all unexpended and unencumbered balances of state funds held as of the close of each fiscal year by local juvenile probation departments. All fiscal year 2010 and fiscal year 2011 refunds received from local juvenile probation departments by JPC are appropriated above in Strategy B.1.1, Community Corrections Services. Any Basic Probation refunds received in excess of $650,000 in fiscal year 2010 and $650,000 in fiscal year 2011 shall lapse to the General Revenue Fund. Any Community Corrections refunds received in excess of $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011 shall lapse to the General Revenue Fund.

16. Reporting Requirements to the Legislative Budget Board (LBB). From funds appropriated above, the Juvenile Probation Commission (JPC) shall maintain a specific accountability system for tracking basic probation and community corrections funds targeted at making a positive impact on youth. JPC shall implement a monitoring system so that the use of funds appropriated in each strategy in Goals A and B can be specifically identified.

a. The Juvenile Probation Commission shall report juvenile probation population data as requested by the Legislative Budget Board (LBB) on a monthly basis for the most recent month available. JPC shall report to the LBB on all populations specified by the LBB, including, but not limited to, additions, releases, and end-of-month populations. End of fiscal year data shall be submitted indicating each reporting county to the LBB no later than two months after the close of each fiscal year.

b. The agency shall produce on an annual basis, detailed monitoring, tracking, utilization, and effectiveness information on the above mentioned funds. This information shall include information on the impact of any new initiatives. Examples include, but are not limited to residential placements, community-based services for serious and chronic felons, and community-based services for misdemeanants no longer eligible for commitment to the Youth Commission. In addition to any other requests for information, the agency shall report the above information for the previous fiscal year to the LBB and the Governor's Office by December 1st of each year.

c. Each report submitted to the LBB and the Governor pursuant to this provision must be accompanied by supporting documentation detailing the sources and methodologies utilized to assess program effectiveness and any other supporting material specified by the LBB.

d. Each report submitted pursuant to this provision must contain a certification by the person submitting the report that the information provided is true and correct based upon information and belief together with supporting documentation.

e. The Comptroller of Public Accounts shall not allow the expenditure of funds appropriated by this Act to the Juvenile Probation Commission if the LBB and the Governor certify to the Comptroller of Public Accounts that the Juvenile Probation Commission is not in compliance with this provision.
17. **Special Needs Diversionary Programs.** Out of the funds appropriated above in Strategy B.1.4, Special Needs Diversionary Programs, $1,974,034 in fiscal year 2010 and $1,974,034 in fiscal year 2011 in General Revenue Funds shall be used for specialized mental health caseloads. The agency shall use these funds to work in coordination with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI) and local mental health services agencies to provide specialized supervision caseloads to youth with mental illness.

18. **Community Corrections Funding.** From funds appropriated above in Strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute at least $4,366,500 in fiscal year 2010 and at least $4,366,500 in fiscal year 2011 in General Revenue Funds to local juvenile probation departments for enhanced community-based services, including, but not limited to, sex offender treatment, intensive supervision, and specialized supervision, for serious and chronic felony offenders.

From funds appropriated above in Strategy B.1.1, Community Corrections Services, the Juvenile Probation Commission shall distribute at least $6,901,835 in fiscal year 2010 and at least $6,901,835 in fiscal year 2011 in General Revenue Funds to local juvenile probation departments for enhanced community-based services to misdemeanor offenders no longer eligible for Youth Commission commitment.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2007. These funds shall not be used to supplant existing expenditures associated with programs, services, and residential placement of youth within the local juvenile probation departments.

19. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 are made contingent on the continuation of the Juvenile Probation Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

20. **Juvenile Justice Alternative Education Program (JJAEP) Disaster Compensation.** Out of funds appropriated above in Strategy D.1.1, the Commission may compensate a mandatory JJAEP for missed mandatory student attendance days in which disaster, flood, extreme weather condition, or other calamity has a significant effect on the program's attendance.

21. **Community Corrections Diversion Program.** Out of the funds appropriated above in Strategy B.1.1, Community Corrections Services, $26,000,000 in General Revenue Funds in fiscal year 2010 and $24,000,000 in General Revenue Funds in fiscal year 2011, may be expended only for the purposes of providing programs for the diversion of youth from the Youth Commission (TYC) and a juvenile justice information system at the Juvenile Probation Commission (JPC). The programs may include, but are not limited to, residential, community-based, family, and aftercare programs. The allocation of State funding for the program is not to exceed the rate of $140 per juvenile per day. JPC shall maintain procedures to ensure that the State is refunded all unexpended and unencumbered balances of State funds at the end of each fiscal year.

Out of the funds appropriated above in Strategy B.1.1, Community Corrections Services, and previously identified in this rider, not more than $3,889,600 in fiscal year 2010 and not more than $389,600 in fiscal year 2011 in General Revenue Funds shall be used for the development and maintenance of a juvenile justice information system. These amounts include salaries and wages for an additional 4 full-time-equivalent positions included in the agency's bill pattern in each fiscal year for the maintenance of the juvenile justice information system. This system shall be designed to share juvenile data between juvenile probation departments, JPC, and TYC.

These funds shall not be used by local juvenile probation departments for salary increases or costs associated with the employment of staff hired prior to September 1, 2009. These funds shall not be used to supplant existing expenditures associated with programs, services, and residential placement of youth within the local juvenile probation departments.

From funds appropriated above, JPC shall provide funding for mental health services through an interagency contract with the Texas Correctional Office on Offenders with Medical or Mental Impairments (TCOOMMI). The juvenile probation departments participating in the diversion program shall report to JPC regarding the use of funds within thirty days after the end of each quarter. JPC shall report to the Legislative Budget Board regarding the use of the funds within thirty days after receipt of each county's quarterly report. Items to be included in the report include, but are not limited to, the amount of funds expended, the number of youth served by the
program, the percent of youth successfully completing the program, the types of programming for which the funds were used, the types of services provided to youth served by the program, the average actual cost per youth participating in the program, the rates of recidivism of program participants, the number of youth who receive mental health services through TCOOMMI, the amount of funds provided to TCOOMMI for mental health services for youth, the number of youth committed to TYC, any consecutive length of time over six months a juvenile served by the diversion program resides in a secure corrections facility, and the number of juveniles transferred to criminal court under Family Code, §54.02.

If admissions to TYC during fiscal year 2010 exceed 1,783 and upon approval of the Legislative Budget Board, the Comptroller of Public Accounts shall transfer appropriations equal to $51,100 for each commitment over 1,783 in fiscal year 2010 from JPC to TYC in fiscal year 2011.

JPC shall develop a mechanism for tracking youth served by the diversion program to determine the long-term success for diverting youth from TYC and the adult criminal justice system. A report on the program's results shall be submitted to the Legislative Budget Board by December 1 of each year.

22. Juvenile Mental Health Facility. From funds appropriated above, $1,000,000 in General Revenue Funds in fiscal year 2010 shall be used for the operation of a juvenile mental health facility. Funds shall be used for "make ready" maintenance of the facility; for hiring, training, and licensing of staff; and for one month of operations at the facility. This appropriation is contingent upon the Juvenile Probation Commission providing a detailed plan for the use of the funds and the approval of the plan by the Legislative Budget Board.

COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

For the Years Ending August 31, August 31, 2010 2011

Method of Financing:
General Revenue Fund $ 101,855 $ 101,855

General Revenue Fund - Dedicated
Law Enforcement Officer Standards and Education Account No. 116 $ 2,890,006 $ 2,894,747
Texas Peace Officer Flag Account No. 5059 20,000 1,000

Subtotal, General Revenue Fund - Dedicated $ 2,910,006 $ 2,895,747

Appropriated Receipts 358,000 358,000

Total, Method of Financing $ 3,369,861 $ 3,355,602

This bill pattern represents an estimated 100% of this agency's estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE): 46.0 46.0

Schedule of Exempt Positions:
Executive Director, Group 2 $88,000 $88,000

Items of Appropriation:
A. Goal: LICENSE AND APPROVE COURSES
   Licensing and Course Development.
   A.1.1. Strategy: LICENSING $ 1,079,362 $ 1,079,203
   A.1.2. Strategy: COURSE DEVELOPMENT $ 464,740 $ 465,435
   Course Development and Academy Evaluations.

Total, Goal A: LICENSE AND APPROVE COURSES $ 1,544,102 $ 1,544,638
B. Goal: REGULATION
Regulate Licensed Law Enforcement Population.

B.1.1. Strategy: ENFORCEMENT
Enforce through License Revoc, Suspension, Reprimand, or Cancellation.

B.1.2. Strategy: TECHNICAL ASSISTANCE

Total, Goal B: REGULATION

C. Goal: INDIRECT ADMINISTRATION

C.1.1. Strategy: INDIRECT ADMINISTRATION

Grand Total, COMMISSION ON LAW ENFORCEMENT OFFICER STANDARDS AND EDUCATION

Object-of-Expense Informational Listing:

Salaries and Wages $2,092,386 $2,092,386
Other Personnel Costs 77,001 78,500
Professional Fees and Services 209,450 209,450
Consumable Supplies 29,000 29,800
Utilities 199,378 199,378
Rent - Building 236,076 242,686
Other Operating Expense 422,738 409,171
Capital Expenditures 84,601 74,600

Total, Object-of-Expense Informational Listing $3,369,861 $3,355,602

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

Employee Benefits
Retirement $111,171 $112,838
Group Insurance 433,018 474,893
Social Security 153,458 155,760
Benefits Replacement 10,097 9,592

Subtotal, Employee Benefits $707,744 $753,083

Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act $707,744 $753,083

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Commission on Law Enforcement Officer Standards and Education. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Commission on Law Enforcement Officer Standards and Education. In order to achieve the objectives and service standards established by this Act, the Commission on Law Enforcement Officer Standards and Education shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

A. Goal: LICENSE AND APPROVE COURSES
Outcome (Results/Impact):
Percent of Licensees with No Criminal Misconduct Dispositions 99.9% 99.9%

A.1.1. Strategy: LICENSING
Output (Volume): Number of New Licenses Issued to Individuals 12,500 12,500

A.1.2. Strategy: COURSE DEVELOPMENT
Output (Volume):
Number of TCLEOSE Approved Courses Maintained 28 28
Number of On-site Training Provider Evaluations 172 172

B. Goal: REGULATION
B.1.1. Strategy: ENFORCEMENT
Output (Volume):
Complaints Resolved 550 525
B.1.2. Strategy: TECHNICAL ASSISTANCE
Output (Volume):
Number of Administrative Violations

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease Payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
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</thead>
<tbody>
<tr>
<td>a. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
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<tr>
<td>(1) Distance Learning Program</td>
<td>$318,000</td>
<td>$318,000</td>
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<tr>
<td>(2) Cycled Replacement/Upgrade of Computers and Servers</td>
<td>$63,250</td>
<td>$54,000</td>
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<tr>
<td>(3) Telephone System Upgrade</td>
<td>$65,000</td>
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<td>Total, Acquisition of Information Resource Technologies</td>
<td>$446,250</td>
<td>$437,000</td>
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<td>Total, Capital Budget</td>
<td>$446,250</td>
<td>$437,000</td>
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Method of Financing (Capital Budget):

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<tr>
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<th>2011</th>
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<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$14,355</td>
<td>$14,355</td>
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<tr>
<td>GR Dedicated - Law Enforcement Officer Standards and Education Account No. 116</td>
<td>$431,895</td>
<td>$422,645</td>
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<tr>
<td>Total, Method of Financing</td>
<td>$446,250</td>
<td>$437,000</td>
</tr>
</tbody>
</table>

3. Appropriation: Proficiency Certificate Fees. The Commission on Law Enforcement Officer Standards and Education is hereby appropriated revenues collected for the processing of proficiency certificates pursuant to Occupations Code § 1701.154 (estimated to be $268,000 in fiscal year 2010 and $268,000 in fiscal year 2011 from Appropriated Receipts and included in the amounts appropriated above).

4. Appropriation: Reinstatement Fees. The Commission on Law Enforcement Officer Standards and Education is hereby appropriated fees collected to establish a person's eligibility to reinstate a license that has lapsed (estimated to be $104,000 in fiscal year 2010 and $104,000 in fiscal year 2011 from the GR-Dedicated Account No. 116 and included in the amounts appropriated above).

5. Appropriation: State Flag Fund for Deceased Texas Peace Officers. The Commission on Law Enforcement Officer Standards and Education is hereby appropriated all contributions and earned interest collected during the 2010-11 biennium and any unexpended and unencumbered balances from the biennium ending August 31, 2009, from the Texas Peace Officer Flag Account No. 5059 as provided by Occupations Code § 1701.161 and Government Code § 615.105 (estimated to be $20,000 in fiscal year 2010 and $1,000 in fiscal year 2011 and included in the amounts appropriated above). These appropriations are to be deposited in the state treasury to the credit of the GR-Dedicated Texas Peace Officer Flag Account No. 5059. These appropriations shall be used to provide state flags to families of deceased Texas peace officers pursuant to Occupations Code § 1701.161 and Government Code § 615.105. None of these appropriations shall be used by the commission for administration and support costs.

6. Distance Learning Program. From funds appropriated above, the Commission on Law Enforcement Officer Standards and Education shall continue to maintain, update, and upgrade its internet training system, the Distance Learning Program.

7. Limitation on Employment. None of the funds appropriated above shall be expended by the Commission on Law Enforcement Officer Standards and Education to employ anyone who, in the course of his official duties, conducts business with individuals, firms or educational institutions with which the employee has either a direct or indirect financial interest.
8. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Commission on Law Enforcement Officer Standards and Education are made contingent on the continuation of the Commission on Law Enforcement Officer Standards and Education by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

**DEPARTMENT OF PUBLIC SAFETY**

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
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<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
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<tr>
<td></td>
<td>August 31, 2011</td>
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<tr>
<td>General Revenue Fund</td>
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<td></td>
<td>$ 118,551,273</td>
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<tr>
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<td>175,355,132</td>
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<td>Other Funds</td>
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<td>Appropriated Receipts</td>
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<td>Interagency Contracts</td>
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<td>Criminal Justice Grants</td>
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<td>State Highway Fund No. 006</td>
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<td>Subtotal, Other Funds</td>
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<td>$ 457,197,908</td>
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<td>Total, Method of Financing</td>
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<td>$ 757,083,624</td>
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<td>Other Direct and Indirect Costs Appropriated Elsewhere in this Act</td>
<td>$ 949,948</td>
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<td>$ 1,001,884</td>
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This bill pattern represents an estimated 99.3% of this agency's estimated total available funds for the biennium.

**Number of Full-Time-Equivalents (FTE):**

- 8,476.9
- 8,497.9

**Number of FTEs in Riders:**

- 86.0
- 86.0

**Schedule of Exempt Positions:**

- Director, Group 6 (Department of Public Safety) $162,000 $162,000
- Executive Officer, Group 1 (Polygraph Examiners Board) 49,080 49,080

**Items of Appropriation:**

**A. Goal: LAW ENFORCEMENT ON HIGHWAYS**

- **A.1.1. Strategy: HIGHWAY PATROL** $177,991,207 $157,775,431
- **A.1.3. Strategy: VEHICLE INSPECTION PROGRAM** $21,443,246 $21,443,246
- **A.1.4. Strategy: FORENSIC BREATH ALCOHOL LAB SERVICE** $2,334,495 $2,334,495
- Forensic Breath Alcohol Laboratory Service.
- **A.1.5. Strategy: CAPITOL COMPLEX SECURITY** $13,449,906 $13,449,906

**Total, Goal A: LAW ENFORCEMENT ON HIGHWAYS** $269,932,069 $249,716,293

**B. Goal: DRIVER SAFETY AND RECORDS**

- **B.1.1. Strategy: DRIVER LICENSE AND RECORDS** $86,697,667 $86,696,168
- **B.1.2. Strategy: DRIVER LICENSE REENGINEERING** $4,291,344 $4,291,344
- **B.1.3. Strategy: MOTORCYCLE OPERATOR TRAINING** $955,679 $939,479

**Total, Goal B: DRIVER SAFETY AND RECORDS** $91,944,690 $91,926,991
C. Goal: PREVENT AND REDUCE CRIME
C.1.1. Strategy: NARCOTICS ENFORCEMENT $ 40,280,074 $ 41,380,075
Narcotics Enforcement Program.
C.1.2. Strategy: VEHICLE THEFT ENFORCEMENT $ 12,608,458 $ 12,609,537
Motor Vehicle Theft Enforcement.
C.1.3. Strategy: CRIMINAL INTELLIGENCE SERVICE $ 15,948,533 $ 15,858,428
C.1.4. Strategy: TEXAS RANGERS $ 12,322,071 $ 12,322,670
C.1.5. Strategy: CRIME LABS $ 23,738,288 $ 26,522,405
C.1.6. Strategy: INFORMATION ANALYSIS $ 9,048,488 $ 9,048,488
Total, Goal C: PREVENT AND REDUCE CRIME $ 113,945,912 $ 117,741,603

D. Goal: EMERGENCY MANAGEMENT
Emergency Management Training and Preparedness.
D.1.2. Strategy: RESPONSE COORDINATION $ 1,348,188 $ 1,360,172
Emergency and Disaster Response Coordination.
D.1.3. Strategy: RECOVERY AND MITIGATION $ 32,546,921 $ 32,564,856
Disaster Recovery and Hazard Mitigation.
D.1.4. Strategy: EMERGENCY OPERATIONS CTR $ 1,591,113 $ 1,599,693
Emergency Operations Center.
D.1.5. Strategy: LOCAL BORDER SECURITY $ 40,804,714 $ 0
Total, Goal D: EMERGENCY MANAGEMENT $ 181,090,088 $ 140,529,363

E. Goal: REGULATORY PROGRAMS
E.1.1. Strategy: CONCEALED HANDGUNS $ 4,971,418 $ 4,946,623
Administer and Enforce the Concealed Handguns Act.
E.3.1. Strategy: PSB INVESTIGATIONS $ 2,981,224 $ 2,798,418
Private Security Board-Investigations.
E.3.2. Strategy: PSB ENFORCEMENT $ 249,161 $ 249,161
Private Security Board-Enforcement.
E.3.3. Strategy: PSB LICENSES AND REGISTRATION $ 639,008 $ 621,854
Private Security Board-Licenses and Registration.
E.4.1. Strategy: TEXASONLINE $ 631,000 $ 631,000
TexasOnline. Estimated and Nontransferable.
Total, Goal E: REGULATORY PROGRAMS $ 9,577,852 $ 9,353,096

F. Goal: INDIRECT ADMINISTRATION AND SUPPORT
F.1.1. Strategy: CENTRAL ADMINISTRATION $ 11,885,164 $ 11,781,876
F.1.2. Strategy: INFORMATION RESOURCES $ 55,379,745 $ 45,553,113
F.1.3. Strategy: REGIONAL ADMINISTRATION $ 9,970,461 $ 9,908,462
F.1.5. Strategy: CRIME RECORDS $ 33,961,374 $ 34,872,534
F.1.7. Strategy: TRAINING ACADEMY EDUCATION COURSES $ 3,727,086 $ 3,502,205
F.1.8. Strategy: RECRUIT SCHOOLS $ 2,591,296 $ 2,591,296
F.1.9. Strategy: FLEET OPERATIONS $ 2,547,927 $ 2,536,257
F.1.10. Strategy: AIRCRAFT OPERATIONS $ 9,613,968 $ 9,613,968
F.1.11. Strategy: OTHER SUPPORT SERVICES $ 5,564,538 $ 5,545,265
Total, Goal F: INDIRECT ADMINISTRATION AND SUPPORT $ 310,276,997 $ 147,816,278

Grand Total, DEPARTMENT OF PUBLIC SAFETY $ 976,767,608 $ 757,083,624

Object-of-Expense Informational Listing:
Salaries and Wages $ 392,846,483 $ 388,062,964
Other Personnel Costs 13,604,544 13,679,415
Professional Fees and Services 29,416,369 23,879,976
Fuels and Lubricants 13,129,558 12,827,439
Consumable Supplies 11,085,440 11,186,545
Utilities 9,514,931 9,515,750
Travel 5,838,945 5,795,688
Rent - Building 3,500,139 3,509,552
Rent - Machine and Other 1,369,657 1,381,643
Other Operating Expense 127,668,743 97,044,698

A405-Conf-5 V-43 May 24, 2009
## DEPARTMENT OF PUBLIC SAFETY
### (Continued)

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<th>Grants</th>
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<th>130,240,545</th>
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<tr>
<td>Capital Expenditures</td>
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<td>59,959,409</td>
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**Total, Object-of-Expense Informational Listing**

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<tr>
<th>Grants</th>
<th>$976,767,608</th>
<th>$757,083,624</th>
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</table>

### Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

#### Employee Benefits
- **Retirement**
  - Amount: $22,471,289
  - Allocation: $22,947,774
- **Group Insurance**
  - Amount: 68,512,509
  - Allocation: 74,612,055
- **Social Security**
  - Amount: 30,032,883
  - Allocation: 30,669,705
- **Benefits Replacement**
  - Amount: 2,685,171
  - Allocation: 2,550,913

**Subtotal, Employee Benefits**

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<tr>
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<tbody>
<tr>
<td>$123,701,852</td>
<td>$130,780,447</td>
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</tbody>
</table>

#### Debt Service
- **TPFA GO Bond Debt Service**
  - Amount: 18,702,565
  - Allocation: 25,671,365
- **Lease Payments**
  - Amount: 166,413
  - Allocation: 132,240

**Subtotal, Debt Service**

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<tbody>
<tr>
<td>$18,868,978</td>
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**Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act**

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<tbody>
<tr>
<td>$142,570,830</td>
<td>$156,584,052</td>
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</table>

### 1. Performance Measure Targets

#### A. Goal: LAW ENFORCEMENT ON HIGHWAYS

**Outcome (Results/Impact):**
- **Annual Texas Rural Traffic Death Rate**
  - 1

  **A.1.1. Strategy:** HIGHWAY PATROL
  - **Output (Volume):** Traffic Law Violator Contacts
    - 3,400,000

  **A.1.2. Strategy:** COMMERCIAL VEHICLE ENFORCEMENT
  - **Output (Volume):** Commercial Traffic Law Violator Contacts
    - 1,600,000

  **A.1.4. Strategy:** FORENSIC BREATH ALCOHOL LAB SERVICE
  - **Output (Volume):** Number of Breath Alcohol Tests Supervised
    - 44,000

#### B. Goal: DRIVER SAFETY AND RECORDS

**B.1.1. Strategy:** DRIVER LICENSE AND RECORDS
- **Output (Volume):** Number of Examinations Administered
  - 6,000,000

#### C. Goal: PREVENT AND REDUCE CRIME

**Outcome (Results/Impact):**
- **Annual Texas Index Crime Rate**
  - 4,600

  **C.1.1. Strategy:** NARCOTICS ENFORCEMENT
  - **Output (Volume):** Number of Arrests for Narcotics Violations
    - 2,000

  **C.1.2. Strategy:** VEHICLE THEFT ENFORCEMENT
  - **Output (Volume):** Number of Arrests for Motor Vehicle Theft
    - 1,700

  **C.1.3. Strategy:** CRIMINAL INTELLIGENCE SERVICE
  - **Output (Volume):** Number of Criminal Intelligence Service Arrests
    - 1,500

  **C.1.4. Strategy:** TEXAS RANGERS
  - **Output (Volume):** Number of Drug Cases Examined
    - 57,000
DEPARTMENT OF PUBLIC SAFETY
(Continued)

D. Goal: EMERGENCY MANAGEMENT
Outcome (Results/Impact):
Percentage of Local Governments Achieving Basic Emergency Preparedness 90% 90%
D.1.2. Strategy: RESPONSE COORDINATION
Output (Volume):
Number of Emergency Incidents Coordinated 5,000 5,000
D.1.3. Strategy: RECOVERY AND MITIGATION
Output (Volume):
Number of Counties Provided Disaster Financial Assistance 220 220

E. Goal: REGULATORY PROGRAMS
Outcome (Results/Impact):
Percent of Polygraph Licensees with No Recent Violations 100% 100%
Percent of Private Security Board Documented Complaints Resolved within Six Months 99% 99%
Percent of Private Security Board Licensees with No Recent Violations 99% 99%
E.1.1. Strategy: CONCEALED HANDGUNS
Output (Volume):
Number of Original Handgun Licenses Issued 42,000 42,000
Number of Renewal Handgun Licenses Issued 41,000 41,000
E.2.1. Strategy: POLYGRAPH EXAMINERS BOARD
Output (Volume):
Number of Examination Sessions Conducted 8 8
E.3.1. Strategy: PSB INVESTIGATIONS
Output (Volume):
Number of Investigations Conducted 10,000 10,000
Efficiencies:
Average Time for Case Resolution 24 24
E.3.2. Strategy: PSB ENFORCEMENT
Efficiencies:
Average Cost Per Disciplinary Action 400 400
E.3.3. Strategy: PSB LICENSES AND REGISTRATION
Output (Volume):
Number of New Licenses Issued to Individuals 36,000 36,000
Efficiencies:
Average Licensing Cost Per Individual License Issued 2 2

2. Capital Budget. The capital budget authority provided below in paragraphs a, b, c, d, and e is specific to the Department of Public Safety and exclusive of the Governor's Division of Emergency Management. The capital budget authority provided below in paragraphs f, g, and h is specific to the Governor's Division of Emergency Management and exclusive of the remainder of the Department of Public Safety. None of the funds appropriated above to the Department of Public Safety and the Governor's Division of Emergency Management may be expended for capital budget items except as listed below. The transfer authority provided under Article IX, § 14.03 (c) of this Act for the Department of Public Safety shall be limited to paragraphs a, b, c, d, and e, listed below. The transfer authority provided under Article IX, § 14.03 (c) of this Act for the Governor's Division of Emergency Management shall be limited to paragraphs f, g, and h, listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to Government Code § 1232.103.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
</table>
a. Construction of Buildings and Facilities
(1) New Regional Office and Crime Lab in Lubbock; New Offices in McAllen and Rio Grande City; Crime Lab Expansions; and Emergency Vehicle Operations Course $ 131,586,135 $ UB
(2) Laredo Crime Lab 6,100,000 UB
(3) Governor's Regional Center for Operations and Intelligence 5,500,000 0
Total, Construction of Buildings and Facilities $ 143,186,135 $ 0

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b. Repair or Rehabilitation of Buildings and Facilities
   (1) Repair or Rehabilitation of Buildings and Facilities 12,625,000 2,625,000

c. Acquisition of Information Resource Technologies
   (1) Lease Payments (MLPP) for 1998-99 NCIC/TLETS Upgrade 1,554,483 397,445
   (2) AFIS Image Archive Enhancements 1,147,500 1,147,500
   (3) Computer Equipment Replacement 5,230,172 5,230,172
   (4) Highway Patrol Vehicle Automation 2,178,000 3,283,500
   (5) Communications Interoperability Project 2,950,000 0
   (6) Enterprise Architecture and Information Technology Upgrade 12,386,680 2,144,040
   (7) Driver License Restructure 691,774 0
   (8) Other Information Resource Projects 4,238,975 3,717,775
   Total, Acquisition of Information Resource Technologies $ 30,377,584 $ 15,920,432

d. Transportation Items
   (1) Vehicles (Approximately 2,247) 31,212,559 21,370,711
   (2) Training Motorcycles (Approximately 180) 199,875 200,003
   Total, Transportation Items $ 31,412,434 $ 21,570,714

e. Acquisition of Capital Equipment and Items
   (1) Radios 4,952,077 3,424,891
   (2) Crime Lab Equipment - New Crime Labs 79,750 3,082,500
   (3) In-Car Video Camera Replacement 2,144,942 1,222,273
   (4) Statewide Trunked Radio System 7,100,000 0
   (5) Laredo Crime Lab Equipment 0 350,000
   (6) Other Capital Equipment and Items 3,082,427 1,345,275
   Total, Acquisition of Capital Equipment and Items $ 17,359,196 $ 9,424,939

f. Emergency Management: Acquisition of Information Resource Technologies
   (1) State Operations Center Upgrade 1,985,000 0
   (2) Staging Sites - IT Equipment 8,000 0
   Total, Emergency Management: Acquisition of Information Resource Technologies $ 1,993,000 $ 0

g. Emergency Management: Transportation Items
   (1) Staging Sites - Vehicles 58,000 0

h. Emergency Management: Acquisition of Capital Equipment and Items
   (1) Staging Sites - Other Equipment 819,000 0
   Total, Capital Budget $ 237,830,349 $ 49,541,085

Method of Financing (Capital Budget):

<table>
<thead>
<tr>
<th>Source</th>
<th>Amount (In)</th>
<th>Amount (Out)</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$ 15,060,113</td>
<td>$ 13,749,778</td>
</tr>
<tr>
<td>GR Dedicated - Operators and Chauffeurs License Account No. 099</td>
<td>$ 7,097,446</td>
<td>0</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>$ 13,344,500</td>
<td>260,000</td>
</tr>
<tr>
<td>Other Funds</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>902,454</td>
<td>902,454</td>
</tr>
<tr>
<td>Bond Proceeds - General Obligation Bonds</td>
<td>147,686,135</td>
<td>UB</td>
</tr>
<tr>
<td>State Highway Fund No. 006</td>
<td>53,739,701</td>
<td>34,628,853</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$ 202,328,290</td>
<td>$ 35,531,307</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 237,830,349</td>
<td>$ 49,541,085</td>
</tr>
</tbody>
</table>

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3. **Additional Capital Budget Authority.** In addition to the provisions of Rider 2, Capital Budget, the Department of Public Safety is authorized to make the following capital purchases at the following amounts from federal funds appropriated by this Act:

<table>
<thead>
<tr>
<th></th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Replacement Aircraft and Helicopter</td>
<td>$ 2,990,010</td>
<td>$ UB</td>
</tr>
<tr>
<td>Total, Additional Capital Budget</td>
<td>$ 2,990,010</td>
<td>$ UB</td>
</tr>
</tbody>
</table>

4. **Marked Vehicles.** None of the funds appropriated hereinabove may be expended for the salaries of personnel operating motor vehicles used to stop and actually arrest offenders of highway speed laws unless such vehicles are black, white, or a combination thereof and plainly marked with the department's insignia.

5. **Aviator Reimbursement.** From the amounts appropriated above, an amount not to exceed $10,000 each fiscal year of the biennium may be used for reimbursement of costs related to aviator assistance to state agencies, such as search and rescue or disaster-related functions. Reimbursements may include actual costs of aircraft operation including fuel, oil, maintenance, and routine costs incurred by trained and certified private volunteer aviators using privately owned aircraft in state-authorized flight operations and training exercises associated with disaster-related activities. The reimbursement shall not exceed the rate approved by the state per flying hour, when such aircraft costs are not reimbursable by other governmental agencies in accordance with Chapter 418, Government Code.

6. **Disposition of Seized Funds.** The Department of Public Safety is hereby directed to deposit all funds currently held, or obtained in the future pursuant to seizure actions or judicial forfeiture, according to rules and procedures developed by the Comptroller of Public Accounts. The department shall cooperate with the Comptroller of Public Accounts in developing agreements and procedures for the deposit of seized state funds in accounts in the State Treasury.

7. **Controlled Substances.** Included in the amounts appropriated above in Strategy C.1.1, Narcotics Enforcement, is $6.5 million in fiscal year 2010 and $7.6 million in fiscal year 2011 from Federal Funds. All revenues in excess of these amounts collected under federal forfeiture programs are hereby appropriated to the Department of Public Safety to be used for law enforcement purposes (estimated to be $0). Any funds unexpended at the close of each fiscal year are appropriated for the following year. Funding priority shall be given to the purchase of new equipment for field employees.

8. **Witness Fees.** From the appropriations made herein, the Department of Public Safety may pay the witness fees and travel expenses of out-of-state witnesses, subject to the advance, written approval of the District Attorney for the county having venue over the law violation under investigation.

9. **Purchase of Evidence.** From the amounts appropriated above to the Department of Public Safety, an amount not to exceed one million dollars ($1,000,000) each fiscal year of the biennium, exclusive of amounts forfeited to the Department of Public Safety by any court of competent jurisdiction and amounts received from the United States government derived from the forfeiture of monies and property, is hereby designated for the purchase of evidence and/or information and surveillance expenses deemed necessary by the Department of Public Safety; and accountability for expenditures as set forth above shall be governed by such rules and regulations as the director of the Department of Public Safety may recommend and are subject to audit by the State Auditor. Such amounts may be maintained in cash to facilitate the purchase of evidence, information, and/or surveillance expense.

10. **Seized Assets Report.** The Department of Public Safety shall file with the Governor and the Legislative Budget Board, no later than the first Friday of October of each year, a report disclosing information on seized/forfeited assets. The report shall contain a summary of receipts, disbursements, and fund balances for the fiscal year derived from both federal and state sources and supporting detail. The detail information shall, at a minimum, include the following:

a. Regarding receipts: the court in which the case was adjudicated, the nature of the assets, the value of the assets, and the specific, intended use of the assets; and
b. Regarding disbursements: the departmental control number, the departmental category, the
division making the request, the specific item and amount requested, the amount the
department approved, and the actual amount expended per item.

11. Academy Costs. The Department of Public Safety (DPS) may charge employees and students of
the DPS Academy for tuition, lodging, and meals at such prices as to recover actual costs. Such
funds as received are hereby appropriated to cover the expenses entailed in providing such
students and employees their lodging, meals, incidental expenses, and to pay visiting instructors.

12. Medical and Funeral Costs. Funds appropriated above may be expended for drugs, medical,
hospital, laboratory, and funeral costs of law enforcement employees or other employees
performing duties involving unusual risk when injury or death occurs in the performance of such
duties. Funds appropriated above shall not be expended for drugs, medical, hospital, laboratory, or
funeral costs of employees who are not actively engaged in the performance of law enforcement or
other hazardous duties or for law enforcement employees when injury or death occurs in the
performance of clerical or office duties as distinguished from law enforcement or other duties
involving unusual risk. Funds appropriated above may also be expended for physical examinations
and testing when such examinations and tests are a condition of employment or exposure to
infectious diseases or hazardous materials occurs in the line of duty.

13. Authorization of Funeral Travel Reimbursement. The Department of Public Safety may
reimburse a commissioned peace officer or communications officer in its employ the costs for
lodging, transportation, and meals, in accordance with Article IX travel regulations of this Act,
when such travel is for the purpose of representing the department at the funeral of a fallen peace
officer. The reimbursement authorized by this provision applies to out-of-state, as well as, in-state
travel. The department may provide reimbursement for only a small delegation to any single out-
of-state funeral.

14. Moving Expenses. Notwithstanding any other provision of this Act, and with the approval of the
Director, the department may use appropriated funds to pay the reasonable, necessary, and
resulting costs of moving the household goods and effects of a commissioned peace officer
employed by the department who is transferred from one designated headquarters to another so
long as the department determines that the best interests of the State will be served by such
transfer.

15. Travel for Security Personnel. Notwithstanding other provisions of this Act, commissioned
Department of Public Safety personnel when transporting and providing security for the Governor
or Governor-elect and his or her spouse and immediate family; other members of the executive,
legislative, and judicial branches of state government; and visiting governors from other states
when assigned, shall be reimbursed for their actual meals, lodging, and incidental expenses when
on official travel in or out of the state.

16. Historical Museum. The Department of Public Safety is authorized to allow the Department of
Public Safety Historical Museum to utilize department property for the purpose of a historical
museum. No state funds are appropriated for this purpose.

17. Polygraph Examinations. None of the funds appropriated to the Department of Public Safety
may be expended for polygraph testing of commissioned law enforcement officers of the
Department of Public Safety, unless requested by the officer.

18. Supply and Inventory Cost Allocation. The Department of Public Safety is hereby authorized to
establish a supply and inventory cost pool to which appropriations may be transferred from any
strategy item. These transfers shall be restricted to the purchase of supplies and inventory items.
Expenditures from the cost pool shall be allocated back to the applicable strategies of the
Department of Public Safety within 30 days following the close of each fiscal quarter.

19. Stranded Motorist Assistance. The Department of Public Safety is designated as the lead state
agency to help motorists whose vehicles are disabled on state and federal roads. The department
shall use funds appropriated by this Act to obtain the cooperation of all relevant state agencies,
especially the Texas Department of Transportation, and coordinate its efforts with all local law
enforcement agencies and interested private businesses. As part of this initiative, the Department
of Public Safety shall establish and publicize a toll free number and a universal distress signal for
motorists that are in need of assistance.

20. Criminal History Checks to Specified Licensing Agencies. The Department of Public Safety
shall provide to the agencies listed in § 60.061, Code of Criminal Procedure, a system for
checking at least annually, but not more than quarterly, or as otherwise provided by § 60.061, the existing licensees of these agencies against information in criminal history files. The Department of Public Safety may not charge or assess a fee to an agency providing information to the department that is in excess of the actual direct cost incurred by the department.

21. Appropriations of Receipts - Parking Violation Revenues. All revenue received from parking violations under Government Code § 411.067 shall be deposited to the General Revenue Fund and is hereby appropriated for use by the Department of Public Safety for Capitol Police Security and parking for the 2010-11 biennium (estimated to be $79,000 annually included in the amounts appropriated above).

22. Contingency Appropriation Reduction. The funds appropriated above to the department are hereby reduced by an equal amount from the General Revenue Fund, State Highway Fund 006, or a combination of the two funds in the event the Department of Public Safety expends any funds not authorized by the General Appropriations Act, any provision within this Act which places a limitation on expenditures, or an affirmative action by the Legislature.

23. Appropriation Transfers. Notwithstanding any other provision of this bill, the Department of Public Safety may not transfer funds between items of appropriation in excess of 25 percent and shall provide 45-days notification to the Governor and the Legislative Budget Board any time the department plans to transfer an amount of $100,000 or more between items of appropriation. No later than the first Friday of October of each year, the department shall report to the Governor and the Legislative Budget Board the total number and amount of transfers during the previous fiscal year. The report shall include the amount transferred, the strategies involved, and justification for the transfer. In addition, the Department of Public Safety is hereby prohibited from transferring any and all appropriations from Strategy C.1.4, Texas Rangers, into any other strategies without consent of the Governor and the Legislative Budget Board.

24. Complex Crime Unit. From monies appropriated above, the Department of Public Safety shall maintain a Complex Crime Unit to investigate offenses involving theft or misapplication of government property, the investigation of which requires a level of expertise in disciplines such as accounting, computer technology, or another that is not readily available to local law enforcement agencies.

a. The total cost of assistance including administrative costs shall not exceed $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011.

b. The director of the department shall employ commissioned peace officers and noncommissioned employees to perform duties required of the unit. To be eligible for employment by the Complex Crime Unit, a peace officer must have not less than four years of experience as a peace officer; and a degree from an accredited institution of higher education in law, accounting, or computer science; or two or more years of experience in the investigation of complex criminal offenses or similar law. To be eligible for employment under this section, a noncommissioned employee must meet the experience, training, and educational qualifications set by the director as requirements for investigating or assisting in the investigation of a crime.

c. On the request of an attorney representing the state and with approval of the director, the Complex Crime Unit of the department may assist local law enforcement in the investigation of crime. On the request of the Governor and with the approval of the director, the Complex Crime Unit of the department may investigate a crime involving harm to the interests of a state agency.


If additional counties are brought into the vehicle emissions inspection and maintenance program, 80 percent of revenues generated from the vehicle emissions and inspections fee in excess of the Comptroller's Biennial Revenue Estimate in each fiscal year 2010 and 2011 and deposited into the
General Revenue Fund are hereby appropriated to the agency for the purpose of developing, administering, evaluating, and maintaining the vehicle emissions inspection and maintenance program in the additional counties.

   a. A commissioned officer who received a $1,200 clothing allowance pursuant to the General Appropriations Act during the 2008-09 biennium shall receive a $1,200 clothing allowance in the 2010-11 biennium.
   b. A commissioned officer who received a $500 cleaning allowance pursuant to the General Appropriations Act for the 2008-09 biennium shall receive a $500 cleaning allowance in the 2010-11 biennium irrespective of promotion to any rank.
   c. No person shall receive a $1,200 clothing allowance unless eligible in subsection (a).
   d. An individual who is newly hired or newly commissioned after September 1, 1997, is eligible to receive a $500 cleaning allowance.
   e. All noncommissioned personnel required to wear uniforms are entitled to a $500 cleaning allowance.

27. Recruit Schools. Recruits participating in the recruit school of the Department of Public Safety shall not be counted toward the limit on the number of full-time-equivalent positions (FTEs) for the agency until their graduation. Upon graduation, the additional officers shall not cause the department to exceed the department's limit on FTEs. The number of participants in the recruit schools shall be included in all required reports concerning FTEs and vacancies, but the recruits shall be reported as a separate total from the agency's other FTEs.

28. Reporting Procedure for Land Acquisition and Construction Projects. The Department of Public Safety shall report to the Governor, the House Appropriations Committee, the Senate Finance Committee, and the Legislative Budget Board if a department project managed by the Texas Facilities Commission and funded through appropriations by the Legislature lags six months or more behind the project's original timeline and/or exceeds the original budget by more than 25 percent. Reports should not include delays or cost overruns caused by acts of nature or other factors outside the control of the Texas Facilities Commission.

29. Hardship Stations. Out of funds appropriated above, the Department of Public Safety is authorized to designate 40 hardship stations across the state based on excessive vacancies in the Texas Highway Patrol Division. The department shall provide incentives to commissioned peace officers accepting positions at these posts.

30. Response to Bomb or Other Terrorist Threats in the Capitol Complex. The Department of Public Safety shall review the procedures for responding to a bomb or other terrorist threat in the Capitol Complex, determine what changes, if any, would ensure a more effective response to a threat, and adopt necessary changes.

   The Department of Public Safety shall also provide written procedures and guidance for responding to a bomb or other terrorist threat to each agency director in the Capitol Complex as well as any individual in charge of risk management for such agency.

31. Security Services in the Capitol Complex. The Department of Public Safety shall periodically review the security services provided by each law enforcement agency or security agency in the Capitol Complex (including the law enforcement services provided by the Internal Investigations Division of the Office of the Attorney General in the Capitol Complex) and adopt rules to coordinate these services and insure maximum effectiveness. The review and adopted rules should aim to eliminate any duplication of services.

32. Contingency Personnel, DNA Analyses. Contingent on the receipt of federal funds for DNA analyses or DNA backlog elimination purposes in an amount sufficient to cover the costs related to the additional personnel authorized by this rider, the "Number of Full-Time-Equivalents (FTE)" figure indicated above is hereby increased by 12 each fiscal year. Seven of these authorized FTEs are to be assigned to the department's primary DNA facility, while the remaining five are to be assigned to field laboratories.
33. **Authorized Trooper Strength.** From funds appropriated, the Department of Public Safety shall maintain the number of highway patrol trooper positions at no less than 1,929.

34. **Contingency Personnel, North Texas Tollway Authority Contract.** The department is authorized 25 highway patrol service positions contingent upon continuing an interlocal cooperation contract with the North Texas Tollway Authority to police the Dallas North Tollway Systems. The "Number of Full-Time-Equivalents (FTE)" figure indicated above is hereby increased by eight each fiscal year. The eight FTEs authorized by this rider may not be added until the department reaches the number of troopers patrolling Texas highways in accordance with the goals as outlined in Rider Number 33, Authorized Trooper Strength.

The contract shall include salaries, retirement, group insurance, auto operation costs, operational expenses, and amortization of equipment, including, but not limited to, vehicles. The expenses to be covered must also include expenses related to radio communications, office space and furniture, printing, postage, personnel moving expenses, telephone services, patrol car equipment, and secretarial and clerical services. Upon termination of the contract, the department must notify the Governor, Legislative Budget Board, and the State Auditor's Office of the termination and phase out the additional FTEs.

35. **Unsolved Crimes Investigation Team.** Included in the amounts appropriated above in Strategy C.1.4, Texas Rangers, is $775,199 in fiscal year 2010 and $775,199 in fiscal year 2011 for the purpose of providing assistance to Texas law enforcement agencies with the investigation of unsolved murders and serial or linked criminal transactions. Also included above are 13 full-time-equivalent positions (FTEs) that are provided specifically for the staffing of the unsolved crimes investigation team with the intent that at least nine of the FTEs are commissioned personnel.

36. **Interagency Contract for Legal Services.** Out of funds appropriated above, $1.3 million for the 2010-11 biennium is for an interagency contract with the Office of the Attorney General for legal services provided by the Office of the Attorney General to the Department of Public Safety. Any interagency contract funded by appropriated funds may not exceed reasonable attorney fees for similar legal services in the private sector, shall not jeopardize the ability of the Department of Public Safety to carry out its legislative mandates, and shall not affect the budget for the Department of Public Safety such that employees must be terminated in order to pay the amount of the interagency contract.

37. **Polygraph Examiner Fee Rates.** The Polygraph Examiners Board shall establish reasonable fees pursuant to Government Code § 316.043, to be effective during the biennium beginning on the effective date of this Act, not to exceed:

<table>
<thead>
<tr>
<th>Fee Description</th>
<th>Fee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Polygraph Examiners License</td>
<td>$ 500.00</td>
</tr>
<tr>
<td>Internship License Application Fee</td>
<td>300.00</td>
</tr>
<tr>
<td>Duplicate License</td>
<td>100.00</td>
</tr>
<tr>
<td>Renewal Fee for Examiners License</td>
<td>500.00</td>
</tr>
<tr>
<td>Extension or Renewal of an Internship License</td>
<td>150.00</td>
</tr>
<tr>
<td>Examination Fee</td>
<td>200.00</td>
</tr>
<tr>
<td>Late Fee</td>
<td>200.00</td>
</tr>
</tbody>
</table>

38. **Appropriations Limited to Revenue Collections.** Fees and other miscellaneous revenues as authorized and generated by the Private Security Board shall cover, at a minimum, the cost of the appropriations made above in Strategies E.3.1, E.3.2, and E.3.3, as well as the "other direct and indirect costs" indicated above (the amounts are solely related to the Private Security Board). In the event that actual and/or projected revenue collections are insufficient to offset the costs identified by this provision, the Legislative Budget Board may direct that the Comptroller of Public Accounts reduce the appropriation authority provided above in Strategies E.3.1, E.3.2, and E.3.3. to be within the amount of revenue expected to be available.

39. **Selective Traffic Enforcement Program.** Funds appropriated above to Strategy A.1.1, Highway Patrol, include $10,000,000 in fiscal year 2010 and $10,000,000 in fiscal year 2011 from the State Highway Fund No. 006 and shall be used for the Selective Traffic Enforcement Program at the Department of Public Safety.

40. **Appropriations Limited to Revenue Collections: Driver Responsibility Program.** Included in the amounts appropriated above in Strategy B.1.1, Driver License and Records, pursuant to § 780.002, Health and Safety Code, and estimated to be $1,690,000 in fiscal year 2010 and $1,690,000 in fiscal year 2011 from the General Revenue Fund, is one percent of the surcharges collected by the driver responsibility program. These funds are appropriated above for the administration of the driver responsibility program.
Also included in the amounts appropriated above in Strategy B.1.1, Driver License and Records, pursuant to § 708.155, Transportation Code, are amounts collected in excess of surcharge amounts of the driver responsibility program as vendor base compensation and related costs for the collection of the surcharges. These amounts are estimated to be $11,434,337 in fiscal year 2010 and $11,432,837 in fiscal year 2011 from the General Revenue Fund. All funds collected for vendor base compensation and related costs shall be processed in accordance with procedures established by the Comptroller of Public Accounts. The amount of vendor compensation shall not exceed rates specified in statute.

41. **Staffing Patterns - Private Security Board.** From funds appropriated above, the Private Security Board shall achieve greater compliance with the Private Security Act by strategically locating its investigators across the state to maximize the use of Department of Public Safety regional offices, minimize travel related costs, and support/represent a significant number of companies and persons regulated in the region. None of the funds appropriated above shall be expended to maintain or support offices that are located in the homes of any employees.

42. **Private Security Board Vehicles.** From funds appropriated above, the Department of Public Safety shall maintain a minimum fleet of five vehicles for the Private Security Board. The vehicles are to be maintained in accordance with the State Vehicle Fleet Management Plan. The vehicles are for the sole use of the Private Security Board and are intended for use by investigators and are prohibited for use for commuting to and from work.

43. **Appropriation Transfers Between Fiscal Years - Gasoline Contingency.** In addition to the transfer authority provided elsewhere in this Act, the Department of Public Safety (DPS) may transfer appropriations from the State Highway Fund No. 006 for fiscal year 2011 to fiscal year 2010, subject to the following conditions provided by this section:

   a. Transfers under this section may be requested only if the average price per gallon of gasoline paid by the agency during the first six months of fiscal year 2010 exceeds $3.00 per gallon.

   b. A request to transfer appropriations for fiscal year 2011 to fiscal year 2010 shall be submitted in writing to the Governor and the Legislative Budget Board. The request shall include a justification for the amount of funds to be transferred based on an estimate of the total gallons of gasoline consumed by the agency in a year and the average price per gallon paid over $3.00 per gallon during the first six months of fiscal year 2010.

   c. A transfer authorized by this section must receive the prior approval of the Governor and the Legislative Budget Board.

   d. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending made under this section.

44. **Estimates of Future Federal Funds.** The Department of Public Safety (DPS) shall include estimates of future federal funding and 100 percent federally funded full-time-equivalents in the agency's Legislative Appropriations Request (LAR) based on historical amounts for all non-disaster related federal funds unless there is a specific indication that a federally funded project will be added, eliminated, or changed significantly. As part of the agency submission of the LAR, DPS shall notify the Governor and the Legislative Budget Board in writing of any such indication of federal funding changes including the Catalog of Federal Domestic Assistance number, the anticipated amount of the change, and the cause of the change.

45. **Appropriation: Unexpended Balances of Construction Bonds.** Any unexpended balances as of August 31, 2009, for the Department of Public Safety (DPS) in the general obligation bond appropriations made by the Eightieth Legislature for construction appropriations are hereby appropriated to DPS for the biennium beginning September 1, 2009. Unexpended balances appropriated for the 2010-11 biennium may be used only for previously approved construction of additional facilities and shall not be used for new construction of additional facilities (fiscal year 2009 unexpended balance estimated to be $131,586,135 and included in the amounts appropriated above).

46. **Physical Fitness Standards.** Out of funds appropriated above, the Department of Public Safety shall develop criteria that include physical fitness and appearance standards that must be met prior to any commissioned peace officer receiving a pay increase or promotion as authorized by Article IX, Section 2.01, Schedule C Classification Salary Schedule of this Act.
47. **Estimates of Future Appropriated Receipts.** The Department of Public Safety (DPS) shall include estimates of future appropriated receipts in the agency's Legislative Appropriations Request (LAR) based on historical amounts unless there is a specific indication that the amount of appropriated receipts will change significantly.

48. **Estimates of Future Criminal Justice Grants.** The Department of Public Safety (DPS) shall include estimates of future criminal justice grants in the agency's Legislative Appropriations Request (LAR) based on historical amounts unless there is a specific indication that the amount of criminal justice grants will change significantly.

49. **Border Security.** From funds appropriated above, the Department of Public Safety shall use $13,691,474 in fiscal year 2010 and $9,671,199 in fiscal year 2011 from State Highway Fund 6 for enhanced border security operations including:

   a. Highway Patrol: $6,014,367 in fiscal year 2010 and $3,835,802 in fiscal year 2011 for salaries, training, operating costs, and equipment for 61 staff including 56 commissioned officers.

   b. Narcotics Enforcement: $1,301,354 in fiscal year 2010 and $974,697 in fiscal year 2011 for salaries, training, operating costs, and equipment for 15 staff including nine commissioned officers.

   c. Vehicle Theft Enforcement: $1,063,258 in fiscal year 2010 and $726,392 in fiscal year 2011 for salaries, training, operating costs, and equipment for ten staff including nine commissioned officers.

   d. Criminal Intelligence Service: $1,110,173 in fiscal year 2010 and $727,992 in fiscal year 2011 for salaries, training, operating costs, and equipment for ten staff including nine commissioned officers.

   e. Texas Rangers: $579,342 in fiscal year 2010 and $375,888 in fiscal year 2011 for salaries, training, operating costs, and equipment for five commissioned officers.

   f. Aircraft Operations: $3,622,980 in fiscal year 2010 and $3,030,428 in fiscal year 2011 for salaries, training, operating costs, and equipment for 19 staff including 18 commissioned officers.

50. **Databases and Clearinghouses Related to Missing Persons and Children.** From funds appropriated above in Strategy C.1.6, Information Analysis, the Department of Public Safety (DPS) shall use $1,250,000 in fiscal year 2010 and $1,250,000 in fiscal year 2011 from General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, for the administration and support of the University of North Texas Health Science Center at Fort Worth Missing Persons DNA Database and the Missing Children and Missing Persons Information Clearinghouse established under the Code of Criminal Procedure, Chapter 63. The "Number of Full-Time-Equivalents" indicated above includes 5 FTEs in both fiscal years for the administration and support of the programs. DPS shall use $825,000 per year to make interagency contract payments to the University of North Texas Health Science Center at Fort Worth to administer the Missing Persons DNA Database. DPS shall use $425,000 per year to pay department expenses associated with the Missing Persons DNA Database and the administration of the Missing Children and Missing Persons Information Clearinghouse.

51. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 for the Department of Public Safety, the Private Security Board, and the Polygraph Examiners Board are made contingent on the continuation of the Department of Public Safety, the Private Security Board, and the Polygraph Examiners Board by the Eighty-first Legislature. In the event that one of the agencies is not continued, the funds appropriated for that agency for fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

52. **Local Border Security.** From funds appropriated above, the Governor's Division of Emergency Management in Strategy D.1.5, Local Border Security, within the Department of Public Safety's bill pattern, is appropriated $40,804,714 in fiscal years 2010-11 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, for the following border security expenditures:
DEPARTMENT OF PUBLIC SAFETY
(Continued)

(a) $7,000,000 to the Department of Public Safety to fund DPS troopers along the border; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Department of Public Safety is increased by 56;

(b) $1,853,676 to the Department of Public Safety to fund Texas Ranger positions; in addition to the amount of full-time-equivalent positions listed elsewhere in this Act the number of full-time-equivalent positions for the Department of Public Safety is increased by 10;

(c) $21,951,038 for overtime and operational costs for increased patrol and investigative capacity for certified peace officers (DPS and local) following the DPS overtime policy; and operational costs, per diem, and travel expenses for Texas Military Forces.

(d) $9,000,000 shall be used for the operations of the Border Operations Center and the Joint Operations and Intelligence Centers; and

(e) $1,000,000 shall be used for the operations of the Rio Grande Valley Border Security and Technology Training Center.

Out of funds appropriated, on or before December 15th of each year, the Department of Public Safety and the Governor's Division of Emergency Management shall submit a report to the Legislative Budget Board and the Governor's Office on the expenditure of funds provided to local law enforcement agencies.

Prior to the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall be notified. As soon as possible after the execution of a significant border security or homeland security operation, the Director of the Department of Public Safety, the Director of the Division of Emergency Management, and the Director of Homeland Security shall receive written notification on the operational plans.

Any unexpended balances from appropriations listed above that are remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

53. License Plate Reader Project. The Texas Department of Public Safety may not spend funds appropriated by this Act for a license plate reader project or to purchase and deploy a license plate reader unless:

a. the department establishes a policy and procedures requiring the immediate and systematic destruction of all license plate information collected through the project that is not linked in the database system to a stolen motor vehicle; and

b. the unlinked license plate information is being systematically purged from the database system.

54. Additional Border Security Funds. From funds appropriated above, $11,600,000 in fiscal year 2010 and $800,000 in fiscal year 2011 is appropriated for the following border security expenditures:

(a) $5,500,000 in General Revenue-Dedicated Operators and Chauffeurs License Account No. 099 in fiscal year 2010 may only be used to contract with the City of Laredo for construction of the Governor's Regional Center for Operations and Intelligence. From funds appropriated, the Department of Public Safety shall assign three full-time-equivalent positions from the Laredo District to staff the Governor's Regional Center for Operations and Intelligence.

(b) $6,100,000 in General Obligation Bond Proceeds in fiscal year 2010 and $800,000 in State Highway Fund 6 in fiscal year 2011 may only be expended to construct, equip, and operate a Department of Public Safety Crime Lab in Laredo. The Department is also authorized one additional technical DNA leader, two additional DNA Forensic Scientists, two Firearm Forensic Scientists, and one Evidence Technician. The "Number of Full-Time-Equivalent Positions (FTE)" figure indicated above includes six additional FTEs in fiscal year 2011 for this purpose. If Texas A&M International University provides the necessary land for the crime lab, then the Crime Lab in Laredo shall be built on the donated land.
55. Texas Task Force II. From funds appropriated above in Strategy D.1.2, Response Coordination, $700,000 in fiscal year 2010 and $700,000 in fiscal year 2011 in General Revenue - Dedicated Operators and Chauffeurs License Account No. 099, may only be expended to upgrade Texas Task Force II in Dallas to a Type I Urban Search and Rescue Team.

56. Additional Capital Budget - Helicopter. In addition to the provisions of Rider 4, Additional Capital Budget Authority, the Department of Public Safety is authorized to make the capital purchase of one additional helicopter in the amount of $4,284,032 to be stationed in Longview utilizing seized asset funds. From funds appropriated above in Strategy F.1.10, Aircraft Operations, $300,000 in fiscal year 2010 and $300,000 in fiscal year 2011 in General Revenue Dedicated Fund No. 99 shall be used for the operations of the helicopter. From funds appropriated, the Department of Public Safety shall provide three full-time-equivalent positions to support the additional helicopter.

57. Appropriation Authority for General Obligation Bond Proceeds. Appropriated above in Strategy F.1.6, Physical Plant, in fiscal year 2010 is $16,100,000 in general obligation bond proceeds for projects for the Department of Public Safety as described in Article IX, Sec. 17.10, Informational Listing: General Obligation Bond Proceeds.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

58. State Disaster Resource Support and Staging Sites. From funds appropriated above in Goal D, Emergency Management, the Governor's Division of Emergency Management is authorized to spend no more than $3,687,250 during the 2010-11 biennium for the creation and operation of no more than two state disaster resource support and staging sites. Funds used under this provision may be expended for capital budget purposes notwithstanding limitations on capital budget expenditures elsewhere in this Act.

59. Texas Data Exchange. It is the intent of the Legislature that $12,447,104 in State Highway Fund 6 appropriated to the Department of Public Safety in Strategy F.1.5, Crime Records, for the Texas Data Exchange (TDEx) in the 2010-11 biennium shall be used to fund support fees, deployment of TDEx adapters, and ongoing operation expenses, including the renewal of the TDEx enterprise license. It is further the intent of the Legislature that, to the extent allowed by federal law and the availability of funds, the Office of the Governor shall give priority to providing $12,200,000 in one-time funding from federal and other grants and any other sources available to the Office of the Governor for the same purposes over the 2010-11 biennium.

YOUTH COMMISSION

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31,</td>
</tr>
<tr>
<td></td>
<td>2010</td>
</tr>
<tr>
<td>General Revenue Fund</td>
<td>$ 209,606,186</td>
</tr>
<tr>
<td>Federal Funds</td>
<td>10,599,450</td>
</tr>
<tr>
<td>Other Funds</td>
<td>$ 12,985,864</td>
</tr>
<tr>
<td>Appropriated Receipts</td>
<td>404,024</td>
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<tr>
<td>Interagency Contracts</td>
<td>1,172,250</td>
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<tr>
<td>Bond Proceeds - General Obligation Bonds</td>
<td>5,556,651</td>
</tr>
<tr>
<td>Interagency Contracts - Transfer from Foundation School Fund No. 193</td>
<td>5,852,939</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$ 12,985,864</td>
</tr>
<tr>
<td>Total, Method of Financing</td>
<td>$ 233,191,500</td>
</tr>
</tbody>
</table>
YOUTH COMMISSION

(Continued)

This bill pattern represents an estimated 100% of this agency’s estimated total available funds for the biennium.

Number of Full-Time-Equivalents (FTE):

<table>
<thead>
<tr>
<th></th>
<th>3,933.9</th>
<th>3,704.9</th>
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Schedule of Exempt Positions:

Executive Director, Group 6

<table>
<thead>
<tr>
<th></th>
<th>$160,000</th>
<th>$160,000</th>
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</thead>
</table>

Items of Appropriation:

A. Goal: SECURE CORRECTIONAL ENVIRONMENT
Provide a Safe and Secure Correctional Environment for Youth.

A.1.1. Strategy: ASSESSMENT AND ORIENTATION
Assess & Orient Youth for Appropriate Treatment and Placement.

<table>
<thead>
<tr>
<th></th>
<th>$4,128,383</th>
<th>$4,360,635</th>
</tr>
</thead>
</table>

A.1.2. Strategy: INSTITUTIONAL SERVICES
Provide TYC-operated Secure Correctional Programs.

<table>
<thead>
<tr>
<th></th>
<th>$112,499,858</th>
<th>$106,595,000</th>
</tr>
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</table>

A.1.3. Strategy: CONTRACTED CAPACITY
Provide Additional Secure and Nonsecure Residential Capacity.

<table>
<thead>
<tr>
<th></th>
<th>$9,255,991</th>
<th>$10,950,912</th>
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</thead>
</table>

A.1.4. Strategy: HALFWAY HOUSE SERVICES
Provide TYC-operated Nonsecure Correctional Programs.

<table>
<thead>
<tr>
<th></th>
<th>$9,565,967</th>
<th>$9,806,112</th>
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</table>

A.1.5. Strategy: HEALTH CARE SERVICES
Provide a System of Health Care.

<table>
<thead>
<tr>
<th></th>
<th>$17,369,121</th>
<th>$15,860,644</th>
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</table>

A.1.6. Strategy: MENTAL HEALTH SERVICES

<table>
<thead>
<tr>
<th></th>
<th>$1,947,154</th>
<th>$1,851,785</th>
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A.1.7. Strategy: HEALTH CARE OVERSIGHT

<table>
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<tr>
<th></th>
<th>$1,816,119</th>
<th>$1,816,119</th>
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A.1.8. Strategy: OFFICE OF INSPECTOR GENERAL

<table>
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<tr>
<th></th>
<th>$2,208,796</th>
<th>$2,208,797</th>
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A.1.9. Strategy: OFFICE OF INDEPENDENT OMBUDSMAN

<table>
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<tr>
<th></th>
<th>$300,000</th>
<th>$300,000</th>
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A.1.10. Strategy: CONSTRUCT AND RENOVATE FACILITIES
Construct & Renovate TYC Facilities for Sufficient Capacity.

<table>
<thead>
<tr>
<th></th>
<th>$5,556,651</th>
<th>$0</th>
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Total, Goal A: SECURE CORRECTIONAL ENVIRONMENT

<table>
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<tr>
<th></th>
<th>$164,648,040</th>
<th>$153,750,004</th>
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</table>

B. Goal: EDUCATION AND WORKFORCE
Enable TYC Youth to Become Productive and Responsible Citizens.

B.1.1. Strategy: EDUCATION AND WORKFORCE PROGRAMS
Provide Academic, GED, and Workforce Preparation Programs.

<table>
<thead>
<tr>
<th></th>
<th>$26,119,471</th>
<th>$25,803,330</th>
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</thead>
</table>

C. Goal: REHABILITATION AND REINTEGRATION
Reduce Delinquent and Criminal Behavior of Youth Released from TYC.

C.1.1. Strategy: CORRECTIONAL TREATMENT
Provide Correctional Treatment Programs.

<table>
<thead>
<tr>
<th></th>
<th>$14,412,955</th>
<th>$13,811,741</th>
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</thead>
</table>

C.1.2. Strategy: SPECIALIZED CORRECTIONAL TREATMENT
Trtmt for Capital/Sex Crimes, Drug Abuse, Emotional & Mental Problems.

<table>
<thead>
<tr>
<th></th>
<th>$5,542,458</th>
<th>$6,447,584</th>
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</table>

C.1.3. Strategy: PAROLE SERVICES
Provide a System of Parole Services.

<table>
<thead>
<tr>
<th></th>
<th>$9,056,082</th>
<th>$9,429,062</th>
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</table>

C.1.4. Strategy: INTERSTATE AGREEMENT
Interstate Agreement on Supvsn of Runaways, Probationers, and Parolees.

<table>
<thead>
<tr>
<th></th>
<th>$300,995</th>
<th>$300,995</th>
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Total, Goal C: REHABILITATION AND REINTEGRATION

<table>
<thead>
<tr>
<th></th>
<th>$29,312,490</th>
<th>$29,989,382</th>
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</table>

D. Goal: INDIRECT ADMINISTRATION

D.1.1. Strategy: CENTRAL ADMINISTRATION

<table>
<thead>
<tr>
<th></th>
<th>$6,998,907</th>
<th>$6,998,906</th>
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D.1.2. Strategy: INFORMATION RESOURCES

<table>
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<tr>
<th></th>
<th>$4,363,498</th>
<th>$4,403,607</th>
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D.1.3. Strategy: OTHER SUPPORT SERVICES

<table>
<thead>
<tr>
<th></th>
<th>$1,749,094</th>
<th>$1,747,293</th>
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</table>

Total, Goal D: INDIRECT ADMINISTRATION

<table>
<thead>
<tr>
<th></th>
<th>$13,111,499</th>
<th>$13,149,806</th>
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</table>

Grand Total, YOUTH COMMISSION

<table>
<thead>
<tr>
<th></th>
<th>$233,191,500</th>
<th>$222,692,522</th>
</tr>
</thead>
</table>
Object-of-Expense Informational Listing:

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries and Wages</td>
<td>$148,682,651</td>
<td>$145,961,576</td>
</tr>
<tr>
<td>Other Personnel Costs</td>
<td>$5,422,879</td>
<td>$4,678,650</td>
</tr>
<tr>
<td>Professional Fees and Services</td>
<td>$21,932,570</td>
<td>$20,504,163</td>
</tr>
<tr>
<td>Fuels and Lubricants</td>
<td>$736,898</td>
<td>$670,246</td>
</tr>
<tr>
<td>Consumable Supplies</td>
<td>$1,892,645</td>
<td>$1,762,458</td>
</tr>
<tr>
<td>Utilities</td>
<td>$6,389,140</td>
<td>$5,624,365</td>
</tr>
<tr>
<td>Travel</td>
<td>$2,139,171</td>
<td>$2,106,639</td>
</tr>
<tr>
<td>Rent - Building</td>
<td>$1,835,068</td>
<td>$1,873,198</td>
</tr>
<tr>
<td>Rent - Machine and Other</td>
<td>$588,873</td>
<td>$550,977</td>
</tr>
<tr>
<td>Other Operating Expense</td>
<td>$29,923,939</td>
<td>$31,555,040</td>
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<tr>
<td>Client Services</td>
<td>$3,056,807</td>
<td>$2,982,739</td>
</tr>
<tr>
<td>Food for Persons - Wards of State</td>
<td>$1,866,560</td>
<td>$1,769,562</td>
</tr>
<tr>
<td>Capital Expenditures</td>
<td>$8,724,299</td>
<td>$2,652,909</td>
</tr>
<tr>
<td><strong>Total, Object-of-Expense Informational Listing</strong></td>
<td><strong>$233,191,500</strong></td>
<td><strong>$222,692,522</strong></td>
</tr>
</tbody>
</table>

Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act:

<table>
<thead>
<tr>
<th>Item</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Employee Benefits</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Retirement</td>
<td>$9,279,085</td>
<td>$9,418,272</td>
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<tr>
<td>Group Insurance</td>
<td>$27,812,734</td>
<td>$29,999,526</td>
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<tr>
<td>Social Security</td>
<td>$12,331,309</td>
<td>$12,516,279</td>
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<tr>
<td>Benefits Replacement</td>
<td>$584,362</td>
<td>$555,144</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$50,007,490</strong></td>
<td><strong>$52,489,221</strong></td>
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<tr>
<td><strong>Debt Service</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>TPFA GO Bond Debt Service</td>
<td>$17,164,788</td>
<td>$17,220,068</td>
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<tr>
<td>Lease Payments</td>
<td>$957,350</td>
<td>$928,597</td>
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<tr>
<td><strong>Subtotal, Debt Service</strong></td>
<td><strong>$18,122,138</strong></td>
<td><strong>$18,148,665</strong></td>
</tr>
<tr>
<td><strong>Total, Estimated Allocations for Employee Benefits and Debt Service Appropriations Made Elsewhere in this Act</strong></td>
<td><strong>$68,129,628</strong></td>
<td><strong>$70,637,886</strong></td>
</tr>
</tbody>
</table>

1. Performance Measure Targets. The following is a listing of the key performance target levels for the Youth Commission. It is the intent of the Legislature that appropriations made by this Act be utilized in the most efficient and effective manner possible to achieve the intended mission of the Youth Commission. In order to achieve the objectives and service standards established by this Act, the Youth Commission shall make every effort to attain the following designated key performance target levels associated with each item of appropriation.

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>35%</td>
<td>35%</td>
</tr>
<tr>
<td>296</td>
<td>296</td>
</tr>
<tr>
<td>1,996</td>
<td>1,900</td>
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<tr>
<td>154.42</td>
<td>153.71</td>
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<td>200</td>
<td>200</td>
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<tr>
<td>126.79</td>
<td>150.01</td>
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<tr>
<td>120.22</td>
<td>123.24</td>
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<tr>
<td>19.71</td>
<td>18.75</td>
</tr>
</tbody>
</table>
YOUTH COMMISSION
(Continued)

A.1.6. Strategy: MENTAL HEALTH SERVICES
Efficiencies:
Cost of Mental Health Services Per Youth Day 2.21 2.19

B. Goal: EDUCATION AND WORKFORCE
Outcome (Results/Impact):
Diploma or GED Rate (TYC-operated Schools) 49% 49%
Percent Reading at Grade Level at Release 21% 21%
B.1.1. Strategy: EDUCATION AND WORKFORCE PROGRAMS
Output (Volume):
Average Daily Attendance in TYC-operated Schools 1,896 1,805
Percent of Math Level Gain 71% 71%
Percent of Reading Level Gain 72% 72%

C. Goal: REHABILITATION AND REINTEGRATION
Outcome (Results/Impact):
One-year Rearrest Rate 54% 54%
One-year Rearrest Rate for Violent Offenses 8.6% 8.6%
One-year Reincarceration Rate: Total 19% 19%
Three-year Reincarceration Rate: Total 43% 43%
C.1.1. Strategy: CORRECTIONAL TREATMENT
Output (Volume):
Average Daily Population: Correctional Treatment 2,073 1,977
Efficiencies:
Correctional Treatment Cost Per Youth Day 19.05 19.14
C.1.2. Strategy: SPECIALIZED CORRECTIONAL TREATMENT
Output (Volume):
Average Daily Population: Specialized Correctional Treatment 874 960
Efficiencies:
Specialized Correctional Treatment Cost Per Youth Day 17.37 18.4
C.1.3. Strategy: PAROLE SERVICES
Output (Volume):
Average Daily Population: Parole 1,443 1,346
Efficiencies:
Parole Cost Per Youth Day 17.19 19.19

2. Capital Budget. None of the funds appropriated above may be expended for capital budget items except as listed below. The amounts shown below shall be expended only for the purposes shown and are not available for expenditure for other purposes. Amounts appropriated above and identified in this provision as appropriations either for "Lease payments to the Master Lease Purchase Program" or for items with an "(MLPP)" notation shall be expended only for the purpose of making lease-purchase payments to the Texas Public Finance Authority pursuant to the provisions of Government Code § 1232.103.

<table>
<thead>
<tr>
<th>Item Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Repair or Rehabilitation of Buildings and Facilities</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Repair and Rehabilitation of Existing TYC Facilities</td>
<td>$5,556,651</td>
<td>$0</td>
</tr>
<tr>
<td>b. Acquisition of Information Resource Technologies</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(1) Computer Workstation and Infrastructure</td>
<td>270,590</td>
<td>381,422</td>
</tr>
<tr>
<td>Equipment Replacement - Business</td>
<td></td>
<td></td>
</tr>
<tr>
<td>(2) Computer Workstation and Infrastructure Equipment Replacement - Education</td>
<td>838,000</td>
<td>838,000</td>
</tr>
<tr>
<td>(3) Data Center Consolidation</td>
<td>2,092,296</td>
<td>1,981,464</td>
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<tr>
<td>(4) Automated Risk Assessment and Data Sharing Systems</td>
<td>$1,173,000</td>
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<tr>
<td>Total, Acquisition of Information Resource Technologies</td>
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<td>$4,027,886</td>
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<tr>
<td>c. Transportation Items</td>
<td></td>
<td></td>
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<tr>
<td>(1) Vehicle Replacement (104 Cargo/Passenger Vehicles)</td>
<td>$1,116,391</td>
<td>$1,116,391</td>
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<tr>
<td>Total, Capital Budget</td>
<td>$11,046,928</td>
<td>$5,144,277</td>
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A694-Conf-5 V-58 May 24, 2009
Method of Financing (Capital Budget):

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<th>2010</th>
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<td>General Revenue Fund</td>
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<tr>
<td>Federal Funds</td>
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<tr>
<td>Bond Proceeds - General Obligation Bonds</td>
<td>5,556,651</td>
<td>0</td>
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<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$11,046,928</strong></td>
<td><strong>$5,144,277</strong></td>
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</tbody>
</table>

3. **Appropriation of Other Agency Funds.** Any unexpended balances remaining in Independent School District Funds (not to exceed $155,000 and included in the amounts above), the Student Benefit Fund (not to exceed $140,000 and included in the amounts above), the Canteen Revolving Funds (not to exceed $7,500 and included in the amounts above), any gifts, grants, and donations as of August 31, 2009, and August 31, 2010 (estimated to be $0), and any revenues accruing to those funds are appropriated to those funds for the succeeding fiscal years. Funds collected by vocational training shops at Youth Commission institutions, including unexpended balances as of August 31, 2009 (not to exceed $21,000 and included in the amounts above), are hereby appropriated for the purpose of purchasing and maintaining parts, tools, and other supplies necessary for the operation of those shops.

4. **Revolving Funds.** The Youth Commission may establish out of any funds appropriated herein a revolving fund not to exceed $10,000 in the Central Office, and $10,000 in each institution, field office, or facility under its direction. Payments from these revolving funds may be made as directed by the commission. Reimbursement to such revolving funds shall be made out of appropriations provided for in this Article.

5. **Student Employment.** Subject to the approval of the Youth Commission, students residing in any Youth Commission facility may be assigned necessary duties in the operations of the facility and be paid on a limited basis out of any funds available to the respective institutions or facility not to exceed $50,000 a year for each institution and $10,000 a year for any other facility.

6. **Support Payment Collections.** The Youth Commission shall annually report to the Governor and to the Legislative Budget Board the number of active accounts, including the amounts owed to the state pursuant to the Texas Family Code, § 54.06 (a) court orders, and the total amount of funds collected.

7. **Federal Foster Care Claims.** Within the appropriations made above, the Texas Department of Family and Protective Services, the Youth Commission, and the Juvenile Probation Commission shall document possible foster care claims for children in juvenile justice programs and maintain an interagency agreement to implement strategies and responsibilities necessary to claim additional federal foster care funding; and consult with juvenile officials from other states and national experts in designing better foster care funding initiatives.

8. **Employee Medical Care.** Appropriations made in this Act for the Youth Commission not otherwise restricted in use may also be expended to provide medical attention by medical staff and infirmaries at Youth Commission facilities, or to pay necessary medical expenses, including the cost of broken eyeglasses and other health aids, for employees injured while performing the duties of any hazardous position which is not reimbursed by workers' compensation and/or employees' state insurance. For the purpose of this section, "hazardous position" shall mean one for which the regular and normal duties inherently involve the risk or peril of bodily injury or harm. Appropriations made in this Act not otherwise restricted in use may also be expended for medical tests and procedures on employees that are required by federal or state law or regulations when the tests or procedures are required as a result of the employee's job assignment or when considered necessary due to potential or existing litigation.

9. **Fire Prevention and Safety.** In instances in which regular employees of facilities operated by the Youth Commission are assigned extra duties on fire prevention teams or on special tactics and response teams, supplementary payments, not to exceed $125 per month for team leaders and $100 per month for team members, are authorized in addition to the salary rates stipulated by the provisions of Article IX of this Act relating to the position classifications and assigned salary ranges.

10. **Charges to Employees and Guests.**
   
a. Collections for services rendered Youth Commission employees and guests shall be made by a deduction from the recipient's salary or by cash payment in advance. Such deductions and
other receipts for these services from employees and guests are hereby appropriated to the facility. Refunds of excess collections shall be made from the appropriation to which the collection was deposited.

b. As compensation for services rendered and notwithstanding any other provision in this Act, any facility under the jurisdiction of the Youth Commission may provide free meals for food service personnel and volunteer workers and may furnish housing facilities, meals, and laundry service in exchange for services rendered by interns, chaplains in training, and student nurses.


12. Salaries, Education Professionals.

a. Each principal, supervisor, and classroom teacher employed in an institution operated by the Youth Commission shall receive a monthly salary to be computed as follows: The applicable monthly salary rate specified in § 21.402, Texas Education Code, as amended, shall be multiplied by ten to arrive at a ten month salary rate. Such rate shall be divided by the number of days required in § 21.401, Texas Education Code, for 10-month employees, and the resulting daily rate shall be multiplied by the number of on-duty days required of Youth Commission educators, resulting in the adjusted annual salary. The adjusted annual salary is to be divided by 12 to arrive at the monthly rate. Salary rates for educational aides commencing employment before September 1, 1999, shall be calculated in the same manner, using 60 percent of the salary rate specified in § 21.402, Texas Education Code.

b. The Youth Commission may authorize salary rates at amounts above the adjusted annual salary determined in the preceding formula, but such rates, including longevity for persons commencing employment on September 1, 1983, or thereafter, and excluding hazardous duty pay, shall never exceed the rates of pay for like positions paid in the public schools of the city in which the Youth Commission institution is located. Any authorized local increments will be in addition to adjusted annual salaries.

c. There is hereby appropriated to the Youth Commission from any unexpended balances on hand as of August 31, 2010, funds necessary to meet the requirements of this section in fiscal year 2011 in the event adjustments are made in the salary rates specified in the Texas Education Code or in salary rates paid by the public schools where Youth Commission facilities are located.

13. State-owned Housing Authorized. As of September 1, 1998, the chief superintendent, assistant superintendent, and the director of security are authorized to live in state-owned housing at a rate determined by the commission. Notwithstanding general provisions of this Act, commission employees first employed at the West Texas State School on or after September 1, 1999, are authorized to live in state-owned housing at the same rate as persons employed prior to September 1, 1999. Employees at West Texas State School are only authorized to live in state-owned housing until August 31, 2010. Other commission employees may live in state-owned housing as set forth in Article IX, § 11.05, State Owned Housing - Recover Housing Costs, of this Act. Fees for employee housing are hereby appropriated to be used for maintaining employee housing.

14. Appropriation Transfers Between Fiscal Years. In addition to the transfer authority provided elsewhere in this Act, the Youth Commission may transfer appropriations in an amount not to exceed $20,000,000 made for fiscal year 2011 to fiscal year 2010 subject to the following conditions provided by this section:

a. Transfers under this section may be made only if (1) juvenile correctional populations exceed appropriated areas of daily population targets or (2) for any other emergency expenditure, including expenditures necessitated by public calamity.

b. A transfer authorized by this section must receive prior approval from the Governor and the Legislative Budget Board.

c. The Comptroller of Public Accounts shall cooperate as necessary to assist the completion of a transfer and spending under this section.
15. **Project RIO.** From the funds appropriated above and to ensure the efficient use of state resources, the Texas Workforce Commission, the Texas Department of Criminal Justice, and the Youth Commission together shall enhance the effectiveness of Project RIO by improving cohesive program delivery among the three agencies. The agencies shall together develop and implement a biennial strategic plan for the implementation of a more cohesive and effective Project RIO program which will emphasize necessary skill development, rehabilitation, and appropriate assessment of the offender prior to release. Not later than March 1, 2010, the biennial strategic plan, jointly prepared by the three agencies, and including specific strategies, measures, timeframes for program improvement, and a methodology for program evaluation, shall be submitted to the Legislative Budget Board and the Governor. The Texas Workforce Commission shall maintain interagency contracts at $446,250 in each year of the biennium to the Youth Commission to fund Project RIO. The agencies shall enter into interagency contracts for the 2010-11 biennium to include the reporting of performance levels.

16. **Training for GED and Reading Skills.** From the funds appropriated above in Strategy B.1.1, Education and Workforce Programs, the Youth Commission shall prioritize reading at grade level and preparation for the GED in its educational program. A report containing statistical information regarding student performance on the Test of Adult Basic Education (TABE) shall be submitted to the Legislative Budget Board and the Governor on or before December 1, 2010.

17. **Salary Adjustment Authorized.** Notwithstanding other provisions of this Act, the Youth Commission is authorized to adjust salaries of Juvenile Correctional Officers I, Juvenile Correctional Officers II, Juvenile Correctional Officers III, Juvenile Correctional Officers IV, Juvenile Correctional Officers V, and Juvenile Correctional Officers VI to rates within the designated salary group for the purpose of recruiting, employing, and retaining career juvenile correctional personnel. Merit raises are prohibited for all Juvenile Correctional Officers who are receiving or are eligible to receive step adjustments in the career ladder system.

18. **Human Resources Management Plan.** From funds appropriated above, the Youth Commission shall develop a Human Resources Management Plan designed to improve employee morale and retention. The plan must focus on reducing employee turnover through better management. The Youth Commission shall report, by October 1 of each year of the biennium, to the Legislative Budget Board and the Governor the employee turnover rate, by job category, at the agency during the preceding fiscal year. The effectiveness of an agency's plan shall be measured by whether or not there is a reduction in annual employee turnover rates at the agency, specifically by the reduction in the turnover rates for juvenile correctional officers.

19. **Appropriation: Unexpended Balances of General Obligation Bond Proceeds.** Any unexpended balances of general obligation bond proceeds that have been approved under the provisions of Article IX, Section 19.70 or Article IX, Section 19.71 of House Bill 1, Eightieth Legislature, Regular Session, 2007, as of August 31, 2009, for the Youth Commission (TYC) are hereby appropriated to TYC for the biennium beginning September 1, 2009 for the purposes for which they were approved (fiscal year 2009 unexpended balance estimated to be $0).

20. **Appropriations Prohibited for Purposes of Payment to Certain Employees.** None of the appropriations made by this Act to the Youth Commission (TYC) may be distributed to or used to pay an employee of TYC who is required to register as a sex offender under Chapter 62, Code of Criminal Procedure, or has been convicted of an offense described in Article 42.12, Section 3g, Code of Criminal Procedure.

21. **Managed Health Care and Mental Health Services Contract(s).** From funds appropriated above, the Youth Commission (TYC) shall develop and manage a provider contract, or contracts, to deliver the most effective managed health care and mental health services for the best value. Potential service providers shall not be entitled to pass-through funding from TYC appropriations.

22. **Sunset Contingency.** Funds appropriated above for fiscal year 2011 are made contingent on the continuation of the Youth Commission by the Eighty-first Legislature. In the event that the agency is not continued, the funds appropriated in fiscal year 2010 or as much thereof as may be necessary are to be used to provide for the phase out of agency operations.

23. **West Texas State School and Victory Field Correctional Academy.** Funds appropriated by this Act in fiscal year 2010 may only be used for the operation of the Victory Field Correctional Academy if the Youth Commission certifies to the Legislative Budget Board no later than September 1, 2009, that the facility is safe for use as a juvenile residential facility. Funds appropriated by this Act shall not be used for the operation of West Texas State School or Victory Field Correctional Academy after August 31, 2010.
24. **Appropriation Authority for General Obligation Bond Proceeds.** Appropriated above in Strategy A.1.10, Construct and Renovate Facilities, in fiscal year 2010 is $5,556,651 in general obligation bond proceeds for projects for the Youth Commission as described in Article IX, §17.10, Informational Listing: General Obligation Bond Proceeds.

All projects funded herein with general obligation bond proceeds are subject to approval by the Legislative Budget Board prior to issuance of the bond proceeds by the Texas Public Finance Authority. Any unexpended and unobligated balances in general obligation bond proceeds described herein and remaining as of August 31, 2010 are hereby appropriated for the fiscal year beginning September 1, 2010 for the same purpose(s).

25. **Shared Use of Vehicle with the Juvenile Probation Commission.** Contingent upon availability of a vehicle in the Youth Commission (TYC) vehicle fleet, TYC may enter into an agreement for the temporary shared use of a TYC vehicle with the Juvenile Probation Commission to support collaboration between the two agencies. Any agreement must specify responsibilities of the respective agencies for vehicle maintenance, damage and repair, and fleet reporting requirements.

26. **Prohibition of Payment to Youth Services International.** None of the funds appropriated above shall be used for payment to Youth Services International without prior approval of the Legislative Budget Board and the Office of the Attorney General.

27. **Interagency Contracts Authorized, West Texas State School.** The Youth Commission is authorized to lease from The University of Texas for a term of years and upon conditions that are mutually agreeable to the Youth Commission and The University of Texas, under authority of the Interagency Cooperation Act, certain facilities situated at Pyote Air Force Base, in Ward County, Texas (same being located in Block 16, University Lands). The Youth Commission is authorized to pay to The University of Texas as rental for such a lease a sum not to exceed $3,000 per year. Funds appropriated by this Act shall not be used for costs associated with West Texas State School after August 31, 2010.

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### RETIREMENT AND GROUP INSURANCE

#### For the Years Ending
<table>
<thead>
<tr>
<th></th>
<th>August 31, 2010</th>
<th>August 31, 2011</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Method of Financing:</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>General Revenue Fund, estimated</td>
<td>$ 417,084,828</td>
<td>$ 443,597,086</td>
</tr>
<tr>
<td>General Revenue Dedicated Accounts, estimated</td>
<td>4,399,645</td>
<td>4,544,373</td>
</tr>
<tr>
<td>Federal Funds, estimated</td>
<td>6,709,252</td>
<td>7,099,360</td>
</tr>
<tr>
<td>State Highway Fund No. 006, estimated</td>
<td>91,187,615</td>
<td>97,652,536</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$ 519,381,340</strong></td>
<td><strong>$ 552,803,355</strong></td>
</tr>
</tbody>
</table>

#### Items of Appropriation:

**A. Goal: EMPLOYEES RETIREMENT SYSTEM**

**A.1.1. Strategy: RETIREMENT CONTRIBUTIONS**

Retirement Contributions. Estimated.

- $ 114,676,708 | $ 116,854,226 |

**A.1.2. Strategy: GROUP INSURANCE**

Group Insurance. Estimated.

- $ 377,645,608 | $ 408,890,105 |

**A.1.3. Strategy: PUBLIC SAFETY BENEFITS**

Public Safety Benefits. Estimated.

- $ 6,592,165 | $ 6,592,165 |

**A.1.4. Strategy: LECOS RETIREMENT PROGRAM**

LECOS Retirement Program. Estimated.

- $ 20,466,859 | $ 20,466,859 |

**Total, Goal A: EMPLOYEES RETIREMENT SYSTEM**

- $ 519,381,340 | $ 552,803,355 |

**Grand Total, RETIREMENT AND GROUP INSURANCE**

- $ 519,381,340 | $ 552,803,355 |
### SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY

#### For the Years Ending August 31, 2010  
#### August 31, 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund, estimated</td>
<td>$129,859,663</td>
<td>$131,573,650</td>
</tr>
<tr>
<td>General Revenue Dedicated Accounts, estimated</td>
<td>655,716</td>
<td>663,987</td>
</tr>
<tr>
<td>Federal Funds, estimated</td>
<td>2,334,206</td>
<td>2,320,953</td>
</tr>
<tr>
<td>Other Funds:</td>
<td>83,622</td>
<td>85,212</td>
</tr>
<tr>
<td>Other Special State Funds, estimated</td>
<td>32,094,898</td>
<td>32,588,535</td>
</tr>
<tr>
<td>Subtotal, Other Funds</td>
<td>$32,178,520</td>
<td>$32,673,747</td>
</tr>
<tr>
<td><strong>Total, Method of Financing</strong></td>
<td><strong>$165,028,105</strong></td>
<td><strong>$167,232,337</strong></td>
</tr>
</tbody>
</table>

#### Items of Appropriation:

**A. Goal: SOCIAL SECURITY/BENEFIT REPLACEMENT**

**Comptroller - Social Security.**

- **A.1.1. Strategy:** STATE MATCH — EMPLOYER  
  State Match — Employer. Estimated.  
<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$151,540,442</td>
<td>$154,419,055</td>
</tr>
</tbody>
</table>
  
- **A.1.2. Strategy:** BENEFIT REPLACEMENT PAY  
  Benefit Replacement Pay. Estimated.  
<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$13,487,663</td>
<td>$12,813,282</td>
</tr>
</tbody>
</table>

**Total, Goal A: SOCIAL SECURITY/BENEFIT REPLACEMENT**  
**$165,028,105**  
**$167,232,337**

**Grand Total, SOCIAL SECURITY AND BENEFIT REPLACEMENT PAY**  
**$165,028,105**  
**$167,232,337**

### BOND DEBT SERVICE PAYMENTS

#### For the Years Ending August 31, 2010  
#### August 31, 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$243,170,775</td>
<td>$247,750,318</td>
</tr>
</tbody>
</table>

**Total, Method of Financing**  
**$243,170,775**  
**$247,750,318**

#### Items of Appropriation:

**A. Goal: FINANCE CAPITAL PROJECTS**

**A.1.1. Strategy:** BOND DEBT SERVICE  
To Texas Public Finance Authority for Payment of Bond Debt Service.  
<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$243,170,775</td>
<td>$247,750,318</td>
</tr>
</tbody>
</table>

**Grand Total, BOND DEBT SERVICE PAYMENTS**  
**$243,170,775**  
**$247,750,318**

### LEASE PAYMENTS

#### For the Years Ending August 31, 2010  
#### August 31, 2011

<table>
<thead>
<tr>
<th>Method of Financing:</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Revenue Fund</td>
<td>$2,041,515</td>
<td>$1,975,185</td>
</tr>
</tbody>
</table>

**Total, Method of Financing**  
**$2,041,515**  
**$1,975,185**
LEASE PAYMENTS
(Continued)

Items of Appropriation:
A. Goal: FINANCE CAPITAL PROJECTS
   A.1. Strategy: LEASE PAYMENTS

<table>
<thead>
<tr>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>$2,041,515</td>
<td>$1,975,185</td>
</tr>
</tbody>
</table>

To TFC for Payment to TPFA.

Grand Total, LEASE PAYMENTS

SPECIAL PROVISIONS RELATING TO
PUBLIC SAFETY AND CRIMINAL JUSTICE AGENCIES

Sec. 2. Federally Funded Projects. Consistent with the provisions in Article IX, § 6.10, state public safety and criminal justice agencies may exceed the limitations on full-time equivalent employees (FTEs) indicated in their appropriations only if the number of FTEs whose salaries, benefits, and other expenses related to employment that are 100 percent federally funded exceed the numbers indicated below which are included in the agencies' appropriations.

<table>
<thead>
<tr>
<th>Agency</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>a. Adjutant General's Department</td>
<td>395</td>
<td>395</td>
</tr>
<tr>
<td>b. Alcoholic Beverage Commission</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>c. Department of Criminal Justice</td>
<td>5</td>
<td>5</td>
</tr>
<tr>
<td>d. Commission on Fire Protection</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>e. Commission on Jail Standards</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>f. Juvenile Probation Commission</td>
<td>6</td>
<td>6</td>
</tr>
<tr>
<td>g. Commission on Law Enforcement Officer Standards and Education</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>h. Department of Public Safety</td>
<td>313</td>
<td>313</td>
</tr>
<tr>
<td>i. Youth Commission</td>
<td>34.5</td>
<td>34.5</td>
</tr>
</tbody>
</table>
## RECAPITULATION - ARTICLE V
### PUBLIC SAFETY AND CRIMINAL JUSTICE
#### (General Revenue)

<table>
<thead>
<tr>
<th>Description</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjutant General's Department</td>
<td>$15,500,653</td>
<td>$15,535,862</td>
</tr>
<tr>
<td>Alcoholic Beverage Commission</td>
<td>44,601,770</td>
<td>43,192,719</td>
</tr>
<tr>
<td>Department of Criminal Justice</td>
<td>2,911,443,066</td>
<td>2,995,236,427</td>
</tr>
<tr>
<td>Contingency Appropriations</td>
<td>(8,303,086)</td>
<td>(5,274,640)</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>2,903,139,980</td>
<td>2,989,961,787</td>
</tr>
<tr>
<td>Commission on Fire Protection</td>
<td>3,346,168</td>
<td>3,287,668</td>
</tr>
<tr>
<td>Commission on Jail Standards</td>
<td>1,046,848</td>
<td>1,046,848</td>
</tr>
<tr>
<td>Juvenile Probation Commission</td>
<td>150,743,963</td>
<td>147,727,384</td>
</tr>
<tr>
<td>Commission on Law Enforcement Officer Standards and Education</td>
<td>101,855</td>
<td>101,855</td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>118,762,308</td>
<td>118,551,273</td>
</tr>
<tr>
<td>Youth Commission</td>
<td>209,606,186</td>
<td>205,531,087</td>
</tr>
<tr>
<td><strong>Subtotal, Public Safety and Criminal Justice</strong></td>
<td>$3,446,849,731</td>
<td>$3,524,936,483</td>
</tr>
<tr>
<td>Retirement and Group Insurance</td>
<td>417,084,828</td>
<td>443,597,086</td>
</tr>
<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>129,859,663</td>
<td>131,573,650</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td>$546,944,491</td>
<td>$575,170,736</td>
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<tr>
<td>Bond Debt Service Payments</td>
<td>243,170,775</td>
<td>247,750,318</td>
</tr>
<tr>
<td>Lease Payments</td>
<td>2,041,515</td>
<td>1,975,185</td>
</tr>
<tr>
<td><strong>Subtotal, Debt Service</strong></td>
<td>$245,212,290</td>
<td>$249,725,503</td>
</tr>
<tr>
<td><strong>TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE</strong></td>
<td>$4,239,006,512</td>
<td>$4,349,832,722</td>
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</table>
### RECAPITULATION - ARTICLE V
### PUBLIC SAFETY AND CRIMINAL JUSTICE
(General Revenue - Dedicated)

For the Years Ending

<table>
<thead>
<tr>
<th>Year</th>
<th>Department of Criminal Justice</th>
<th>Retirement and Group Insurance</th>
<th>Social Security and Benefit Replacement Pay</th>
<th>Subtotal, Public Safety and Criminal Justice</th>
<th>Subtotal, Employee Benefits</th>
<th>TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 31, 2010</td>
<td>$3,076,805</td>
<td>$4,399,645</td>
<td>$655,716</td>
<td>$58,035,428</td>
<td>$5,055,361</td>
<td>$63,090,789</td>
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</table>
### RECAPITULATION - ARTICLE V
#### PUBLIC SAFETY AND CRIMINAL JUSTICE
(Federal Funds)

<table>
<thead>
<tr>
<th></th>
<th>For the Years Ending</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>August 31, 2010</td>
</tr>
<tr>
<td>Adjutant General's Department</td>
<td>$103,785,372</td>
</tr>
<tr>
<td>Alcoholic Beverage Commission</td>
<td>351,200</td>
</tr>
<tr>
<td>Department of Criminal Justice</td>
<td>18,601,740</td>
</tr>
<tr>
<td>Juvenile Probation Commission</td>
<td>19,209,156</td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>184,305,130</td>
</tr>
<tr>
<td>Youth Commission</td>
<td>10,599,450</td>
</tr>
<tr>
<td><strong>Subtotal, Public Safety and Criminal Justice</strong></td>
<td><strong>$336,852,048</strong></td>
</tr>
<tr>
<td>Retirement and Group Insurance</td>
<td>6,709,252</td>
</tr>
<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>2,334,206</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$9,043,458</strong></td>
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<td><strong>TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE</strong></td>
<td><strong>$345,895,506</strong></td>
</tr>
<tr>
<td>Department / Commission</td>
<td>2010</td>
</tr>
<tr>
<td>------------------------------------------------------------------</td>
<td>--------------</td>
</tr>
<tr>
<td>Adjutant General's Department</td>
<td>$ 7,705,761</td>
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<tr>
<td>Alcoholic Beverage Commission</td>
<td>153,750</td>
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<tr>
<td>Department of Criminal Justice</td>
<td>125,548,901</td>
</tr>
<tr>
<td>Commission on Fire Protection</td>
<td>35,000</td>
</tr>
<tr>
<td>Commission on Jail Standards</td>
<td>28,500</td>
</tr>
<tr>
<td>Juvenile Probation Commission</td>
<td>12,821,023</td>
</tr>
<tr>
<td>Commission on Law Enforcement Officer Standards and Education</td>
<td>358,000</td>
</tr>
<tr>
<td>Department of Public Safety</td>
<td>621,651,553</td>
</tr>
<tr>
<td>Youth Commission</td>
<td>12,985,864</td>
</tr>
<tr>
<td><strong>Subtotal, Public Safety and Criminal Justice</strong></td>
<td><strong>$ 781,288,352</strong></td>
</tr>
<tr>
<td>Retirement and Group Insurance</td>
<td>91,187,615</td>
</tr>
<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>32,178,520</td>
</tr>
<tr>
<td><strong>Subtotal, Employee Benefits</strong></td>
<td><strong>$ 123,366,135</strong></td>
</tr>
<tr>
<td>Less Interagency Contracts</td>
<td>$ 70,610,436</td>
</tr>
<tr>
<td><strong>TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE</strong></td>
<td><strong>$ 834,044,051</strong></td>
</tr>
</tbody>
</table>
### RECAPITULATION - ARTICLE V
PUBLIC SAFETY AND CRIMINAL JUSTICE
(All Funds)

For the Years Ending
August 31, 2010  August 31, 2011

<table>
<thead>
<tr>
<th>Division</th>
<th>2010</th>
<th>2011</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adjutant General's Department</td>
<td>$126,991,786</td>
<td>$59,736,937</td>
</tr>
<tr>
<td>Alcoholic Beverage Commission</td>
<td>45,106,720</td>
<td>43,697,669</td>
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<tr>
<td>Department of Criminal Justice</td>
<td>3,058,670,512</td>
<td>3,112,663,861</td>
</tr>
<tr>
<td>Contingency Appropriations</td>
<td>(8,303,086)</td>
<td>(5,274,640)</td>
</tr>
<tr>
<td>Total</td>
<td>3,050,367,426</td>
<td>3,107,389,221</td>
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<tr>
<td>Commission on Fire Protection</td>
<td>3,381,168</td>
<td>3,322,668</td>
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<tr>
<td>Commission on Jail Standards</td>
<td>1,075,348</td>
<td>1,075,348</td>
</tr>
<tr>
<td>Juvenile Probation Commission</td>
<td>182,774,142</td>
<td>179,815,944</td>
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<tr>
<td>Commission on Law Enforcement Officer Standards and Education</td>
<td>3,369,861</td>
<td>3,355,602</td>
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<tr>
<td>Department of Public Safety</td>
<td>976,767,608</td>
<td>757,083,624</td>
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<tr>
<td>Youth Commission</td>
<td>233,191,500</td>
<td>222,602,522</td>
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<tr>
<td>Subtotal, Public Safety and Criminal Justice</td>
<td>$4,623,025,559</td>
<td>$4,378,169,535</td>
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<tr>
<td>Retirement and Group Insurance</td>
<td>519,381,340</td>
<td>552,803,355</td>
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<tr>
<td>Social Security and Benefit Replacement Pay</td>
<td>165,028,105</td>
<td>167,232,337</td>
</tr>
<tr>
<td>Subtotal, Employee Benefits</td>
<td>$684,409,445</td>
<td>$720,035,692</td>
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<tr>
<td>Bond Debt Service Payments</td>
<td>243,170,775</td>
<td>247,750,318</td>
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<tr>
<td>Lease Payments</td>
<td>2,041,515</td>
<td>1,975,185</td>
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<tr>
<td>Subtotal, Debt Service</td>
<td>$245,212,290</td>
<td>$249,725,503</td>
</tr>
<tr>
<td>Less Interagency Contracts</td>
<td>$70,610,436</td>
<td>$70,350,469</td>
</tr>
<tr>
<td>TOTAL, ARTICLE V - PUBLIC SAFETY AND CRIMINAL JUSTICE</td>
<td>$5,482,036,858</td>
<td>$5,277,580,261</td>
</tr>
</tbody>
</table>

Number of Full-Time-Equivalents (FTE) 53,276.1 53,217.1